

**SANTA BARBARA COUNTY PLANNING COMMISSION**  
**Coastal Zone Staff Report for Lacerte Appeal of BMO, LLC ADU**

**Hearing Date:** November 3, 2021  
**Staff Report Date:** October 7, 2021  
**Case No.:** 21APL-00000-00029  
**Environmental Document:** Notice of Exemption Pursuant to CEQA Guidelines Section 15303(a) [Replacement or Reconstruction]

**Deputy Director:** Travis Seawards  
**Division:** Development Review  
**Supervising Planner:** Nicole Lieu  
**Supervising Planner Phone #:** 805-884-8068  
**Staff Contact:** Willow Brown  
**Staff Contact Phone #:** 805-568-2040

**OWNER/APPLICANT:**

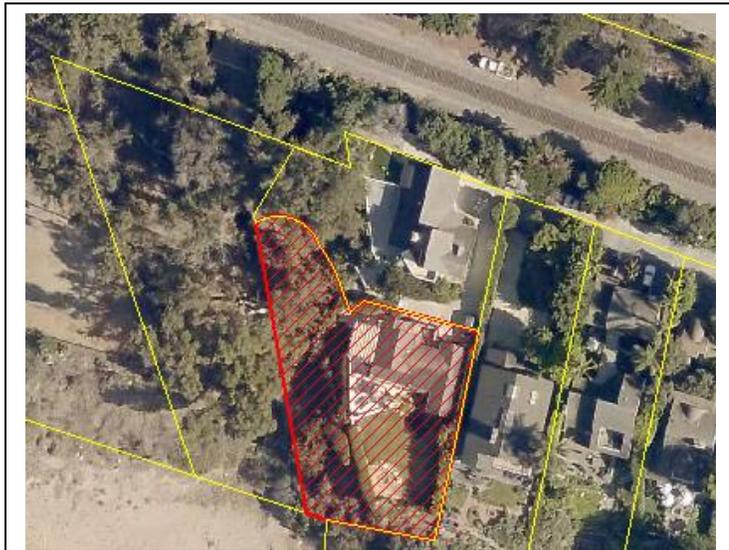
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**AGENT:**

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**APPELLANT:**

AJ Lacerte  
2311 Finney Street  
Summerland, CA 93067



This site is identified as Assessor's Parcel Number 005-230-008, located at 2305 Finney Street in the Summerland Community Plan area, First Supervisorial District.

## 1.0 REQUEST

Hearing on the request of AJ Lacerte, Appellant, to consider an appeal of the Director's decision to approve Coastal Development Permit Case No. 21CDP-00000-00053, which authorized a new second story, 819-square-foot (gross) attached accessory dwelling unit to an existing single-family dwelling. The appeal was filed on June 11, 2021 in compliance with Section 35-182 of Article II.

## 2.0 RECOMMENDATION AND PROCEDURES

Your Commission's motion should include the following:

1. Deny the appeal, Case No. 21APL-00000-00029;
2. Make the required findings for approval of the project, Case No. 21CDP-00000-00053, as specified in Attachment A of this staff report, including CEQA findings;
3. Determine the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(a); and
4. Grant *de novo* approval of Case No. 21CDP-00000-00053, subject to the conditions of approval included as Attachment B of this staff report.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

## 3.0 JURISDICTION

The accessory dwelling unit was approved pursuant to the following section of Article II:

### Section 35-142.7 (Accessory Dwelling Units)

- An accessory dwelling unit proposed either partially or wholly within an addition to an existing single-family or multiple-family dwelling or existing accessory building, or is attached to a new single-family or multiple-family dwelling, or is located within a new accessory building, shall be approved with a Coastal Development Permit.

The County Planning Commission is the hearing body for this appeal of Case No. 21CDP-00000-00053 based on the following section of Article II:

### Section 35-182.4 (Appeals to the Planning Commission)

- Any decision of the Director to approve, conditionally approve, or deny an application for a Coastal Development Permit may be appealed to the Planning Commission.

## 4.0 ISSUE SUMMARY

Coastal Development Permit No. 21CDP-00000-00053 was approved by the Director of Planning and Development on June 4, 2021, and authorized construction of a new second-story attached accessory dwelling unit (ADU) to an existing single-family dwelling. The project consists of an 819-

square-foot (gross) ADU with a 249-square-foot deck. The subject property, 2305 Finney Street, is owned by Robert Mecay and is developed with an existing single-family dwelling.

On June 11, 2021, AJ Lacerte, who owns a property located at 2311 Finney Street, filed a timely appeal of the Director’s approval of the Coastal Development Permit. The appeal includes concerns pertaining to permits for the existing single-family dwelling, project noticing, parking, height, violations on the parcel, and consistency with policies in the Comprehensive Plan and Summerland Community Plan.

Following the original Coastal Development Permit approval and filing of the appeal, the applicant submitted revised plans for the proposed project. These plans reduce the total square footage of the ADU from 980 square feet (gross) to 819 square feet (gross) and maintain the same overall aesthetic appearance. This staff report analyzes the proposed revised project (referred to herein as “proposed project”).

## 5.0 PROJECT INFORMATION

### 5.1 Site Information

Site Information	
Comprehensive Plan Designation	RES-4.6, Residential, Coastal, Urban
Zone	7-R-1 (Single Family Residential)
Site Size	0.34 acres
Present Use & Development	Single Family Dwelling
Surrounding Uses/Zone(s)	North: Single Family Dwelling, 7-R-1 South: Pacific Ocean East: Single Family Dwelling, 7-R-1 West: Open Space, REC
Access	Easement over 2311 Finney Street off of Finney Street
Public Services	Water Supply: Montecito Water District Sewage: Summerland Sanitary District Fire: Carpinteria-Summerland Fire Protection District Police Services: County Sheriff

### 5.2 Description of Project Approved Under 21CDP-00000-00053

The project is for a Coastal Development Permit to allow construction of a new 819-square-foot (gross) attached accessory dwelling unit with 249-square-foot deck. No grading is proposed. No trees are proposed for removal. The parcel is served by the Montecito Water District, the Summerland Sanitary District, and the Carpinteria-Summerland Fire Protection District. Access is provided via an easement off of Finney Street. The property is a 0.35-acre parcel zoned Single-

Family Residential (7-R-1) and shown as Assessor's Parcel Number 005-230-008, located at 2305 Finney Street in the Summerland Community Plan area, First Supervisorial District.

### 5.3 Background Information

- A 1,054-square-foot single-family dwelling was constructed on the subject property in 1949, prior to the need for zoning approval. At some point after 1949, the dwelling was expanded to 1,638 square feet, however there are no building permits on record to show when the expansion occurred.
- As of 2000, the single-family dwelling was considered nonconforming due to unpermitted additions that caused the single-family dwelling to encroach on:
  - The County-owned road right-of-way (Carey Place) to the east;
  - Land zoned Recreation (REC) to the west; and,
  - Property boundaries onto the neighboring property to the north.
- In order to bring the single-family dwelling into conformity with ordinance requirements, applications for a Lot Line Adjustment, Rezone, and General Plan Amendment were submitted in 2000 and approved in 2003. The Lot Line Adjustment (Case No. 00-LA-018) resolved the encroachment of the residence onto the neighboring parcel to the north and created the existing parcel configuration. The Rezone (00-RZ-007) and General Plan Amendment (00-GP-009) were processed concurrently with the Lot Line Adjustment, and resolved the issue of the single-family use on the land zoned REC by changing the zoning of that portion of the property to 7-R-1. As part of the approval, the County entered into an agreement to vacate the County ownership of a portion of Finney Street, which resolved the non-conformance of the residential structure that was built over the property line. Since the Lot Line Adjustment shows the house in the current configuration on the 2003 Lot Line Adjustment, the structure is considered legal.
- On February 5, 2021, Planning and Development issued a Notice of Violation (Case No. 20ZEV-00000-00340) for unpermitted development consisting of a deck enclosure (pergola), installation of utilities, expansion of the deck over the former hot-tub/spa, and the installation of flatwork less than 300 feet from the top of the bluff. The owner removed the flatwork near the bluff, the pergola, and the deck addition. Planning and Development determined that all violations were abated and closed the case on April 2, 2021.
- On June 4, 2021, the permit (Case No. 21CDP-00000-00053) that is the subject of this appeal was approved.

## 6.0 PROJECT ANALYSIS

### 6.1 Appeal Issues

**Issue #1:** *According to Santa Barbara County records, the existing single-family dwelling was constructed in 1949 at approximately 1,000 square feet. Notably, the County Assessor's Office taxes this dwelling at only 1,054 square feet. At some time, without benefit of permits, the unit was expanded to over 1,600 square feet. Santa Barbara County has provided records that indicate that the County was aware of the expansion of the unit including the fact that it was expanded over property lines. The remedy to this situation included a General Plan Amendment, rezone, and lot line adjustment which was approved in 2005. Conditions of this Coastal Development Permit specifically required the applicant to obtain building permits for the expansion of the unit. To date, no building permits have been issued for the expansion. The Accessory Dwelling Unit (ADU) requested is based on square footage that has never been permitted. Therefore the size of the ADU is beyond that allowed under the code which is ½ of the legal square footage or 527 square feet. The structure is not nonconforming since it was never expanded lawfully. Therefore, the illegal portion of the dwelling does not exist lawfully, and it cannot therefore be relied upon to expand the allowable area for an ADU.*

**Staff Response:** The existing single-family dwelling is legal at its current size of 1,638 gross square feet (1,515 net) and the proposed ADU square footage meets ordinance requirements. The ADU is appropriately permitted at 819 gross square feet (747.5 net), which meets the requirement under Article II Section 35-142.7.9.a.1 that an ADU be no more than 50% of the size of the existing residence. As discussed in Section 5.3 of this staff report, dated October 7, 2021 and incorporated herein by reference, a Lot Line Adjustment, Rezone, and General Plan Amendment were processed for the subject property in 2003. Since the approved Lot Line Adjustment plans show the house in its current size and configuration, the structure is considered legal. Contrary to the appellant's assertion, there are not outstanding Coastal Development Permit conditions requiring the receipt of additional permits. The Lot Line Adjustment was finalized under a Final Map Clearance, Case No. 05MPC-00000-00005, where the County acknowledged that the project satisfied the conditions of Planning and Development prior to recordation of the map. The time for appealing the General Plan Amendment, Rezone, and Lot Line Adjustment has passed. In addition, Zoning Enforcement staff inspected the site in 2019 and 2020, and verified that there are no existing violations on the parcel.

**Issue #2:** *The project description includes 249 square feet of an outdoor deck which has not been included into the square footage of the ADU but is being permitted under the ADU ordinance. Additional square footage not included in the ADU square footage cannot be permitted under the ADU ordinance but would need to be permitted under a standard review process including the renovations noted to the existing single-family residence.*

The outdoor deck is part of the ADU, and is therefore subject to the ADU ordinance. The maximum allowed square footage of an ADU is based on the interior living area of the single-family dwelling. Pursuant to Section 35-142.7.9, living area is, *“the interior habitable area of a dwelling unit including basements and attics not including an attached garage or any other attached accessory structure.”* The deck is not included in the living area square footage as it is not a habitable area. Renovations to the existing single-family residence are exempt from permits and do not require receipt of a Coastal Development Permit. Pursuant to Section 35-51B.7 of Article II, repair and maintenance activities are exempt from the requirement to obtain a Coastal Development Permit so long as they do not result in an addition to, or enlargement or expansion of the object of the repair or maintenance activities. The renovations to the existing deck and storage area would not result in any additional square footage and are therefore exempt from a Coastal Development Permit.

**Issue #3:** *The project was not properly noticed. CZO Section 35-181.8 requires a description of the project be placed on the placard noticing the project. The 249 square foot second story deck/balcony was absent from the project description. Therefore, the noticing is inadequate.*

The project was properly noticed. Article II, Section 35-181.8 states that the notice for a project shall include the date of filing the application and the name of the applicant, the Department case number assigned to the application, the name of the staff person assigned to review the application with their contact information, and a description of the project with its location. The notice provided all of this information, including an overview of the project that stated *“a new 810 square foot accessory dwelling unit as a new second story to the existing dwelling”* and the contact information for the planner for any interested parties to obtain more information on the project. The notice gave an overview of the project and contact information to inquire further regarding project details. In addition, on May 5, 2021, staff conducted a Zoom call with the agent for the project appellant to go through the plans and answer any questions. The plans clearly show the proposed deck and therefore the deck was part of the proposed project.

**Issue #4:** *The subject site access is via a private easement and the additional demand for parking will increase pressure to utilize the ingress/egress easement for parking purposes. The County did not take into consideration that the site is accessed via a private easement with limited access to off-street parking. Due to the proximity to the ocean, existing off-street parking is limited and must be preserved for public access to the coast. The project is inconsistent with the public access and recreation policies of Chapter 3 of the Coastal Act. Additionally, the project and existing illegal non-conforming dwelling unit is inconsistent with the Summerland Community Plan Action CIRC-S-20.1 that requires additional parking. The fact that additional parking is required may explain why the property owner/applicant did not apply for subsequent building permits as required by the Lot Line Adjustment.*

The proposed project is consistent with Coastal Zone public access and recreation policies, as well as with Summerland Community Plan Action CIRC-S-20.1. Existing public access to the coast

is located approximately 600 feet away at Lookout Park, where there is an existing public parking lot, and the project will not impede existing public access. Pursuant to Section 35-142.7 of Article II, additional parking spaces are only required for detached ADUs. Since this project is for an attached ADU, no additional parking spaces are required. The Summerland Community Plan update required additional parking spaces based on lot size for all new single family dwellings approved after June 9, 2016. The existing single-family dwelling was constructed in 1949, and the expansion to 1,638 square feet was legalized through approval of the Lot Line Adjustment and associated permits in 2003. Thus, additional parking spaces are not required. The existing single family dwelling has two parking spaces in the existing driveway and is therefore consistent with applicable parking requirements. The private easement establishes access over 2311 Finney Street for ingress, egress, and private utilities and disputes over alleged overburden of the easement are private disputes that the County has no authority to adjudicate.

**Issue #5:** *The permit approval does not state under what authority the ADU was approved. The unit proposed is neither proposed entirely within or partially within an existing single family dwelling nor is it an accessory building but rather is proposed as a second story addition to an existing single family dwelling and therefore is not permitted under Section 35.142.5, Section 35.142.6 or 35.142.7. The proposed description states “The project is for a Coastal Development Permit to allow construction of a new 810 square foot accessory dwelling unit and an associated 249 square foot deck as a new second story to the existing dwelling.” This proposal does not qualify as an ADU under county regulations.*

The project qualifies as an ADU under County regulations. The proposed ADU is allowed under Section 35-142.7 of Article II, which pertains to: “[Accessory Dwelling Units] either partially or wholly within an addition to an existing single-family or multiple-family dwelling or existing accessory building, ADUs that are attached to a new single-family or multiple-family dwelling, or ADUs that are located within a new accessory building.” The proposed ADU will be located wholly within an addition to an existing single-family dwelling, and was permitted in conformance with Article II, Section 35-142.7. Additionally, the proposed project meets the definition of an ADU under Article II, which is: “an attached or detached residential dwelling unit on a permanent foundation that is located on the same lot as a single-family or multiple-family dwelling to which the accessory dwelling unit is accessory and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, (2) provides interior access between all habitable rooms, and (3) includes an exterior access that is separate from the access to the principal dwelling or accessory structure in which the accessory dwelling unit is located”. Given that the proposed project is for an attached residential dwelling unit that is located on the same lot as a single-family dwelling and will have provisions for cooking, eating, living, sanitation, and sleeping, interior access between all habitable rooms, and separate exterior access from the principal dwelling, it meets the definition of an accessory dwelling unit in Article II.

