

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
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## Agenda Number:

**Prepared on:** March 13, 2006  
**Department Name:** Planning & Development  
**Department No.:** 053  
**Agenda Date:** March 28, 2006  
**Placement:** Administrative  
**Estimate Time:** N/A  
**Continued Item:** NO  
**If Yes, date from:**  
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**TO:** Board of Supervisors

**FROM:** Dianne Meester, Assistant Director  
Planning and Development

**STAFF CONTACT:** Steve Chase, Deputy Director  
Planning and Development, (805) 568-2520

**SUBJECT:** Gill/Wilkinson Condominium Subdivision Agreement

## Recommendation:

That the Board of Supervisors approve and execute a condominium subdivision agreement associated with TPM 14, 672 with Mr. Tim Gill and Ms. Laura Wilkinson to provide certain notices and protections to the tenants of the 550 A and B San Ysidro Road., Montecito Area, First Supervisorial District.

## Alignment with Board Strategic Plan:

### Goal 1

The recommendation is primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community; and

### Goal 6

The recommendation is primarily aligned with Goal No. 6. A County Government that is Accessible, Open, and Citizen-Friendly.

## Executive Summary and Discussion:

On August 17, 2005 the Montecito Planning Commission approved a Tentative Parcel Map application (05TPM-00000-00009, TPM 14,672) to convert an existing duplex at 550A and B San Ysidro Road into two condominiums. In approving the Tentative Parcel Map for the

condominium conversion, the Montecito Planning Commission imposed numerous conditions, including a condition that the Subdivider, Tim Gill and Laura Wilkinson, enter into an agreement with the County to provide certain notices and protections to the tenants residing in the duplex. These noticing requirements and tenant protections are provided for in the State Subdivision Map Act, Government Code Section 66427.1. Specifically, the agreement includes the following provisions:

1. NOTICE TO TENANTS OF APPROVAL OF PARCEL MAP

SUBDIVIDER agrees, pursuant to Government Code Section 66427.1(b), that each of the tenants residing in the duplex on the date of approval of the final parcel map, will be given written notice within ten (10) days of approval of such parcel map for the condominium conversion.

2. NOTICE TO TENANTS OF INTENTION TO CONVERT

Subdivider agrees, pursuant to Government Code Section 66427.1(c), that each of the tenants residing in the duplex on the date of approval of the final parcel map has been, or will be, given one hundred eighty (180) days written notice of Subdivider's intention to convert prior to the termination of tenancy due to the conversion, or subdivider shall provide proof that such notice is not necessary because there are no tenants, shall be provided concurrent with recordation.

3. FIRST RIGHT OF PURCHASE

Subdivider agrees that pursuant to Government Code Section 66427.1(d), each of the tenants, if any, residing in the project shall be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenant. Such first right to purchase shall run for a period not less than 90 days from the date of issuance of the subdivision public report (Business and Professions Code section 11018.2), unless the tenant gives prior notice of his intention not to exercise the right.

**Mandates and Service Levels:** The Subdivision Map Act, Government Code Section 66427.1, requires the County decision makers to make certain findings related to noticing requirements and tenant protections in order to approve a Tentative Parcel Map for a condominium subdivision. To ensure compliance with these requirements, the County's practice is to enter into an agreement with the subdivider and record the agreement with the Final Parcel Map. Therefore, this is a required action by the Board in order to record the Final Parcel Map for the condominium subdivision. Approving and executing the agreement will have no impact on County service levels.

**Fiscal and Facilities Impacts:** The costs for processing this application and preparing and recording the agreement are entirely borne by the applicant. Funding for this work is budgeted in the Permitting and Compliance program of the Development Review South division on page D-294 of the adopted 05/06 fiscal year budget.

**Special Instructions:** The agreement shall be forwarded to the County Surveyor's Office for appropriate processing.

**Concurrence:** County Counsel

**Prepared by:** Dan Nemechek, Planner, Development Review Division

**Attachment:**

A. Condominium Subdivision Agreement