

EMERGENCY PERMIT

08EMP-00000-00006

**Countywide:**

Subject to the requirements of Section 35.82.090 of the Santa Barbara County Land Use & Development Code.

**Montecito:**

Subject to the requirements of Section 35.472.080 of the Santa Barbara County Montecito Land Use & Development Code

Case Name: Sycamore Canyon Landslide Emergency Repair (Phase II)

Case Number: 08EMP-00000-00006

Project Addresses: 75 Canon View Road, 85 Canon View Road, 125 Canon View Road, 155 Canon View Road, 570 Sycamore Vista Road, 575 Sycamore Vista Road, 151 South Sierra Vista, 161 South Sierra Vista, 1750 Sycamore Canyon Road

A.P.N.s.: 013-166-002, 013-166-003, 013-163-006, 013-163-007, 013-166-005, 013-164-013, 013-163-003, 013-163-004, 013-163-005, 013-166-004, 013-163-016

Applicant/Agent Name: Suzanne Elledge Planning & Permitting Services

Owner Name: Landslide Repair Foundation, Inc.

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000

Energy Division
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2040

North County Office
624 W. Foster Road
Santa Maria, CA 93454
(805) 934-6250

PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for Phase II of the following project:

Introduction

The Sycamore Canyon Landslide Repair Project is a 50 million dollar construction project designed and engineered to repair the ongoing active and incipient landslide zones and active and incipient rock toppling zones above Sycamore Canyon and Ranchito Vista Roads and to re-establish vehicle access to property owners lost as a result of the landslide and toppling. The proposed construction is designed in seven stages and began with Phase I in December 2007. Phase II work began with the issuance of a Land Use Permit, (08LUP-00000-00212) on July 22, 2008. However, that permit did not allow for extended work hours recently identified as necessary by the project contractors to complete each of the individual shear pins as described below.

Phase II (Restore and protect upper roads) will consist of constructing a row of reinforced concrete shear pins with tieback anchors to brace against active toppling and landsliding, supporting the outboard edge of Canon View Road, re-establishing the Sycamore Vista Road/Canon View Road intersection, backfilling Phase I Wall I and re-establishing the 85 Canon View Road driveway. To accomplish this, a continuous row of 36- to 48-inch diameter, 40- to 115-foot deep shear pins (drilled piers) will be installed at 7- to 8-foot on centers just downslope/below the outboard edge of Canon View Road, Sycamore Vista Road and their restored intersection. The shear pins will each be equipped with between 1 and 5, 75-kip to 350-kip post-tensioned tiebacks extending roughly 100 to 160 feet into the hillside. A reinforced retaining wall will be constructed above the southern half of the shear pins, extend up to 11 feet above the ground surface, and will be backfilled to reduce the current steepened slope inclination below the edge of Canon View Road.

Beginning at the upper end of the landslide, as the arresting and stabilization portions of the project are completed, the sections of Sycamore Vista and Canon View Roads will be re-constructed as soon as possible to re-establish access to the properties above the landslide for use by emergency services and property owners. Other phases of the project will include utility annexations to create easements for property owners to connect sewer lines to the City of Santa Barbara sewage treatment system and other public utilities if necessary.

The project will be permitted and built in seven phases specifically as follows. The current Emergency Permit would permit construction activities under Phase II only.

- Phase I: Arrest upslope expansion
- Phase II: Restore Upper Roads**
- Phase III: Pin incipient landslide
- Phase IV: Protect lower roads with wall
- Phase V: Buttress landslide with fill
- Phase VI: Pin landslide body
- Phase VII: Sewer, landscape repave

