



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: December 18, 2007

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Map And Execution Of Agreements For 1533 West Valerio Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record: 1) Parcel Map No. 20,755 for a two-lot subdivision at 1533 West Valerio Street, finding the Parcel Map in conformance with the state Subdivision Map Act, the City's Subdivision Ordinance, and the tentative subdivision map, and 2) other standard agreements relating to the approved subdivision.

DISCUSSION:

A Tentative Map for a subdivision located at 1533 West Valerio Street (Attachment 1) was conditionally approved on February 8, 2007, by adoption of the Planning Commission's Conditions of Approval, Resolution Number 007-07 (Attachment 2). The project involves a two-lot subdivision for two residential lots, with shared access taken from West Valerio Street.

In accordance with the Planning Commission's approval, the Owners (Attachment 3) have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2007-01238. It is necessary that Council approve the Parcel Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of approval the Tentative Map (Municipal Code, Chapter 27.09.060).

Staff recommends that Council authorize the City Administrator to execute the subject *Agreement Relating to Subdivision Map Conditions Imposed on Real Property and Agreement for Land Development Improvements*. The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

REVIEWED BY: _____ Finance _____ Attorney

Agenda Item No. _____

THE PARCEL MAP IS AVAILABLE FOR REVIEW, BOTH IN THE CITY CLERK'S OFFICE AND THE MAYOR AND COUNCIL'S OFFICE.

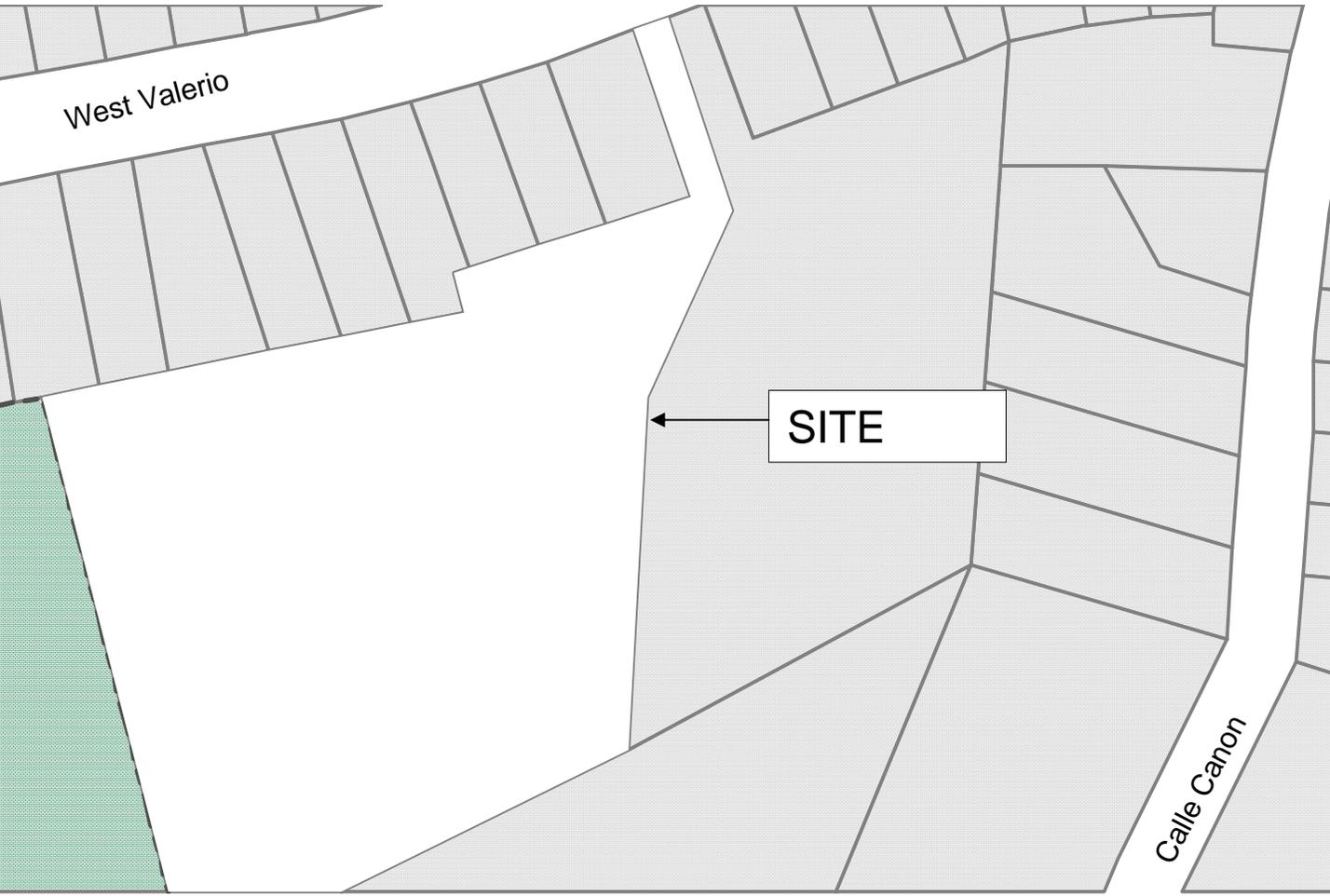
ATTACHMENT(S): 1. Vicinity Map
2. Conditions that are Required to be Recorded Concurrent with Parcel Map No. 20,755 by Planning Commission Conditions of Approval, Resolution No. 007-07
3. List of Owners

