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08APL-00000-00041
BEAN BLOSSOM NEW SFD: APPEAL OF C
CALLE REAL

TO: County Facilitation Participants GAVIOTA 081-210-047
 FROM: Christopher A. Jacobs, on behalf of Property Owner/Appellant, Bean Blossom, LLC
 DATE: November 21, 2008
 SUBJECT: Bean Blossom Lot X Revised Project Plans
 Relating to Appeal of County Planning Commission Denial of Coastal
 Development Permit and Preliminary Approval of Single-Family Residence
 Board Appeal Nos. 08APL-00000-00040; 08APL-00000-00041
 Planning Commission Appeal Nos. 08APL-00000-00031; 08APL-00000-00032
 Permit Nos. 02CDP-00000-00023; 03BAR-00000-00164
 APN 081-210-047 (14000 Calle Real, Gaviota)

Enclosed please find revised Site Plans and Architectural Drawings for the Bean Blossom Lot X project incorporating all of the following revisions:

- The main residence has been reduced by 1,021 square feet including reductions on the south facing side of the structure off the kitchen and near the living room. Certain room dimensions have also been reduced. The following table provides the revised floor area calculations compared to the Planning Commission reviewed plans:

Bean Blossom Lot X Floor Area Comparison (Square Feet)

	Planning Commission Project		Revised Project		Difference
	Gross	Net	Gross	Net	Gross
Main Residence					
First Floor	10,341	9,696	9,320	8,680	-1,021
Garage/Basement	4,895	4,469	4,776	4,389	-119
Roofed Verandas	2,369	N/A	2,234	N/A	-135
Total	17,605	14,165	16,330	13,069	-1,275
Guest House					
Interior	924	800	924	800	0
Roofed Porches	415	N/A	415	N/A	0
Total	1,339	800	1,339	800	0
Total	18,944	14,965	17,669	13,869	-1,275

- The guest house has been located closer to the main residence near the northeast corner of the main residence yielding a more compact relationship between the two structures.

- The pool/lawn area has been significantly reduced. The pool has been drawn in closer to the main residence by 20 feet. The lawn area has been reduced by approximately 5,000 square feet and is also proposed to be terraced above the pool.
- The motor court has been eliminated. The driveway has been revised to provide parking and access to the main residence immediately in front of the main residence entrance. The driveway will also continue to provide direct access to the garage located below the main residence. The driveway has also been extended in the easterly direction to address minimum Fire Department requirements.
- The cut slope north of the house will incorporate a retaining wall averaging 6 feet or less in height. This area will be landscaped with appropriate native plantings including plantings that will hang over and down the wall face.
- Minor surficial recontouring is proposed westerly of the main residence. This will eliminate any potential visibility from public viewing places and any potential intrusion into blue sky of the uppermost portion of the roof ridge line of the western end of the main residence. The proposed recontouring has been re-worked to blend with the surrounding natural terrain and landforms.
- All of these revisions have contributed to a reduced area of disturbance for the project.
- All of these revisions have also contributed to a significantly reduced total grading quantity of _____ cubic yards (compared to 56,000 cubic yards for the Planning Commission reviewed plans). This includes _____ cubic yards of cut and _____ cubic yards of fill for the building site and driveway. The building site has been reduced from 22,000 cubic yards of cut to 12,500 cubic yards of cut and from 10,000 cubic yards of fill to 2,000 cubic yards of fill. The driveway grading has been reduced from 8,000 cubic yards of cut to _____ cubic yards of cut and from 16,000 cubic yards of fill to _____ cubic yards of fill. The road alignment and proposed areas of fill have been redesigned to further hide the road from public viewing places and to most efficiently reinforce and revegetate abandoned portions of the lower ranch road.
- Proposed house size and grading quantities are consistent with the approved Coastal Development Permit for Bean Blossom Lot H, per the following:

Bean Blossom Lot X Comparison to Bean Blossom Lot H

Item	Bean Blossom Lot X (Proposed)	Bean Blossom Lot H (Approved)
Buildings (Net Floor Area)	Residence: 8,680 SF Subsurface Garage/Basement: 4,389 SF Guest House: 800 SF Cabana: N/A	Residence: 8,761 SF Subsurface Garage: 870 SF Guest House: 794 SF Cabana: 434 SF
Grading, Except Road/Driveway	12,500 cubic yards of cut; 2,000 cubic yards of fill	12,000 cubic yards of cut; 8,400 cubic yards of fill
Grading for Road/Driveway	_____ cubic yards of cut; _____ cubic yards of fill	6,000 cubic yards of cut; 1,000 cubic yards of fill

The Site Plans and Architectural Drawings are still in a conceptual stage. If the County Facilitation Participants feel we are moving in the right direction we will spend additional time to further refine the plans in preparation for a Board of Supervisors hearing on December 16, 2008.

