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Legislation Details (With Text)

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On agenda: 7/7/2015 **Final action:** 7/7/2015

Title: HEARING - Consider the appeal (Case No. 14APL-00000-00029) including the original appeal in and the subsequent information submittal of SBRHC, Inc. of the Planning and Development Department's Denial of the consent to a proposed Transfer Agreement, between and SBRHC, Inc. and Standard Portfolios Asset Management Co. LLC (Standard Portfolios), of respective interests, rights, and obligations under the Inland Development Agreement, Inland Project Approvals and Subsequent Inland Approvals for the Santa Barbara Ranch Project, Third District, as follows: (EST. TIME: 45 MIN.)

Option 1:

- a) Pursuant to Section 8.02 of the Inland Development Agreement for the Santa Barbara Ranch Project, approve and authorize the Chair to execute a written Consent to Transfer Agreement;
- b) Determine the action is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) and 15378(b)(5) because it can be seen with certainty that there is no possibility of a significant effect on the environment due to the Board's consent to a Transfer Agreement which transfers ownership of the previously approved Santa Barbara Ranch project; and
- c) Grant the appeal, Case No. 14APL-00000-00029; or

Option 2:

- a) In light of Standard Portfolio's reputation and financial resources, determine that the County cannot reasonably and presently consent to the proposed Transfer Agreement because the proposed Transferee has not provided adequate evidence of its own reputation and financial resources to be able to perform the obligations proposed to be assumed;
- b) Determine the action is exempt from CEQA pursuant to CEQA Guidelines sections 15061(b)(3) and 15378(b)(5) because it can be seen with certainty that there is no possibility of a significant effect on the environment due to the Board's denial of consent to a Transfer Agreement which transfers ownership of the previously approved Santa Barbara Ranch project; and
- c) Deny the appeal, Case No. 14APL-00000-00029.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Sponsors: PLANNING AND DEVELOPMENT DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Attachment 1 - Appeal Letter, 3. Attachment 2 - Submittal Package from Standard Portfolios, 4. Attachment 3 - Excerpt of Inland Development Agreement, 5. Attachment 4 - Draft Notice of Consent to Transfer Agreement, 6. Attachment 5 - CEQA NOE for Approval of Consent to Transfer Agreement, 7. Attachment 6 - CEQA NOE for Denial of Consent to Transfer Agreement, 8. Attachment 7 - Request for Consent to Transfer, 9. Attachment 8 - PD Denial of Consent to Transfer, 10. Public Comment - Marc Chytilo, 11. Public Comment - Group 1, 12. Public Comment - Antrim, 13. Public Comment - Koed, 14. Public Comment - Bell, 15. Public Comment - McCammon, 16. Public Comment - Schaal, 17. Lamport 013574_v1_SBR IDA TRANSFER PRESENTATION, 18. Lamport rebuttal 013752_v1_sbr IDA TRANSFER REBUTTAL PRESENTATION, 19. Presentation

Date	Ver.	Action By	Action	Result
7/7/2015	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass

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