

Attachment 5:

Staff Memorandum dated September 13, 2006

ATTACHMENT 5
SANTA BARBARA COUNTY
PLANNING AND DEVELOPMENT
MEMORANDUM

TO: Planning Commission

FROM: John Zorovich (934-6297)
Development Review Division, North

DATE: September 13, 2006

RE: NorthPoint Project; Case Number 98-DP-023; Revised Condition Wording

I. Suggested Revisions to Conditions of Approval #13.

Condition #13 requires the applicant to pay the existing Northpoint HOA for its pro rata share of the repair and maintenance of Northpoint Circle and Parkview North roads and the existing retention basin. The pro rata share listed in the staff report, condition #13, and the Flood Control District Letter (dated August 29, 2006) states that the applicant's pro rata share is 15 percent. Staff has re-evaluated the pro rata share calculation based on the total number of units that would use these roadways and basin (139 units). The 15 percent calculation was based on the total number of approved units (219), some of which do not use these roads and retention basin. Staff has recalculated the applicant's pro rata share to be 23 percent. Provided below is a recommended change to conditions #13 of 98-DP-023 that reflects the new pro rata share calculation. A revised Flood Control District letter is attached that reflects the revised percentage. Additions and deletions are depicted in underline and strikeout form, respectively.

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 used by Phases I-IV; the pro rata share shall be 23% ~~+5%~~ of any such repairs and maintenance.

II. Suggested Revisions to Conditions of Approval #25.

25. Compliance with Departmental letters required as follows:
 - a. Air Pollution Control District dated August 25, 2006.
 - b. Environmental Health Services dated July 31, 1992.
 - c. Fire Department dated September 12, 2006 ~~November 2, 1998~~.
 - d. Flood Control dated September 12, 2006 ~~August 29, 2006~~.

- e. Roads Division (Public Works) dated July 22, 1992.
- f. Park Department dated October 21, 1998 (No conditions).
- g. Santa Maria Public Airport District dated June 24, 1992.