



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 22, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For 3408 – 3412 State Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,748 and a standard agreement relating to the approved subdivision at 3408 – 3412 State Street.

DISCUSSION

A Tentative Map for the subdivision located at 3408-3412 State Street (Attachment 1), was conditionally approved on July 19, 2006, by adoption of the Staff Hearing Officer (SHO) Conditions of Approval, Resolution Number 042-06 (Attachment 2). The project involves the conversion of one commercial and four residential condominiums. Staff has reviewed the Final 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. The County Surveyor has reviewed the Final Map for technical correctness.

In accordance with SHO approval, the Owners, Robert and Deborah Hart, have signed and submitted the Final Map and the required Agreement to the City. Council approval is required if Council agrees with the staff determination that the Final 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* (Agreement). The *Agreement Assigning Water Extraction Rights* was recorded in November 2004 as part of a previous application.

The Final Map and Agreement are available for review in the City Clerk's Office.

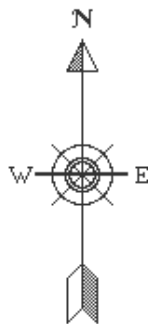
- ATTACHMENT(S):** 1. Vicinity Map
2. Conditions required to be recorded concurrent with Final Map Number 20,748 by the Staff Hearing Officer Conditions of Approval Resolution Number 042-06

PREPARED BY: Adam Hendel, Principal Civil Engineer/TS/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
3408-3412 State Street



Not to Scale

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,748 BY HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NUMBER 042-06

3408-3412 State Street

Said approval is subject to the following conditions:

1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to: swales, natural watercourses, conduits and any access road, as appropriate. The Owner is responsible for the adequacy of any project related drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard of life, health or damage to the Real Property or any adjoining property.
2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property.
3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan as approved by the Architectural Board of Review (ABR) on April 12, 2004. Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan.
4. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on July 19, 2006 is limited to the conversion of one commercial space and four apartments to five condominium units, and the improvements shown on the plans signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
5. **Storm Water Pollution Control Systems Maintenance.** The Owner(s) shall maintain drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the approved Operations and Maintenance Procedure Plan.
6. **Required Private Covenants.** Prior to the issuance of a Certificate of Occupancy for any residential condominium unit or the sale of any residential condominium unit within the subdivision, whichever comes first, the Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, including the private storm drain system and shared sewer laterals, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium parcels.
 - b. **Designated Spaces Available for Parking.** A covenant that includes a requirement that all designated parking spaces be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the parking spaces were designed and permitted.

- c. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
- d. **Trash and Recycling.** A covenant that includes a requirement that adequate space shall be provided and maintained for trash and recycling purposes.
- e. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.