**Issue #6:** *The project location is located within a Special Problems Area. The project's access is located off an easement, not a public road (Finney). However, the project description indicates that the site is accessed off of Finney Road. The restricted access includes limited parking, vehicle turnaround, and emergency vehicle access and was not adequately addressed due to the inaccurate project description.*

The location of the proposed project in the Special Problems Area was adequately addressed through review by the Special Problems Committee (SPC), the project's access is adequately addressed in the project description, and proposed parking is in conformance with ordinance requirements. The project was reviewed by the SPC on June 3, 2021 in order to receive comments and conditions from other departments. The Carpinteria/Summerland Fire Protection District issued a condition requirement that the ADU have a separate address from the primary dwelling and, after reviewing the project plans, did not have any conditions regarding access to the property. No other SPC members provided comments or conditions on the project. The project is accessed off of Finney Street, over an easement on the neighboring property for ingress/egress as shown on the site plans included as Attachment F to this staff report, dated October 7, 2021 and incorporated herein by reference. The existing residence and proposed project are in conformance with ordinance parking requirements. In conformance with Article II Section 35-108 two parking spaces are provided on-site to serve the existing single family dwelling. Pursuant to Section 35-142.7.10 of Article II, additional parking spaces are only required for detached accessory dwelling units. Since the proposed project is an attached accessory dwelling unit, no additional parking is required. Additionally, parking spaces are not required if an accessory dwelling unit is proposed within a half mile of a bus stop. The project is 0.3 miles from the closest bus stop.

**Issue #7:** *Code section 35-142.6.B.2 states than an ADU located above another floor shall not exceed a total height of 16-feet. The proposed ADU is to be attached to the existing dwelling above an existing floor and therefore the height limit is 16 feet. The proposed ADU height is 25 feet. This section of code seems to have been ignored or waived considering the subject lot is on a coastal bluff and in front of another dwelling unit. The additional height may block views, but no documentation exists or has been provided that substantiates or negates potential view impacts.*

The proposed ADU complies with the height requirement for an attached ADU, as well as the height requirement for the R-1 zone. Section 35-142.7.6 of Article II states: *"The height of an accessory dwelling unit that is proposed to be located above another floor or on-grade where there is no floor above shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35-127 (Height)."* The ADU has a vertical distance of 15'-6" and therefore does not exceed the 16 foot distance specified by Section 35-142.7.6. Pursuant to Section 35-71.10 of Article II, no building or structure shall exceed a total height of 25 feet. The entire single-family dwelling, including the proposed ADU, has a maximum height of 23'-6" feet from existing grade and complies with Article II Section 35-71.10.

**Issue #8:** *The project site is governed by a Coastal Commission issued Coastal Development Permit 02CDH-00000-00041, which has recorded conditions and is currently out of compliance with this permit. The permit conditions specifically conditioned that the project site shall not be allowed to disturb the native biological habitat outside of the development envelope. Split zoning was implemented to mark this area. A trail has been cut into this area in direct violation of this permit. The subject trail improvements are in fact 'development' as defined in the CZO because the improvement includes "...the placement or erection of any solid material...", and "...discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste...", "...grading, removing, dredging, mining, or extraction of any materials...", and the "...change in the density or intensity of use of land...". This trail improvement required a CDP.*

No violations currently exist on the subject parcel. A violation was filed on April 24, 2019 for a trail creating access to the beach from the bluff under Case No. 19ZEV-00000-00145. Zoning Enforcement staff determined that a violation did not exist after conducting a site visit, and staff closed the case on May 9, 2019. The case notes from the zoning enforcement case are summarized as follows:

- A violation does not exist on the site since vegetation removal that occurred was not significant enough to be considered development.
- Since the vegetation removal is not considered development, the vegetation removal does not violate the development exclusion zone agreement.
- The vegetation removal is not considered environmentally sensitive habitat.

**Issue #9:** *The approval findings found in 35-169.5.1.c cannot be made because at least one permit violation exists on the property, and there may be others, including a recently graded and developed footpath, with stairs, which has been improved on the parcel down the bluff top, into and through native habitat and potentially environmentally sensitive habitat, to the beach. No permit records exist for this development, which occurred approximately 2 years ago, and no exhibits exist which show this improvement as legal non-conforming. Such development or an improvement would have been included in exhibits associated with the Lot Line Adjustment. Therefore, the finding that the "subject property and development is in compliance with all laws," cannot be made.*

No violations exist on the subject property. On February 5, 2021 a Notice of Violation was issued (Case No. 20ZEV-00000-00340) for unpermitted development consisting of a deck enclosure, installation of utilities, expansion of the deck over the former hot-tub/spa, and the installation of flatwork less than 300 feet from the top of the bluff. The flatwork near the bluff was removed, the pergola was removed, and the deck addition was removed. After it was determined that all of the violations were abated, the case was closed out on April 2, 2021.

As discussed in Issue #8 above, the path to the beach from the bluff was determined not to be a violation and the case was closed.

**Issue #10:** *The project, and existing improvements on site are in conflict with policies in the Coastal Land Use Plan and Summerland Community Plan, including Coastal Land Use Policies 3-4, 3-7, and 7-9, Summerland Community Plan Actions CIRC-S-20.1, BIO-S-1.5, BIO-S-3.2, BIO-S-3.3, BIO-S-6.6, FLD-S-2.1, GEO-S-3.1, and Summerland Community Plan Policies BIO-S-3 and GEO-S-3.*

As discussed in Appeal Issue #1, above, the existing improvements on-site are permitted and as discussed in Section 6.3 of this staff report dated October 7, 2021, and incorporated herein by reference, the project is consistent with all applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and the Summerland Community Plan. In conformance with Policy BIO-S-3 and Action BIO-S-3.2 (which require construction limitations to protect monarch butterflies) Condition of Approval No. 7 was added, which prohibits construction, grading, or development between November 1 and April 1 unless modification of the requirement is supported by biological study (see Attachment B, conditions of approval).

## 6.2 Environmental Review

The project is categorically exempt from environmental review pursuant to Section 15303(a) [New Construction or Conversion of Small Structures] of the California Environmental Quality Act (CEQA) Guidelines. Section 15303(a) exempts the construction and location of limited numbers of new, small facilities or structures, including one single-family dwelling or a second dwelling unit in a residential zone. Given that the proposed project is for an accessory dwelling unit in a residential zone, it is exempt from CEQA pursuant to Section 15303(a). See Attachment C (Notice of Exemption) for a more detailed discussion of the CEQA exemption.

## 6.3 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<b>Comprehensive Plan</b>	
<p><b>Land Use Development Policy 4:</b> <i>Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development . . .</i></p>	<p><b>Consistent:</b> The project is consistent with the policy that adequate services are available to serve the proposed development because the parcel is served by the Montecito Water District, the Summerland Sanitary District, the Carpinteria/Summerland Fire Protection District and the Santa Barbara County Sherriff and access is available via a private easement off of Finney Ave. The Montecito Water District issued a Certificate of Water Service Availability, dated March 25, 2021 and included as Attachment D. The Summerland Sanitary</p>

	<p>District issued a Sewer Service Availability letter, dated March 22, 2021 and included as Attachment D. The Carpinteria/Summerland Fire Protection District reviewed the project, and their only condition was that the ADU will be required to have a separate address from the primary dwelling. A condition letter stating this condition is included as Attachment B.</p>
<p><b>Comprehensive Plan – Noise Element Policy 1:</b>  <i>In the planning of land use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</i></p>	<p><b>Consistent:</b> The proposed project is consistent with the policy regarding sound levels. While the project has the potential to create short-term construction-related noise in excess of 65 dB, Condition No. 8 of Attachment B will require that construction activities be limited to weekdays only between the hours of 7:00AM and 4:00PM. No long-term noise generation is expected in excess of existing ambient levels with continued residential use of this property.</p>
<b>Coastal Policies</b>	
<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, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.</i></p>	<p><b>Consistent:</b> The proposed project is consistent with the policy to protect scenic and visual resources. The proposed accessory dwelling unit will not obstruct views along the ocean and will be compatible with the surrounding area. Finney Street is a private road and does not provide public views to the coast. The proposed accessory dwelling unit will not be visible from Highway 101 due to the extensive screening hedges along Wallace Avenue and the steep slopes in Summerland. No natural land forms will be altered, as the project is for a second-story ADU and no grading is proposed. The neighborhood consists of primarily two-story dwellings of similar massing and size as the subject single family dwelling including the proposed ADU.</p>
<p><b>Coastal Land Use Plan Policy 11-1:</b> <i>The provisions of the Air Quality Attainment Plan shall apply to the coastal zone.</i></p>	<p><b>Consistent:</b> The project is consistent with policies related to air quality and dust control because accessory dwelling units are not excessive generators of dust and pollution</p>

	<p>sources, and the construction activities are conditioned to incorporate several dust control measures. Condition of Approval No. 3 included in Attachment B will require implementation of standard dust control measures during construction, including utilization of dust palliatives and revegetation/stabilization of disturbed areas upon completion of grading. Dust control measures will minimize air pollution emissions from new construction to the maximum extent feasible.</p>
<p><b>Coastal Land Use Plan Policy 10-1:</b> <i>All available measures...shall be explored to avoid development on significant historic, prehistoric, archaeological, or other classes of cultural sites.</i></p>	<p><b>Consistent:</b> The project is consistent with the policy to protect cultural, archaeological, and historic resources because no archaeological or other cultural sites are known to exist on the property. Furthermore, no grading is proposed as part of the project. As a precaution, Condition of Approval No. 6 of Attachment B requires work to stop if any cultural resources are uncovered during construction activities.</p>
<p><b>Coastal Land Use Plan Policy 3-7:</b> <i>No development shall be permitted on the bluff face, except for engineered staircases or accessways to provide beach access, and pipelines for scientific research or coastal dependent industry...</i></p>	<p><b>Consistent:</b> The project is consistent with this policy because no development is proposed on the bluff face. The project consists of a new second story accessory dwelling unit, and will be set back over 60 feet from the bluff face.</p>
<p><b>Coastal Land Use Plan Policy 3-4:</b> <i>In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback. A geologic report shall be required by the County in order to make this determination...</i></p>	<p><b>Consistent:</b> The project is consistent with this policy because the proposed ADU is sufficiently set back from the bluff edge. The existing single family dwelling is located over 60 feet from the bluff edge. The proposed ADU will be located further back from the bluff edge than the existing single family dwelling because it is configured as a second story addition set back from the first story footprint. Additionally, as the proposed ADU will be located on the second story, it would not cause ground disturbance near the bluff edge.</p>
<p><b>Coastal Act 30211.</b> <i>Development shall not interfere with the public's right of access to the sea where acquired through use, custom, or</i></p>	<p><b>Consistent:</b> The project is consistent with these policies because no existing public access will be impeded by the proposed project. The</p>

<p><i>legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</i></p> <p><b>SCP Policy PRT-S-5:</b> <i>New development shall not adversely impact existing recreational facilities and uses.</i></p>	<p>existing public access to the coast is located approximately 600 feet away at Lookout Park. The proposed ADU will be located on private property, and no public access or recreation opportunities exist or are proposed on the subject property.</p>
<p><b>Policy 7-9:</b> <i>Implementing Action D: Morris Place shall be managed as part of Lookout Park. The area shall be kept in its natural state as much as possible. A footpath from the parking area in Lookout Park to the beach shall be provided...</i></p>	<p><b>Consistent:</b> This policy does not apply to the project because the proposed accessory dwelling unit will be located on the residentially-zoned portion of the subject lot and will therefore not impact Morris Place.</p>
<p><b>Summerland Community Plan</b></p>	
<p><b>Action CIRC-S-20.1:</b> <i>The County shall amend the Coastal Zoning Ordinance and Land Use and Development Code upon adoption of the Summerland Community Plan update to: ...(2) increase the required number of parking spaces per dwelling units on lots greater than 10,000 net square feet from two to four spaces...</i></p>	<p><b>Consistent:</b> The project is consistent with this action because additional parking spaces are only required for single family dwellings approved after June 9, 2016, as stated in Section 35-191.8 of Article II. Since the single family dwelling was constructed in 1949, and the current square footage/configuration of the home was legalized in 2003, additional parking spaces are not required for the single family dwelling. Also, additional parking spaces would not be required for the ADU. Pursuant to Section 35-142.7 of Article II, additional parking spaces are only required for detached ADUs. Since this project is for an attached ADU, no additional parking spaces are required. The existing single family dwelling has two parking spaces in the existing driveway and is therefore consistent with all parking requirements.</p>
<p><b>Action BIO-S-1.5:</b> <i>In the event that activities determined to be zoning violations result in the degradation of native habitat, the applicant shall be required to prepare an implement a habitat restoration plan.</i></p>	<p><b>Consistent:</b> The project is consistent with this action because no violations currently exist on this parcel, and therefore a habitat restoration plan is not required.</p>
<p><b>Action BIO-S-6.6:</b> <i>New development within the designated exclusion area of the former Morris Place right-of-way (i.e. the eucalyptus butterfly</i></p>	<p><b>Consistent:</b> This action does not apply to the proposed ADU because it is located on the residentially-zoned portion of the property and</p>

<p><i>habitat east of Lookout Park) is prohibited, except for limited fuel modification for the protection of life and safety consistent with fire department requirements...</i></p>	<p>not in the exclusion area of the former Morris Place right-of-way.</p>
<p><b>Policy GEO-S-3:</b> <i>All new development on ocean bluff top property shall be carefully designed to minimize erosion and sea cliff retreat and to avoid the need for shoreline protection devices in the future.</i></p> <p><b>Action GEO-S-3.1:</b> <i>The County shall require all development proposed to be located on ocean bluff top property to perform a site specific analysis, prior to project review and approval, by a registered or certified geologist to determine the extent of the hazards (including bluff retreat) on the project site.</i></p>	<p><b>Consistent:</b> The project is consistent with this policy and action because the proposed ADU will be located further back from the bluff edge than the existing single family dwelling. The existing single family dwelling is located over 60 feet from the bluff edge. Additionally, the proposed ADU will be located on the second story, and would not cause further ground disturbance near the bluff edge. A site specific analysis by a registered or certified geologist is not required as a result of the configuration of the proposed project.</p>
<p><b>Policy BIO-S-3:</b> <i>Monarch Butterfly roosting habitats shall be preserved and protected.</i></p> <p><b>Action Bio-S-13.1</b> <i>Any construction, grading, or development within 200 feet of known or historic butterfly roosts shall be prohibited between November 1 and April 1. This requirement may be modified/deleted on a case-by-case basis where either DER or additional information/study with the approval of DER concludes that one or more of these activities would not impact monarchs using the trees.</i></p> <p><b>Action BIO-S-3.2:</b> <i>Prior to issuance of a CDP or LUP for development within 200' of known or historic butterfly roosts, RMD shall determine if the proposed project would have the potential to adversely impact monarch butterfly habitat. This shall be determined based on proximity to known, historic, or potential butterfly trees...</i></p>	<p><b>Consistent:</b> The project is consistent with this policy and these actions because the project will have no impact on any monarch butterfly roosting habitats. Although there is the potential for monarch butterflies to be present in the eucalyptus grove adjacent to the project area, no eucalyptus trees will be removed or impacted as part of this project. The project is conditioned to prohibit construction between November 1 and April 1 unless a study is completed showing that construction activities will not impact monarchs using the nearby eucalyptus trees (Attachment B, Condition 7).</p>
<p><b>Action FLD-S-2.1</b> <i>For any proposed new development where the building site would be</i></p>	<p><b>Consistent:</b> The project is consistent with this action because there is no grading proposed,</p>

<p><i>subject to adverse drainage impacts from surrounding properties, or which would create offsite drainage impacts, an on-site drainage system shall be designed by a registered civil engineer and approved by the County Flood Control District to intercept drainage and to safely deliver this run-off to the nearest public street.</i></p>	<p>and there will be no offsite drainage impacts. No increase to the impervious surfaces on the parcel will occur, and therefore a Stormwater Control Plan is not required.</p>
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## 6.4 Zoning: Article II

**Section 35-71.1 – Purpose and Intent of the R-1 Zone District:** *The purpose of this district is to reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health, welfare, and safety. It is the intent of this district to protect the residential characteristics of an area and to promote a suitable environment for family life.*

The project is consistent with the purpose and intent of the R-1 zone district because the proposed accessory dwelling unit is a residential use that is common in residential zones. The project will not adversely affect public health, welfare, and safety. The intent of the accessory dwelling unit ordinance is to encourage the development of accessory dwelling units that contribute needed housing to the community’s housing stock. The proposed project will provide additional housing, which is beneficial to the community and consistent with the purpose and intent of the zone.

