



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: Flood Control
Department No.: 054
For Agenda Of: December 11, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Santa Barbara County Flood Control and Water Conservation District

FROM: Department Director Scott D. McGolpin, Director of Public Works, 568-3010

Contact Info: Thomas D. Fayram, Deputy Director–Water Resources, 568-3436

SUBJECT: Miramar Hotel Flood Control Access Easement to Oak Creek in Montecito, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

Recommended Actions:

That the Board of Directors:

- a) Approve the attached Permanent Access Easement for a portion of real property conveyed from the MIRAMAR ACQUISITION CO., LLC to the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, consisting of an easement 16-feet wide for access over the private streets for the purposes of flood control access to Oak Creek, and located on the property known as County Assessor Parcel Number 009-371-007, and authorize the Clerk of the Board to sign the Certificate of Acceptance attached thereto; and
- b) Consider the environmental effects of the project as shown in the EIR [08EIR-00000-00003] certified on December 9, 2008, the Mitigated Negative Declaration [00-ND-003] adopted on May 3, 2000, and in the Addenda dated December 9, 2008, March 11, 2011, and March 24, 2015 and find that pursuant to California Environmental Quality Act (CEQA) Guidelines §15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore approval of the Recommended Actions are within the scope of the prior environmental review identified above and associated information can be found at:

<http://www.sbcountyplanning.org/projects/07RVP-00009/index.cfm>
<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2242749&GUID=F4B4C052-F59D-49B3-9A31-545710EA2252>

Summary Text:

This item is on the agenda due to the Montecito Planning Commission's condition of approval No. 59 of the approved Miramar Hotel and Bungalows project requires that prior to occupancy clearance for the project, a Flood Control easement shall be dedicated to the Santa Barbara County Flood Control District.

Background:

The Revised Miramar Hotel and Bungalows project was approved by the Santa Barbara County Board of Supervisors on April 14, 2015. The approved project (Case No's: 14RVP-00000-00063, 14AMD-00000-00010, 14AMD-00000-00011, 14CDP-00000-00086, 14CDP-00000-0090, 14CDP-00000-0091) included revisions to a previously approved Development Plan, amendments to previously approved Conditional Use Permits, and associated Coastal Development Permits. The Miramar Hotel and Bungalows project is a luxury resort with all new buildings and landscaping spread over 15.99 acres and includes a main building with a lobby, meeting rooms and conference facilities, 170 guest rooms, two restaurants and a beach bar, retail space, activities building, two pools and two tennis courts, the Miramar Club and parking lot of 438 spaces. The project is located at 1555 S. Jameson Lane in the Montecito Area, between Highway 101 and the beach. Construction of the project is currently underway.

Consistency analysis for the project was completed in a Montecito Planning Commission staff report dated November 21, 2014, and in a Board of Supervisors Agenda Letter dated March 24, 2015. The project was reviewed and found in conformance with the Article II Coastal Zoning Ordinance and the County Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan.

Fiscal and Facilities Impacts:

Fiscal Analysis: There are no costs associated with this action.

Special Instructions:

Clerk of the Board, please distribute as follows:

1. Return the original Certificate of Acceptance to General Services, Attn: J. Cleary, for recordation.
2. Forward a copy of the Minute Order to the Flood Control District office: Attn: Christina Lopez and to General Services/Real Property Division, Attn: J. Cleary

Attachments:

Attachment 1: Permanent Access Easement Deed and Certificate of Acceptance