



Agenda Item No. _____

File Code No. 640.08

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 29, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Parcel Map And Execution Of Agreements For 516 And 518 W. Los Olivos Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map (Map) Number 20,758 and standard agreements relating to the approved subdivision at 516 and 518 W. Los Olivos Street, and authorize the City Engineer to record a recital document stating that the public improvements have been completed, and that the previously recorded Land Development Agreement may be removed from the title document after the public improvements are complete.

DISCUSSION:

A Tentative Map for the subdivision located at 516 and 518 W. Los Olivos Street (Attachment 1) was conditionally approved on July 18, 2007, by adoption of the Staff Hearing Officer (SHO) Conditions of Approval, Resolution Number 056-07 (Attachment 2). The project involves the conversion of two new, detached one-story residential units into two condominium units on an 8,348 square foot lot. Staff has reviewed the 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.

In accordance with the SHO approval, the Owner(s) (Attachment 3) have signed and submitted the Map and the required Agreements to the City. Council approval is required if Council agrees with the staff determination that the 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 (Municipal Code, Chapter 27.09.060, City Council Action).

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*. The *Agreement for Land Development Improvements* was recorded on February 7, 2011, to insure installation of the required street light.

The *Agreement Assigning Water Extraction Rights* does not require Council approval, and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

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 20,758 by the Staff Hearing Officer Conditions of Approval Resolution Number 056-07
 3. List of Owners/Trustees

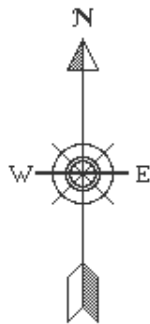
PREPARED BY: Mark Wilde, Supervising Civil Engineer/VJ/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

Vicinity Map
516 and 518 West Los Olivos



Not to Scale

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,758 BY STAFF HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NUMBER 056-07

516 and 518 W. Los Olivos 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 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.
2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on Real Property.
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 of Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.
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 (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.
5. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on July 18, 2007, is limited to the conversion of two residential units to two attached one-story condominium units, two one-car carports and two uncovered parking spaces on one lot, including improvements as shown on the project plans and Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.

6. **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. **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, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
 - b. **Carports Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages 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.** 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.
 - 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.

ATTACHMENT 3

LIST OF OWNERS

516 and 518 W. Los Olivos Street

James Doub

Keith Austin