**Section 35-142.7.6.b – Height Limit of Attached Accessory Dwelling Units:** *The height of an accessory dwelling unit that is proposed to be located above another floor or on-grade where there is no floor above shall not exceed a vertical distance of 16 feet as determined in compliance with Section 35-127 (Height).*

The maximum height of the accessory dwelling unit is 15’-6”, which complies with the 16-foot height limit for accessory dwelling units.

**Section 35-142.7.9.a – Maximum Living Area:** *In addition to the maximum living area specified in Section 35-142.7.9.a (1,200 square feet), the living area of an attached accessory dwelling unit shall not exceed 50 percent of the living area of the existing principal dwelling that exists at the time of application for the accessory dwelling unit.*

The living area of the proposed accessory dwelling unit is 747.5 net square feet (819 gross square feet), and the living area of the existing dwelling is 1,515 net square feet (1,638 gross square feet). Therefore, the accessory dwelling unit does not exceed 1,200 square feet or 50 percent of the living area of the existing principal dwelling.

**Section 35-142.7.10 – Parking Requirements:** *The parking requirements shall apply to new, detached accessory dwelling units that are not connected by any means to another structure.*

The proposed accessory dwelling unit will be attached to the existing single family dwelling, and thus does not require additional parking. The required two parking spaces are provided in the existing driveway.

**Section 35-191.5 – Floor Area Limit:** *On lots with a lot area (net) of 12,000 square feet and greater but less than 10 acres, the net floor area of structures shall not exceed 2,500 square feet plus five percent of the net lot area.*

The subject lot is 15,246 square feet. The allowable net floor area of the structures on the lot is 3,262 square feet. With the proposed accessory dwelling unit, the total net floor area of all the structures on the parcel is 2,310 net square feet, which is well under the allowed 3,262 square feet.

## **6.5 Special Problems Committee**

The proposed accessory dwelling unit is located within the Summerland Special Problems Area and was reviewed by the Special Problems Committee on June 3, 2021 in order to receive comments and conditions from other departments. The Carpinteria/Summerland Fire Protection District reviewed the project, and their only condition was that the ADU will be required to have a separate address from the primary dwelling. This condition letter is included in Attachment B to the staff report. All the other departments did not have conditions on the proposed project.

## **6.6 Development Impact Mitigation Fees**

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment of various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

<b>Estimated Countywide Development Impact Mitigation Fees</b>			
<b>Fee Program</b>	<b>Base Fee (per unit or 1,000 sf)</b>	<b>Estimated Fee</b>	<b>Fee due at</b>
Recreation (Parks)	\$529	\$529	Final Inspection
Transportation	\$1,312	\$1,312	Final Inspection

## **7.0 APPEALS PROCEDURE**

The action of the Planning Commission may be appealed to the Board of Supervisors within ten (10) calendar days of said action. For developments which are appealable to the Coastal Commission under Section 35-182.6, no appeal fee will be charged.

The action of the Board of Supervisors may be appealed to the Coastal Commission within ten (10) working days of receipt by the Coastal Commission of the County's Notice of Final Action.

### **ATTACHMENTS**

- A. Findings
- B. Conditions of Approval
- C. CEQA Notice of Exemption
- D. Service Letters
- E. Plans
- F. Appeal Application

## **ATTACHMENT A: FINDINGS**

### **1.0 CEQA FINDINGS**

The Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(a) [New Construction or Conversion of Small Structures]. Please see Attachment C, Notice of Exemption.

### **2.0 ADMINISTRATIVE FINDINGS**

#### **2.1 Findings required for all Coastal Development Permits. In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.**

The Planning Commission finds that the project is consistent with the finding that adequate services are available to serve the proposed development because the parcel is currently served by the Montecito Water District, the Summerland Sanitary District, the County Fire Department and the Santa Barbara County Sherriff. Access is available via a private easement off of Finney Ave. As discussed in Section 6.3 of the staff report, dated October 7, 2021 and incorporated herein by reference, there will be adequate services to serve the project. The Montecito Water District provided a Certificate of Water Service Availability, dated March 25, 2021 and included as Attachment D. The Summerland Sanitary District provided a sewer availability letter dated March 22, 2021 and included as Attachment D. The Santa Barbara County Fire Department reviewed the project at the Special Problems Committee at the meeting of June 3, 2021 and conditioned the project to have an additional address for the ADU.

#### **2.2 In compliance with Section 35-169.5.1 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.1 the decision-maker shall first make all of the following findings:**

##### **a. The proposed development conforms:**

- (1) To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;**
- (2) With the applicable provisions of this Article or the project falls within the limited exceptions allowed under with Section 35-161 (Nonconforming Use of Land, Buildings, and Structures).**

The Planning Commission finds that, as discussed in Section 6.3 and 6.4 of the staff report dated October 7, 2021 and incorporated herein by reference, the proposed project conforms to all applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and Summerland Community Plan, and with all of the applicable provisions of Article II. There are adequate services on the subject parcel, there will be no impact on drainage from the proposed project, the accessory dwelling unit will be set back sufficiently from the bluff, and the project is consistent with the height, living area, and parking standards for accessory dwelling units.

**b. The proposed development is located on a legally created lot.**

The Planning Commission finds that the subject lot is a legally created lot, created by a Lot Line Adjustment (Case No. 00-LA-018) in 2003.

**c. The subject property and development on the 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 any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).**

The Planning Commission finds that the subject property and development is in compliance with all applicable provisions of Article II because, as discussed in Section 6.4 of the staff report dated October 7, 2021 and incorporated herein by reference, the proposed project is consistent with the height, living area, and parking standards for accessory dwelling units, there are no violations on the parcel, and all processing fees have been paid to date.

**d. The development will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast.**

The Planning Commission finds that the proposed accessory dwelling unit will not obstruct public views from a public road or public recreation area to, and along the coast. Finney Street is a private road and does not provide public views to the coast. The proposed accessory dwelling unit will not be visible from Highway 101 due to extensive screening along Wallace Avenue provided by existing hedges and due to topographical changes between the home and Highway 101. The proposed addition will not block views from the beach to the mountains or along the coast due to the location of the home on a coastal bluff elevated above the public beach.

**e. The development is compatible with the established physical scale of the area.**

The Planning Commission finds that the proposed development is compatible with the established physical scale of the area. The neighborhood consists of primarily two-story

dwellings of similar massing and size as the subject single family dwelling including the proposed ADU. The proposed development on-site meets the Summerland floor area limit. Based on the gross lot area, the maximum square footage for structures allowed on the lot is 3,262 square feet. With the proposed accessory dwelling unit, the total square footage of structures is 2,310 square feet. The accessory dwelling unit is an accessory residential use on a residential property in a residential neighborhood, and meets all other zoning requirements such as height.

**f. The development will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan.**

The Planning Commission finds that the proposed project will comply with the public access and recreation policies of this Article and the Comprehensive Plan including the Coastal Land Use Plan. Existing public access to the coast is located approximately 600 feet away at Lookout Park. No existing public access will be impeded by the proposed development. The proposed ADU will be located on private property, and no public access or recreation opportunities exist or are proposed on the subject property.

## **ATTACHMENT B: CONDITIONS OF APPROVAL**

### **PROJECT DESCRIPTION**

- 1. Proj Des-01 Project Description.** This Coastal Development Permit is based upon and limited to compliance with the project description and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project is for a Coastal Development Permit to allow construction of a new second story 819-square-foot (gross) attached accessory dwelling unit with 249-square-foot deck. No grading is proposed. No trees are proposed for removal. The parcel is served by the Montecito Water District, the Summerland Sanitary District, and the Carpinteria-Summerland Fire Protection District. Access is provided via an easement off of Finney Street. The property is a 0.35-acre parcel zoned Single-Family Residential (7-R-1) and shown as Assessor's Parcel Number 005-230-008, located at 2305 Finney Street in the Summerland Community Plan area, First Supervisorial District.

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.

- 2. Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the 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 thereto. 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.

### **CONDITIONS BY ISSUE AREA**

- 3. Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
  - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
  - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
  - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.

- d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off-site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

**PLAN REQUIREMENTS:** These dust control requirements shall be noted on all grading and building plans. **PRE-CONSTRUCTION REQUIREMENTS:** The contractor or builder shall provide P&D staff and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

**TIMING:** The dust monitor shall be designated prior to first Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

**MONITORING:** P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

4. **Bio-20 Equipment Storage-Construction.** The Owner/Applicant shall designate one or more construction equipment filling and storage areas to contain spills, facilitate cleanup and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development and Building permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** Building and Safety staff shall ensure compliance prior to and throughout construction.
5. **Bio-20a Equipment Washout-Construction.** The Owner/Applicant shall designate one or more washout areas for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in these areas and removed from the site as needed. The areas shall be located at least

100 feet from any storm drain, waterbody or sensitive biological resources. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development and Building permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** Building and Safety staff shall ensure compliance prior to and throughout construction.

6. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans. **MONITORING:** P&D permit processing planner shall check plans prior to issuance of Coastal Development Permit and Building and Safety staff shall spot check in the field throughout grading and construction.
7. **Monarch Butterfly Survey.** Construction, grading, or development shall be prohibited between November 1 and April 1 within 200 feet of Monarch roosting/nesting sites. This requirement may be modified if a report by a P&D-approved biologist indicates that that overwintering monarch roosts have dispersed in late winter/early spring. **PLAN REQUIREMENTS:** The Owner/Applicant shall note this requirement on project plans. Any study recommending modifications to this condition shall be submitted for P&D staff review and approval prior to the issuance of building permits. **TIMING:** Construction, grading, or development shall be prohibited between November 1 and April 1 unless a report by a P&D-approved biologist indicates that that overwintering monarch roosts have dispersed in late winter/early spring. **MONITORING:** P&D permit processing planner shall check plans prior to issuance of Coastal Development Permit.
8. **Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction.

**MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors shall spot check and respond to complaints.

**9. Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located either onsite in the driveway and outside of the road and highway right of way, or on Wallace Avenue between the hours of 7a and 4p. No construction parking is permitted in the access easement. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/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 Coastal Development Permit. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to issuance of Coastal Development Permit. This restriction shall be maintained throughout construction. **MONITORING:** Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

**10. SolidW-03 Solid Waste-Construction Site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete. **PLAN REQUIREMENTS:** All plans shall contain notes that the site is to remain trash-free throughout construction. **TIMING:** Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D. **MONITORING:** Building and Safety staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

#### COUNTY RULES AND REGULATIONS

**11. DIMF-24e DIMF Fees-Parks.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$529 (August 25, 2021). This is based on a project

type of other dwelling and a project size of 810 square feet. **TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

**12. DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total DIMF amount for Transportation is currently estimated to be \$1,312 (August 25, 2021). This is based on a project type of other dwelling and generation of one Peak Hour Trip. **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

**13. Rules-02 Effective Date-Appealable to CCC.** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169]

**14. Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.

**15. Rules-10 CDP Expiration-No CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the Planning Commission. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.

- 16. Rules-23 Processing Fees Required.** Prior to approval of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 17. Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
  - a. Carpinteria/Summerland Fire Protection District letter dated July 6, 2021.
- 18. Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are 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.
- 19. Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or 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 project.
- 20. Rules-35 Limits-Except DPs.** This approval does not confer legal status on any existing structures(s) or use(s) on the property unless specifically authorized by this approval.



# CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

2305, Finney , , Summerland, , CA, 93067, , 980 SQFT ADU, yes

Location	34.419933, -119.599902
Status	■ Planning Completed
Submittal Date:	2021-06-30
Address/Location:	2305 Finney Summerland, CA 93067
APN:	005-230-008
Comments:	980 SQFT ADU
Submittal Type:	Planning
Applicant:	Haley Kolosieke
Address	1625 State Street Santa Barbara, CA 93101
Phone Number:	805-966-2758 X115
Email:	haley@sepps.com

## Planning/Conceptual Design

Date Plan Review Completed:	2021-07-06
Permit Number:	21CDP-0-00053
Planner:	Willow Brown
Plans Checked By:	Michael LoMonaco
Invoiced	Yes
Items Invoiced:	FPC-P
Invoices Paid	Yes
Invoices Paid:	FPC-P

## Project Conditions

All work shall be done per current applicable CFC and CSFPD ordinance and standards.

Access and Identification	A minimum of 13 feet 6 inches of vertical clearance shall be provided and maintained for fire apparatus.  Building address numbers shall be visible from the street. Numbers shall be a minimum 4" high 1" stroke on a contrasting background.  Application for address changes for the building shall be submitted to CSFPD Fire Prevention Bureau
Fire Protection Systems	Smoke detectors and Carbon Monoxide Alarms must be installed in all residences in accordance with the current National Electric Code Per the provisions of the California Building and Fire Codes.
Additional Requirements	Any future changes including further division intensification of use or increase in hazard classification may require additional conditions in order to comply with applicable fire district development standards

*"Pride in Service"*



# CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

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## Fees

PURSUANT to Ordinance 599 Chapter 8.26 Section 8.26.030 - Imposition of fire protection mitigation fee of the Carpinteria Municipal Code: The applicant will be required to pay a fee PRIOR TO THE ISSUANCE OF A "CERTIFICATE OF OCCUPANCY" for the purpose of mitigating the increased fire protection needs generated by the development. The amount of the fee is as follows:

ADU Greater than or Equal to 750 Sq.Ft.. A fee of \$0.472 per square foot of the primary dwelling shall be assessed on all ADUs

PURSUANT to CSFPD Ordinance 2019-01 Sec. 2. Imposition of fire protection fees for service: The applicant may be required to pay fees for additional plans reviews and/ or additional field inspections prior to the issuance of a "CERTIFICATE OF OCCUPANCY". The amount of the fee is as follows:

A. Two Hundred Twenty-Four (\$224.00) Dollars for Additional Plan Review Fees will be assessed as additional plan reviews are completed.

