

2. LAND DIVISION (Project ID: 10-0119): LV RIDGE

CDH

A proposal to divide Parcel C of the Las Cumbres Land Division into two lots. The 320-acre property is proposed to be divided into Parcel C-1 (115 acres) and Parcel C-2 (205 acres). The subject property is located at **5888 Lucas Valley Road, Nicasio**, and is further identified as **Assessor's Parcel 121-210-61**.

The Deputy Zoning Administrator asked if staff had any additional comments or had received additional correspondence since the staff report was distributed and the staff responded, noting the following modifications shown with track changes to the modified resolution:

- Supplemental memorandum dated January 25, 2011 from James Raives, Senior Open Space Planner regarding the parkland dedication requirements;
- Revisions to Conditions of Approval #5, 13, 14, 16, 23, 25, 41, 42, and 59;
- Corrected appeal date;
- Results of staff's research on Conditions of Approval # 11 & 12 regarding parkland dedication and affordable housing fees; and
- Letter dated January 26, 2011 from Riede and Mason, Attorneys at Law regarding the affordable housing fees and in-lieu fees;

Lee Lee Thomas, Affordable Housing Strategist, proposed an additional Condition of Approval that would require the applicant be responsible for any direct costs associated with fulfillment of the inclusionary requirement. Discussion followed on the draft language.

The public testimony portion of the hearing was opened.

The applicant, Irving Schwartz, expressed concerns that the of County was "double dipping" with respect to Parkland Dedication and Affordable Housing fees.

The public testimony portion of the hearing was closed.

The Deputy Zoning Administrator approved the project with the following modifications:

- Condition of Approval #5, delete all text after the third sentence;
- Condition of Approval # 13, correct the address: from 5765 to 5888 Lucas Valley Road;
- Condition of Approval #16, delete "development" and replace with "floor";
- Condition of Approval #23, delete "~~has been modified consistent with hand drawn revisions on the "Narbut Tentative Map"~~" and replace with "of any intended modifications";
- Condition of Approval #25, delete "any" and replace with "the";
- Conditions of Approval #41 and 42, strike; and
- SECTION III: VESTING AND APPEAL RIGHTS, first paragraph, correct "January 43," to "January 27, 2014," second paragraph "January 27" to February 10, 2011 and third paragraph 43th to 27th day of January, 2011.

The Hearing Officer concurred with staff's analysis and recommendation and approved the LV Ridge LLC Land Division (Tentative Map), based on the Findings in the modified Resolution.

The Hearing Officer informed all parties of interest that this action may be appealed to the Marin County Planning Commission within ten (10) working days.