PREPARED BY: Homer F. Smith II, Principal Engineer/VJ/kts

SUBMITTED BY: Paul Casey, Acting Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
1533 West Valerio



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL
MAP NO. 20,755 BY PLANNING COMMISSION CONDITIONS OF APPROVAL,
RESOLUTION NO. 007-07**

1533 West Valerio

Recorded Agreement. Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute an "Agreement Relating to Subdivision Map Conditions Imposed on Real Property", which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

Uninterrupted Water Flow. The Owner shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural water courses, 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 that will preclude any hazard to life, health or damage to the Real Property or any adjoining property.

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 Architectural Board of Review (ABR).

Landscape Plan Compliance. The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). 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.

Development Rights Restrictions. The Owner shall not make any use of the restricted portion of the Real Property as designated on the approved Tentative Subdivision Map in order that those portions of the Real Property remain in their natural state. These restrictions include, but are not limited to, the right to develop the restricted portions with any grading, irrigation, buildings, structures or utility service lines. (The restricted areas shall be shown on the Final Map.) The Owner shall continue to be responsible for (i) maintenance of the restricted area, and (ii) compliance with orders of the Fire Department. Any brush clearance shall be performed without the use of earth moving equipment.

Approved Development. The development of the Real Property approved by the Planning Commission on January 11, 2007 is limited to 2 lots, the existing single-family residence, a new approximately 4,370 square foot single-family residence with 1,232 square feet of garage space, 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. Additional accessory buildings are prohibited on Parcel 1. Parcel 1's building envelope shall be reduced to the smallest area possible that still allows construction of the approved house.

Required Private Covenants. 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:

Common Area Maintenance. An express method for the appropriate and regular maintenance of the common access way, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the lots.

Trash and Recycling. Adequate space shall be provided and maintained for trash and recycling purposes.

Lighting. Exterior lighting, where provided, shall be consistent with the City's Lighting Ordinance and most currently adopted Energy Code. No floodlights shall be allowed. Exterior lighting shall be shielded and directed toward the ground.

1533 West Valerio – Conditions continued

Oak Tree Protection. The existing oak trees shown on the Tentative Subdivision Map and Landscape Plan shall be preserved, protected and maintained, with the exception of the oak tree designated for removal. During construction, protection measures shall be provided, including but not limited to fencing of the area surrounding the tree(s). The following provisions shall apply to any oak trees to remain on the property:

No irrigation systems shall be installed within the drip line of any oak tree.

The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.

Storm Water Pollution Control Systems Maintenance. The Owner(s) shall maintain the drainage system, storm drain water interceptor and other storm water pollution control devices in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official and/or the Public Works Director.

ATTACHMENT 3

LIST OF OWNERS

1533 West Valerio

James E. Haldeman

Jessica Haldeman