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County of Santa Barbara

105 Anapamu Street, Santa Barbara

Legislation Details

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On agenda: 2/7/2012 **Final action:** 2/7/2012

Title: HEARING - Consider recommendations regarding the Santa Barbara Ranch Inland Development Agreement Notice of Compliance, as follows: (EST. TIME: 1 HR.)

a) Receive and file a written request from SBHRC, Inc. for the County to provide SBRHC, Inc. with a Notice of Compliance, pursuant to Section 8.04 of the Inland Development Agreement, concerning the Inland Development Agreement for the Santa Barbara Ranch Project;

b) Approve and authorize the Chair to execute and deliver to SBRHC, Inc. the Notice of Compliance, pursuant to Section 8.04 of the Inland Development Agreement, which includes a statement that, since the determination of Inland Development Agreement rights in the Santa Barbara Ranch Project remains the subject of ongoing "quiet title" litigation in Santa Barbara Superior Court Case No. 1379764, between the original Developers and SBRHC, Inc., the County of Santa Barbara reasonably cannot at this time certify those respective rights within its Notice of Compliance; and

c) After considering the Final Environmental Impact Report, State Clearinghouse #2005011049, that the Board of Supervisors certified on October 21, 2008, determine pursuant to 14 CCR 15162(a) that no subsequent EIR or Negative Declaration shall be prepared for this project because the County cannot determine on the basis of substantial evidence in the light of the whole record that:

- i) Substantial changes are proposed in the project which will require major revisions of the 2008 Final EIR; or
- ii) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the 2008 Final EIR; or
- iii) New information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final EIR was certified in 2008, has been received that requires a subsequent EIR or Negative Declaration.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Sponsors: PLANNING AND DEVELOPMENT DEPARTMENT

Indexes:

Code sections:

Attachments: 1. Board Letter, 2. Request from SBHRC, 3. Inland Development Agreement, 4. Draft Notice of Compliance, 5. Memorandum and Letters dated 2/3/12, 6. Presentation, 7. Public Comment: Adair and Butler LLP

Date	Ver.	Action By	Action	Result
2/7/2012	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass