



DEPARTMENT OF PLANNING AND BUILDING

TO: Board of Supervisors

FROM: Stephanie Fuhs, Planning and Building Department

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: May 24, 2016

SUBJECT: Submittal of resolution approving and accepting an Open-Space Agreement Granting an Open Space Easement to the County of San Luis Obispo for Vesting Tentative Tract 2994 and Conditional Use Permit SUB2008-00041 with MI Creekside, LLC, a Delaware Limited Liability Company. District 1.

Recommendation

It is recommended that the Board adopt and instruct the Chairperson to sign the resolution approving and accepting an Open-Space Agreement Granting an Open Space Easement to the County of San Luis Obispo for Vesting Tentative Tract 2994 and Conditional Use Permit SUB2008-00041 with MI Creekside, LLC, a Delaware Limited Liability Company and instruct the County Clerk-Recorder to record said agreement.

Discussion

Attached is an open space agreement that was required as a condition of approval for Vesting Tentative Tract 2994 and Conditional Use Permit SUB2008-00041. The open space easement was required to comply with planned development standards contained in the Land Use Ordinance.

The project is a Vesting Tentative Tract Map (Tract 2994) and Conditional Use Permit. The proposal is to subdivide an existing 16.76 acre parcel into 107 residential lots, one commercial lot of 72,072 square feet and eight park/ common/open space lots. The project was approved by the Board of Supervisors on appeal on January 25, 2011.

The area contained within the open space easement is 2.62 acres. The total project site is 16.76 acres.

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

Other Agency Involvement

County Counsel prepared the agreement and approved the resolution and document as to form and legal effect. Public Works reviewed and approved the legal description contained in the open space agreement.

Financial Considerations

None.

Results

Approving and accepting the open space agreement will protect a portion of the project site that contains the Toad Creek watershed. This is consistent with the County goal of providing a healthy and livable community.

Attachments

Attachment 1 - Resolution