Summary Description

On December 3, 2007, the Landslide Repair Foundation, Inc. (LRF) was granted an Emergency Permit (07EMP-00000-00007) and follow-on Land Use Permit (07LUP-00000-00646) to implement Phase I of the multi-phase landslide repair project on a site that lies above Sycamore Canyon Road (State Highway 144) in the Montecito Planning Area. The complete landslide repair project will involve multiple residential parcels under the jurisdiction of the County of Santa Barbara and the City of Santa Barbara. Phase II of the landslide repair project will be located entirely on parcels that are within the County's jurisdiction. The overall goal of Phase II is to repair the upper roads near the landslide including Ranchito Vista, Sycamore Vista and Canon View Roads. Land Use Permit, 08LUP-00000-00391 was approved (July 18, 2008) for construction of Phase II with extended work hours but was subsequently appealed (July 28, 2008) by several neighbors.

In their July 23, 2008 letter, the project's construction contractor, Condon-Johnson & Associates, Inc., recommend that Phase II be implemented immediately on an emergency basis in order to address the imminent threat to health and safety posed by the existing, unrepaired landslide. According to Condon-Johnson & Associates, only Phase I of the landslide repair has been undertaken in an multi-phased effort to stabilize the landslide since the winter of 2004-2005, when significant earth movement and rock toppling damaged or destroyed multiple homes and blocked access to the area. While Phase II repair work is currently underway under issued Land Use Permit no. 08LUP-00000-00212, the permit does not provide for the extended work hours necessary to allow the contractor to complete the deep-drilled shear pins as needed. The shear pin construction process consists, primarily of three phases of work, 1) Drill the hole to tip (bottom of pile); 2) place the rebar cage; 3) place the concrete from tip to cut off (top of pile). This process is commonly referred to as CIDH (Cast in drilled hole) pile. As a result of this process the drilled hole (boring) presents a potential safety hazard until such time as it is filled and further if the CIDH process is not performed in a timely and in a single uninterrupted monolithic process, there is a potential for the area to become destabilized. Once drilling at a given location begins, it is imperative that the CIDH process be completed at that location and without delay. The conditions that will cause extended boring times were not anticipated or identified at the time of the initial permit application.

According to Condon-Johnson & Associates, the community faced with the likelihood of another catastrophic failure in the event of normal to heavy rains, or a large seismic event. For these reasons, Planning & Development agrees that an Emergency Permit is justified to allow work to begin on Phase II of the landslide repair project without delay. Under the Emergency Permit (08EMP-00000-00006), Phase II would begin in July of 2008.

The geotechnical investigation prepared for the landslide repair project by Cotton, Shires & Associates, dated July 2007, provides a detailed characterization and assessment of the landslide's site conditions, and a description of the construction phases. Completion of the entire multi-phased project is anticipated to take approximately two years from the commencement date of Phase I, pursuant to the anticipated construction schedule.

Each of the property owners where Phase II will occur was provided with a Construction Easement document during the processing of Phase I. The Construction Easement document authorizes, in part, a "temporary easement for the purpose of constructing, altering, grading, earth movement, excavation, and slant drilling, together with the erection of subterranean and above ground retention walls, including but not limited to the right to cut, trim, and remove trees and other shrubbery, along with

fences, structures or other obstructions or facilities that interfere with proper and efficient construction of landslide repair improvements...". .

As discussed above, this situation constitutes an emergency in accordance with the applicable Development Code indicated above and immediate action is warranted to extend construction hours to repair the landslide under Phase II of the proposed project. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the owner/applicant and subsequently issued by the Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,



JOHN BAKER
Director of Planning and Development

APPROVAL DATE: Aug 1, 2008

OWNER/APPLICANT AGREEMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit, Building Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.

Claudia Sigona Claudia Sigona 8/1/08
Print Name Signature Date

PERMIT ISSUANCE:

Emin Briggs Emin Briggs 8/1/08
Print Name Signature Date

BACKGROUND:

The Landslide Repair Foundation, Inc. (LRF) proposes a complex, multi-phase landslide repair project on a site that lies above Sycamore Canyon Road (State Highway 144) in the Montecito Planning Area. The complete landslide repair project will involve multiple residential parcels under the jurisdiction of the County of Santa Barbara and the City of Santa Barbara, including the following parcels that are under the County's jurisdiction: APNs 013-166-002, 013-166-003, 013-163-006, 013-163-007, 013-166-005, 013-164-013, 013-163-003, 013-163-004, 013-163-005, 013-166-004, 013-163-016.