B. Two Hundred Ten (\$210.00) Dollars per hour for Field Inspections will be assessed for additional inspections.

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Checks shall be made payable to: Carpinteria-Summerland Fire Protection District (CSFPD) and delivered to Fire District Headquarters at 1140 Eugenia Place, Suite Money orders and cashiers' checks will be accepted. Credit and debit cards can be used online. The link can be found at [Carpfire.org](http://Carpfire.org) Note: Cash payment will not be accepted.  
Inspector's Signature:

Signed 2021-07-06 15:19:10 PDT

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*"Pride in Service"*

**ATTACHMENT C - NOTICE OF EXEMPTION**

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Willow Brown

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

**APN:** 005-230-008

**Case No.:** 21CDP-00000-00053

**Location:** 2305 Finney Street

**Project Title:** BMO, LLC ADU

**Project Applicant:** Robert Mecay

**Project Description:**

The project is for a Coastal Development Permit to allow construction of a new second story 819-square-foot (gross) attached accessory dwelling unit with 249-square-foot deck. No grading is proposed. No trees are proposed for removal. The parcel is served by the Montecito Water District, the Summerland Sanitary District, and the Carpinteria-Summerland Fire Protection District. Access is provided via an easement off of Finney Street. The property is a 0.35-acre parcel zoned Single-Family Residential (7-R-1) and shown as Assessor's Parcel Number 005-230-008, located at 2305 Finney Street in the Summerland Community Plan area, First Supervisorial District.

**Name of Public Agency Approving Project:** County of Santa Barbara

**Name of Person or Entity Carrying Out Project:** Haley Kolosieke

**Exempt Status:**

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guidelines Section:** Section 15303(a)

**Reasons to support exemption findings:**

The proposed project is exempt from environmental review under CEQA pursuant to Section 15303(a) [New Construction or Conversion of Small Structures] of the State CEQA Guidelines. Section 15303 exempts the construction and location of limited numbers of new, small facilities or structures, including one single-family dwelling or a second dwelling unit in a residential zone. Given that the proposed project is for a second dwelling unit in a residential zone, it is exempt from CEQA pursuant to Section 15303(a).

The proposed project does not involve unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

This exception to the categorical exemptions does not apply because no significant impacts that threaten the environment will result from the project. There are no Environmentally Sensitive Habitat (ESH) areas on the subject parcel. In addition, the construction of a second-story accessory dwelling unit and deck will not affect any environmental resources.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

This exception to the categorical exemptions does not apply because the project is located within a residential neighborhood where the construction of accessory dwelling units is both commonplace and allowable by ordinance. Additional structural development of the same type in the same place, over time, that is developed in conformance with applicable ordinance and policy regulations on residentially-zoned parcels in the vicinity will not result in a cumulatively significant impact.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

This exception to the categorical exemptions does not apply because there is not a reasonable possibility that the activity proposed will have a significant effect on the

environment due to unusual circumstances. The project will constitute continued residential use of the parcel. There is no mapped Environmentally Sensitive Habitat on the parcel, and no trees are proposed for removal. The proposed accessory dwelling unit will be located above the existing single family dwelling, and no grading is proposed.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

This exception to the categorical exemptions does not apply because the project is not located within an area visible from a highway officially designated as a state scenic highway and will not result in damage to any protected or scenic resource. No native or specimen trees will be removed as part of this project. There will not be damage to an historic resources.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

This exception to the categorical exemptions does not apply because the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code (hazardous and toxic waste sites). In addition, there is no evidence of historic or current use or disposal of hazardous or toxic materials on the project site.

- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

This exception to the categorical exemptions does not apply because no archaeological or other cultural sites are known to exist on the property. Furthermore, no historic structures exist on the site. No grading is proposed as part of the project.

**Lead Agency Contact Person:** Willow Brown

**Phone #:** (805) 568-2040      **Department/Division Representative:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Acceptance Date:** \_\_\_\_\_

**Distribution:** Hearing Support Staff

Lacerte Appeal of BMO, LLC ADU  
Case No. 21APL-00000-00029, 21CDP-00000-00053  
Hearing Date: November 3, 2021  
Page C-4

**Date Filed by County Clerk:** \_\_\_\_\_



March 22, 2021

**Subject: SEWER SERVICE AVAILABILITY LETTER**

APN : 005-230-008  
ADDRESS : 2305 Finney Street, Summerland CA 93067

The property referenced above at 2305 Finney Avenue, APN# 005-230-008, is within the boundaries of the Summerland Sanitary District (SSD).

Sewer capacity for one (1) Single Family Dwellings and one (1) ADU 890 sf. is available to serve the property and they are connected to the District sewer system. A side sewer connection is allowed for the ADU with the condition that the property sewer lateral is in good condition. Video recording evidence is required to be presented to the District to demonstrate this.

After completion of the proposed construction the Summerland Sanitary District will perform a final sign-off inspection prior to the County of Santa Barbara's final inspection.

This letter is good for one year from date of signed copy. The District makes no representation concerning sewer capacity beyond the period stated above.

Please confirm your acceptance of the terms and conditions outlined herein by signing the acceptance statement below.

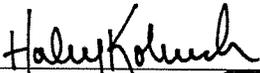
Sincerely,

SUMMERLAND SANITARY DISTRICT

TO: SUMMERLAND SANITARY DISTRICT

RE: APN 005-230-008

We hereby confirm our acceptance of the terms and conditions outlined in this Sewer Availability Letter.

  
Signature of Owner  Representative

  
\_\_\_\_\_  
Marjorie (Mar) A. Souza  
District Administrative Manager

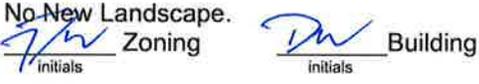
Date 3/24/2021

**MONTECITO WATER DISTRICT**  
**CERTIFICATE OF WATER SERVICE AVAILABILITY**

**DEVELOPMENT/IMPROVEMENTS (EXISTING WATER SERVICE)**

To the County Planning and Building Departments of Santa Barbara:

Montecito Water District (District) has received the following application for water service availability:

Date of Application	3/12/2021
Name of Applicant/Agent	Haley Kolosieke
Name of Property Owner	BMO LLC c/o Robert Mecay
Service address	2305 Finney St
Assessor's Parcel Number(s) to be served	005-230-008
Parcel/property size	0.34 acres
Brief Project description	New attached 1 BDRM ADU and Int. Remodel. No New Landscape.
Permits Authorized for Approval:	 Zoning Building

Based on the information provided including the application, architectural plans by Pacific Architects, dated 03/04/2021, the District hereby notifies the County that the District can make service available to the subject property in accordance with, and subject to, the District's current ordinances and regulations including water limitation Ordinance 89 and other conditions as specified below.

1. This Certificate pertains only to the currently proposed development or improvements specifically identified above. This Certificate does not extend to future projects, improvements, development or land use modifications. Any changes to the proposed development or improvements are subject to additional review and approval by the District.
2. The District's provision of water shall be contingent upon the property owner's completion of all obligations to the District associated with the Project identified herein and shall remain subject, at all times, to the District's ordinances, regulations and requirements. Water service shall be subject to all rules, regulations, and fees required by the District.
3. Water Use Limitation. The parcel on which the Project is being completed is subject to a water use limitation of 1.8 AFY per Ordinance 89 and is subject to future water use limitation ordinances superseding Ordinance 89. Applicant agrees to install state-of-the-art water-saving technologies both indoors and outdoors and to use no more water than is authorized under this Certificate.
4. Projects on Parcels with Existing Meters. Existing water service through the parcel's 3/4-inch meter shall supply the property and proposed Project.

**OWNER / APN 005-230-008**

By Haley Kolosieke (Agent)  
Haley Kolosieke, Agent

Date March 25, 2021

**MONTECITO WATER DISTRICT**

By   
Nick Turner, General Manager

Date 3/25/21

DW Res ↑

AGENCY APPROVALS

CODE COMPLIANCE

- 1) CONSTRUCTION TO COMPLY WITH: 2014 CBC EDITION CALIFORNIA BUILDING CODE... 2) ADDITIONS, ALTERATIONS AND REPAIRS OF EXISTING BUILDINGS ARE TO COMPLY WITH APPLICABLE PROVISIONS OF THE CALIFORNIA EXISTING BUILDING CODE (CEBC)... 3) THE CALIFORNIA ENERGY CODE, 2016 EDITION (BASED ON 2014 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS)... 4) THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2014 EDITION... 5) SANTA BARBARA COUNTY ORDINANCE (SBCO) #4906, SANTA BARBARA COUNTY GRADING ORDINANCE (SBCO) #4766 AND ALL STATE AND LOCAL CODES AND ORDINANCES INCLUDING ALL AMENDMENTS AS ADOPTED (SBCO)... 6) THE CALIFORNIA FIRE CODE, 2014 EDITION AND ALL COUNTY OF SANTA BARBARA HIGH FIRE AREA REQUIREMENTS AND THE WILDFIRE-URBAN INTERFERENCE AREA PROVISIONS OF THE CGS R5.21.

PROJECT TEAM

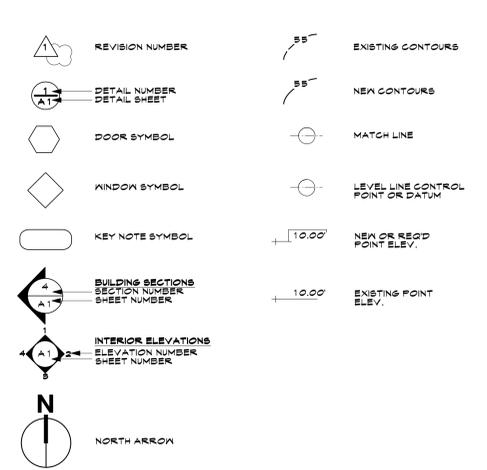
OWNER: BMO LLC c/o BOB MEGAY 2305 FINNEY ST. SUMMERLAND, CA 93067 rmemegay.com ARCHITECT: PACIFIC ARCHITECTS, INC. 1117 COAST VILLAGE ROAD MONTECITO, CA 93108 PHONE: 805.565.3640 FAX: 805.565.3641 EMAIL: bob@pacarchitectsinc.com CONTACT: BILL WOLF AGENT: STEVE WELTON SEPPS, INC. 1629 STATE STREET SUITE 1 SANTA BARBARA, CA. 93101 805-566-2785 Steve@sepps.com STRUCTURAL ENGINEER: TBD CIVIL ENGINEER: TBD

VICINITY MAP



PACIFIC ARCHITECTS 1117 COAST VILLAGE RD. MONTECITO, CA 93108 805.565.3640

SYMBOLS



SHEET INDEX

- ARCHITECTURAL A0.0 COVER SHEET: PROJECT TEAM / TABULATIONS / PROJECT SCOPE / SHEET INDEX / VICINITY MAP / SYMBOLS LEGEND / GEN. NOTES / INSPECTIONS / CODE COMPLIANCE / GREEN BLDG & BEST MGMT PRACTICES FOR CONST. / KEYNOTES A1.0 (E) SITE PLAN A1.1 (N) SITE PLAN A1.2 (N) VICINITY SITE PLAN A1.3 (N) SITE SECTION A2.0 (E) LOWER FLOOR DEMOLITION PLAN A2.1 (N) LOWER FLOOR PLAN A2.2 (N) UPPER FLOOR PLAN A3.0 (N) ROOF PLAN A4.0 (E) EXTERIOR ELEVATIONS A4.1 (N) EXTERIOR ELEVATIONS A4.2 (N) EXTERIOR ELEVATIONS F1 PHOTO SHEET

TABULATIONS

Table with 2 columns: Description and Value. Includes site address (2305 FINNEY ST., SUMMERLAND, CA 93067), APN (005-230-008- INTERIOR LOT), zone (T-R-1), flood zone (YES), occupancy group (R-3), no. of stories (existing 1-story, proposed 2-story), building height (max allowed 35', existing/proposed 123'-6"), sprinklered (NO), high fire severity (NO), lot size (1.35 AC / 15,246 S.F. GROSS), avg. property slope (12.2%), grading (cut none, fill none), building area calculations (gross s.f., net s.f.), and parking requirements (2 spaces required).

INSPECTIONS

IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE (CBC) SECTION 110 WORK SHALL NOT BE DONE BEYOND THE POINT INDICATED IN EACH SUCCESSIVE INSPECTION WITHOUT FIRST OBTAINING THE APPROVAL OF THE BUILDING OFFICIAL.

CHAPTER 1 SECT. 110 REQ'D. INSPECTIONS

Table with 2 columns: Inspection Type and Description. Includes General, Footing and Foundation Inspection, Concrete Slab and Under-Floor Inspection, Lowest Floor Elevation, Frame Inspection, Lath and Gypsum Board Inspection, Fire and Smoke Resistant Penetrations, Energy Efficiency Inspection, and Final Inspection.

GREEN BUILDING & BEST MANAGEMENT PRACTICES FOR CONSTRUCTION:

- 1. FOR STORM WATER AND DRAINAGE CONSERVATION MEASURES & PLANS, SEE CIVIL DRAWINGS & 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHT GB1. 2. FOR ENERGY EFFICIENCY STANDARDS, SEE ENERGY CALCULATIONS & MANDATORY MEASURES ON SHEET A4. 3. FOR WATER CONSERVATION & EFFICIENCY STANDARDS FOR PLUMBING FIXTURES, SEE 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHEET GB1. 4. FOR WATER CONSERVATION & EFFICIENCY STANDARDS FOR IRRIGATION SYSTEMS, SEE LANDSCAPE PLANS & 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHT GB1. 5. FOR MATERIAL CONSERVATION, REUSE RECYCLE AND RESOURCE EFFICIENCY, SEE 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHEET GB1. 6. PROVIDE OPERATION & MAINTENANCE MANUALS TO OWNER, AS PER 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHEET GB1. 7. SEE ENVIRONMENTAL QUALITY SECTION IN 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHEET GB FOR STANDARDS FOR AIR QUALITY, POLLUTION REDUCTION & CONTAMINANT REDUCTION. 8. FOR INTERIOR MOISTURE CONTROL AND INDOOR AIR QUALITY, SEE 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHEET GB1. 9. FOR INSTALLER AND SPECIAL INSPECTOR QUALIFICATIONS, SEE 2016 CALIFORNIA GREEN BUILDING STANDARDS, SHEET GB1. 10. ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA SHEET PLOW, SPALES, AREA DRAINS, NATURAL DRAINAGE COURSES OR WIND. 11. STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER. 12. FUELS, OILS, SOLVENTS & OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE W/ THEIR LISTING & ARE NOT TO CONTAMINATE THE SOIL & SURFACE MATERS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MAY NOT BE WASHED INTO DRAINAGE SYSTEM. 13. EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS MUST BE MADE TO RETAIN CONCRETE WASTES ON SITE UNTIL THEY CAN BE DISPOSED AS A SOLID WASTE. 14. TRASH & CONSTRUCTION RELATED SOLID WASTE MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER & DISPERSAL BY WIND. 15. SEDIMENTS & OTHER MATERIAL MAY NOT BE TRACED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITION MUST BE SHEPT UP IMMEDIATELY & MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS. 16. ANY SLOPES WITH DISTURBED SOILS OR DEMANDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND & WATER.