ATTACHMENTS:

- A Proposed Project Description
- B Proposed Recommended Board of Supervisors Motion
- C Proposed Coastal Development Permit Findings for Approval
- D Proposed Board of Architectural Review Findings for Approval
- E Proposed Conditions of Approval

ATTACHMENT A

Bean Blossom Lot X Proposed Project Description For County Facilitation Meeting November 21, 2008

The project description is as follows:

The proposed project consists of an approximately 11,554 square foot single family residence with a 4,776 square foot basement and below grade garage, an approximately 924 square foot guest house, auto court, a pool/lawn area, access driveway, water system, septic system and utilities. The Project statistics are gross floor area and include all areas covered by roof and other areas as specified in Article II Sec. 35-58. (The definition of gross floor area includes open or roofed porches, balconies, porticos, arcades, plazas, courts, walkways and breezeways.) Except for the water system improvements, utility infrastructure and portions of the conjunctive use access driveway and private effluent disposal system, the proposed project would be located within the _____-acre development envelope delineated on the site plan (see Site Plan & Preliminary Grading Plan, L&P Consultants, dated _____). This _____-acre development envelope is consistent with the Uniform Rules for Williamson Act Agricultural Preserves and was approved by the Agricultural Preserve Advisory Committee (APAC) on May 9, 2008. The subject property is 287.36 acres in size.

All building heights are based on the vertical distance between the existing grade and the uppermost point of the structure directly above that grade. The residence is a low profile structure having a height of 18-6" and the guest house would have a height of 13-6". The garage is located below the main residence and is completely below grade.

The roof pitch is 3:12. All roof structures would be covered with clay tiles of mottled earth tone and exposed chimney elements would be covered with natural sandstone with spark arrester painted to match. The residence will be constructed of earth-tone colored materials compatible with the natural environment and landforms.

An existing 12 foot wide unpaved ranch road from Calle Real would be improved to provide a 12 foot wide surfaced access driveway and conjunctive use ranch road. The gradient would be lowered to not exceed more than 12 percent in order to meet County Fire Department requirements. A new residential driveway would be extended from the end of the existing ranch road to the development area. The entire length of the proposed conjunctive use driveway is approximately 4,200 feet. The driveway surface will be covered with an earth tone paving material compatible with the natural surrounding environment. Per County Fire Department requirements, the driveway has also been designed to address Fire Department requirements.

The Project is sited so as not to intrude into the skyline as seen from public viewing places. The Project would entail moving approximately _____ cubic yards of earth. Specifically the building site would require approximately 12,500 cubic yards of cut and 2,000 cubic yards of fill. Additional earth movement of approximately _____ cubic yards of cut and _____ cubic yards of fill is necessary to render the existing unpaved ranch road conforming to current County Fire Department development standards, with low gradient fill slopes being utilized to soften the

appearance of the new roadway. The Project cut and fill has been minimized to the greatest extent feasible while still attaining the objective of eliminating visibility and yielding natural appearing cut and fill slope surfaces.

Native and locally indigenous plant materials that are compatible with existing landforms would be used inside and outside of the development envelope to revegetate cut and fill slopes. When installed in natural appearing clusters, these same materials will be used for screening and other landscaping outside of the residential yard area. The Project would avoid formal and linear landscaping outside of the residential yard area and would also avoid tall, exotic trees (such as palm trees) within the residential yard area that would draw visual attention. No native trees or vegetation would be removed.

Cut slopes north of the residence have been designed to incorporate a retaining wall with an average height of less than 6 feet. With this treatment and the relatively low gradient of the engineered slopes, the grading impacts will be transitory. Within 24 months after Project completion, the engineered slopes will be impossible to detect from public viewing areas. Low intensity, hooded exterior lights would be used to help ensure that the proposed development on the Property would not be visible at night.

