



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning &  
Development  
**Department No.:** 053  
**For Agenda Of:** June 27, 2023  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Lisa Plowman, Director (805) 934-6559  
Director(s)  
Contact Info: Travis Seawards, Deputy Director

**SUBJECT:** Report on Case No. 23EMP-00002: Sixty Four Sixty LLC Slope Repair  
Emergency Permit, 6460 Casitas Pass Road, Carpinteria Area, First Supervisorial  
District

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 23EMP-00002, approved by the Director of Planning & Development on April 28, 2023, which authorized the repair of an existing slope failure that occurred during the January 2023 storm; and
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines Section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

Section 35-171 of Article II authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of Article II and issue an Emergency Permit when an emergency action is warranted. In this instance, the January 2023 storm event caused a slope failure at 6460 Casitas Pass Road, resulting in a power pole and portion of a driveway to fall into Gobernador Creek, and further threatening several structures on the property, including the existing residence.

The Emergency Permit was issued on May 4, 2023. The permit allowed the placement of approximately 300 linear feet of rock slope protection along the left bank (looking downstream) of Gobernador Creek. The newly constructed slope will attempt to reconstruct the pre-disturbance stream bank geometry, and will result in a cross section approximately matching the width of the channel immediately upstream and downstream of the proposed work, outside of the effects of recent erosion. The rock will be placed at a slope of 1.5H:1V. The base will be keyed six feet below the bed of the creek and the top rock will be extended up to the 100-year flood elevation. Live willow stakes will be planted into the interstitial spaces of the rock as it is placed and then native streambed materials (alluvial sands, gravel, and cobble) will be used to fill all remaining voids. The work began on May 12, 2023, and is anticipated to be completed by the end of June.

Pursuant to Article II Section 35-171.5.1, a notice was mailed to the surrounding property owners. Additionally, three notice placards were placed on the subject property. Public comment by phone, email, and mail was accepted up until the date of the decision for the Emergency Permit project. P&D did not receive any public comment regarding the issuance of the Emergency Permit.

Pursuant to Article II Section 35-175.5.3, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable planning permit must be submitted within 30 days following the granting of the Emergency Permit. A Coastal Development Permit with Hearing (CDH) is required in order to permit the work described in the Emergency Permit. The application materials for the CDH were accepted for processing on June 6, 2023.

Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the damage to the Gobernador Creek bank. A copy of the Emergency Permit CEQA Exemption is included herein as Attachment 2.

Pursuant to Article II Section 35-171.6, the Director of P&D is required to report in writing to the Board of Supervisors the nature of the emergency and the work involved. This report satisfies that requirement.

### **Background:**

The project site is located at 6460 Casitas Pass Road in the coastal area of Carpinteria. The project site is currently developed with a 1,450 square-foot primary residence, 1,520 square-foot legal, nonconforming residence, 635 square-foot Agricultural Employee Dwelling, 367 square-foot storage and washroom, 265 square-foot barn, 3,009 square-foot greenhouse, 120 square-foot greenhouse, and 1,410 square-foot cultivation and processing facility, and is located in the AG-I-10 Zone. The project is the request for an Emergency Permit to allow repair of an existing slope failure. The repair requires placement of approximately 300 linear feet of rock slope protection along the left bank (looking downstream) of Gobernador Creek. The project addresses the emergency situation created by the January 2023 storm event.

**Fiscal and Facilities Impacts:**

County staff costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 20 staff hours, which equates to \$5,060.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on page D-387 of the County of Santa Barbara Fiscal Year (FY) 2022-23 adopted budget. Future permitting costs associated with this project will be borne by the applicant.

**Attachments:**

1. Emergency Permit 23EMP-00002
2. CEQA Notice of Exemption - Section 15378(b)(5)
3. CEQA Notice of Exemption - Section 15269(c)

**Authored by:**

Willow Brown, Planner (805) 568-2040