SPECIAL INSPECTIONS

IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE (CBC) SECTION 1104, THE OWNER OR THE REGISTERED DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE ACTING AS THE OWNER'S AGENT SHALL EMPLOY ONE OR MORE APPROVED AGENCIES TO PROVIDE SPECIAL INSPECTIONS AND TEST DURING CONSTRUCTION ON THE TYPES OF WORK SPECIFIED IN SECTION 1105 AND IDENTIFY AND APPROVED AGENCIES TO THE BUILDING OFFICIAL. THESE SPECIAL INSPECTIONS AND TEST ARE IN ADDITION TO THE INSPECTIONS BY THE BUILDING OFFICIAL THAT ARE IDENTIFIED IN SECTION 110.

NOTE: SEE STRUCTURAL DRAWINGS FOR SCHEDULE OF SPECIAL INSPECTIONS. SPECIAL INSPECTIONS TO BE PREFORMED BY PACIFIC MATERIALS LAB.

2305 FINNEY ST. SUMMERLAND, CA 93067



SCOPE OF WORK

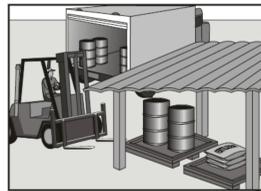
- 1. ADD NEW LOWER LEVEL STAIRWAY AND ENTRY TO GET ACCESS TO UPPER FLOOR SUPPORT FOR THE NEW ADU ABOVE. NO CHANGE TO THE EXISTING FOOTPRINT. 2. ADD NEW UPPER LEVEL ADU AND UPPER LEVEL ADU DECK. 3. CHANGES TO THE EXISTING DECK AS NECESSARY TO ALLOW FOR STRUCTURAL SUPPORT FOR THE NEW ADU ABOVE. NO CHANGE TO THE EXISTING FOOTPRINT. 4. REPAIR RENOVATE EXISTING SPA DECK AS NECESSARY TO CONSTRUCT NEW ADU ABOVE - NO CHANGE TO THE DECK FOOTPRINT. 5. CHANGES TO THE EXISTING LAUNDRY AS NECESSARY TO ALLOW FOR STRUCTURAL SUPPORT FOR THE NEW ADU ABOVE. NO CHANGE TO THE EXISTING FOOTPRINT.

ALL IDEAS, DESIGNS AND PLANS INDICATED OR REFERENCED BY THESE DRAWINGS ARE OWNED BY AND ARE THE PROPERTY OF PACIFIC ARCHITECTS AND ARE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS OR PLANS SHALL BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF PACIFIC ARCHITECTS.

Table with 3 columns: Revision, Description, Date. Includes Job Number and Date: 10/12/21.

A0.0

**Material Delivery and Storage WM-1**



- Objectives**
- EC Erosion Control
  - SE Sediment Control
  - TC Tracking Control
  - WE Wind Erosion Control
  - NS Non-Stormwater Management Control
  - WM Waste Management and Materials Pollution Control
- Legend:**
- ☑ Primary Objective
  - ☒ Secondary Objective

- Targeted Constituents**
- ☑ Sediment
  - ☑ Nutrients
  - ☑ Trash
  - ☑ Metals
  - ☑ Bacteria
  - ☑ Oil and Grease
  - ☑ Organics

- Potential Alternatives**
- None

**Description and Purpose**  
Prevent, reduce, or eliminate the discharge of pollutants from material delivery and storage to the stormwater system or watercourses by minimizing the storage of hazardous materials onsite, storing materials in a designated area, installing secondary containment, conducting regular inspections, and training employees and subcontractors.

This best management practice covers only material delivery and storage. For other information on materials, see WM-2, Material Use, or WM-4, Spill Prevention and Control. For information on wastes, see the waste management BMPs in this section.

**Suitable Applications**  
These procedures are suitable for use at all construction sites with delivery and storage of the following materials:

- Soil stabilizers and binders
- Pesticides and herbicides
- Fertilizers
- Detergents
- Plaster
- Petroleum products such as fuel, oil, and grease
- Asphalt and concrete components



**WM-1 Material Delivery and Storage**

- Hazardous chemicals such as acids, lime, glues, adhesives, paints, solvents, and curing compounds
  - Concrete components
  - Other materials that may be detrimental if released to the environment
- Limitations**
- Space limitation may preclude indoor storage.
  - Storage sheds often must meet building and fire code requirements.

**Implementation**  
The following steps should be taken to minimize risk:

- Temporary storage area should be located away from vehicular traffic.
- Material Safety Data Sheets (MSDS) should be supplied for all materials stored.
- Construction site areas should be designated for material delivery and storage.

- Material delivery and storage areas should be located near the construction entrances, away from waterways, if possible.
  - Avoid transport near drainage paths or waterways.
  - Surround with earth berms. See EC-9, Earth Dikes and Drainage Swales.
  - Place in an area which will be paved.
- Storage of reactive, ignitable, or flammable liquids must comply with the fire codes of your area. Contact the local Fire Marshal to review site materials, quantities, and proposed storage area to determine specific requirements. See the Flammable and Combustible Liquid Code, NFPA30.
- An up to date inventory of materials delivered and stored onsite should be kept.
- Hazardous materials storage onsite should be minimized.
- Hazardous materials should be handled as infrequently as possible.
- During the rainy season, consider storing materials in a covered area. Store materials in secondary containments such as earthen dikes, horse trough, or even a children's wading pool for non-reactive materials such as detergents, oil, grease, and paints. Small amounts of material may be secondarily contained in "bus boy" trays or concrete mixing trays.
- Do not store chemicals, drums, or bagged materials directly on the ground. Place these items on a pallet and, when possible, in secondary containment.

**Material Delivery and Storage WM-1**

- If drums must be kept uncovered, store them at a slight angle to reduce ponding of rainwater on the lids to reduce corrosion. Domed plastic covers are inexpensive and snap to the top of drums, preventing water from collecting.
- Chemicals should be kept in their original labeled containers.
- Employees and subcontractors should be trained on the proper material delivery and storage practices.
- Employees trained in emergency spill cleanup procedures must be present when dangerous materials or liquid chemicals are unloaded.
- If significant residual materials remain on the ground after construction is complete, properly remove materials and any contaminated soil. See WM-7, Contaminated Soil Management. If the area is to be paved, pave as soon as materials are removed to stabilize the soil.

- Material Storage Areas and Practices**
- Liquids, petroleum products, and substances listed in 40 CFR Parts 110, 117, or 302 should be stored in approved containers and drums and should not be overfilled. Containers and drums should be placed in temporary containment facilities for storage.
  - A temporary containment facility should provide for a spill containment volume able to contain precipitation from a 25 year storm event, plus the greater of 10% of the aggregate volume of all containers or 100% of the capacity of the largest container within its boundary, whichever is greater.
  - A temporary containment facility should be impervious to the materials stored therein for a minimum contact time of 72 hours.
  - A temporary containment facility should be maintained free of accumulated rainwater and spills. In the event of spills or leaks, accumulated rainwater and spills should be collected and placed into drums. These liquids should be handled as a hazardous waste unless testing determines them to be non-hazardous. All collected liquids or non-hazardous liquids should be sent to an approved disposal site.
  - Sufficient separation should be provided between stored containers to allow for spill cleanup and emergency response access.
  - Incompatible materials, such as chlorine and ammonia, should not be stored in the same temporary containment facility.
  - Throughout the rainy season, each temporary containment facility should be covered during non-working days, prior to, and during rain events.
  - Materials should be stored in their original containers and the original product labels should be maintained in place in a legible condition. Damaged or otherwise illegible labels should be replaced immediately.

**WM-1 Material Delivery and Storage**

- Bagged and boxed materials should be stored on pallets and should not be allowed to accumulate on the ground. To provide protection from wind and rain throughout the rainy season, bagged and boxed materials should be covered during non-working days and prior to and during rain events.
- Stockpiles should be protected in accordance with WM-3, Stockpile Management.
- Materials should be stored indoors within existing structures or sheds when available.
- Proper storage instructions should be posted at all times in an open and conspicuous location.
- An ample supply of appropriate spill clean up material should be kept near storage areas.

Also see WM-6, Hazardous Waste Management, for storing of hazardous materials.

- Material Delivery Practices**
- Keep an accurate, up-to-date inventory of material delivered and stored onsite.
  - Arrange for employees trained in emergency spill cleanup procedures to be present when dangerous materials or liquid chemicals are unloaded.

- Spill Cleanup**
- Contain and clean up any spill immediately.
  - Properly remove and dispose of any hazardous materials or contaminated soil if significant residual materials remain on the ground after construction is complete. See WM-7, Contaminated Soil Management.
  - See WM-4, Spill Prevention and Control, for spills of chemicals and/or hazardous materials.
  - The largest cost of implementation may be in the construction of a materials storage area that is covered and provides secondary containment.

- Inspection and Maintenance**
- Inspect and verify that activity-based BMPs are in place prior to the commencement of associated activities. While activities associated with the BMP are under way, inspect weekly during the rainy season and of two-week intervals in the non-rainy season to verify continued BMP implementation.
  - Keep an ample supply of spill cleanup materials near the storage area.
  - Keep storage areas clean, well organized, and equipped with ample cleanup supplies as appropriate for the materials being stored.
  - Repair or replace perimeter controls, containment structures, covers, and liners as needed to maintain proper function.



**Material Delivery and Storage WM-1**

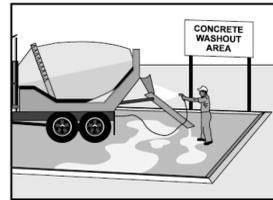
**References**  
Blueprint for a Clean Bay: Best Management Practices to Prevent Stormwater Pollution from Construction Related Activities; Santa Clara Valley Nonpoint Source Pollution Control Program, 1995.

Coastal Nonpoint Pollution Control Program: Program Development and Approval Guidance, Working Group Working Paper; USEPA, April 1992.

Stormwater Quality Handbooks - Construction Site Best Management Practices (BMPs) Manual, State of California Department of Transportation (Caltrans), November 2000.

Stormwater Management for Construction Activities; Developing Pollution Prevention Plans and Best Management Practice, EPA 832-R-92009; USEPA, April 1992.

**Concrete Waste Management WM-8**



- Objectives**
- EC Erosion Control
  - SE Sediment Control
  - TC Tracking Control
  - WE Wind Erosion Control
  - NS Non-Stormwater Management Control
  - WM Waste Management and Materials Pollution Control
- Legend:**
- ☑ Primary Objective
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- Targeted Constituents**
- ☑ Sediment
  - ☑ Nutrients
  - ☑ Trash
  - ☑ Metals
  - ☑ Bacteria
  - ☑ Oil and Grease
  - ☑ Organics

- Potential Alternatives**
- None

**Description and Purpose**  
Prevent or reduce the discharge of pollutants to stormwater from concrete waste by conducting washout onsite, performing onsite washout in a designated area, and training employee and subcontractors.

**Suitable Applications**  
Concrete waste management procedures and practices are implemented on construction projects where:

- Concrete is used as a construction material or where concrete dust and debris result from demolition activities
- Slurries containing portland cement concrete (PCC) or asphalt concrete (AC) are generated, such as from saw cutting, coring, grinding, grooving, and hydro-concrete demolition
- Concrete trucks and other concrete-coated equipment are washed onsite
- Mortar-mixing stations exist
- See also NS-8, Vehicle and Equipment Cleaning

- Limitations**
- Offsite washout of concrete wastes may not always be possible.



**Concrete Waste Management WM-8**

- Implementation**  
The following steps will help reduce stormwater pollution from concrete wastes:
- Discuss the concrete management techniques described in this BMP (such as handling of concrete waste and washout) with the ready-mix concrete supplier before any deliveries are made.
  - Incorporate requirements for concrete waste management into material supplier and subcontractor agreements.
  - Store dry and wet materials under cover, away from drainage areas.
  - Avoid mixing excess amounts of fresh concrete.
  - Perform washout of concrete trucks offsite or in designated areas only.
  - Do not wash out concrete trucks into storm drains, open ditches, streets, or streams.
  - Do not allow excess concrete to be dumped onsite, except in designated areas.

- For onsite washout:**
- Locate washout area at least 50 feet from storm drains, open ditches, or water bodies. Do not allow runoff from this area by constructing a temporary pit or bermed area large enough for liquid and solid waste.
  - Wash out wastes into the temporary pit where the concrete can set, be broken up, and then disposed properly.
  - Avoid creating runoff by draining water to a bermed or level area when washing concrete to remove fine particles and expose the aggregate.
  - Do not wash sweepings from exposed aggregate concrete into the street or storm drain. Collect and return sweepings to aggregate base stockpile or dispose in the trash.

- Education**
- Educate employees, subcontractors, and suppliers on the concrete waste management techniques described herein.
  - Arrange for contractor's superintendent or representative to oversee and enforce concrete waste management procedures.

- Concrete Slurry Wastes**
- PCC and AC waste should not be allowed to enter storm drains or watercourses.
  - PCC and AC waste should be collected and disposed of or placed in a temporary concrete washout facility.
  - A sign should be installed adjacent to each temporary concrete washout facility to inform concrete equipment operators to utilize the proper facilities.

**Concrete Waste Management WM-8**

- Below grade concrete washout facilities are typical. Above grade facilities are used if excavation is not practical.
- A foreman or construction supervisor should monitor onsite concrete working tasks, such as saw cutting, coring, grinding and grooving to ensure proper methods are implemented.
- Saw-cut PCC slurry should not be allowed to enter storm drains or watercourses. Residue from grinding operations should be picked up by means of a vacuum attachment to the grinding machine. Saw cutting residue should not be allowed to flow across the pavement and should not be left on the surface of the pavement. See also NS-3, Paving and Grinding Operations; and WM-10, Liquid Waste Management.
- Slurry residue should be vacuumed and disposed in a temporary pit (as described in OnSite Temporary Concrete Washout Facility, Concrete Transit Truck Washout Procedures, below) and allowed to dry. Dispose of dry slurry residue in accordance with WM-5, Solid Waste Management.