An off-site private well and on-site water treatment system would provide water and a private septic system would provide sewage disposal services. Utilities (e.g., electricity, telephone, cable) would be located within the access driveway and would be installed underground. Effluent disposal will be by a septic system utilizing a drywell located to the south of the main residence.

ATTACHMENT B

Recommended Board of Supervisors Motion For County Facilitation Meeting November 21, 2008

Recommendation to Board of Supervisors:

As a result of a facilitated resolution of the appeal, staff recommends that the Board modify the decision of the Planning Commission by approving a revised project (Consensus Project). The Board's motion should include the following:

1. Adopt the required findings for approval for Coastal Development Case No. 02CDP-00000-00023 and Design Review Case No. 03BAR-00000-00164 as specified in Attachment _____ of the staff's _____, 2008 Board Agenda Letter;
2. Find the project statutorily exempt per Section 15268 of the State of California's Guidelines for Implementation for the California Environmental Quality Act;
3. Modify the decision of the Planning Commission, Appeal Case Nos. 08APL-00000-00031 and 08APL-00000-00032, pursuant to a facilitated resolution of the appeal, approving the Consensus Project and conditions of approval specified in Attachment _____ of this memorandum, and granting *de novo* approval of the Coastal Development Permit Case No. 02CDP-00000-00023.

ATTACHMENT C

Coastal Development Permit Findings for Approval For County Facilitation Meeting November 21, 2008

Findings Required for Approval of a Coastal Development Permit Section 35-169.5,
Coastal Zoning Ordinance (Article II)

A Coastal Development Permit shall be issued only if all of the following findings are made:

- a. **That the proposed development conforms to 1) the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of the Article and/or the project falls within the limited exception allowed under Section 35-161.**

As discussed in the Applicant's letter dated October 27, 2008, the proposed project conforms to the applicable policies of the Comprehensive Plan, including Coastal Land Use Plan, and with the applicable provisions of the Coastal Zoning Ordinance (Article II). The height, bulk, scale and design of the proposed structures are appropriate for the project site and location. The project is located approximately 2,200 feet north of the nearest public roadway (U.S. 101) and has been sited so as not to intrude into the skyline as seen from public viewing places. The project cut and fill has been minimized to the greatest extent feasible while still attaining the objective of eliminating visibility, and the cut and fill has been engineered to balance on-site. The improvements, including the roadway surface, will be constructed of earth-tone colored materials compatible with the natural environment and landforms. Therefore, this finding can be made.

- b. **That the proposed development is located on a legally created lot.**

The lot is a legally created lot identified as Lot B of Parcel Map 12,702, Book 20 of Parcel Maps, Page 94 – 95, recorded by the County Surveyor's Office on August 31st, 1978. Therefore, this finding can be made.

- c. **That the subject property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and such zoning violation enforcement fees as established from time to time by the Board of Supervisors have been paid. This subsection shall not be interpreted to impose new requirements on legal non-conforming uses and structures under Section 35-160 et seq.**

As discussed in the Applicant's letter dated October 27, 2008, the proposed project is in compliance with all the applicable provisions of the Coastal Zoning Ordinance (Article II). No outstanding zoning violation exists on the property and no enforcement fees are owed. Therefore, this finding can be made.

ATTACHMENT D

Board of Architectural Review Findings for Approval For County Facilitation Meeting November 21, 2008

Findings Required for Board of Architectural Review Approval Section 35-184.6, Coastal Zoning Ordinance (Article II)

Prior to approving any BAR application, the Board of Architectural Review shall make the following findings:

1. In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.
2. In areas designated as urban on the land use plan maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. Clustered development, varied circulation patterns, and diverse housing types shall be encouraged.
3. Overall building shapes, as well as parts of any structure (buildings, walls, fences, screens, towers or signs) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property.
4. Mechanical and electrical equipment is well integrated in the total design concept.
5. There is harmony of material, color, and composition of all sides of a structure or building.
6. A limited number of materials will be on the exterior face of the building or structure.
7. There is a harmonious relationship with existing and proposed adjoining developments, avoiding excessive variety and monotonous repetition, but allowing similarity of style, if warranted.
8. Site layout, orientation, and location of structures, buildings, and signs are in an appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the property.
9. Adequate landscaping is provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of planting which will be appropriate to the project, and adequate provisions for maintenance of all planting.
10. Signs including their lighting, shall be well designed and shall be appropriate in size and location.

11. The proposed development is consistent with any additional design standards as expressly adopted by the Board of Supervisors for a specific local community, area, or district pursuant the applicable zoning ordinance (development code).
12. Other findings, identified in Division 15 (Montecito Community Plan Overlay District), are required for those parcels identified with the MON overlay zone

ATTACHMENT E

Bean Blossom Lot X Proposed Conditions of Approval For County Facilitation Meeting November 21, 2008

CONDITIONS OF APPROVAL

1. This Coastal Development Permit is based upon and limited to compliance with the project description, plans and conditions of approval set forth below. Any deviations from the project description or conditions of approval must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The proposed project consists of an approximately 11,554 square foot single family residence with a 4,776 square foot basement and below grade garage, an approximately 924 square foot guest house, auto court, a pool/lawn area, access driveway, water system, septic system and utilities. The Project statistics are gross floor area and include all areas covered by roof and other areas as specified in Article II Sec. 35-58. (The definition of gross floor area includes open or roofed porches, balconies, porticos, arcades, plazas, courts, walkways and breezeways.) Except for the water system improvements, utility infrastructure and portions of the conjunctive use access driveway and private effluent disposal system, the proposed project would be located within the _____-acre development envelope delineated on the site plan (see Site Plan & Preliminary Grading Plan, L&P Consultants, dated _____). This _____-acre development envelope is consistent with the Uniform Rules for Williamson Act Agricultural Preserves and was approved by the Agricultural Preserve Advisory Committee (APAC) on May 9, 2008. The subject property is 287.36 acres in size.

All building heights are based on the vertical distance between the existing grade and the uppermost point of the structure directly above that grade. The residence is a low profile structure having a height of 18-6" and the guest house would have a height of 13-6". The garage is located below the main residence and is completely below grade.

The roof pitch is 3:12. All roof structures would be covered with clay tiles of mottled earth tone and exposed chimney elements would be covered with natural sandstone with spark arrester painted to match. The residence will be constructed of earth-tone colored materials compatible with the natural environment and landforms.

An existing 12 foot wide unpaved ranch road from Calle Real would be improved to provide a 12 foot wide surfaced access driveway and conjunctive use ranch road. The gradient would be lowered to not exceed more than 12 percent in order to meet County Fire Department requirements. A new residential driveway would be extended from the end of the existing ranch road to the development area. The entire length of the proposed conjunctive use driveway is approximately 4,200 feet. The driveway surface will be covered with an earth tone paving material compatible with the natural

surrounding environment. Per County Fire Department requirements, the driveway has also been designed to address Fire Department requirements.

The Project is sited so as not to intrude into the skyline as seen from public viewing places. The Project would entail moving approximately _____ cubic yards of earth. Specifically the building site would require approximately 12,500 cubic yards of cut and 2,000 cubic yards of fill. Additional earth movement of approximately _____ cubic yards of cut and _____ cubic yards of fill is necessary to render the existing unpaved ranch road conforming to current County Fire Department development standards, with low gradient fill slopes being utilized to soften the appearance of the new roadway. The Project cut and fill has been minimized to the greatest extent feasible while still attaining the objective of eliminating visibility and yielding natural appearing cut and fill slope surfaces.

Native and locally indigenous plant materials that are compatible with existing landforms would be used inside and outside of the development envelope to revegetate cut and fill slopes. When installed in natural appearing clusters, these same materials will be used for screening and other landscaping outside of the residential yard area. The Project would avoid formal and linear landscaping outside of the residential yard area and would also avoid tall, exotic trees (such as palm trees) within the residential yard area that would draw visual attention. No native trees or vegetation would be removed.

Cut slopes north of the residence have been designed to incorporate a retaining wall with an average height of less than 6 feet. With this treatment and the relatively low gradient of the engineered slopes, the grading impacts will be transitory. Within 24 months after Project completion, the engineered slopes will be impossible to detect from public viewing areas. Low intensity, hooded exterior lights would be used to help ensure that the proposed development on the Property would not be visible at night.

An off-site private well and on-site water treatment system would provide water and a private septic system would provide sewage disposal services. Utilities (e.g., electricity, telephone, cable) would be located within the access driveway and would be installed underground. Effluent disposal will be by a septic system utilizing a drywell located to the south of the main residence.

The project description and the conditions of approval have incorporated the following design precepts and construction protocols, to the greatest extent feasible and practical, from both siting, design and construction standpoints:

- All residential development shall be limited to the residential development envelope shown on the site plan for the Consensus Project;
- No artificial berming shall be utilized for the purposes of blocking sight lines from typical views from the public viewing place;
- All surficial recontouring of the project site as necessary to minimize visibility shall not involve the placement of fill having an average depth of greater than 18 inches and a maximum depth of greater than 36 inches. The recontouring shall follow and extend the natural, underlying topography and upon completion, result in slopes that have a natural appearance and generally blend with the existing topographic landforms;

- The use of retaining walls that are visible from public viewing places shall be avoided where possible, and where not, shall be minimized;
- No blue sky protrusions of residential improvements from reasonable views from public viewing places;
- No formal and linear landscaping outside of the residential yard area and no tall, exotic trees (such as palm trees) within the residential yard area that would draw visual attention;
- Native and locally indigenous plant material that are compatible with existing landforms and natural vegetation and installed in natural appearing clusters shall be used for screening and other landscaping outside of the residential yard area;
- All cut slopes excavated to reconstruct the existing access roadway to County Fire Department standards shall be landscaped pursuant to specifications contained in the landscape plan with the goal of reducing the visibility and prominence of any exposed slopes and soils through the mimicking of native habitat forms on and around such slopes. Straight line edges are to be avoided in all revegetated areas. The planting edges of all revegetated slopes shall undulate into the existing vegetation patterns in a manner that maintains the current overall landscape appearance. Native topsoil shall be preserved and reused on site where feasible. Exposed slopes and soils shall be coconut mat covered and hydroseeded with a native plant seed mix as necessary to minimize visibility and the potential for erosion;
- Structural improvements, including but not limited to future agricultural/equestrian structures, are to be sited, designed and constructed so as to not be visually prominent from public viewing places in the same manner as the proposed Consensus Project residence;
- So as to minimize visibility, no direct exterior lighting shall be permitted on the exterior of the residential structures or direct illumination of vegetation or structures in the associated yard areas to the extent such illumination would be visible from any public viewing places;
- No fencing other than barbed wire cattle or natural resource enclosures outside of the residential building envelope with the exception of equestrian fencing and other fencing that is constructed of natural wood that are not visibly prominent from public viewing places;
- The driveway and any driveway curbing serving the project site shall be constructed of concrete having an irregular surface texture and natural, mottled earth tone color. The driveway lighting shall be low intensity and indirect with on-demand switching to minimize nighttime light visibility from public viewing places;
- All exterior construction materials visible from public viewing places shall be natural or natural appearing and in mottled earth tones so as to blend with natural landscape. Exterior construction materials that do not blend with the natural environment, are brightly colored or unnatural in appearance shall not be used; and

- As the plans and specifications are essential to implementation of the precepts incorporated into the Consensus Project, the project shall be constructed in strict conformity to the plans and specifications. The plans, specifications, precepts and project descriptions are to be incorporated by reference as conditions of approval for the Consensus Project.

For verification purposes, Applicant has agreed to (i) provide P&D and the Gaviota Coast Conservancy (GCC) with three-dimensional coordinates for the residence and residential building envelope, (ii) notify the GCC of any material changes made to the exterior of the Consensus Project after the Board's approval, and (iii) provide the GCC with ten (10) calendar days within which to review the final construction drawings (Building Set) for modifications that are potentially inconsistent with the Consensus Project as approved by the Board. Following completion of construction, the Consensus Project shall be maintained in substantial conformity with the project description (including the design precepts), plans and specifications. The owner of the subject property shall provide the GCC with notice of any desired modification at least ten (10) days prior to filing its application for the modification with P&D.

The project shall be constructed in strict conformity with the following plans and specifications:

Site Plan & Preliminary Grading Plan, Sheets 1 – 3 (L&P Consultants, _____)

Site Plan (Jock Sewall, _____)

Floor Plan, Main House and Guest House (First Floor) (Jock Sewall, _____)

Floor Plan, Parking/Basement Level (Jock Sewall, _____)

Building Elevation, Main Residence, Guest House (Jock Sewall, _____)

Sections (Jock Sewall, _____)

Architectural Details for Construction, Sheets A – B (J.M. Sewall & Associates, _____)

Preliminary Landscape Plan (Castle Associates, _____)

Lighting Plan, Sheets 1 – 2 (L&P Consultants, _____)

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the conditions of approval below. The property and any portion thereof shall be sold, leased or financed in compliance with this project description and the condition of approval hereto. All plans (such as the Landscape and Lighting plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. The exterior colors and materials of the structures shall be compatible with the surrounding landforms and shall match those shown in the Applicant's color/building materials board dated November 5, 2008 (J. M. Sewall & Associates). **Plan**

Requirements: Applicant to return to the Central Board of Architectural Review (CBAR) for final review of the color board and exterior architecture of the buildings. Final building materials and colors shall be denoted on building plans. **Timing:** Prior to issuance of the Coastal Development Permit, the Applicant shall receive final approval from CBAR. Structures shall be painted prior to final inspection.

3. The project landscaping shall be compatible with the surrounding natural environment and shall comply with the project description and the Preliminary Landscape Plan (Castle Associates, dated _____). **Plan Requirements/Timing:** Prior to final inspection, the Applicant shall install the required landscaping as shown in the Preliminary Landscape Plan (Castle Associates, dated _____) and any irrigation system and maintain the landscaping for the life of the project.

MONITORING: Prior to occupancy clearance, Permit Compliance staff shall photo document installation. Permit Compliance staff shall check maintenance as needed. Release of any performance security requires Permit Compliance signature.

4. Two performance securities shall be provided by the Applicant prior to issuance of the Coastal Development Permit, one equal to the value of installation of all items listed in section (a) below (labor and materials) and one equal to the value of maintenance and/or replacement of the items listed in section (a) for three years of maintenance of the items. The amounts shall be agreed to by P&D. Changes to the approved landscape plan may require a formal modification to the plan. The installation security shall be released upon satisfactory installation of all items in section (a). If plants and irrigation (and/or any items listed in section (a) below) have been established and maintained, P&D may release the maintenance security three years after installation. If such maintenance has not occurred, the plants or improvements shall be replaced and the security held for another year. If the Applicant fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property. The installation security shall guarantee compliance with the following provision:

(a) Installation of the landscaping plan and any irrigation system required in Condition of Approval No. 3, above, prior to final inspection.

MONITORING: P&D shall inspect landscaping and improvements for compliance with approved plans prior to authorizing release of both installation and maintenance securities.

5. Exterior lighting for the project shall comply with the project description and the Lighting Plan (L&P Consultants, dated _____). All exterior lighting shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject parcel. **Plan Requirements/Timing:** Prior to final inspection, the Applicant shall install the required lighting fixtures as shown in the Lighting Plan (L&P Consultants, dated _____).

MONITORING: Permit Compliance shall inspect structures upon completion to ensure the exterior night lighting is consistent with location and fixtures shown on the Lighting Plan, Lot X – Bean Blossom Ranch (L&P Consultants, dated _____).

6. All development shall comply with Santa Barbara County Fire Department standards and requirements for new residential development, including the requirements provided by

the Fire Department in a letter to the Applicant from County Planner Allen Bell dated August 21, 2008. **Plan Requirements.** Applicant shall prepare and submit Site Plan to Santa Barbara County Fire Department for review and approval prior to issuance of the Coastal Development Permit.

7. Proposed water system shall comply with the project description and Site Plan & Preliminary Grading Plan, Sheets 1 – 3 (L&P Consultants, dated _____). Plans shall be reviewed and approved by Environmental Health Services. **Plan Requirements:** Applicant shall submit Site Plans and other technical reports and documentation to County Environmental Health Services for review and approval of water system prior to issuance of Coastal Development Permit.
8. Proposed septic system shall comply with the project description and Site Plan & Preliminary Grading Plan, Sheets 1 – 3 (L&P Consultants, dated _____). Plans shall be reviewed and approved by Environmental Health Services. **Plan Requirements:** Applicant shall submit Site Plans and other technical reports and documentation to County Environmental Health Services for review and approval of septic system prior to issuance of Coastal Development Permit.
9. There shall be no kitchen or cooking facilities within the guest house. However, a wet bar may be provided, limited to the following features:
 - a. A counter area with a maximum length of 7 feet.
 - b. The counter area may include a bar sink and an under counter refrigerator.
 - c. The counter area may include an overhead cupboard area not to exceed 7 feet in length.
 - d. The counter area shall be located against a wall or, if removed from the wall, it shall not create a space more than 4 feet in depth. The 7 foot counter shall be in one unit. The intent of this provision is to avoid creation of a kitchen room.
 - e. No cooking facilities shall be included in the wet bar area.
10. The guest house shall be used on a temporary basis only by the occupants of the main residence or their non-paying guests or servants and is not intended to be rented or let out, whether the compensation is paid directly or indirectly in money, goods, wares, merchandise, or services. Temporary is defined as occupying the premises for no more than one hundred twenty (120) days in any twelve (12) month period.
11. A recorded Notice To Property Owners document is necessary to notify future owners of the property that the structure approved as a guest house shall not contain a kitchen or cooking facilities or be rented as a separate unit and shall be used on a temporary basis only by the occupants of the main dwelling or their non-paying guests. **Timing:** The Notice to Property Owner document shall be recorded by the property owner prior to issuance of the Coastal Development Permit.

