



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** October 2, 2007

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Approval Of Map And Execution Of Agreements For 2028 Castillo Street

**RECOMMENDATION:** That Council:

- A. Approve and authorize the City Administrator to record Parcel Map No. 20,750 by Lloyd-Stickley Town Homes at Mission and Castillo, LLC, a Limited Liability Company, for a subdivision located at 2028 Castillo Street, Santa Barbara County Assessor's Parcel Number 025-292-028, and find the Parcel Map in conformance with the General Plan for the City of Santa Barbara (City); and
- B. Approve and authorize the City Administrator to execute and record an Agreement Relating to Subdivision Map Conditions Imposed on Real Property.

**DISCUSSION:**

A Tentative Map for a subdivision located at 2028 Castillo Street (Attachment 1) was conditionally approved on June 6, 2007, by adoption of the Staff Hearing Officer's (SHO) Conditions of Approval, Resolution number 045-07 (Attachment 2). The proposed project includes construction of four new two-story residential condominium units on a one-lot subdivision.

In accordance with the SHO'S approval, the Owners (Attachment 3) have signed and submitted the Parcel Map and the subject Agreements to the City, tracked under Public Works Permit No. PBW2007-00870. 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 approval or conditional approval of the Tentative Map (Municipal Code, Chapter 27.09.060).

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REVIEWED BY: \_\_\_\_\_ Finance \_\_\_\_\_ Attorney

Agenda Item No. \_\_\_\_\_

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, BOTH IN THE CITY CLERK'S OFFICE AND THE MAYOR AND COUNCIL'S OFFICE.**

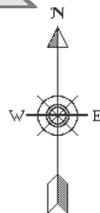
- ATTACHMENT(S):**
1. Vicinity Map
  2. Conditions that are required to be recorded concurrent with the Parcel Map No. 20,750 Map by Staff Hearing Officer Conditions of Approval, Resolution No. 045-07
  3. List of Owners/Members of Lloyd-Stickley Town Homes at Mission and Castillo, LLC, a Limited Liability Company

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

**SUBMITTED BY:** Anthony J. Nisich, Public Works Director

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

Vicinity Map  
2028 Castillo Street



Not to Scale

**CONDITIONS THAT ARE REQUIRED TO BE RECORDED CONCURRENT WITH  
FINAL MAP NO. 20,750 BY STAFF HEARING OFFICER'S CONDITIONS OF  
APPROVAL, RESOLUTION NO. 045-07  
2028 Castillo Street**

Said approval is subject to the following conditions:

- A. 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:
- 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 the 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 on the 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 June 6, 2007 is limited to new four-unit, two-story condominium building consisting of (2) one-bedroom units and (2) two-bedroom units with attached two-car garages and the improvements shown on the 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. **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. **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/MEMBERS OF  
Lloyd Stickleby Town Homes at Mission and Castillo, LLC  
2028 Castillo**

John Chamberlain, Manager

Miguel Bermudez, Secretary