- Onsite Temporary Concrete Washout Facility, Transit Truck Washout Procedures**
- Temporary concrete washout facilities should be located a minimum of 50 ft from storm drain inlets, open drainage facilities, and watercourses. Each facility should be located away from construction traffic or access areas to prevent disturbance or tracking.
  - A sign should be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
  - Temporary concrete washout facilities should be constructed above grade or below grade at the option of the contractor. Temporary concrete washout facilities should be constructed and maintained in sufficient quantity and size to contain all liquid and concrete waste generated by washout operations.
  - Temporary washout facilities should have a temporary pit or bermed areas of sufficient volume to completely contain all liquid and waste concrete materials generated during washout procedures.
  - Washout of concrete trucks should be performed in designated areas only.
  - Only concrete from mixer truck chutes should be washed into concrete wash out.
  - Concrete washout from concrete pumper bins can be washed into concrete pumper trucks and discharged into designated washout area or properly disposed of offsite.
  - Once concrete wastes are washed into the designated area and allowed to harden, the concrete should be broken up, removed, and disposed of per WM-5, Solid Waste Management. Dispose of hardened concrete on a regular basis.
  - Temporary Concrete Washout Facility (Type Above Grade)
    - Temporary concrete washout facility (type above grade) should be constructed as shown on the details at the end of this BMP, with a recommended minimum length and

**Concrete Waste Management WM-8**

- minimum width of 10 ft, but with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations.
- Straw bales, wood stakes, and sandbags should conform to the provisions in SE-9, Straw Bale Barrier.
- Plastic lining material should be a minimum of 10 mil in polyethylene sheeting and should be free of holes, tears, or other defects that compromise the impermeability of the material.
- Temporary Concrete Washout Facility (Type Below Grade)
  - Temporary concrete washout facilities (type below grade) should be constructed as shown on the details at the end of this BMP, with a recommended minimum length and minimum width of 10 ft. The quantity and volume should be sufficient to contain all liquid and concrete waste generated by washout operations.
  - Lath and flagging should be commercial type.
  - Plastic lining material should be a minimum of 10 mil polyethylene sheeting and should be free of holes, tears, or other defects that compromise the impermeability of the material.

- Removal of Temporary Concrete Washout Facilities**
- When temporary concrete washout facilities are no longer required for the work, the hardened concrete should be removed and disposed of. Materials used to construct temporary concrete washout facilities should be removed from the site of the work and disposed of.
  - Holes, depressions or other ground disturbance caused by the removal of the temporary concrete washout facilities should be backfilled and repaired.

- Costs**  
All of the above are low cost measures.

- Inspection and Maintenance**
- Inspect and verify that activity-based BMPs are in place prior to the commencement of associated activities. While activities associated with the BMP are under way, inspect weekly during the rainy season and of two-week intervals in the non-rainy season to verify continued BMP implementation.
  - Temporary concrete washout facilities should be maintained to provide adequate holding capacity with a minimum freeboard of 4 in. for above grade facilities and 12 in. for below grade facilities. Maintaining temporary concrete washout facilities should include removing and disposing of hardened concrete and returning the facilities to a functional condition. Hardened concrete materials should be removed and disposed of.
  - Washout facilities must be cleaned, or new facilities must be constructed and ready for use once the washout is 75% full.



**Concrete Waste Management WM-8**

**References**  
Blueprint for a Clean Bay: Best Management Practices to Prevent Stormwater Pollution from Construction Related Activities; Santa Clara Valley Nonpoint Source Pollution Control Program, 1995.

Stormwater Quality Handbooks - Construction Site Best Management Practices (BMPs) Manual, State of California Department of Transportation (Caltrans), November 2000.

Stormwater Management for Construction Activities; Developing Pollution Prevention Plans and Best Management Practice, EPA 832-R-92009; USEPA, April 1992.

- Avoid mixing excess amounts of fresh concrete.
- Perform washout of concrete trucks offsite or in designated areas only.
- Do not wash out concrete trucks into storm drains, open ditches, streets, or streams.
- Do not allow excess concrete to be dumped onsite, except in designated areas.

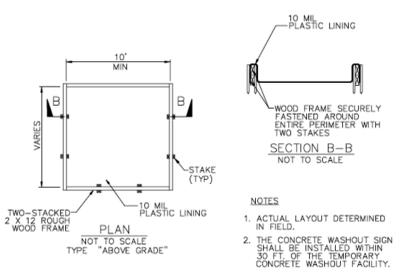
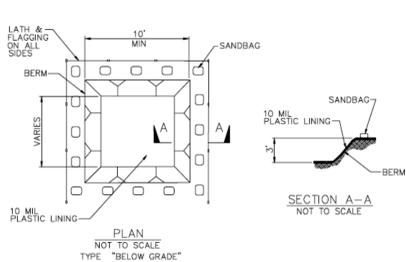
- For onsite washout:**
- Locate washout area at least 50 feet from storm drains, open ditches, or water bodies. Do not allow runoff from this area by constructing a temporary pit or bermed area large enough for liquid and solid waste.
  - Wash out wastes into the temporary pit where the concrete can set, be broken up, and then disposed properly.
  - Avoid creating runoff by draining water to a bermed or level area when washing concrete to remove fine particles and expose the aggregate.
  - Do not wash sweepings from exposed aggregate concrete into the street or storm drain. Collect and return sweepings to aggregate base stockpile or dispose in the trash.

**Concrete Waste Management WM-8**

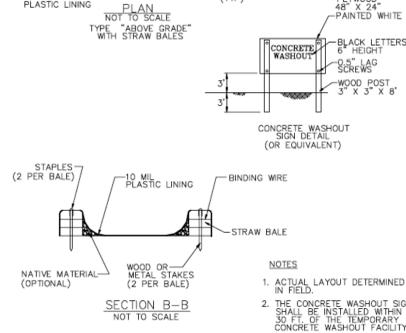
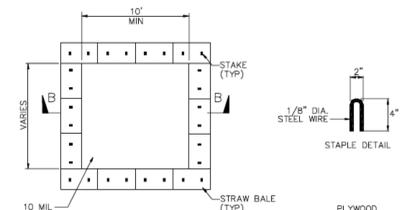
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    - Temporary concrete washout facility (type above grade) should be constructed as shown on the details at the end of this BMP, with a recommended minimum length and

**Concrete Waste Management WM-8**



**Concrete Waste Management WM-8**



**BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITIES:**  
ERODED SEDIMENTS AND OTHER POLLUTANTS MUST BE RETAINED ON SITE AND MAY NOT BE TRANSPORTED FROM THE SITE VIA CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND, SHEET FLOW, SWALES, AREA DRAINS, NATURAL DRAINAGE COURSES OR RIND.

STOCKPILES OF EARTH AND OTHER CONSTRUCTION RELATED MATERIALS MUST BE PROTECTED FROM BEING TRANSPORTED FROM THE SITE BY THE FORCES OF WIND OR WATER.

FUELS, OILS, SOLVENTS AND OTHER TOXIC MATERIALS MUST BE STORED IN ACCORDANCE WITH THEIR LISTING AND ARE NOT TO CONTAMINATE THE SOIL AND SURFACE MATERIALS. ALL APPROVED STORAGE CONTAINERS ARE TO BE PROTECTED FROM THE WEATHER. SPILLS MAY NOT BE WASHED INTO DRAINAGE SYSTEM.

EXCESS OR WASTE CONCRETE MAY NOT BE WASHED INTO PUBLIC WAY OR ANY OTHER DRAINAGE SYSTEM. PROVISIONS MUST BE MADE TO RETAIN CONCRETE WASTES ON SITE UNTIL THEY CAN BE DISPOSED AS A SOLID WASTE.

TRASH AND CONSTRUCTION RELATED SOLID WASTE MUST BE DEPOSITED INTO A COVERED RECEPTACLE TO PREVENT CONTAMINATION OF RAINWATER AND DISPERSAL BY WIND, SEDIMENTS AND OTHER MATERIAL MAY NOT BE TRACKED FROM THE SITE BY VEHICLE TRAFFIC. THE CONSTRUCTION ENTRANCE ROADWAYS MUST BE STABILIZED SO AS TO INHIBIT SEDIMENTS FROM BEING DEPOSITED INTO THE PUBLIC WAY. ACCIDENTAL DEPOSITION MUST BE SWEEPED UP IMMEDIATELY AND MAY NOT BE WASHED DOWN BY RAIN OR OTHER MEANS.

ANY SLOPES WITH DISTURBED SOILS OR DEMANDED OF VEGETATION MUST BE STABILIZED SO AS TO INHIBIT EROSION BY WIND AND WATER.



1117 COAST VILLAGE RD.  
MONTECITO, CA 93108  
8 0 5 5 6 5 3 6 4 0

2905 FINNEY ST.  
SUMMERLAND, CA 93067



ALL IDEAS, DESIGNS AND PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY AND ARE THE PROPERTY OF PACIFIC ARCHITECTS AND WERE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, OR PLANS SHALL BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF PACIFIC ARCHITECTS.

Revision	Description	Date

Job Number:  
Date: 10/12/21

AO.2





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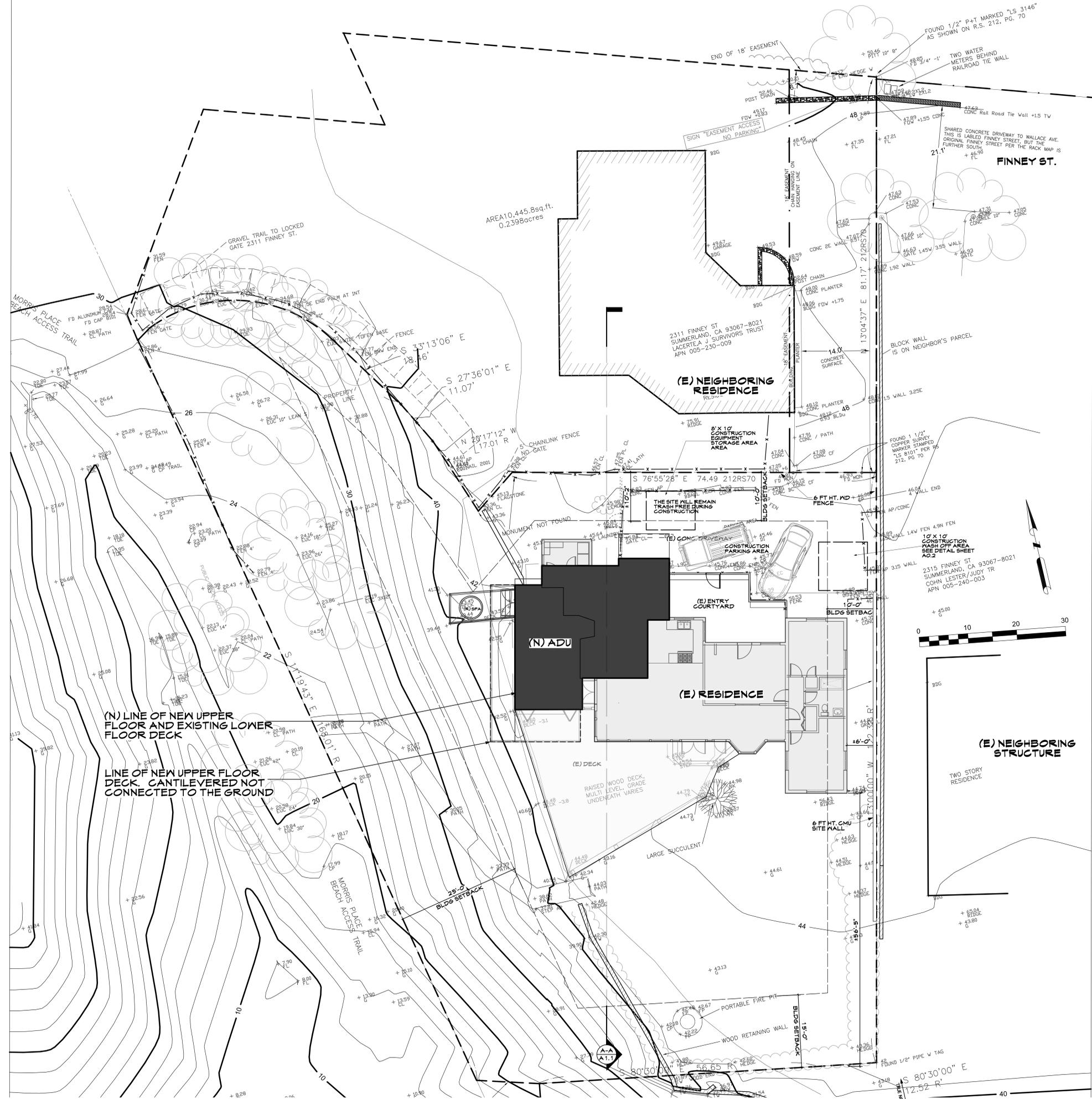
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Revision Description Date

Job Number:

Date: 10/12/21

A 1.1



(N) SITE PLAN  
1/8" = 1'-0"

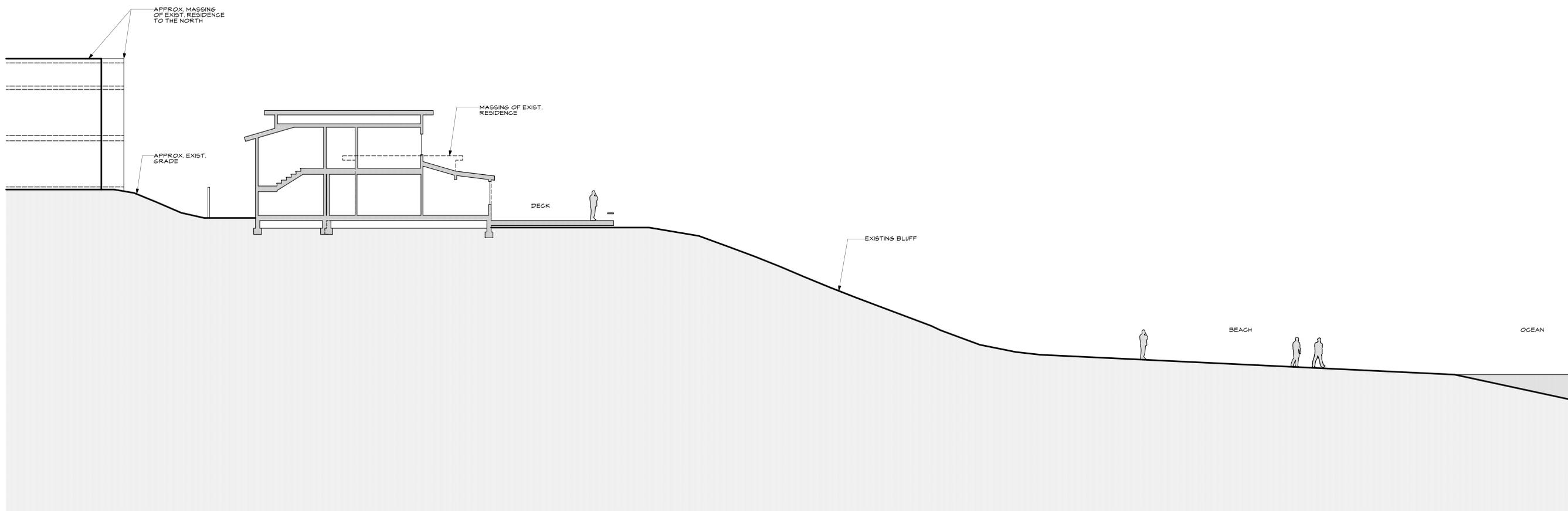




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Revision	Description	Date

Job Number:  
Date: 10/12/21

SITE SECTION  
1/8" = 1'-0"

