



# Northpoint Village Appeal 06APL-00000-0039

County of Santa Barbara  
Board of Supervisors  
May 10, 2011





# Project Vicinity





# Project Site





# Appeal of Condition 13

## ◆ Recommended condition:

- ◆ Annex into the existing HOA
- ◆ Or form its own HOA + prorated cost for only maintaining roads & basin

## ◆ Approved condition:

- ◆ Annex into existing HOA, or
- ◆ Execute agreement for prorated cost of road & basin + common open space areas and amenities



# Appeal Issues

- Revise condition to allow separate HOA
  - ◆ Poor maintenance of existing units
  - ◆ Depletion of reserve funds
- And not require cost sharing for open space & amenities
  - ◆ New occupants will not use them



# Planning Commission Recommendation

- Board of Supervisors deny the appeal:
  - ◆ Last phase not stand alone project
  - ◆ Cost sharing must be resolved



# Staff Analysis

- Parties at impasse for last 4.5 years
- County avoids involvement in private HOA matters



# Recommendation

- ◆ Make the required findings for the project, including CEQA findings (Attachment 1);
- ◆ Adopt the Addendum for the previously certified Environmental Impact Report 78-EIR-9 and Supplemental Document 92-SD-2 (Attachment 2) and adopt the mitigation monitoring program contained in the conditions of approval;
- ◆ Uphold the appeal and grant *de novo* approval of Case No. 98-DP-023 subject to the conditions in Attachment 3, including changed condition 13.

