



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: September 25, 2012
TO: Mayor and Councilmembers
FROM: Engineering Division, Public Works Department
SUBJECT: Approval Of Parcel Map And Execution Of Agreements For 2501 – 2511 Medcliff Road

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,798 and Standard Agreements relating to the approved subdivision at 2501-2511 Medcliff Road.

DISCUSSION:

A Tentative Map for the subdivision located at 2501-2511 Medcliff Road (Attachment 1), was conditionally approved on August 19, 2010, by adoption of the Planning Commission (PC) Conditions of Approval, Resolution Number 010-10, (Attachment 2). The project involves the subdivision of two parcels into four legal lots. Staff has reviewed the Parcel Map (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 PC approval, the Owner(s) (Attachment 3), have signed and submitted the Map and the required agreements to the City, tracked under Public Works Permit Number PBW2011-00258. 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 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.

- ATTACHMENT(S):**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Parcel Map Number 20,798 by Planning Commission Conditions of Approval, Resolution Number 010-10
 3. List of Owners/Trustees

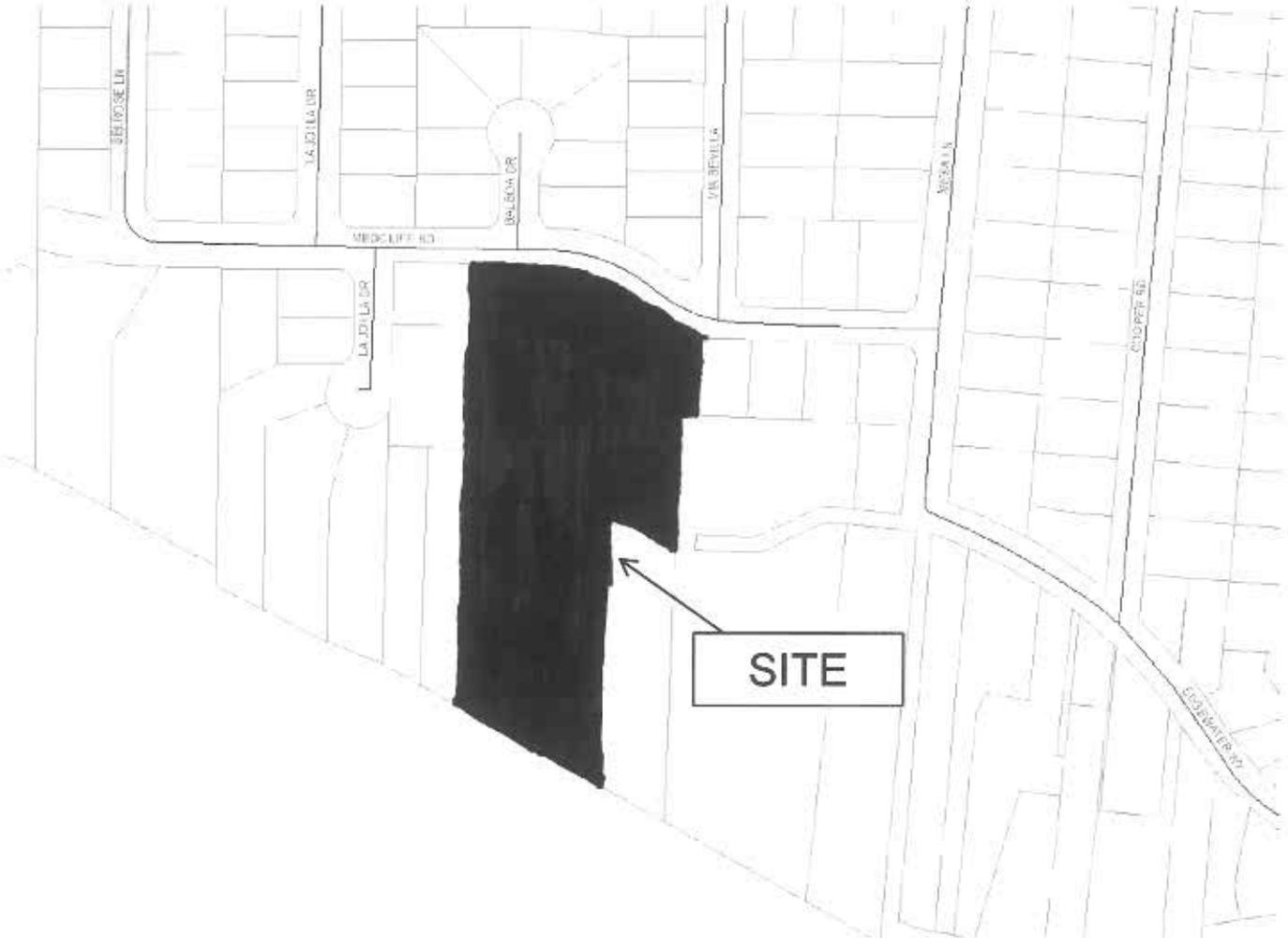
PREPARED BY: Mark Wilde, Supervising Civil Engineer/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

**Vicinity Map
2501-2511 Medcliff Road**



Not to Scale

ATTACHMENT 2

CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,798 BY PLANNING COMMISSION CONDITIONS OF APPROVAL, RESOLUTION NO. 010-10

2501-2511 Medcliff Road

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on August 19, 2010, is limited to the subdivision of two parcels to create four legal 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 and subject to any revisions made by the Planning Commission approval.
2. **Guest Parking.** At least one uncovered guest parking space shall be provided on Parcel D in addition to any parking spaces required by the Zoning Ordinance. Its size and location shall be determined by the Transportation Manager and approved by the Community Development Department.
3. **Future Development.** No structures shall be constructed within 20 feet of the edge of the private shared access driveway on any of the parcels. The Development Envelope on Parcel D shall be reduced so that no structures shall be constructed within 20' of the private driveway easement or within 20 feet of the easterly property line.
4. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits, and any access road, as appropriate.
5. **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 (SFDB).
6. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
7. **Oak Tree Protection.** The existing oak tree(s) shown on the Tentative Map and the Preliminary Grading Plan other than the two designated for removal, shall be preserved, protected, and maintained in accordance with the recommendations contained in the arborist's report prepared by Bill Spiewak, dated March 3, 2010.
8. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in accordance with the approved Storm Water Management Plan. 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 Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit/Coastal Development 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.

9. **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. **Private Covenants Conditions & Restrictions (CC&R's).** A private driveway maintenance and utility agreement shall be recorded in the Office of the County Clerk Recorder as a separate instrument in the form of Private CC&R's for all affected properties, and shall include language for maintenance of the private driveway, private water main, private fire hydrant, private storm drain system, and all other shared private facilities. The Official Record instrument number shall be referenced on the Parcel Map.
 - b. **Garages 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. **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.
 - d. **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.

Coastal Bluff Liability Limitation. The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

ATTACHMENT 3

LIST OF OWNERS Name of LLC if Applicable

2501 – 2511 Medcliff Road

Doug Rossi, Successor Trustee