



Agenda Item No. _____

File Code No. 640.08

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2008
TO: Mayor and Councilmembers
FROM: Engineering Division, Public Works Department
SUBJECT: Approval Of Map And Execution Of Agreements For 812 Alston Lane

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map No. 20,764 for a subdivision at 812 Alston Lane (finding the Parcel Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map) and other standard agreements relating to the approved subdivision.

DISCUSSION:

A Tentative Map for a subdivision located at 812 Alston Lane (Attachment 1) was conditionally approved by the Planning Commission on October 18, 2007. The Planning Commission's conditions of approval are documented in Resolution No. 041-07 (Attachment 2). The project involves the subdivision of a 74,173 net square foot parcel into two parcels totaling 40,059 net square feet (Parcel 1) and 34,114 net square feet (Parcel 2). The existing single-family residence will remain on Parcel 2.

In accordance with the Planning Commission's approval, the Owner (Attachment 3) has signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2008-00044. 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 the 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 Council Agenda Report, but will be signed by the Public Works Director in accordance with City Council Resolution No. 02-131.

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

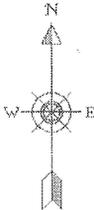
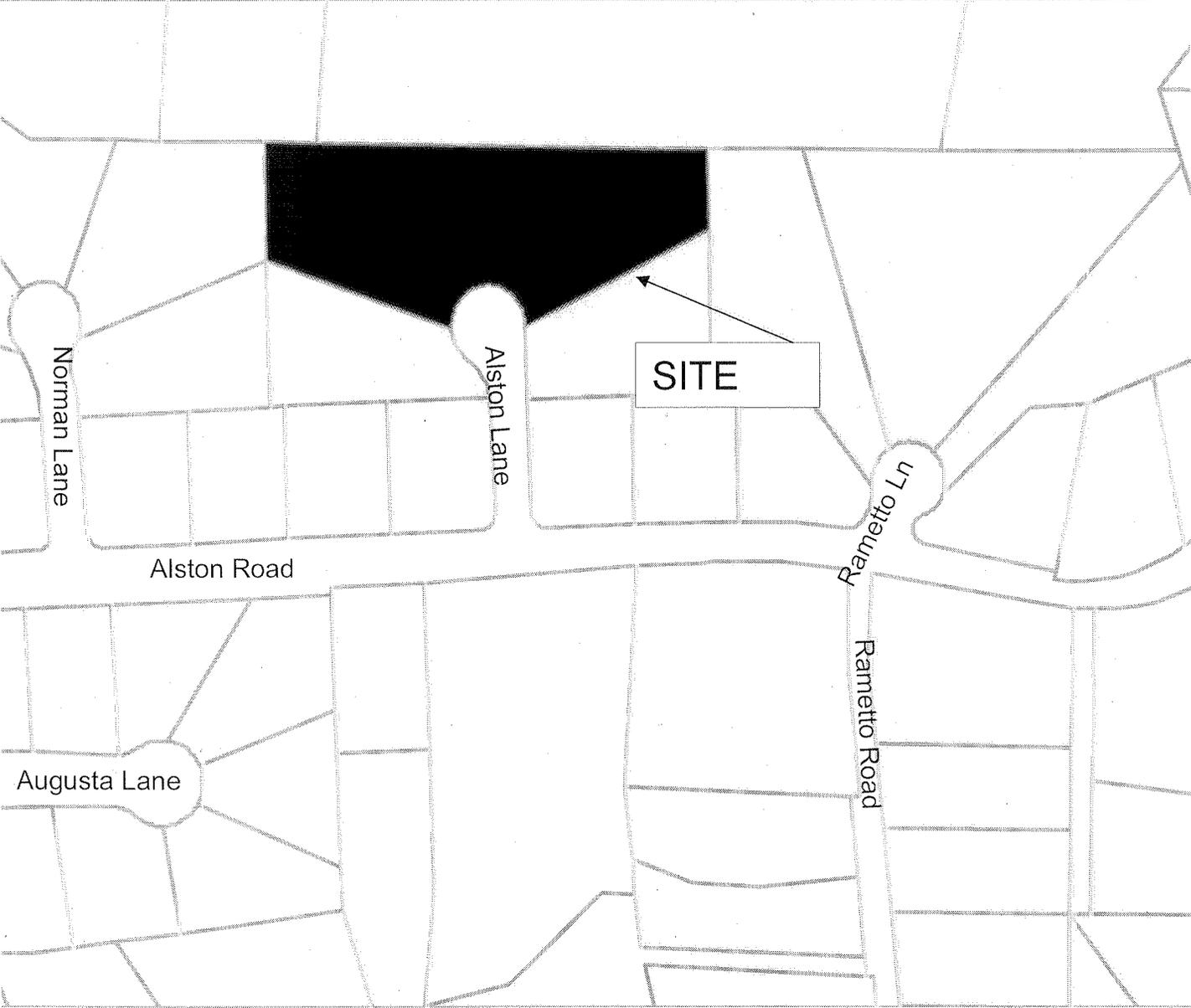
- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions that are required to be recorded concurrent with Parcel Map No. 20,764 by the Planning Commission's Conditions of Approval, Resolution No. 041-07
 3. List of Owner(s)

