



Agenda Item No. _____

File Code No. 640.08

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 5, 2012

TO: Mayor and Council members

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Parcel Map And Execution Of Agreements For 1550 And 1600 West Mountain Drive

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,800 and standard agreements relating to the approved subdivision at 1550 and 1600 West Mountain Drive.

DISCUSSION:

A Tentative Map for the subdivision located at 1550 and 1600 West Mountain Drive (Attachment 1), was conditionally approved on October 13, 2011, by adoption of the Planning Commission Resolution Number 022-11 (Attachment 2). The project involves subdividing one legal lot into two separate lots. Staff has reviewed the Parcel Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

In accordance with the Planning Commission's approval, the Owner(s) (Attachment 3) have signed and submitted the Parcel Map and the required agreements to the City, tracked under Public Works Permit Number PBW2011-01507. Council approval is required if Council agrees with the staff determination that the Parcel Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map.

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*. The *Agreement Assigning Water Extraction Rights* does not require Council approval, and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.

- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Parcel Map Number 20,800 by the Planning Commission Conditions of Approval Resolution Number 022-11
 3. List of Owners/Trustees

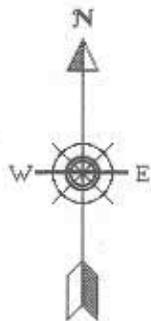
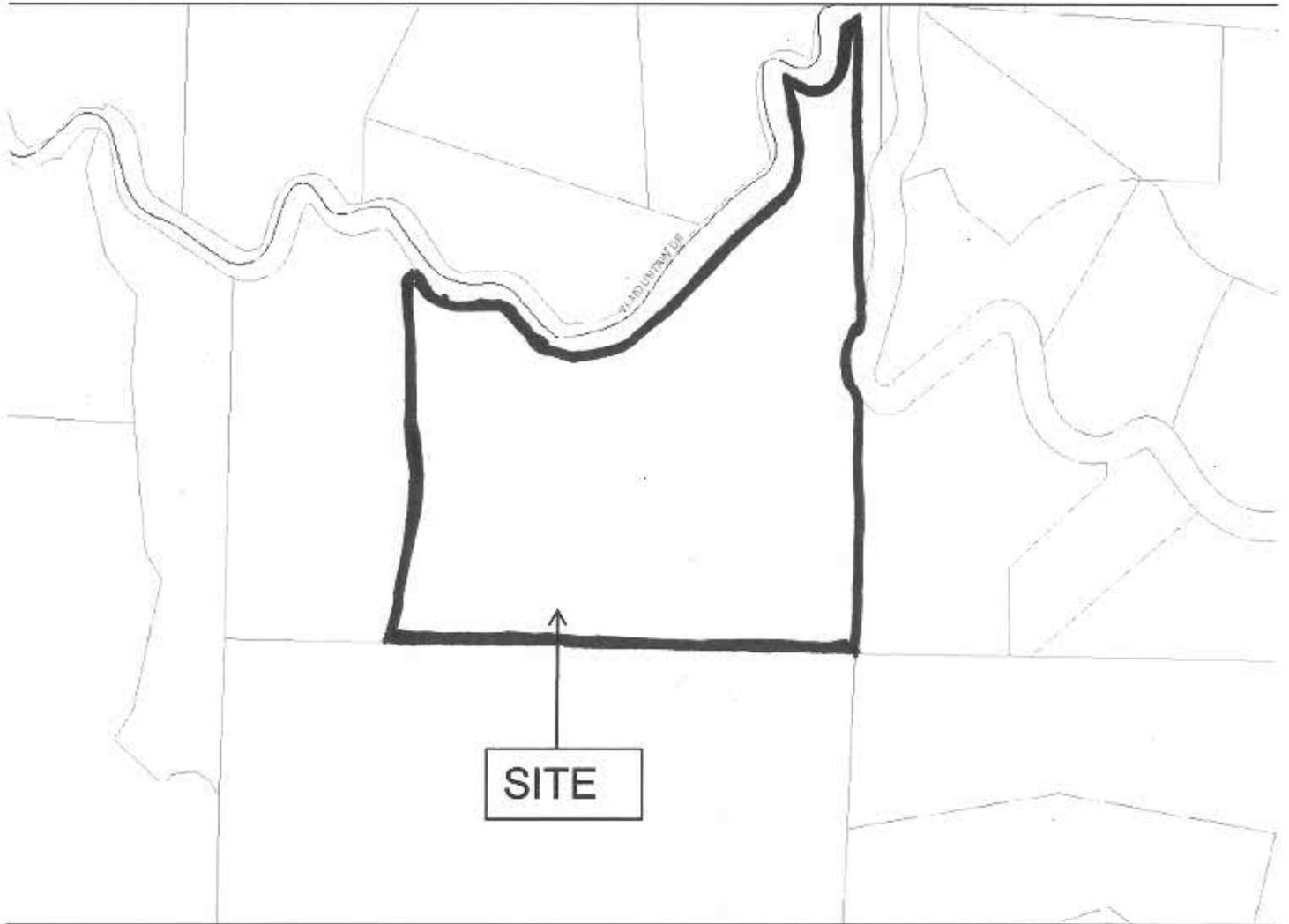
PREPARED BY: Mark Wilde, Supervising Civil Engineer/VJ/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