A 1.3

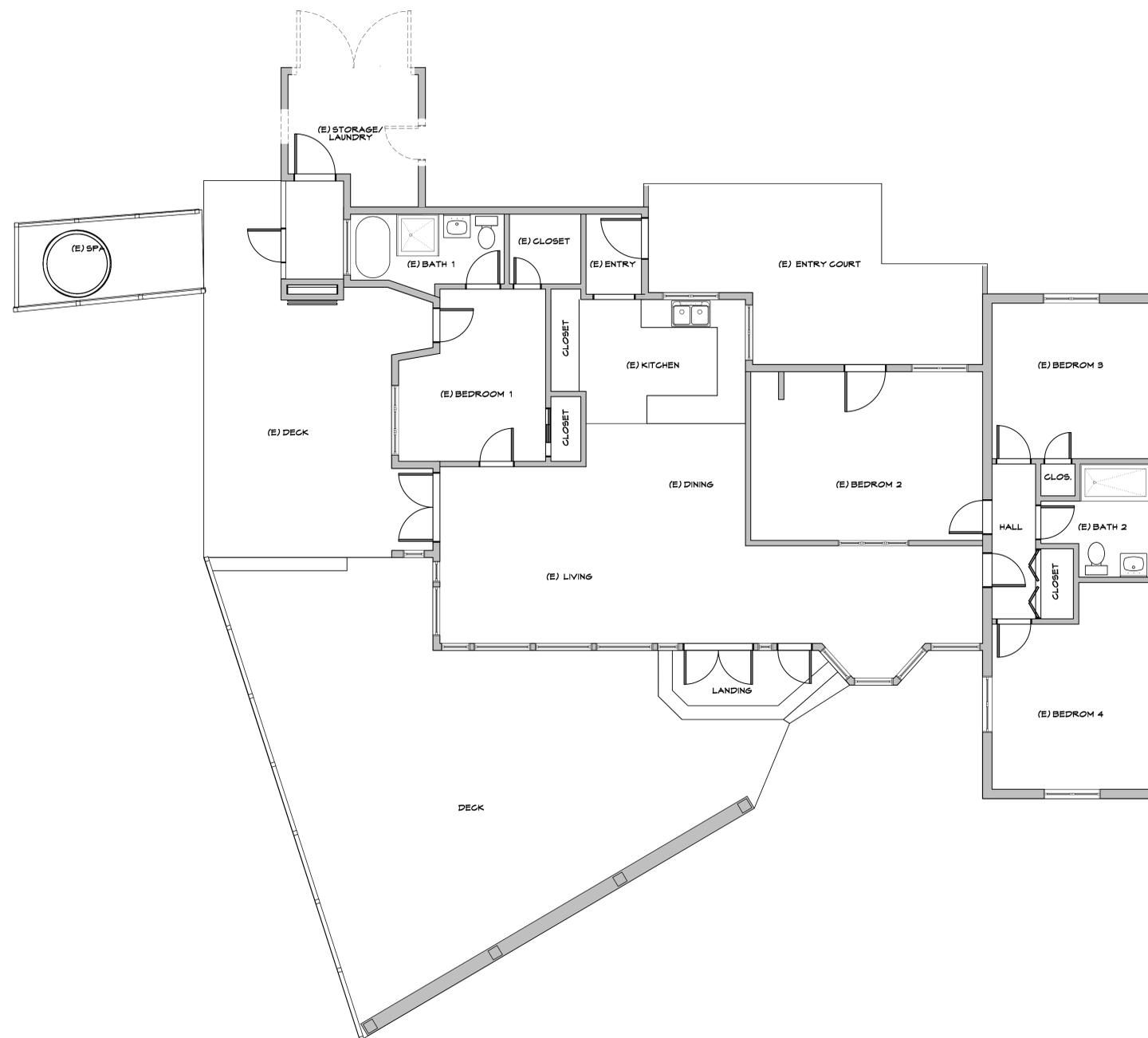


PACIFIC ARCHITECTS

1117 COAST VILLAGE RD.  
MONTECITO, CA 93108  
8 0 5 . 5 6 5 . 3 6 4 0

2805 FINNEY ST.  
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WALL LEGEND	
	(E) WALL
	(N) 2X STUDS @ 16" O.C. D.F. No. 2 OR BETTER
	(E) WALL TO BE REMOVED



LOWER FLOOR DEMOLITION PLAN

1/4" = 1'-0"



ALL IDEAS, DESIGNS AND PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY AND ARE THE PROPERTY OF PACIFIC ARCHITECTS AND WERE CREATED AND DEVELOPED FOR USE IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS OR PLANS SHALL BE USED FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF PACIFIC ARCHITECTS.

Revision	Description	Date

Job Number:  
Date: 10/12/21

A2.0

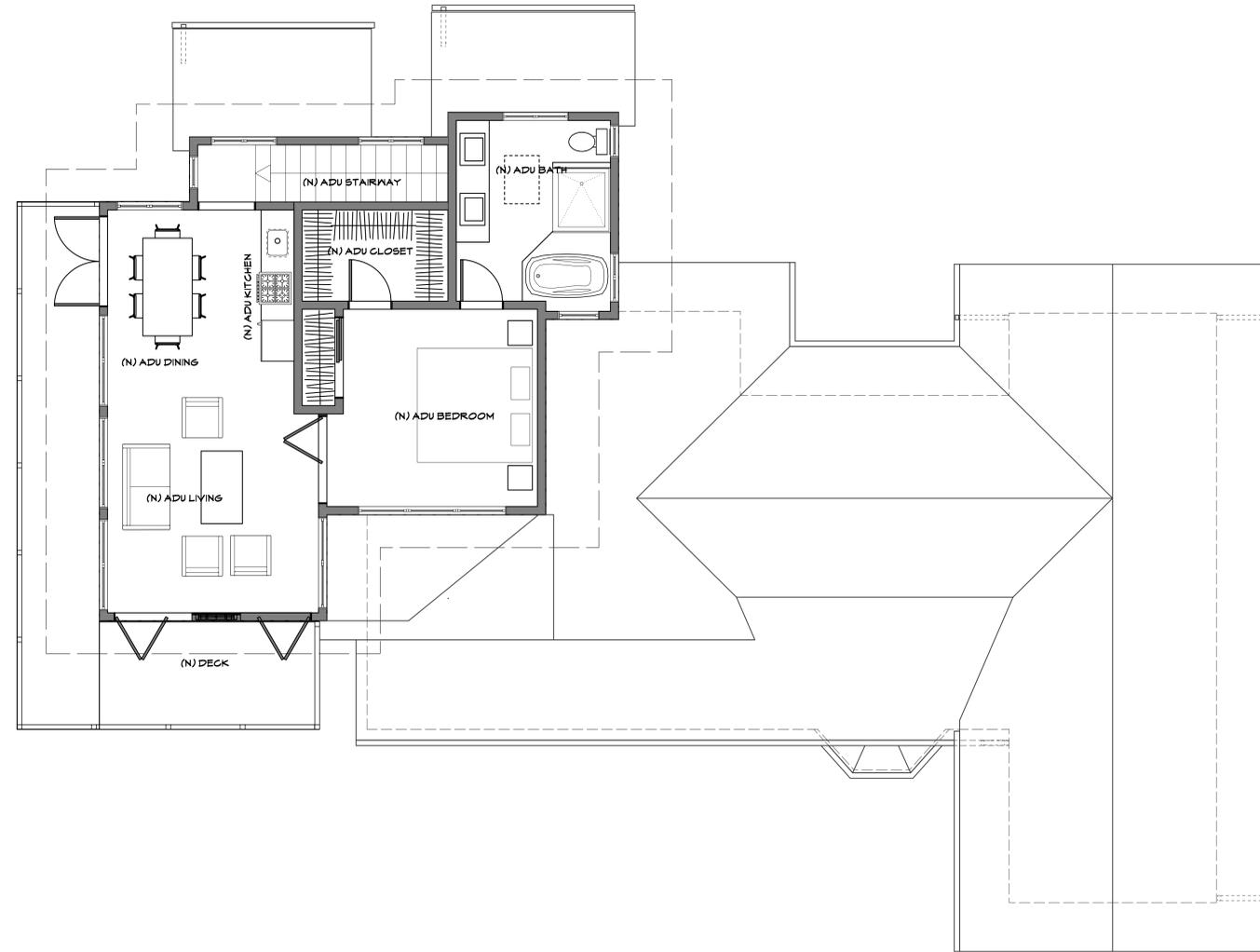




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WALL LEGEND	
	(E) WALL
	(N) 2X STUDS @ 16" O.C. D.F. No. 2 OR BETTER
	(E) WALL TO BE REMOVED



2805 FINNEY ST.  
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Revision	Description	Date

Job Number:  
Date: 10/12/21

A2.2

(N) UPPER FLOOR PLAN  
1/4" = 1'-0"





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Date: 10/12/21

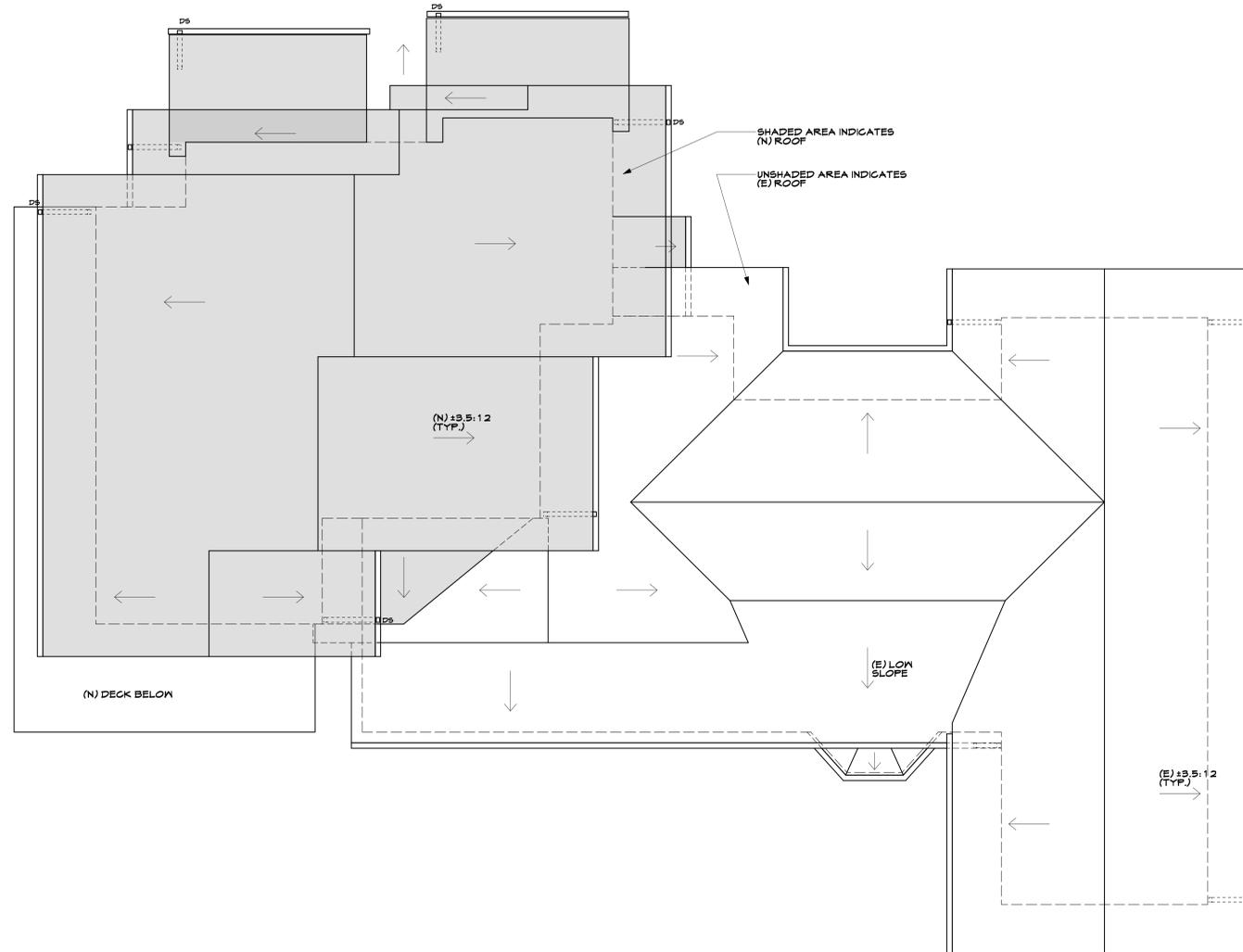
A3.0

**ROOF NOTES:**

- ROOF COVERING ASSEMBLIES SHALL BE AN ICC-ES OR UL LISTED MIN. CLASS A FOR RESISTIVE ROOF ASSEMBLY COMPLYING WITH ASTM E 108 OR UL 790, PER CBC 1505.1
- FOR LOW ROOF SLOPES FROM 2 1/2 UNITS VERTICAL IN 12 UNITS HORIZONTAL TO 4 UNITS VERTICAL IN 12 UNITS HORIZONTAL, DOUBLE UNDERLAYMENT APPLICATION IS REQUIRED AS FOLLOWS AS PER CBC SECT. 1507.3.3:
- 1) STARTING AT EAVE, A 14-INCH STRIP OF UNDERLAYMENT SHALL BE APPLIED PARALLEL WITH THE EAVE AND FASTENED SUFFICIENTLY IN PLACE.
- 2) STARTING AT THE EAVE, 36-INCH-WIDE STRIPS OF UNDERLAYMENT FELT SHALL BE APPLIED OVERLAPPING SUCCESSIVE SHEETS 14 INCHES AND FASTENED SUFFICIENTLY IN PLACE.

