



# 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 406-420 Paseo Del Descanso

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record: 1) Final Map No. 20,731 for a subdivision at 406-420 Paseo Del Descanso, finding the Final 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 and development of an Interior Yard Setback and Street Frontage Modification, located at 406-420 Paseo Del Descanso (Attachment 1) was conditionally approved on April 20, 2006, by adoption of the Planning Commission's Conditions of Approval, Resolution Number 017-06 (Attachment 2). The project includes the re-subdivision of five existing developed residential lots to correct a surveying error, which resulted in four houses and one garage encroaching over interior lot lines, as well as modifications to interior yard setbacks and street frontage.

In accordance with the Planning Commission's approval, the Owners (Attachment 3) have signed and submitted the Final Map and the subject Agreements to the City, tracked under Public Works Permit No. 2006-00589. It is necessary that Council approve the Final Map since it conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of approval or conditional approval of 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*. The *Agreement Assigning Water Extraction Rights* is being processed concurrently with this

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REVIEWED BY: \_\_\_\_\_Finance \_\_\_\_\_Attorney

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Council Agenda Report, but will be signed by the Public Works Director in accordance with Council Resolution No. 02-131.

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

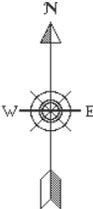
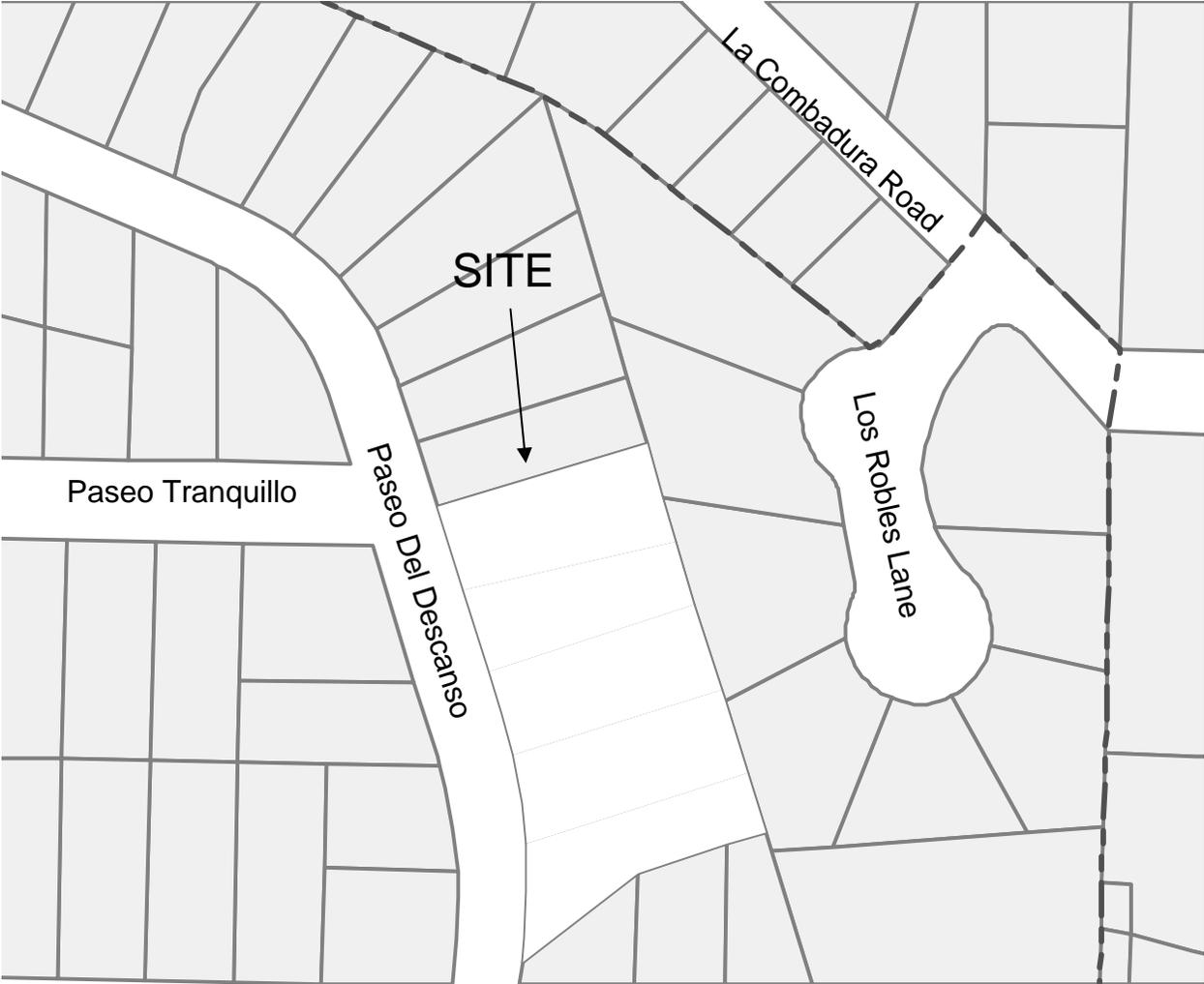
**ATTACHMENT(S):** 1. Vicinity Map  
2. Conditions that are Required to be Recorded Concurrent with Final Map No. 20,731 by Planning Commission Conditions of Approval, Resolution No. 017-06  
3. List of Owners

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

**SUBMITTED BY:** Paul Casey, Public Works Director

**APPROVED BY:** City Administrator's Office

Vicinity Map  
406-420 Paseo Del Descanso



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NO. 20,731 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION NO. 017-06**

**406-420 Paseo Del Descanso**

**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:

- A. **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.

## **ATTACHMENT 3**

### **LIST OF OWNERS (OR MEMBERS OF LLC)**

406-420 Paseo Del Descanso

Timothy and Elaine Stevensen  
Jay Reed and Judy Kathleen Allen  
Phillip and Jessica Ash Warring  
Michael and Rachel Fauver  
Marian F. Robinson