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
812 Alston Lane



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL
MAP NO. 20,764 BY PLANNING COMMISSION CONDITIONS OF APPROVAL,
RESOLUTION NO. 041-07
812 Alston Lane**

Said approval is subject to the following conditions:

- A. Recorded Agreement.** Prior to the recordation of the Parcel Map 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:
- 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.
 - 2. 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).
 - 3. Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. 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.
 - 4. Approved Development.** The development of the Real Property approved by the Planning Commission on October 18, 2007 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.
 - 5. Development Envelopes.** Development Envelopes shall be established for each parcel, as outlined below. Existing native vegetation shall be protected; however, ornamental planting is also allowed to remain, or replaced or enhanced, as long as all vegetation meets Fuel Management requirements established by the Fire Department. Pathways and other minor improvements may be considered, but structures or retaining walls are prohibited outside the Development Envelope. In the event slope repair is needed, natural solutions such as hydro seeding, plantings, jute matting and other methods that would minimize manmade structures should be employed first. If those methods are inadequate railroad ties or non-grouted gravity walls could be explored. Engineered retaining walls should be considered a last resort. Should these structures be needed on either lot, a substantial-conformance determination would be submitted and reviewed by staff prior to authorizing the needed repair work.

- a. Parcel One.** The Development Envelope shall include all areas outside the required setbacks and north of the 340 foot contour line.
 - b. Parcel Two.** The Development Envelope shall include all areas outside the required setbacks and north of the 360 foot contour line.
- 6. Driveway.** In order to minimize paving, only one driveway shall be allowed to serve the two parcels. The single driveway may be the existing driveway or a single relocated driveway, and may occur outside the Development Envelopes defined in Condition A.5. The driveway may also be widened in necessary to meet Fire Code requirements. The driveway cannot be split to provide access to the individual parcels until the driveway is north of the southerly boundary of the affected Development Envelope.
- 7. 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.
- 8. Drainage.** Pre-development runoff rates shall be maintained. On-site detention of calculated increases in runoff for a 25-year storm event associated with new development on a parcel, and as indicated in the Final Hydrology Report, shall be required.
- 9. Maintenance of Drainage System.** Owner shall be responsible for maintaining the drainage system in a functioning state. Should any of the project's surface or subsurface drainage structures fail or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building permit is required to authorize such work.
- 10. 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:
 - a. Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
 - b. 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.
- 11. Oak Tree Protection.** The existing oak tree(s) shown to remain on the Tentative Subdivision Map shall be preserved, protected, and maintained. The following provisions shall apply to any oak trees to remain on the property:
 - a.** No irrigation systems shall be installed within three feet of the drip line of any oak tree.
 - b.** The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
 - c.** Protect oak trees outside the development envelope. Any oak trees removed as part of future development of the parcels shall be replaced at a minimum of 5 oak trees planted for each oak tree removed (5:1). The Single Family Design Board shall consider the location of existing oak trees in the design of any future development on the parcels.

ATTACHMENT 3

LIST OF OWNERS

812 Alston Lane

Raye Arend Haskell