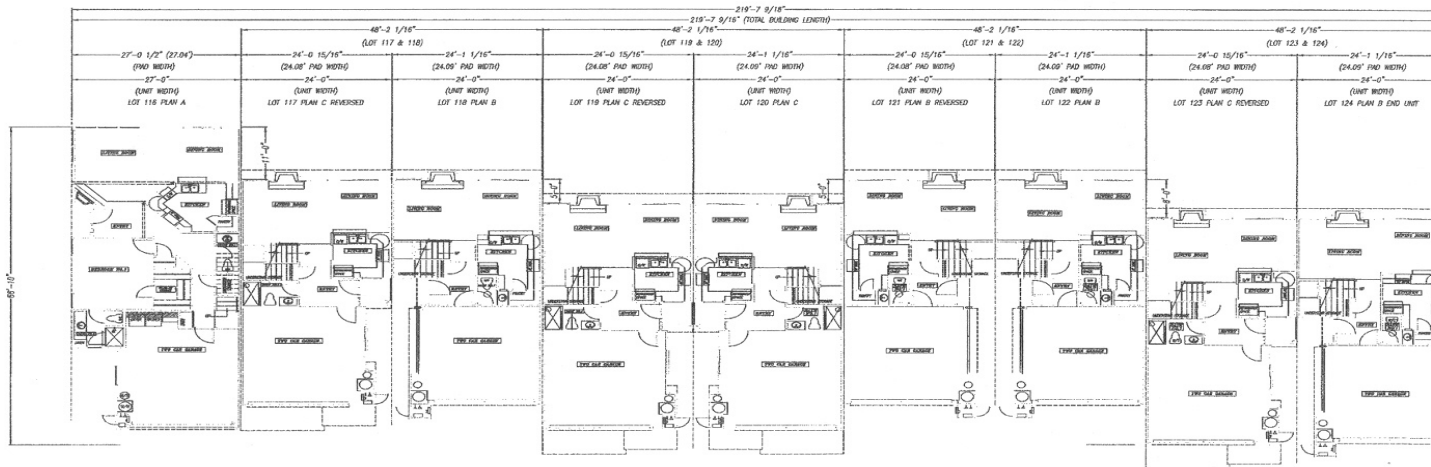




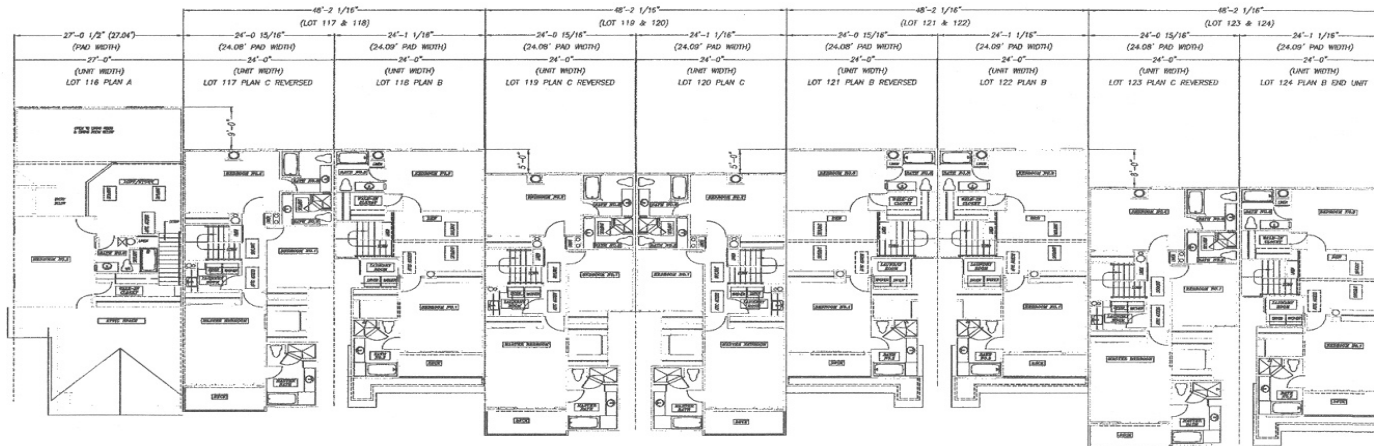
# Back-up slides



# Floor Plans



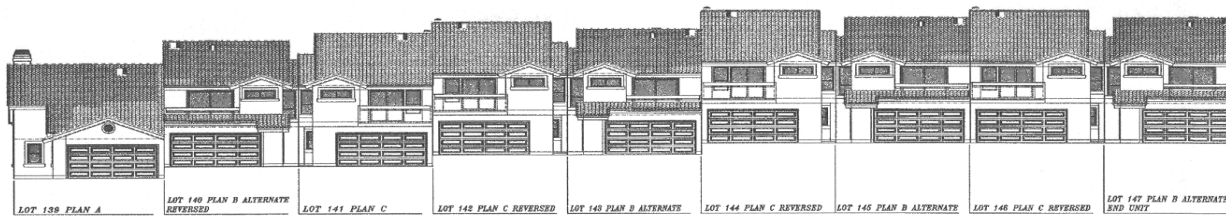
FIRST FLOOR PLAN OF BUILDING ONE ON WOODSIDE LANE  
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN OF BUILDING ONE ON WOODSIDE LANE  
SCALE: 1/8" = 1'-0"



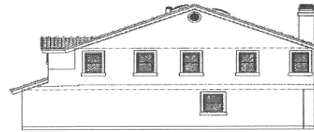
# Elevations



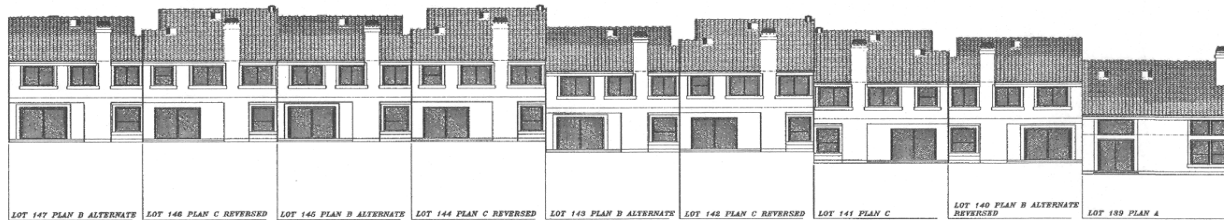
FRONT ELEVATION OF BUILDING FOUR ON PARKVIEW NORTH  
SCALE: 1/8" = 1'-0"



WEST SIDE ELEVATION OF BUILDING FOUR (PLAN A ON LOT 139)  
SCALE: 1/8" = 1'-0"



EAST SIDE ELEVATION OF BUILDING FOUR (PLAN B ALTERNATE ON LOT 147)  
SCALE: 1/8" = 1'-0"



