

# ATTACHMENT A



# COUNTY OF SANTA BARBARA CALIFORNIA

## MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU STREET  
SANTA BARBARA, CALIFORNIA 93101-2058  
PHONE: (805) 568-2000  
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December 19, 2008

Ken Mineau  
Appleton & Associates  
117 W. Micheltoarena St.  
Santa Barbara, CA 93101

MONTECITO PLANNING COMMISSION  
HEARING OF DECEMBER 17, 2008

**RE: *Grassini Single-Family Dwelling Additions; 07CDH-00000-00015***

Hearing on the request of Ken Mineau, agent for the owner, to consider Case No. 07CDH-00000-00015, [application filed on May 8, 2007] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 1-E-1 to allow a first floor addition of approximately 238 square feet and second story addition of approximately 1,295 square feet to the existing residence; and wine cellar of 86 square feet below existing guest house; and to accept the Exemption pursuant to Section 15301(e) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves AP No. 007-380-007, located at 1775 Fernald Point Lane, in the Montecito area, First Supervisorial District. (Continued from 06/18/08, 08/28/08, 10/08/08)

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Dear Mr. Mineau:

At the Montecito Planning Commission hearing of December 17, 2008, Commissioner Burrows moved, seconded by Commissioner Phillips and carried by a vote of 3-1 (Gottsdanker no/Overall absent) to:

1. Adopt the required findings for the project specified in Attachment A of the staff report, dated May 30, 2008 and as revised at the hearing December 17, 2008, and including CEQA findings;
2. Accept the CEQA exemption, included as Attachment B of the staff report, dated May 30, 2008, pursuant to CEQA Guidelines Sections 15301(e); and
3. Approve the project subject to the conditions included as Attachment C of the staff report, dated May 30, 2008 and as revised at the hearing of December 17, 2008.

## REVISIONS TO THE STAFF REPORT

### 1.0 REQUEST

Hearing on the request of Ken Mineau, agent for the owner, to consider Case No. 07CDH-00000-00015, [application filed on May 8, 2007] for a Coastal Development Permit in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 1-E-1 to allow a first floor addition of approximately 238 square feet and second story addition of approximately ~~1,388~~ 1,295 square feet to the existing residence; and wine cellar of 86 square feet below existing guest house; and to accept the Exemption pursuant to Section 15301(e) of the State Guidelines for Implementation of the California Environmental Quality Act. The application involves APN 007-380-007, located at 1775 Fernald Point Lane, in the Montecito area, First Supervisorial District.

### 4.0 ISSUE SUMMARY

The existing residence on the subject lot dates back to 1929. A Historic Letter Report was prepared a County-qualified historian, Alexandra Cole, who determined "the existing structure no longer retains sufficient integrity to be considered a significant historic resource under CEQA" (Cole, 2008). With the proposed additions, the existing two-story, single-family residence would be ~~8,383~~ 8,289 square feet. Although the applicable net floor area of ~~7,195~~ 7,089 square feet exceeds the recommended maximum floor area of ~~5,100~~ 4,844 square feet for a 1.32-acre parcel by ~~2,095~~ 2,245 square feet (or 41% 46%), the residence would be comparable in size to surrounding homes. In reviewing the proposed project, MBAR made favorable conceptual comments. The project site is within a developed urban area and there are no significant environmental constraints present on site or within the project area. The project will not impact coastal public access or recreation and will not affect public views to or along the beach. The proposed addition and remodel is consistent with all other applicable policy and ordinance requirements, including visual resources, public-access, and height.

