



DEPARTMENT OF PLANNING AND BUILDING

TO: Board of Supervisors

FROM: Stephanie Fuhs, Planning and Building Department

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: December 16, 2014

SUBJECT: Submittal of resolutions approving and accepting an Open-Space Agreement granting an Open Space Easement to the County of San Luis Obispo and an Irrevocable and Perpetual Offer to Dedicate Multi-Use Trail Easement for Vesting Tentative Tract Map/Conditional Use Permit TR2763/SUB2005-00036 with Toad Creek Homes, LLC, a California Limited Liability Company. District 1.

Recommendation

It is recommended that the Board adopt and instruct the Chairperson to sign the resolutions approving and accepting the Open-Space Easement and Multi-Use Trail Easement for Vesting Tentative Tract Map/ Conditional Use Permit TR2763/SUB2005-00036 with Toad Creek Homes, LLC, a California Limited Liability Company.

Discussion

Attached is an open space agreement and multi-use trail easement that were required as conditions of approval for Vesting Tentative Tract Map and Conditional Use Permit TR2763/SUB2005-00036. The open space easement was required to comply with open space provisions contained in the Land Use Ordinance for cluster subdivisions and to protect areas of the site with identified biological resources. The multi-use trail easement was required in order to provide for a recorded easement over a historical trail that exists on the project site. The CC&Rs for the tract include a provision for maintenance of the trail by the Homeowners Association.

The project is a Vesting Tract Map (TR2763) and Conditional Use Permit to subdivide an approximately 6.78 acre parcel into 26 clustered residential lots which range in size from 3,666-5,998 square feet, and two open space parcels totaling approximately 3.1 acres. The project is within the Residential Single-Family land use category and is located at the current western terminus of Salinas Avenue, approximately 200 feet west of William St., in the community of Templeton. The project was approved by the Planning Commission on October 19, 2006.

The area contained within the open space easement is 3.09 acres. The total project site is 6.78 acres.

The attached open space agreement is found to be consistent with the County's general plan.

Other Agency Involvement

County Counsel prepared the agreements and approved the resolutions and documents as to form and legal effect.

Financial Considerations

None.

Results

Approving and accepting the open space agreement will provide for protection of biological resources in accordance with Land Use Ordinance standards for cluster subdivisions and conditions of approval for the project. The multi-use trail easement will provide recreational opportunities to the residents of the subdivision as well the general public. The easements are consistent with the County goal of promoting a healthy and livable community.

Attachments

Attachment 1- Open Space Easement Resolution

Attachment 2 – Trail Easement