REAR ELEVATION OF BUILDING FOUR ON PARKVIEW NORTH  
SCALE: 1/8" = 1'-0"

PROJECT NO: 05-002 DATE: OCTOBER 12, 2005 PLAN NO: 05-002 SHEET NO: 10	PROJECT: 02414, LOTS 138, 140, 141, 142, 143, 144, 145, 146 & 147, APR. 27/2005 TRACT: 02414, LOTS 138, 140, 141, 142, 143, 144, 145, 146 & 147, APR. 27/2005 NORTHPOINT - PHASE IV FOR MR. LEO EVANS JACKIE C. WILKS ARCHITECTS 1100 E. DORR SUITE 1000 SANTA BARBARA, CALIFORNIA 93103	SHEET NO: 10 DATE: 10/12/05 DRAWN BY: JAW CHECKED BY: JAW SCALE: 1/8" = 1'-0"
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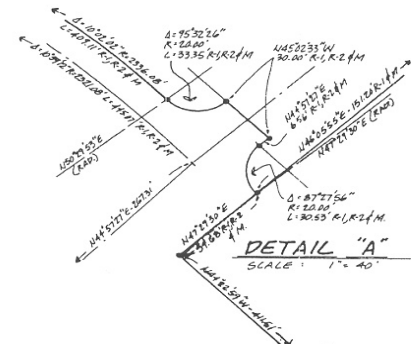
# Site Plan

## LEGEND:

- FOUND 1/4" I.P. TAGGED L.S. 3485 PER R-1 UNLESS OTHERWISE NOTED
- R-1 MAP BOOK 97, PAGES 57 TO 100
- R-2 MAP BOOK 97, PAGES 57 TO 83
- M. MEASURED DATA
- DENOTES WAGON OF ABUTTERS ACCESS RIGHTS PER R-2
- SET 5/8" REBAR WITH PLASTIC CAP MARKED L.S. 4577

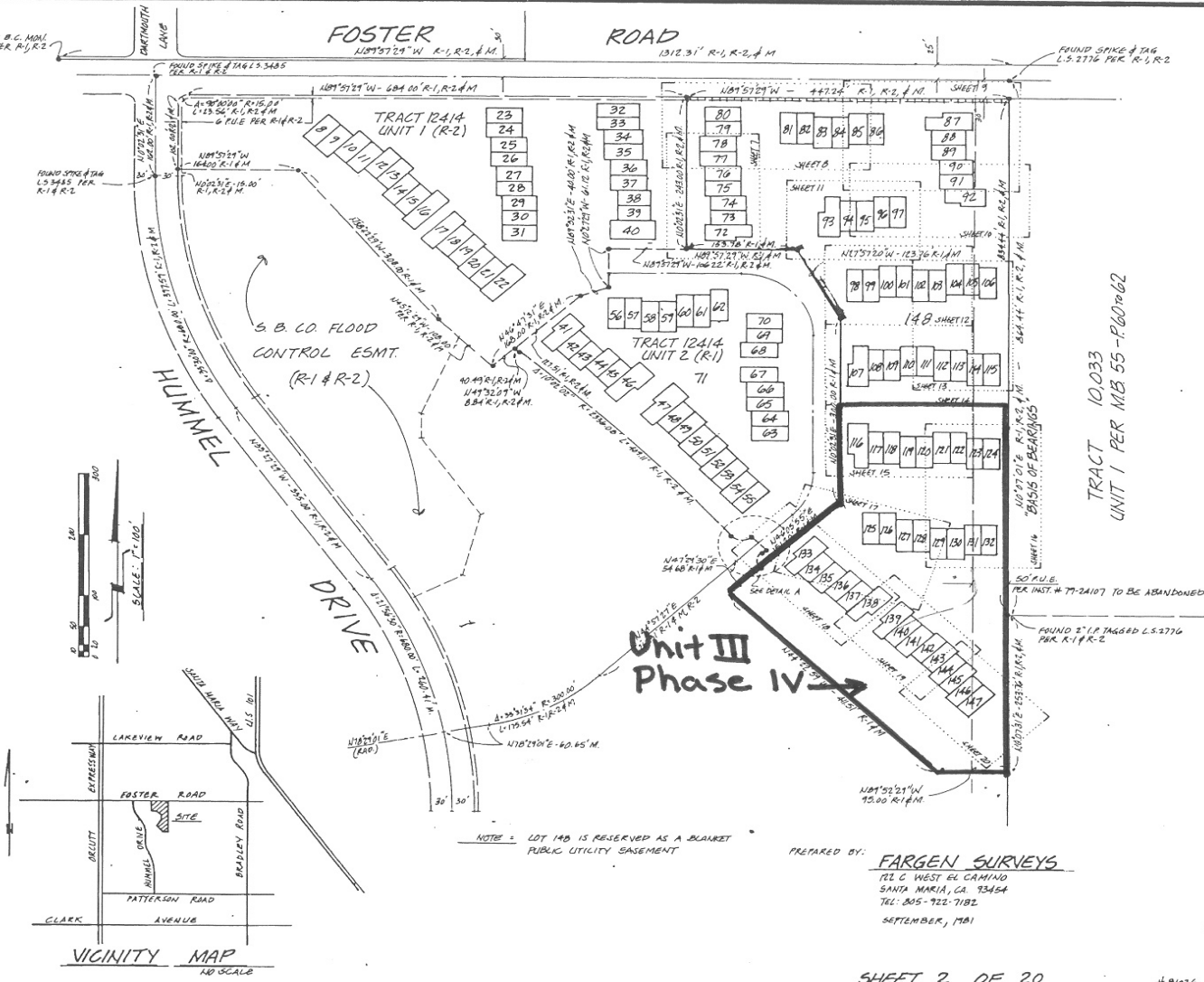
## BASIS OF BEARINGS:

BEING THE DIRECTION BETWEEN THE FOUND SPIKE AND TAG MARKED L.S. 2776 ON THE CENTERLINE OF FOSTER ROAD AND THE FOUND 5/8" WITH TAG MARKED L.S. 2776 AT THE SOUTHWEST CORNER OF TRACT 10,033 UNIT 1, AND NOTED AS N0°07'01"E PER BOOK 97, PAGES 57 THROUGH 83 OF MAPS.



## UNIT 3 TRACT 12414

BEING A SUBDIVISION OF A PORTION OF LOT 2 OF TRACT 12414 UNIT 1, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 97, PAGES 57 THROUGH 83 OF MAPS.



TRACT 10,033 UNIT 1 PER M.B. 55 - P. 60 TO 62

**Unit III Phase IV**

NOTE: LOT 140 IS RESERVED AS A BLANKET PUBLIC UTILITY BASEMENT

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 TEL: 805-922-7182  
 SEPTEMBER, 1981



## Condition No. 13

- Prior to land use clearance of the Development Plan, the applicant shall form a Homeowner's Association and record CC&R's that provide for shared maintenance responsibilities by parcels 107-560-001 through 107-560-032 for the private open space area (APN 107-560-033) appurtenant landscaping, subject to approvals from Flood Control, P&D and County Counsel. The CC&R's shall also include by reference responsibilities for all parcels to maintain property in compliance with all conditions of approval for the project. The Homeowner's Association shall pay the existing Northpoint HOA for its share of the repair and maintenance to Northpoint Circle and Parkview North (existing access roads) and the existing Northpoint retention basin; the pro rata share shall be 23% of any such repairs and maintenance.



## Revised Condition No. 13

- Prior to issuance of any Land Use Permits, Owner shall provide Planning & Development with evidence of a written signed agreement between Owner and Village of Northpoint Homeowners' Association ("Association) providing for annexation of the project into the existing Association, or, alternatively evidence of an agreement between Owner and the Association which shall include, without limitation, the following:
  - a. Mutually acceptable provisions for temporary construction access across Association's private roadway (portions of Northpoint Circle) to Owner's contractors and suppliers during construction of the project.



## Revised Condition No. 13

- b. Mutually acceptable provisions for the future control, management, maintenance, and repair of all shared common areas and amenities between Owner and the future Project occupants and the Association, including, without limitation, the private roads and retention basin currently owned and maintained by the Association. There shall be no deviation from the above stated conditions without Planning & Development approval.