### 5.1 SITE INFORMATION

Present Use & Development	Single-Family Residence of 6,272 square feet with basement of 110 square feet and covered porch of 374 square feet; beach cabana of approximately 312 square feet; detached garage of approximately <del>765</del> <u>743</u> square feet with an attached storage area of 377 square feet and second story guest house of approximately <del>743</del> <u>765</u> square feet; and gardener's cottage of <del>392</del> <u>795</u> square feet
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### 5.2 STATISTICS

Item	Proposed	Ordinance Standard
Structures (floor area)	Residence (existing)                      6,272 SF	No ordinance standard
	Residence (additions) <del>1,626</del> <u>1,533</u> SF	
	Covered Porch (addition)                    374 SF	
	Basement (addition)                        110 SF	

Total Building SF	8,382	<u>8,289</u>
Guest House (existing)	765 SF	
Guest House Garage (existing)	743 SF	
Attached Storage (existing)	377 SF	
Wine Cellar (addition)	86 SF	
Total Building	1,971 SF	
Gardener's Cottage w/attached Garage (existing)	392	<u>795SF</u>
Beach Cabana (existing)	312 SF	
Beach Cabana Storage (existing)	71 SF	

5.3 DESCRIPTION

The project consists of a Coastal Development Permit for the construction of a first floor addition of approximately 238 square feet and second story addition of approximately ~~1,388~~ 1,295 square feet to the existing residence as well as conversion of a crawlspace of 86 square feet to be a wine cellar attached to an existing accessory storage structure of 377 square feet, and existing detached garage of 743 square feet located below an existing guest house of ~~743~~ 765 square feet. In addition, the following structures currently exist on the parcel: Single-Family Residence of ~~6,260~~ 6,272 square feet with basement of 110 square feet and covered porch of 374 square feet; beach cabana of approximately 312 square feet, beach storage structure of 71 square feet; and gardener's cottage with attached garage totaling ~~392~~ 795 square feet. The proposed project will require approximately 24 cubic yards of cut and approximately 24 cubic yards of fill. The property is a 1.32-acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 007-380-007, located at 1775 Fernald Point Lane in the Montecito area, First Supervisorial District.

6.2 COMPREHENSIVE PLAN CONSISTENCY

<p><b>Coastal Act Policy 30251:</b> <i>The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New</i></p>	<p><b>Consistent:</b> The proposed addition to the existing residence would not create an inconsistency with the size and scale of the surrounding neighborhood. The proposed development, while large, would be consistent with the scale of the surrounding neighborhood. The residential structures on Fernald Point Lane range in size from approximately 5,000 square feet to 10,000 square feet. Most of the</p>
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*development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

**Local Coastal Plan Policy 4-4:** *In urban areas, new structures shall be compatible with the scale and character of the surrounding neighborhood.*

**Land Use Element Visual Resources Policy 3:**

*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.*

structures within this area are two-stories. The majority of the proposed additions would be to the second floor. The height and bulk of the residence would be within the range of those in the neighborhood.

The project does not have potential to impact public views to the beach. The surrounding area consists of single-family residences. The size and scale of the proposed project would be consistent with the scale and historic character of the existing neighborhood. Lighting would be shielded and directed downward so as to prevent spillover to adjacent parcels.

The proposed project received conceptual review by the Montecito Board of Architectural Review on May 5, 2008 with positive comments, and would be required to receive final approval from the MBAR before Coastal Development Permit issuance. Through conformance with all MBAR requirements, the proposed development would be compatible with the scale and character of the surrounding neighborhood. The project would conform to the height limit (<25 feet), setbacks, parking and other specifications of Article II Sec. 35-71 for R-1/E-1 Single-Family Residential development. The proposed development also meets all criteria specified in Article II Sec. 35-96 for a View Corridor Overlay District. The proposed ~~4,556~~ 1,450 net square foot addition to an existing 5,639 net square foot single-family residence on a lot of 1.32-acres would exceed the Montecito Architectural Guidelines and Development Standards FAR guidelines. However, MBAR approval of the project will require a determination by the MBAR that the FAR is compatible with the existing scale of development in the neighborhood.

### 6.3 ZONING CONSISTENCY

The proposed ~~4,556~~ 1,450 net square foot addition to an existing 5,639 net square foot single-family residence on a lot of 1.32-acres would exceed the Montecito Architectural Guidelines and Development Standards FAR guidelines. However, MBAR approval of the project will require a determination by the MBAR that the FAR is compatible with the existing scale of development in the neighborhood.

## REVISIONS TO THE NOTICE OF EXEMPTION

**Project Description:** The project consists of a Coastal Development Permit for the construction of a first floor addition of approximately 238 square feet and second story addition of approximately ~~4,388~~ 1,295 square feet to the existing residence as well as conversion of a crawlspace of 86 square feet to be a wine cellar attached to an existing accessory storage structure of 377 square feet, and existing detached garage of 743 square feet located below an existing guest house of ~~743~~ 765 square feet. In addition, the following structures currently exist on the parcel: Single-Family Residence of ~~6,260~~ 6,272 square feet with basement of 110 square feet and covered porch of 374 square feet; beach cabana of approximately 312 square feet, beach storage structure of 71 square feet; and gardener's cottage with attached garage totaling ~~392~~ 795 square feet. The proposed project will require approximately 24 cubic yards of cut and approximately 24 cubic yards of fill. The property is a 1.32-acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 007-380-007, located at 1775 Fernald Point Lane in the Montecito area, First Supervisorial District.

## REVISIONS TO THE FINDINGS

### 2.3 That the development is compatible with the established physical scale of the area.

The residential structures on Fernald Point Lane range in size from approximately 5,000 square feet to 10,000 square feet. Most of the structures within this area are two-stories. The project was conceptually reviewed for neighborhood compatibility by the Montecito Board of Architectural Review which conducted a site visit on May 5, 2008. The project, which would include an SFD addition of ~~8,382~~ 8,289 square feet with the approved additions, would be of a scale and character that is consistent with the surrounding neighborhood. Therefore, this finding can be made.

## REVISIONS TO THE CONDITIONS OF APPROVAL

1. This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-D, dated June 18, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

**The project description is as follows:**

The project consists of a Coastal Development Permit for the construction of a first floor addition of approximately 238 square feet and second story addition of approximately ~~4,388~~ 1,295 square feet to the existing residence as well as conversion of a crawlspace of 86 square feet to be a wine cellar attached to an existing accessory storage structure of 377 square feet, and existing detached garage of 743 square feet located below an existing guest house of ~~743~~ 765 square feet. In addition, the following structures currently exist on the parcel: Single-Family Residence of ~~6,260~~ 6,272 square feet with basement of 110 square feet and covered porch of 374 square feet; beach cabana of approximately 312 square feet, beach storage structure of 71 square feet; and gardener's cottage with attached garage totaling ~~392~~ 795 square feet. The proposed project will require approximately 24 cubic yards of cut and approximately 24 cubic yards of fill. The property is a 1.32-acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 007-380-007, located at 1775 Fernald Point Lane in the Montecito area, First Supervisorial District.

11. **Montecito Board of Architectural Review (MBAR).** The project shall include privacy screening between the eastern second story addition and the neighbors property. MBAR shall review the project including enhanced screening and window placement on the second story addition to ensure consideration of neighbor privacy. Final MBAR approval is required prior to permit issuance. Exterior elevations, colors, materials and landscaping must conform to that approved by the MBAR as part of 07BAR-00000-00079.

**MONITORING:** P&D's Permit Compliance, Grading, and Building inspectors shall spot check to ensure compliance on-site.

*The attached findings and Conditions of Approval reflect the Montecito Planning Commission's actions of December 17, 2008.*

The action of the Montecito Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Montecito Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Montecito Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, January 5, 2009 at 5:00 p.m.**

**Final action by the County on this project may be appealed to the Coastal Commission by the applicant, an aggrieved person, as defined above, or any two members of the Coastal Commission within the 10 working days following the date the County's Notice of Final Action is received by the Coastal Commission.**

Sincerely,



Dianne M. Black  
Secretary to the Montecito Planning Commission

cc: Case File: 07CDH-00000-00015  
Montecito Planning Commission File  
Shana Gray, California Coastal Commission, 89 S. California Street, Suite 200, Ventura, CA 93001  
Montecito Association, P.O. Box 5278, Montecito, CA 93150  
Owner: Larry Grassini, 24612 Wingsfield Road, Hidden Hills, CA 91302  
Montecito Association  
County Surveyor  
Fire Department  
Flood Control

Park Department  
Public Works  
Environmental Health Services  
APCD  
Accounting, Planning and Development  
Salud Carbajal, First District Supervisor  
Bob Bierig, Commissioner  
Claire Gottsdanker, Commissioner  
Jack Overall, Commissioner  
Sue Burrows, Commissioner  
Michael Phillips, Commissioner  
Rachel Van Mullem, Deputy County Counsel  
Jim Heaton, Planner  
Peter Imhof, Supervising Planner

**Attachments:        Attachment A – Findings**  
**Attachment C – Conditions of Approval**

DMB/dmv

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## ATTACHMENT A: FINDINGS

### 1.0 CEQA FINDINGS

The project is exempt from environmental review pursuant to CEQA Guidelines Section 15301(e) [additions to existing structures]. See Attachment B, Notice of Exemption, for additional information

### 2.0 ADMINISTRATIVE FINDINGS

Pursuant to Section 35-169.5, a Coastal Development Permit shall only be issued if all of the following findings are made:

#### 2.1 **Those findings specified in Section 35-169.6.1.**

##### 2.1.1 **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 this Article and/or the project falls within the limited exception allowed under Section 35-161.7.**

As discussed in section 6.2 and 6.3 of this staff report and incorporated herein by reference, the project can be found consistent with the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and the Montecito Community Plan, and with the applicable provisions of Article II Zoning Ordinance.

##### 2.1.2 **That the proposed development is located on a legally created lot.**

The subject parcel is considered a legally created lot as it was created as part of the Fernald Tract subdivision recorded in February 1929. It is developed with an existing single-family residence and has been validated by previous issuance of a County Land Use Permit, 94-SUP-005, on April 18, 1994. Therefore, this finding can be made.

##### 2.1.3 **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 § 35-160 et seq.**

As discussed in Section 6.3 of this staff report and incorporated herein by reference, the project would be consistent with all requirements of the 1-R-1 zone district. The subject lot is in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and other applicable provisions of Article II. Therefore, this finding can be made.

##### 2.2 **That the development does not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.**

The project is located adjacent to the beach and ocean. The project involves additions and remodel of an existing structure that would not significantly obstruct public views. Additionally, the project would not significantly obstruct views to or along the coast from

any public roads, public recreation area or other public area. Therefore, this finding can be made.

**2.3 That the development is compatible with the established physical scale of the area.**

The residential structures on Fernald Point Lane range in size from approximately 5,000 square feet to 10,000 square feet. Most of the structures within this area are two-stories. The project was conceptually reviewed for neighborhood compatibility by the Montecito Board of Architectural Review which conducted a site visit on May 5, 2008. The project, which would include an SFD addition of 8,289 square feet with the approved additions, would be of a scale and character that is consistent with the surrounding neighborhood. Therefore, this finding can be made.

**2.4 That the development is in conformance with the public access and recreation policies of this Article and the Coastal Land Use Plan.**

The project would be in conformance with the public access and recreation policies of Article II and the Coastal Land Use Plan. The project consists of an addition to an existing residence on a private lot and would not affect public access to or along the beach or public recreation in the area. Therefore, this finding can be made.



COASTAL DEVELOPMENT PERMIT

Case No.: 07CDH-00000-00015

Project Name: Grassini Single-Family Dwelling Additions

Project Address: 1775 Fernald Point Lane

Assessor's Parcel No.: 007-380-007

Applicant Name: Larry Grassini

The hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

Associated Case Number(s): 07BAR-00000-00079

Project Description Summary: See Attachment A

Project Specific Conditions: See Attachment A

Permit Compliance Case: \_\_\_ Yes \_\_\_X\_\_\_ No;

Permit Compliance Case No.: \_\_\_\_\_

**Appeals:** The approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the Clerk of the Board of Supervisors at 105 Anacapa Street, Santa Barbara, 93101 by 5:00 p.m. on or before January 5, 2009.

The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals. Therefore a fee is not required to file an appeal of this Coastal Development Permit.

**Terms of Permit Issuance:**

- 1. Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
- 2. Date of Permit Issuance.** This Permit shall be deemed effective and issued on January 6, 2009, provided an appeal of this approval has not been filed and all prior to issuance conditions have been met.
- 3. Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

**NOTE:** Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.



ATTACHMENT A  
PROJECT SPECIFIC CONDITIONS

Case #: 07CDH-00000-00015

Project Name: Grassini Additions

Project Address: 1775 Fernald Point Land, Montecito

APN: 007-380-007

**This permit is subject to compliance with the following conditions:**

1. This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-D, dated June 18, 2008, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

**The project description is as follows:**

**The project consists of a Coastal Development Permit for the construction of a first floor addition of approximately 238 square feet and second story addition of approximately 1,295 square feet to the existing residence as well as conversion of a crawlspace of 86 square feet to be a wine cellar attached to an existing accessory storage structure of 377 square feet, and existing detached garage of 743 square feet located below an existing guest house of 765 square feet. In addition, the following structures currently exist on the parcel: Single-Family Residence of 6,272 square feet with basement of 110 square feet and covered porch of 374 square feet; beach cabana of approximately 312 square feet, beach storage structure of 71 square feet; and gardener's cottage with attached garage totaling 795 square feet. The proposed project will require approximately 24 cubic yards of cut and approximately 24 cubic yards of fill. The property is a 1.32-acre parcel zoned 1-E-1 and shown as Assessor's Parcel Number 007-380-007, located at 1775 Fernald Point Lane in the Montecito area, First Supervisorial District.**

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 hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. If the Montecito Planning Commission determines at a noticed public hearing that the permittee is not in compliance with any conditions of this permit pursuant to the provisions of section 35-169.9 of Article II of the Santa Barbara County Code, the Montecito Planning Commission may, in addition to revoking the permit pursuant to said section, amend, alter, delete or add conditions to this permit.
3. 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.
4. **Construction Hours.** Construction activity for site preparation and for future development shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.
5. **Print & Illustrate Conditions on Plans.** All applicable final conditions of approval shall be printed in

their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible. **Timing:** Conditions shall be printed and illustrated on plans prior to issuance of the Coastal Development.

**Lighting.** Any exterior night lighting installed on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Applicant shall develop a Lighting Plan incorporating these requirements and provisions for dimming lights of automatic shut-off after 10:00 p.m. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed and approved by P&D and the Montecito BAR.

**MONITORING:** P&D and Montecito BAR shall review a Lighting Plan for compliance with this measure prior to issuance of a Coastal Development Permit. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

7. **Dust Control.** Dust generated by the development activities shall be retained onsite and kept to a minimum 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 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.
- d. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance.
- e. Condition shall be adhered to throughout all grading and construction periods.

**MONITORING:** P&D shall ensure measures are on plans. P&D's Permit Compliance, Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

8. **Construction Staging and Storage.** Construction related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The applicant shall provide all construction personnel with a written notice of this requirement and a description of approved onsite parking, staging and storage areas. The notice shall also include the name and phone number of the applicant's designee responsible for enforcement of this restriction. **Plan Requirements:** Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for land use CDP clearance. A copy of the written notice shall be submitted to P&D prior to CDP issuance. **Timing:** This restriction shall be maintained throughout construction.

9. **Construction Washout Area.** During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for

subsequent removal from the site, and shall not be conducted within the critical root zones of oak trees on 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 construction and/or grading and building plans. **Timing:** The washout area shall be designated on all plans prior to issuance of a Coastal Development Permit. The washout area(s) shall be in place and maintained throughout construction.

**MONITORING:** P&D's Permit Compliance, Grading, and Building inspectors shall spot check to ensure compliance on-site.

10. **Erosion and Sediment Control.** Grading and erosion and sediment control plans shall be designed to minimize erosion and shall include the following:

- f. 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.
- g. 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.
- h. Best available erosion and sediment control measures shall be implemented during construction. Best available erosion and sediment control measures may include but are not limited to use of sediment basins, gravel bags, silt fences, geo-bags or gravel and geotextile fabric berms, erosion control blankets, coir rolls, jute net, and straw bales.

11. **Montecito Board of Architectural Review (MBAR).** The project shall include privacy screening between the eastern second story addition and the neighbors property. MBAR shall review the project including enhanced screening and window placement on the second story addition to ensure consideration of neighbor privacy. Final MBAR approval is required prior to permit issuance. Exterior elevations, colors, materials and landscaping must conform to that approved by the MBAR as part of 07BAR-00000-00079.

**MONITORING:** P&D's Permit Compliance, Grading, and Building inspectors shall spot check to ensure compliance on-site.

12. **Archaeological and Historic Resources.** In the event archaeological remains are encountered during grading, 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 of 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/Timing:** This condition shall be printed on all building and grading plans.

13. The Montecito Planning Commission's approval of this Appealable CDP shall expire one year from the date of approval or, if appealed, the date of action by the Board of Supervisors or the California Coastal Commission on the appeal, if the permit for use, building or structure permit has not been issued.

14. The applicant shall comply with the terms of all of the following Departmental and District letter:

- i. Santa Barbara County Air Pollution Control District dated May 11, 2007.
5. The use and/or construction of the building or structure, authorized by this approval cannot commence until the 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.
16. Prior to issuance of the Coastal Development Permit, the applicant shall pay all applicable P&D permit processing fees in full.
17. 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.
18. 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.
19. If the applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.
20. 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.
21. Prior to issuance of the Coastal Development Permit, the applicant shall pay the applicable Transportation Impact Mitigation fee with the Public Works Department.





Santa Barbara County  
Air Pollution Control District

TO: Department of Planning and Development - South t  
ATTN: Petra Leyva  
FROM: Vijaya Jammalamadaka *VJ*  
DATE: May 11, 2007  
CASE #: 07CDH-00000-00015 Grassini SFD Addition  
(APN 007-380-007)

The Air Pollution Control District has reviewed the referenced case and offers the following:

- The APCD has no comment on this project at this time.
- Applicant must be issued an APCD permit prior to construction or operation of this project.
- Applicant must apply for an APCD permit exemption prior to land use clearance.
- The applicant should determine whether the structure(s) proposed for demolition contains asbestos that is friable or has the potential to become friable during demolition or disposal. If the structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal.
- Applicant is required to complete the attached "Asbestos Demolition/Renovation Notification" form. The completed form should be mailed to the Santa Barbara APCD and EPA Region IX no later than the date specified in number 2 of the instructions.
- Standard dust mitigation measures (dated September 1996) are recommended for all construction and/or grading activities. The name and telephone number of an on site contact person must be provided to the APCD prior to issuance of land use clearance.

cc:  
Ken Mineau, Agent  
~~Project file~~  
TEA Chron File



Santa Barbara County  
Air Pollution Control District

760 North San Antonio Road, Suite A • Santa Barbara, CA • 93110 • www.sbapcd.org  
805 961 8889 • 805 255 7332 (toll) • 805 961 8881 (fax)

Our Vision Clean Air

Michael T. Zeis, REA  
Inspector

zeism@sbapcd.org

SANTA BARBARA COUNTY  
AIR POLLUTION CONTROL DISTRICT  
STANDARD DUST CONTROL REQUIREMENTS

1. Dust generated by the development activities shall be retained onsite and kept to a minimum by following the dust control measures listed below. Reclaimed water shall be used whenever possible.
  - a. During clearing, grading, earth moving or excavation, water trucks or sprinkler systems are to be used in sufficient quantities, after each day's activities cease, to prevent dust from leaving the site and to create a crust.
  - b. After clearing, grading, earth moving or excavation is completed the disturbed area must be treated by watering or revegetating; or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
  - c. During construction, water trucks or sprinkler systems are to be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

2. Importation, Exportation and Stockpiling of Fill Material:

Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

Trucks transporting fill material to and from the site shall be tarped from the point of origin.

If the construction site is greater than five acres, gravel pads must be installed at all access points to minimize tracking of mud on to public roads.

3. Activation of Increased Dust Control Measures:

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

4. Recordation of Mitigation Measures:

Prior to land use clearance the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.