



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:** September 19, 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  
Contact Info: Travis Seawards, Deputy Director

**SUBJECT:** Report on Case No. 23EMP-00009: Wallover LLC Emergency Permit, Vereda Del Ciervo, Eastern Goleta Valley Community Plan area, Second 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-00009, approved by the Director of Planning & Development on June 8, 2023, which authorized grading and dewatering of an active landslide, and;

**Summary Text:**

This Board item is a report on an Emergency Permit to address a landslide in the Eastern Goleta Valley involving three parcels. Section 35.82.090 of the Land Use and Development Code (LUDC) authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of the LUDC and issue an Emergency Permit when an emergency action is warranted. In this instance, a landslide, originating on an agricultural parcel with APN 079-090-007, with a surface area of approximately 30,000 square feet, slid onto two properties at 292 and 324 Vereda Del Ciervo, creating dangerous emergency conditions for the inhabitants of the two properties. The landslide occurred after the heavy rain storm events in April of 2023.

The Emergency Permit was issued on June 8, 2023. The permit allowed for work to be done under the direction of a Preliminary Geologic Report for Landslide Evaluation that was prepared by Adam Simmons on April 7, 2023. In accordance with the report, the permit allowed for the creation of drainage channels on the surface of the slide in order to alleviate ponding water, construction of a pile supported steel deflection wall if the landslide continues to advance towards the structures, and a drainage control system that must be approved by a Civil Engineer.

Pursuant to LUDC Section 35.82.090.E.1, a notice was mailed to the surrounding property owners. Additionally, a notice placard was 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 the LUDC Section 35.82.090.F, 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 Land Use Permit is required in order to permit the work described in the Emergency Permit.

Issuance of the Emergency Permit was consistent with the LUDC, 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 from the provisions of CEQA (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the active landslide behind the properties at 292 and 324 Vereda Del Ciervo. A copy of the CEQA Exemption is included herein as Attachment 3. The Board's receiving and filing of this report is an administrative action under State CEQA Guidelines Section 15378(b)(5) that does not constitute a separate project for purposes of environmental review.

Pursuant to LUDC Section 35.82.090.I, 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:**

Heavy rains in early April triggered a 200-foot-wide by 300-foot-long landslide. The Emergency Permit was accepted for processing on May 11, 2023. The applicant, who is the owner of the agricultural parcel

that the landslide originated on, hired Adam Simmons to prepare a Preliminary Geologic Report for Landslide Evaluation to direct the mitigation work to be done on and around the active landslide. In his Geologic Report for Landslide Evaluation, dated April 7, 2023, Simmons called for the creation of drainage channels on the surface of the slide in order to alleviate ponding water at the surface of the slide, construction of a pile supported steel deflection wall if the landslide continues to advance towards the structures, and a drainage control system that must be approved by a Civil Engineer.

Along with the recommendations from the aforementioned Geologic Report, grading is proposed to establish access to the top of the slide on APN 079-090-007. Excavation is also proposed at the top of the slide to allow for a geologist to determine the depth of the slide plane. The project also includes a trench drain system on the two properties at the base of the slide that will house a sump pump to remove excess water that is seeping from the oversaturated hillside. This system will filter the excess water of silt and sediment and then pump it to Vereda Del Ciervo which drains south to a drop inlet at the corner of Vereda Del Ciervo and Vereda Pradera.

The Emergency Permit was issued on June 8, 2023.

As of August 8, 2023, no work on the landslide has begun due to oversaturated soil. The applicant is waiting for the soil to dry enough for the soils engineer to provide a complete evaluation of the slide. Grading on the landslide and trenching at the toe of the landslide must also wait until the soil has sufficiently dried. The pier supported deflection wall has not yet been necessary. Approximately three Avocado trees have been removed from the orchard area surrounding the top of the slide. The application materials for the follow-up and Land Use Permit were accepted on August 17, 2023. An additional Land Use Permit and Grading Permit are anticipated once conditions allow work to begin.

**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 25 staff hours, which equates to \$7,050.00. 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 completely by the applicant.

**Attachments:**

1. Emergency Permit 23EMP-00009
2. CEQA Notice of Exemption - Section 15269(c)

**Authored by:**

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