12. Grading for the project shall comply with the project description and the Site Plan & Preliminary Grading Plan (L&P Consultants, dated _____). The Applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety approved erosion and sediment control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within 4 weeks of grading completion, with the exception of surfaced graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

13. Drainage for the project shall be consistent with approved drainage plans. All runoff water from impervious areas shall be conveyed by impervious conduits to existing drainage canyons. **Plan Requirements:** Prior to issuance of the Coastal Development Permit, the Applicant shall prepare and submit a drainage plan to P&D and Flood Control for review and approval. The plan shall incorporate the above and include a maintenance and inspection program to ensure proper functioning. **Timing:** The components of the drainage plan shall be installed during grading operations and fully implanted prior to final inspection. **Monitoring:** P&D shall site inspect during grading.

14. Dust generated by construction activities shall be kept to a minimum with a goal of retaining dust on the site, by following the dust control measures listed below:

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the alter morning after work is complete for the day whenever wind exceeds 15 miles per hour.
- c. Soil stockpile for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** All requirements shall be adhered to throughout all grading and construction periods. **Monitoring:** P&D shall ensure measures are on plan. P&D staff and grading and building inspectors shall spot check and shall ensure compliance on-site. APCD inspectors will respond to nuisance complaints.

15. During construction, washing of concrete trucks, paint equipment, or similar activities shall occur only in areas where polluted water and material can be contained for subsequent remove from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, water body or sensitive biological resources. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs. **Plan Requirements:** The Applicant shall designate

a washout area, acceptable to P&D, and this area shall be shown on the grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to issuance of this permit. The washout area(s) shall be in place and maintained throughout construction. **Monitoring:** P&D staff shall check plans prior to issuance of this permit and compliance staff shall site inspect throughout the construction period to ensure proper use and maintenance of the washout area(s).

16. In the event archaeological remains are encountered during earth disturbance, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the Applicant to evaluate the significance of the find pursuant to Phase 2 investigations consistent with the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the Applicant. **Plan Requirements and Timing:** This condition shall be printed on all building and grading plans. **Monitoring:** P&D shall check plans prior to issuance of this Coastal Development Permit and grading and building inspectors and P&D staff shall spot check in the field.
17. Prior to issuance of the Coastal Development Permit, the Applicant shall submit an additional set of plans and a deposit fee of \$500.00 for permit compliance monitoring to ensure consistency with the approved plans. This deposit will fund site inspections by County staff to monitor compliance with the project conditions.
18. The Applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the permittee.
19. The use and construction of the building or structure, authorized by this approval cannot commence until this Coastal Development Permit has been issued. Prior to the issuance of the Coastal Development Permit, all of the project conditions that are required to be satisfied prior to issuance of the Coastal Development Permit must be satisfied. Plans accompanying this Coastal Development Permit shall contain all project conditions.
20. Prior to issuance of the Coastal Development Permit, the Applicant shall pay the applicable Transportation Impact Mitigation fee with the Public Works Department.
21. Prior to final building permit inspection, all development impact mitigation fees shall be paid in accordance with the ordinances and resolutions in effect when paid.
22. Prior to issuance of the Coastal Development Permit, the Applicant shall pay all applicable P&D permit processing fees in full.
23. Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this Coastal Development Permit. In the event that the County fails promptly to notify the Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

24. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the County and substitute conditions may be imposed.
25. If the Applicant requests a time extension for this permit, the permit may be revised to include updated language to these conditions, as well as additional conditions which reflect changed circumstances or additional identified project impacts.