Phase II work began with the issuance of a Land Use Permit, (08LUP-00000-00212) on July 22, 2008. However, that permit did not allow for extended work hours documented as necessary on July 23, 2008 by the project contractors to complete each of the individual shear pins as described below. A second Land Use Permit (08LUP-00000-00391) was then approved with extended work hours clearly described in the project description. This Land Use Permit was subsequently appealed by several neighbors on July 28, 2008, thus suspending the repair work and creating an imminent threat to health and safety posed by the existing, unrepaired landslide.

The overall goal of Phase II is to repair the upper roads near the landslide. In their July 23, 2008 letter, the project's construction contractor, Condon-Johnson & Associates, Inc., recommend that Phase II be implemented immediately with necessary construction hours on an emergency basis in order to address the imminent threat to health and safety posed by the existing, unrepaired landslide. Only Phase I of the 7-phase landslide repair project has been undertaken in an effort to stabilize the landslide since the winter of 2004-2005, when significant earth movement and rock toppling damaged or destroyed multiple homes and blocked access to the area. According to Condon-Johnson & Associates, the community is faced with the likelihood of another catastrophic failure in the event of normal to heavy rains, or a large seismic event. For these reasons, Planning & Development agrees that an Emergency Permit is justified to allow work to begin on Phase II of the landslide repair project without delay.

FINDINGS OF APPROVAL:

1. The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State Law.
2. Pursuant to Section 35.472.080 of the Montecito Land Use & Development Code, an Emergency Permit may be granted if the Director makes the following findings:
 - a. *An emergency exists and requires action more quickly than provided for by the procedures for permit processing.*

The overall goal of Phase II is to repair the upper roads near the landslide including Ranchito Vista, Sycamore Vista and Canon View Roads. In their July 23, 2008 letter, the project's construction contractor, Condon-Johnson & Associates, Inc., recommend that Phase II be implemented immediately with necessary construction hours on an emergency basis in order to address the imminent threat to health and safety posed by the existing, unrepaired landslide. According to Condon-Johnson & Associates, only Phase I of the landslide repair has occurred

in an multi-phased effort to stabilize the landslide since the winter of 2004-2005, when significant earth movement and rock toppling damaged or destroyed multiple homes and blocked access to the area. While Phase II repair work is currently underway under issued Land Use Permit no. 08LUP-00000-00212, the permit does not provide for the extended work hours necessary to allow the contractor to complete the deep-drilled shear pins as needed. A second Land Use Permit (08LUP-00000-00391) was then approved with extended work hours clearly described in the project description. This permit was subsequently appealed by several neighbors, thus suspending the repair work and creating an imminent threat to health and safety posed by the existing, unrepaired landslide.

The shear pin construction process consists, primarily of three phases of work: 1) Drill the hole to tip (bottom of pile); 2) place the rebar cage; 3) place the concrete from tip to cut off (top of pile). This process is commonly referred to as CIDH (Cast in drilled hole) pile. As a result of this process the drilled hole (boring) presents a potential safety hazard until such time as it is filled and further if the CIDH process is not performed in a timely and in a single uninterrupted monolithic process, there is a potential for the area to become destabilized. Once drilling at a given location begins, it is imperative that the CIDH process be completed at that location and without delay. The conditions that will cause extended boring times were not anticipated or identified at the time of the initial permit application.

