



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:** May 7, 2024  
**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, (805) 568-2518  
**SUBJECT:** Report on Case No. 24EMP-00006: Narholz – Emergency Slope Repair, 1051 Palomino Road, Mission Canyon Community Plan 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. 24EMP-00006, approved by the Director of Planning & Development on March 29, 2024, which authorized the repair and stabilization of a slope damaged in the 2023/24 winter storms; 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:**

This Board item is a report on the Narholz Emergency Slope Repair Permit for the repair and stabilization of a slope damaged in the 2023/24 winter storms in the Mission Canyon Community Plan area. Section 35.82.090 of the County 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. 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.

### **Discussion**

The 2023/24 winter storms caused a landslide on the site, which damaged the existing deck and created an emergency situation. The slopes were at risk of further failure, jeopardizing the foundation of the existing single-family dwelling. The Emergency Permit was approved on March 29, 2024, and allows slope stabilization through a reinforced concrete cap beam and drilled pier system. There will be a total of 12, 30-inch-diameter drilled piers connected by an 86-foot-long by five-foot-wide by three-foot-deep reinforced concrete cap beam constructed entirely in compacted fill. The first 22 feet of the pier will be in re-compacted fill/landslide debris and the bottom eight feet of the pier will be in competent Rincon Formation.

Pursuant to LUDC Section 35.82.090.E.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 the LUDC Section 35.82.090.F, an Emergency Permit does not constitute an entitlement to erect permanent structures, and a follow-on application for the applicable planning permit is required. For this project, a follow-on Land Use Permit is required in order to permit the work described in the Emergency Permit. In the event that the applicant does not follow through with processing the required planning permit, Planning and Development has the authority to find the applicant out of conformance with LUDC ordinance requirements and pursue corrective actions as needed.

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 (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the slope failure. A copy of the CEQA Exemption is included herein as Attachment 2. 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.

### **Fiscal and Facilities Impacts:**

Budgeted: Yes

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 \$5,640.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on Page 313 of the County of Santa Barbara Fiscal Year (FY) 2023-24 Adopted Budget. Future permitting costs associated with this project will be borne completely by the applicant.

### **Attachments:**

1. Emergency Permit (24EMP-00006)
2. CEQA Notice of Exemption – Section 15269(c)

**Authored by:**

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