



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 17, 2009
TO: Mayor and Councilmembers
FROM: Engineering Division, Public Works Department
SUBJECT: Approval Of Map And Execution Of Agreements For 561 West Mountain Drive

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,775 for a subdivision at 561 West Mountain Drive (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 561 West Mountain Drive (Attachment 1) was conditionally approved on March 15, 2007, by adoption of the Planning Commission Conditions of Approval, Resolution Number 014-07. The project proposed a 4-lot subdivision of an 8.8 acre parcel with the existing residence to remain on one lot, but the project was appealed to Council on March 26, 2007, and again on July 24, 2007. Council directed the applicant to revise the project by reducing the project to a 3-lot subdivision by Council Resolution Number 07-086 (Attachment 2).

In accordance with the Council approval, the Owners (Attachment 3) have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit Number PBW2008-00661. 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* was processed separately and recorded on October 4, 2008 as instrument 2008-0060984.

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

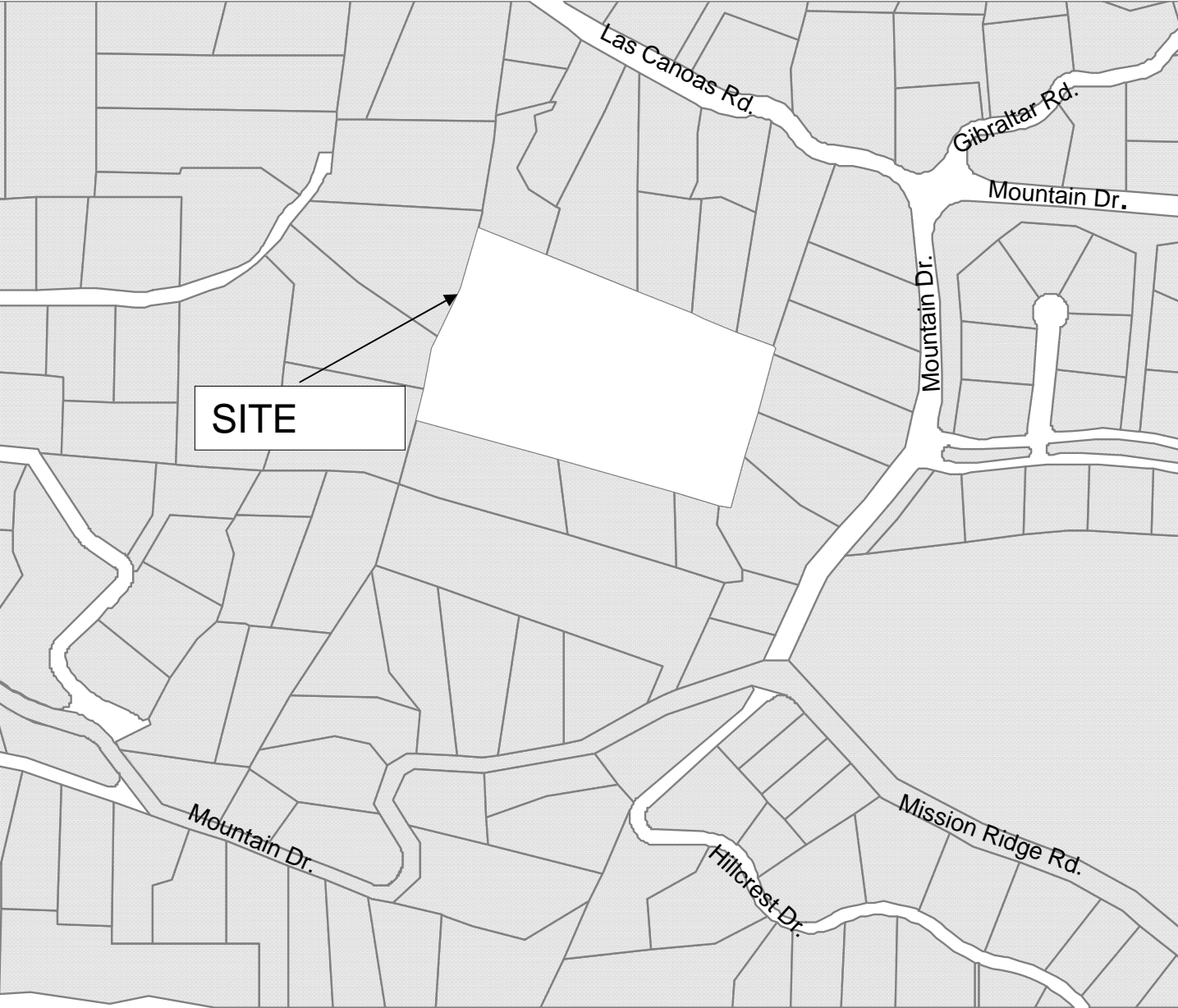
- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Parcel Map Number 20,775 by the Council's Conditions of Approval, Resolution Number 07-086
 3. List of Owners/Trustees

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
561 W. Mountain



Not to Scale

CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NO. 20,775 BY COUNCIL CONDITIONS OF APPROVAL, RESOLUTION NUMBER 07-086

561 West Mountain Drive

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 water courses, 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 Architectural Board of Review (ABR).
3. **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.
4. **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. Should any of the project's surface or subsurface drainage structures or storm water pollution control systems 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.
5. **Development Rights Restrictions.** The Owner shall not conduct any development within the restricted portion of the Real Property (that area outside of the development envelope) 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.
6. **Approved Development.** The development of the Real Property approved by the City Council on November 20, 2007 is limited to three lots, the construction of two new residences with garages, and associated landscape improvements as shown on the approved architectural drawings and as conditioned herein, and the improvements shown on the Tentative Subdivision Map signed by the Mayor of the City Council on said date and on file at the City of Santa Barbara. No detached accessory structures are permitted on Lot 2. Building pad elevations or building heights for Lots 1 and 3 shall be reduced from the plans reviewed by the Planning Commission on March 15, 2007
7. **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:

ATTACHMENT 3

LIST OF MEMBERS Jorgensen Ranch, LLC

561 West Mountain Drive

Milan Timm, Manager

Richard L. Ridgeway, Manager