According to Condon-Johnson & Associates, the community is faced with the likelihood of another catastrophic failure in the event of normal to heavy rains, or a large seismic event. For these reasons, Planning & Development agrees that an Emergency Permit is justified to allow work to begin on Phase II of the landslide repair project without delay. Under the Emergency Permit (08EMP-00000-00006), Phase II would begin in July of 2008. During July 28-30th, Building & Safety staff reviewed the applicant's engineering report and concurs with the findings for the necessary scope of work and need for extended construction hours.

b. The action proposed is consistent with the policies of the Comprehensive Plan, including any applicable community or area plan and the requirements of the Development Code.

The proposed project would be consistent with the Comprehensive Plan including the Montecito Community Plan, as it would work to restore safety and emergency access to an area that has been severely impacted by the unrepaired landslide. The Montecito Community Plan discusses Sycamore Canyon Road as a major two lane road that serves an important use for local residents in traversing the foothills. The existing, unrepaired landslide has blocked major portions of Sycamore Canyon Road, making it impassable for residential and emergency access. The proposed emergency project would continue repair work with extended construction hours on the landslide that will lead to the restoration and reopening of Sycamore Canyon Road, with the goal of preventing other failures in the future.

Land Use Development Policy 4 of the Comprehensive Plan requires that adequate services, including access, will be available to serve development. Residences have been permitted by the County and constructed in the area of the Sycamore Canyon. Subsequently, they have lost their access due to the major landslide that occurred in the winter of 2004/2005. The landslide repair project will restore access to these existing residences, as required by the policies of the Comprehensive Plan. Access will be maintained during the course of construction activities with

the use of flag men and on-site staging areas. Hillside and Watershed Protection Policies 1 and 2 of the Comprehensive Plan require that grading and site preparation be kept to an absolute minimum, and that natural landforms be preserved to the maximum extent feasible. In addition, Montecito Community Plan Policy GEO-M-1.2 requires the minimization of grading to guard against earth slippage, erosion, and other safety risks. For the landslide repair project, grading and site preparation have been kept to the minimum amount necessary to achieve the project objectives of repairing the landslide in order to restore safety and access to the existing residents of the area. This project will work to stabilize the area, with the goal of preventing other catastrophic failures of the natural landform in the future.

The project is also consistent with the following policies of the Montecito Community Plan. AQ-M-1.3 requires air pollution from construction activities to be minimized. To address this issue, standard conditions have been placed on the project to control dust and run-off generated by the project's construction activities. In addition, N-M-1.1 requires the protection of noise-sensitive uses. Standard conditions have been placed on the project to limit noise generating construction activities and off-site hauling to protect the surrounding residences from noise impacts during construction.

The proposed landslide repair project does not conflict with any requirements of the Montecito Land Use & Development Code.

c. Public comment on the proposed emergency action has been reviewed.

The owners of several neighboring properties have provided comments on the extended work hours requested in the appealed Land Use Permit, 08LUP-00000-00391. Additionally, a meeting was held with Chris Kroes, attorney for the concerned neighbors, project engineers and County staff to discuss the work necessary to complete Phase II of the landslide repair and the need for extended work hours to complete such work. County staff has reviewed all of the comments. To the extent feasible, County staff has worked with the project applicant to address the neighbors' comments within the project description and standard conditions of approval.

3. This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects.

EMERGENCY PERMIT CONDITIONS OF APPROVAL

1. This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director may revoke this permit and all authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Montecito Planning Commission.

The project description is as follows:

Phase II

Phase II (Restore and protect upper roads) will consist of a row of reinforced concrete shear pins with tieback anchors to brace against active toppling and landsliding, supporting the outboard edge of Canon View Road, re-establishing the Sycamore Vista Road/Canon View Road intersection, backfilling Phase I Wall I and re-establishing the 85 Canon View Road driveway. To accomplish this, a continuous row of 36- to 48-inch diameter, 40- to 115-foot deep shear pins (drilled piers) will be installed at 7- to 8-foot on centers just downslope/below the outboard edge of Canon View Road, Sycamore Vista Road and their restored intersection.