**Vicinity Map
1550 and 1600 W. Mountain Drive**



Not to Scale

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,800 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION NO. 022-11

1550 and 1600 West Mountain Drive

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on October 13, 2011, is limited to two (lots) and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. The project consists of a proposal to subdivide an existing 18.3-acre lot into two lots. Parcel 1, the "Piano House" site, is proposed to be 15.6-gross acres (14.6-net acres); which is developed with a 2,190-sf residence, 782-sf garage, and a 908-sf accessory building. Parcel 2, the "Book House" site, is proposed to be 2.7-gross acres (2.5-net acres); which is developed with a 5,010-sf residence, a 885-sf carport and a 630-sf accessory building. The lot split proposal does not include additional development.
2. **Development Rights Restrictions.** In order to ensure that portions of the Real Property remain in their natural state, Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Tentative Subdivision Map. The restricted portion of the Real Property consists of the following areas: Lot 1 – The portion that is located outside the Development Envelope, as shown on the Tentative Map; Lot 2 – The area that is located outside the Development Envelope, as shown on the Tentative Map; and the area below the 715-foot elevation (contour) line. The Owner shall not conduct any development within the restricted area of each lot including, but not limited to, grading, irrigation, structures, ornamental landscaping, agriculture or utility service lines. The restricted areas shall be shown on the Parcel Map. The Owner shall continue to be responsible for maintenance of the restricted area in compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.
3. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
4. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).

5. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
6. **Sewer Connection Requirement.** Owner agrees to connect to the City sewer system when a sewer main is constructed in Mountain Drive at a point adjacent to Owner's Real Property, per Santa Barbara Municipal Code Chapter 14.44. Owner shall, at Owner's sole expense, connect to the City sewer system within one year of being advised in writing that the City sewer main is operable and available for such a connection. In the event Owner fails to comply with this condition of approval, City may enter the Real Property and make such a sewer connection with the cost of the connection becoming a lien on the real property to be paid in connection with property taxes and assessments imposed on Owner's Real Property.
7. **City Water Connection Requirement.** Owner agrees to connect to the City water system if at some point in the future a City water main is constructed in Mountain Drive at a point adjacent to Owner's Real Property and such connection is deemed by the Public Works Director to be in the City's interest. Owner shall, at Owner's sole expense, connect to the City water system within one year of being advised in writing that the City water main is operable and available for such a connection. In the event Owner fails to comply with this condition of approval, City may enter the Real Property and make such a water connection with the cost of the connection becoming a lien on the real property to be paid in connection with property taxes and assessments imposed on Owner's Real Property.
8. **Pesticide or Fertilizer Usage Near Creeks.** The use of pesticides or fertilizer shall be prohibited within the restricted development area, which drains directly into Coyote Creek.
9. **Geotechnical Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from landslides, erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

ATTACHMENT 3

LIST OF OWNERS Gardner Family Trust u/d/t March 29, 2000

1550 and 1600 West Mountain Dr.

Theodore R. Gardner II, Trustee

Virginia L.T. Gardner, Trustee