

BOARD AGENDA LETTER ATTACHMENT 7

CONDITIONS OF APPROVAL

17LLA-00000-00001

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CONDITIONS OF APPROVAL**

16LLA-00000-00006

**Los Alamos Cemetery District / Carrari Family Trust Lot Line Adjustment
APNs: 099-030-020, 099-030-059**

1. **Proj Des-01 Project Description.** This Lot Line Adjustment is based upon and limited to compliance with the project description, the hearing exhibits marked A-G, dated July 12, 2017, and all conditions of approval set forth below, including specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project involves a proposed land exchange between the Los Alamos Cemetery District (APN 99-030-020, 4777 Drum Canyon Road) and the Carrari Family Trust (APN 099-030-059). The boundaries would be adjusted as follows:

PROPERTY	COMPREHENSIVE PLAN LAND USE DESIGNATION	ZONING	ACREAGE¹	ACREAGE TO EXCHANGE
Cemetery	Cemetery	Professional Institutional	2.52	0.90
Carrari	Agricultural Commercial (AC)	Agriculture II, 100-acre minimum parcel size (AG-II-100)	1,835.5	0.90

Existing and future development would be served by private wells and septic systems. The Cemetery parcel is accessed off of Drum Canyon Road. The Carrari parcel can be accessed off of Drum Canyon Road, Santa Rita Road and Highway 135.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

¹ No change to the acreage of either parcel.

PROJECT SPECIFIC CONDITIONS

3. **AG-06 Ag Preserve Replacement Contract.** Prior to recordation of the lot line adjustment documents, the applicant shall submit applications for Agricultural Preserve Replacement contracts to Planning and Development. Recordation of Agricultural Preserve Replacement contracts shall occur within one year following recordation of the lot line adjustment documents or the project will be referred to the Agricultural Preserve Advisory Committee with a recommendation for non-renewal of the contract.

TIMING: Applications for replacement contracts shall be submitted prior to recordation of the lot line adjustment documents. Recordation of replacement contracts shall occur within one year of map recordation.

MONITORING: P&D processing planner shall verify that applications for Agricultural Preserve Replacement contracts have been submitted to P&D prior to clearance of the lot line adjustment documents. The Agricultural Preserve Advisory Committee shall be notified by the planner responsible for processing the replacement contracts if replacement contracts are not recorded within one year following recordation of the lot line adjustment documents.

LOT LINE ADJUSTMENT CONDITIONS

4. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during future grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archeological and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archeological Guidelines and funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans. **MONITORING:** P&D permit processing planner shall check plans prior to zoning clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.
5. **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the Lot Line Adjustment, the Owner/Applicant shall submit a Lot Line Adjustment Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
6. **Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds used to finalize the lot line adjustment: "This deed or document arises from the lot line adjustment 16LLA-00000-00006 and defines a single parcel within the meaning of California Civil Code Section 1093 among two legal parcels created by 16LLA-00000-00006." The County Surveyor shall determine the appropriate documents necessary to record with the deeds.

COUNTY RULES AND REGULATIONS

7. **Rules-04 Additional Approvals Required.** Approval of this Lot Line Adjustment is subject to the Board of Supervisors approving the required Amendments to the Comprehensive Plan and Rezoning of the subject parcels to reflect the realigned property line. If approved, the Rezone would take effect 30 days following Board of Supervisors approval of the Rezone.
8. **Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Lot Line Adjustment.
9. **Rules-23 Processing Fees Required.** Prior to issuance of filing of a record of survey, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
10. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
11. **Rules-36 Map/LLA Expiration.** This Lot Line Adjustment shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
12. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant request a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