The shear pins will each be equipped with between 1 and 5, 75-kip to 350-kip post-tensioned tiebacks extending roughly 100 to 160 feet into the hillside. A reinforced retaining wall will be constructed above the southern half of the shear pins, extend up to 11 feet above the ground surface, and will be backfilled to reduce the current steepened slope inclination below the edge of Canon View Road.

Work Hours

Phase II will require the drilling of approximately 50 reinforced concrete shear pins extending roughly 90-115 feet into the hillside. These deep-drilled shear pins require a continuous drilling/casing/concrete-pouring process to be completely installed and the construction contractor must undergo the work for a particular shear pin all in one day. Therefore, work hours will be extended; 7:30am to sunset (or closely thereafter) for 11 weeks. These extended work hours would start the week of construction, estimated to begin approximately August 4th and run through approximately October 22nd. These dates and hours are estimates and work may be prolonged if unforeseen circumstances arise. No such work shall commence on weekends or holidays.

Earthwork

Phase II grading will consist of excavating and backfilling to install the tiebacks through the piers (up to 30 feet deep), lowering the grades at the Sycamore Canyon Road/Canon View Road intersection re-grading sections of Canon View Road, backfilling Phase I, Wall I, and reconstructing the 85 Canon View Road driveway with terraced (2 to 3), modular block retaining walls. Bypass road cut backfill will total approximately 6,700 cubic yards, wall backfill will require approximately 1,200 cubic yards and modular block wall backfill will total approximately 1,300 cubic yards. Any remainder of the excavated materials will remain offsite at the Caltrans stockpile until they are used in future phases of the landslide repair project. The Caltrans stockpile is located at Highway 154 and Cathedral Oaks Road as detailed on the haul route depicted on sheet C-21 of the project plans.

Drainage Improvements & Erosion Control

Drainage improvements and erosion control measures (Storm Water Pollution Prevention Plan) will be implemented as shown on sheets C-22 and C-23 of the project plans.

Hours & Duration of Off-Site Hauling

Off-site hauling will be restricted to the hours of 7:30 a.m. to 4:30 p.m. during the weekdays only, excluding holidays and weekends. Off-site hauling will not occur outside of these hours except in the case of emergency as determined by the project's geotechnical engineers. It is anticipated that off-site hauling will occur for several days at a time separated by periods (lasting approximately weeks in duration) when no off-site hauling activities will occur.

Construction Staging

The construction staging area will be located outside the open road right-of-ways for Canon View and Sycamore Vista Roads. All construction vehicles and equipment will be parked, stored and maintained within the boundaries of the construction staging area. No staging activities will occur within any of the open road right-of-ways, with the exception of temporary unloading of equipment and materials from vehicles that cannot access the staging area. In the event of temporary unloading in the open road right-of-ways, LRF will ensure safe and timely traffic flow through the area. To these ends, LRF will station a flagman along the affected right-of way to monitor traffic and to ensure that all property owners, guests, and service providers have safe and timely access to their homes. The flagman will be contracted and funded by LRF.

Standard Emergency Permit Conditions:

2. An application(s) for the required permits necessary to validate the emergency work as permanent shall be submitted by the applicant to the Department no later than 30 days following the issuance of this Emergency Permit. The permits required for the proposed emergency work include a Land Use Permit pursuant to Section 35.472.100 of the Montecito Land Use Development Code.
3. Any materials required for a completed application, as identified in the initial review of the original application required pursuant to Condition #2 above, shall be submitted within 90 days after written notification of the application deficiencies is provided to the applicant. This time period may be extended by the Director.
4. Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director. The work authorized by this permit must be commenced within 30 days of the date of issuance of the emergency permit.
5. This permit does not preclude the necessity to obtain authorization and/or permits from other Departments or agencies.
6. The Director may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction.

