

## **ATTACHMENT C: CONDITIONS**

**Case No.:** 07LLA-00000-00011

**Project Name:** CalProp/Hoctor Lot Line Adjustment

**Project Address:** 2825 & 2781 Padaro Lane, Summerland

**APN:** 005-260-009 & 005-260-011

**This permit is subject to compliance with the following conditions:**

1. This *Lot Line Adjustment* is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked A-D, dated February 27, 2008 and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

**The project description is as follows:**

**The request is for a Lot Line Adjustment to adjust the boundaries between APN's 005-260-009 & 005-260-011 known as 2825 and 2781 Padaro Lane respectively. The adjustment would transfer 7.00 gross acres from 2825 Padaro Lane (Reconfigured Lot 2) to 2781 (Reconfigured Lot 1) resulting in Reconfigured Lot 2 at 10.25 gross acres and Reconfigured Lot 1 at 10.01 gross acres. No other development is proposed as part of the project. Lot 1 is currently developed with an 8,000 square foot single-family residence and attached garage, cabana, two spas, swimming pool and guest house. Lot 2 is currently developed with a 1,350 square foot residence, detached accessory structure, watchman's trailer, detached garage with carport and several storage containers. Both parcels would continue to be served by the Montecito Water District, private septic systems and the Carpinteria/Summerland Fire District. Both parcels would continue to take access from Padaro Lane.**

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

### **LOT LINE ADJUSTMENT CONDITIONS**

2. Prior to recordation of the Lot Line Adjustment, all building and zoning violations shall be abated.

3. Three copies of the map to finalize the tentative map and required review fees in effect at the time shall be submitted to Planning and Development (P&D) for compliance review of P&D conditions before P&D will issue map clearance to the County Surveyor. The map shall show statistics for net lot area (gross area less any public road right of way) and any open space.
4. A notice of the Lot Line Adjustment shall be recorded with the deed of each property to be adjusted. Said notice shall include the following:
  - a. Legal description for each adjusted parcel; and
  - b. Statement of the findings and conditions approving the Lot Line Adjustment.
5. The deed describing the property that is the subject of the lot line adjustment shall contain one of the following statements, as deemed acceptable by the County Surveyor, depending on the property described in the deed:

(For deeds describing just the portion of the parcel conveyed between the parcels affected by the lot line adjustment) "This deed arises from the lot line adjustment 07LLA-00000-00011 and is not intended to create a separate legal parcel within the meaning of California Civil Code Section 1093."

(For deeds describing the entirety of the parcels affected by the lot line adjustment) "This deed arises from the lot line adjustment 07LLA-00000-00011 and is intended to create a single legal parcel within the meaning of California Civil Code Section 1093."

Any document used to record the lot line adjustment shall include a statement that the document arises from a lot line adjustment that is intended to identify two legal parcels.

6. Lot Line Adjustment 07LLA-00000-00011 shall expire three years after approval or conditional approval by the final decision-maker unless otherwise provided in the Subdivision Map Act, Government Code §66452.6.

## **COUNTY RULES AND REGULATIONS**

7. Compliance with the following Departmental Condition letters:
  - a. Surveyor's Office dated January 9, 2008
8. Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this Coastal Development Permit. In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to

cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

9. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed.

# Memorandum

Date: January 9, 2008  
To: Errin Briggs, Planner  
From: Rob Murphy, Survey Party Chief  
Subject: 07LLA-00000-00011 (CalProp/Hoctor)



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Tentative review of this project reveals the following:

- 1) Both properties appear to be valid legal parcels. Both lots are shown in entirety on recorded parcel maps. (38/PM/57 and 29/PM/73)
- 2) The item numbers for the Exception Notes and easements do not agree with the title report provided, dated September 28, 2007. The descriptions of some items do not match the title report submitted, or have duplicate wording.
- 3) The Surveyor's Statement must be signed and sealed. Verify the expiration date of the license.
- 4) Verify the reconfigured parcel numbers in the Areas Proposed Parcels.
- 5) In the Surveyor's Notes, verify item 5. The date of the Title Report shown is August 29, 2006. The title report provided is dated September 28, 2007.
- 6) In the Surveyor's Notes, verify item 7. The Area for proposed parcel 2 does not agree with the map. Also, the area for a third parcel is shown. Where is this parcel? It is not shown on the map.
- 7) Verify the subdivision number shown as 07LLA-00000-00000. It should be 07LLA-00000-00011.
- 8) In the Owner's Statement, show the printed address and phone number of the owners.

- 9) In the Boundary Legend, show the record reference for existing lot 1. R2 (38/PM/57).
- 10) Label Existing Lot 1 with map reference. (38/PM/57).
- 11) Label the dimensions of Parcel A with the record reference. (R1). Label the dimensions of Existing Lot 1 with the record reference. (R2). See the County of Santa Barbara Subdivision Regulations, Chapter 21, Section 21-91(a)(4). A map or drawing to such scale as will show all of the details and dimensions clearly and shall show the exterior boundary line of the parcels affected conforming with existing records, with essential information as to dimensions and bearings.
- 12) The easements shown must be locatable with dimensions and widths. See the County of Santa Barbara Subdivision Regulations, Chapter 21, Section 21-91(a)(6). A map or drawing to such scale as will show all of the details and dimensions clearly and shall show the location, width, nature and status of all existing and proposed easements, reservations and rights of way, whether or not of record, to which the property is or will be subject.
- 13) Show the location and width of Padero Lane. See the County of Santa Barbara Subdivision Regulations, Chapter 21, Section 21-91(a)(5). A map or drawing to such scale as will show all of the details and dimensions clearly and shall show the location, names, widths, approximate grade and curve radii of all and proposed roads, streets, and access easements within or affecting the parcels and the existing roads, streets and easements serving the parcels.
- 14) Verify the reconfigured parcel numbers on the map sheet. These do not agree with the reconfigured parcel numbers in the Areas Proposed Parcels. See comment 4.
- 15) Verify the bearing of the northerly line of Existing Lot 1. The bearing shown for this lot is not of record. See 38/PM/57 for record data.
- 16) Provide a current title report for both properties.

Once all the above items have been addressed, please ask the applicant to submit a revised Tentative for further review. Thank you.