Planning & Development Standard Permit Conditions:

7. The applicant shall ensure that all grading and construction activities comply with the approved project description, plans, and conditions of approval including those which must be monitored during and after construction. To accomplish this, the applicant agrees to:

- a. Contact P&D Building & Safety and Permit Compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities.
 - b. Contact P&D Building & Safety and Permit Compliance staff prior to commencement of all grading and construction activities to schedule an on-site pre-construction meeting with the owner and with key construction personnel.
8. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site throughout all grading and construction activities. The project shall follow the dust control measures listed below, when deemed safe by the project engineer.
- 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 later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

MONITORING: County Building & Safety and Permit Compliance staff shall monitor and perform site inspections to ensure compliance throughout all grading and construction activities.

9. The applicant shall designate a person or persons to monitor the dust control program and to order increased watering as necessary when deemed safe by the project engineer, to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements:** The name and telephone number of such persons shall be provided to County Building & Safety and Permit Compliance staff prior to the commencement of all grading and construction activities. **MONITORING:** County Building & Safety and Permit Compliance staff shall contact the designated monitor as necessary to ensure compliance with dust control measures throughout all grading and construction activities.
10. 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 when deemed safe by the project engineer. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **MONITORING:** County Building & Safety and Permit Compliance staff shall monitor and perform site inspections to ensure compliance throughout all grading and construction activities.

11. Grading, erosion, and sediment control plans shall be designed to minimize erosion and shall include the following, when deemed safe by the project engineer:
 - a. All entrances/exits to the construction site shall be stabilized (e.g. using rumble plates, gravel beds or other best available technology) to reduce transport of sediment off site. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods.
 - b. Storm drain inlets shall be protected from sediment-laden waters by the use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps.

MONITORING: County Building & Safety and Permit Compliance staff shall monitor and perform site inspections to ensure compliance throughout all grading and construction activities.

12. Construction activity for site preparation and for development shall be limited to the hours between 7:30am to sunset (or closely thereafter) for 11 weeks. These extended work hours would start the week of construction, estimated to begin approximately August 4th and run through approximately October 22nd. These dates and hours are estimates and work may be prolonged if unforeseen circumstances arise. No construction shall occur on Planning & Development observed holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as painting are not subject to these restrictions. **Plan Requirements:** Signs stating these restrictions shall be provided by the applicant and posted on site at a minimum of ten locations visible from the public street. **Timing:** Signs shall be in place prior to beginning of all grading and construction activities, and shall remain in place through the duration of all grading and construction activities. Violations may result in suspension of permits. **MONITORING:** County Building & Safety and Permit Compliance staff shall monitor and perform site inspections to ensure compliance throughout all grading and construction activities.

13. Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded to County Building & Safety and Permit Compliance staff's satisfaction and shall be located at a minimum of 50 feet from occupied residences. **MONITORING:** County Building & Safety and Permit Compliance staff shall monitor and perform site inspections to ensure compliance throughout all grading and construction activities.

14. Construction and hauling routes for the project shall be limited to those depicted on the approved plans. The applicant shall provide the County and all adjacent property owners with a construction activity schedule and construction routes 10 days in advance of the commencement of all grading and construction activities. Any alterations or additions to the distributed schedule shall require five day notification unless an emergency is deemed by the project engineer. **Plan Requirements and Timing:** The applicant shall submit copy of the schedule and mailing list to County Building & Safety and Permit Compliance staff prior to the commencement of all grading and construction activities. **MONITORING:** County Building

& Safety and Permit Compliance staff shall monitor and perform site inspections to ensure compliance throughout all grading and construction activities.

15. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain all applicable Building and Grading Permits from Planning and Development.
16. 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 the Land Use 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.
17. 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.

Attachments:

A. Site Plan

cc: Supervisor Carbajal, First District
P&D Deputy Director, Dave Ward
Supervising Planner, P&D, Anne Almy
P&D Planner, Errin Briggs