**DOWNSPOUT & GUTTER NOTES:**

- EACH DOWNSPOUT SHOULD DRAIN NO MORE THAN 50 FEET OF GUTTER. FOR SPACING OF DOWNSPOUTS REFER TO ROOF GUTTER/DOWNSPOUT PLAN THIS SHEET.
- DOWNSPOUTS SHOULD HAVE A CROSS-SECTIONAL AREA OF AT LEAST 7 SQUARE INCHES. THEIR SIZE SHOULD BE CONSTANT THROUGHOUT THEIR LENGTH.
- PROVIDE EXPANSION JOINTS (SLIP JOINTS) ON GUTTERS EXCEEDING 50 FEET IN LENGTH.
- NEW GUTTERS AND DOWNSPOUTS TO SPLASH BLOCKS
- TYPICAL SITE WATER DRAINAGE: 5% SLOPE FOR 1.0 FT MIN. AWAY FROM STRUCTURE TYP
- 2% MIN SLOPE FOR PAVED AREAS AWAY FROM STRUCTURE TYP



ROOF PLAN  
1/4" = 1'-0"

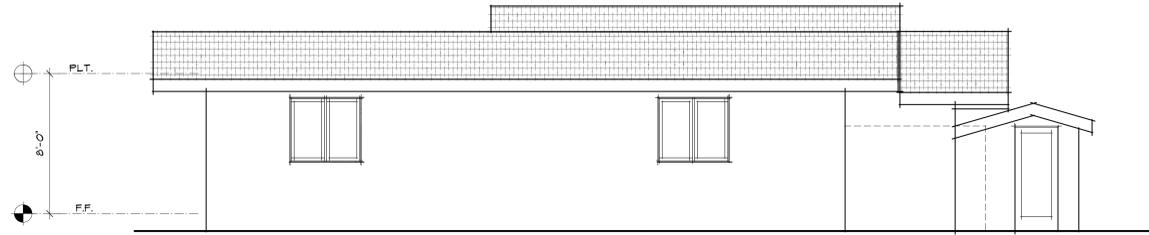




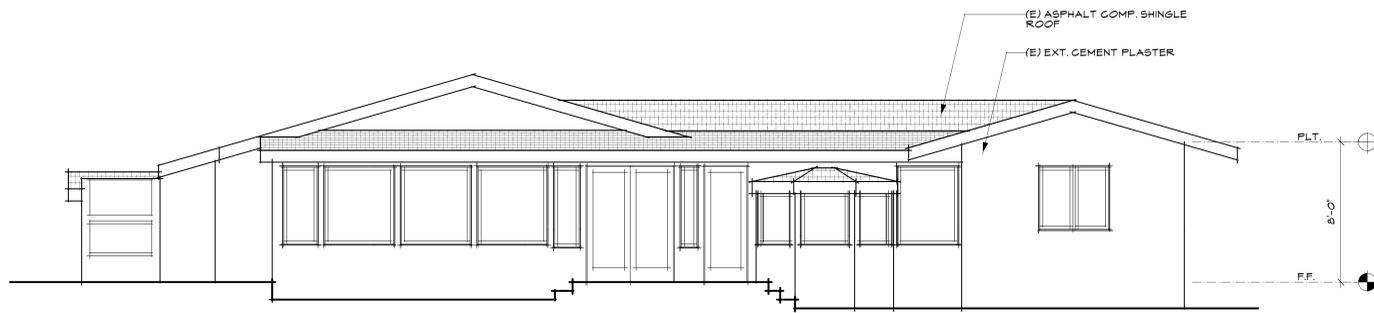
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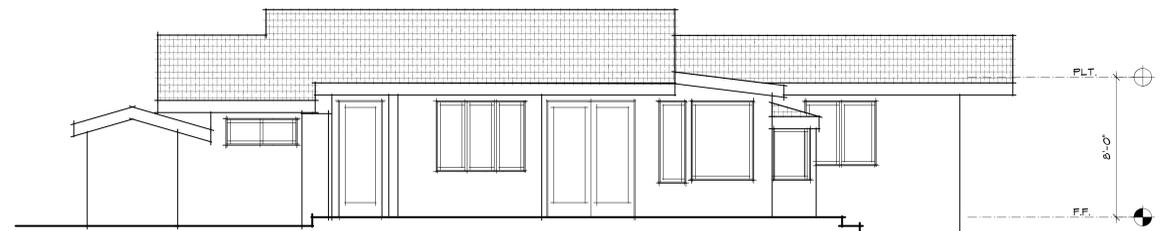
2805 FINNEY ST.  
SUMMERLAND, CA 93067



(E) EAST ELEVATION  
1/4" = 1'-0"



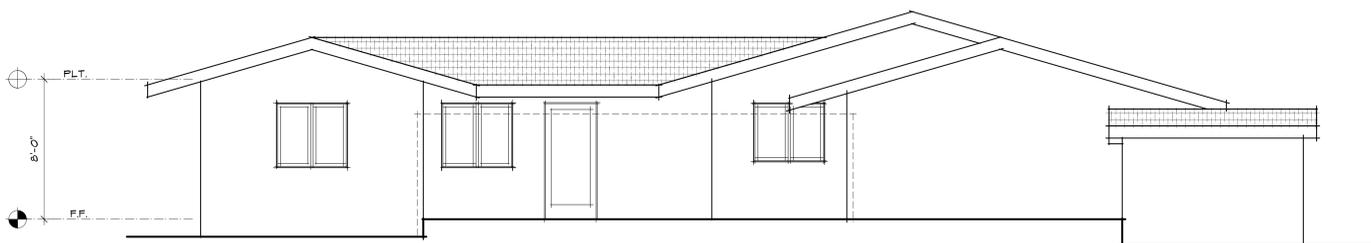
(E) SOUTH ELEVATION  
1/4" = 1'-0"



(E) EAST ELEVATION  
1/4" = 1'-0"



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(E) NORTH ELEVATION  
1/4" = 1'-0"

Revision	Description	Date

Job Number:  
Date: 10/12/21

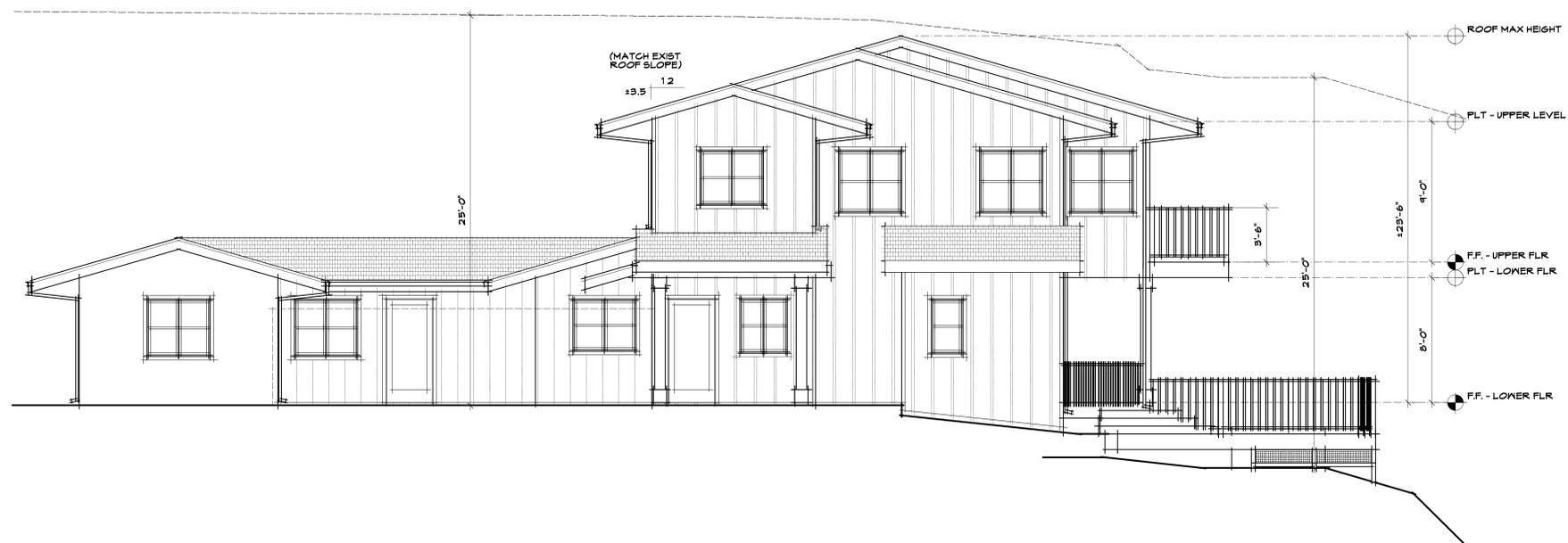
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**NORTH (FRONT - ENTRY) ELEVATION**  
1/4" = 1'-0"



**WEST (SIDE - RAVINE FACING) ELEVATION**  
1/4" = 1'-0"



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Revision	Description	Date

Job Number:  
Date: 09/14/21

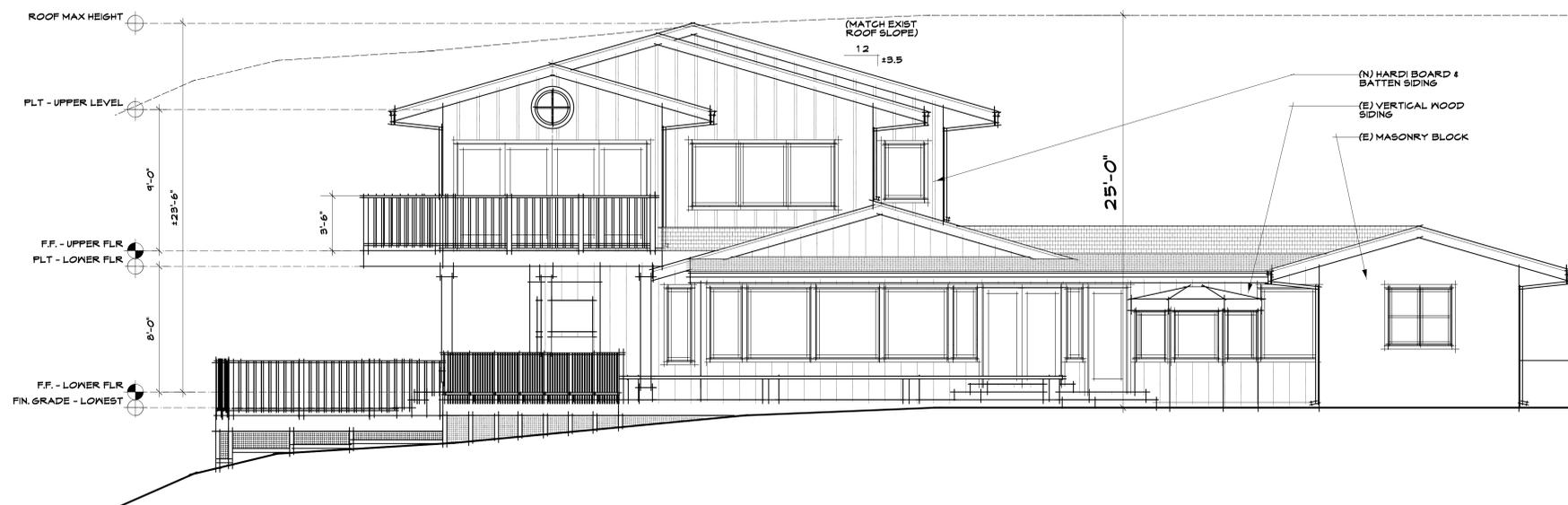
A4.1



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1117 COAST VILLAGE RD.  
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8 0 5 . 5 6 5 . 3 6 4 0

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SUMMERLAND, CA 93067



**SOUTH (REAR - OCEAN FACING) ELEVATION**  
1/4" = 1'-0"



**EAST (SIDE) ELEVATION**  
1/4" = 1'-0"



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Revision	Description	Date

Job Number:  
Date: 10/12/21

**A4.2**

**Attachment F - Appeal Application**



**PLANNING & DEVELOPMENT  
APPEAL FORM**

SITE ADDRESS: 2305 Finney Street, Summerland, CA 93067

ASSESSOR PARCEL NUMBER: 005-230-008

Are there previous permits/applications? no yes numbers: \_\_\_\_\_  
(include permit# & lot # if tract)

Is this appeal (potentially) related to cannabis activities? no yes

Are there previous environmental (CEQA) documents? no yes numbers: \_\_\_\_\_

1. **Appellant:** A J Lacerte Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: 2311 Finney Street, Summerland E-mail: \_\_\_\_\_  
Street City State Zip

2. **Owner:** \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Street City State Zip

3. **Agent:** \_\_\_\_\_ Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Street City State Zip

4. **Attorney:** Berg Law Group Phone: 805-708-0748 FAX: \_\_\_\_\_

Mailing Address: 3905 State Street, Suite 7-104 E-mail eric@berglawgroup.com  
Street City State Zip  
Santa Barbara, California 93105

**COUNTY USE ONLY**

Case Number: \_\_\_\_\_ Companion Case Number: \_\_\_\_\_  
Supervisorial District: \_\_\_\_\_ Submittal Date: \_\_\_\_\_  
Applicable Zoning Ordinance: \_\_\_\_\_ Receipt Number: \_\_\_\_\_  
Project Planner: \_\_\_\_\_ Accepted for Processing \_\_\_\_\_  
Zoning Designation: \_\_\_\_\_ Comp. Plan Designation \_\_\_\_\_

# COUNTY OF SANTA BARBARA APPEAL TO THE:

BOARD OF SUPERVISORS

PLANNING COMMISSION:  COUNTY  MONTECITO

RE: Project Title BMO, LLC ADU

Case No. 21CDP-00000-00053

Date of Action 6-4-21

I hereby appeal the  approval  approval w/conditions  denial of the:

Board of Architectural Review – Which Board? \_\_\_\_\_

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? \_\_\_\_\_

Planning & Development Director decision

Zoning Administrator decision

### Is the appellant the applicant or an aggrieved party?

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and “aggrieved party” as defined on page two of this appeal form:

\_\_\_\_\_  
Adjacent neighbor and homeowner.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County’s Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

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Please see attached letter dated June 11, 2021

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**Specific conditions imposed which I wish to appeal are (if applicable):**

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

**Please include any other information you feel is relevant to this application.**

**CERTIFICATION OF ACCURACY AND COMPLETENESS** Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

*I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.*

Print name and sign – Firm \_\_\_\_\_ Date \_\_\_\_\_

*Eric Berg* \_\_\_\_\_ *June 11, 2021*

Print name and sign – Preparer of this form \_\_\_\_\_ Date \_\_\_\_\_

Print name and sign – Applicant \_\_\_\_\_ Date \_\_\_\_\_

Print name and sign – Agent \_\_\_\_\_ Date \_\_\_\_\_

*Bridgette ...* \_\_\_\_\_ *June 11, 2021*

Print name and sign – Landowner \_\_\_\_\_ Date \_\_\_\_\_



**HAND DELIVERED**

June 11, 2021

Lisa Plowman, Director  
Santa Barbara County Planning & Development Department  
123 East Anapamu Street  
Santa Barbara, CA 93101

RE: 21CDP-00000-00053, 2305 Finney Street, Summerland;  
APN 005-230-008

Please see attached Appeal.

**HAND DELIVERED**

June 11, 2021

Lisa Plowman, Director  
Santa Barbara County Planning & Development Department  
123 East Anapamu Street  
Santa Barbara, CA 93101

RE: 21CDP-00000-00053, 2305 Finney Street, Summerland; APN 005-230-008

Dear Ms. Plowman,

Please accept this appeal of the Planning & Development's approval of 21CDP-00000-00053, a Coastal Development Permit for an accessory dwelling unit ("ADU") at property addressed 2305 Finney Street, Summerland, CA; APN 005-230-008. This appeal is filed on behalf of the Lacerte Family who own the property immediately adjacent the subject parcel. The appellant is therefore an aggrieved party to this permit.

We believe that your office did not convene a public hearing or allow appellants means to formally raise any concerns prior to the issuance of the subject Coastal Development Permit. The following grounds for the appeal are stated in summary form at this time since there is very little information describing the project currently publicly available. The documents provided by your office and relied upon thus far have not been made available for a sufficient amount of time, nor have they been provided to the public. The vagueness of the project description, the community input, and the general nature of the conditions of approval necessitate this appeal, to at least obtain additional information about the project. We may supplement this appeal over time as documents and project information become available.

The permit approval referenced above fails to conform to with the Coastal Zoning Ordinance, the Local Coastal Plan, the Coastal Act, the California Environmental Quality Act, and the Summerland Community Plan. The approval is not supported by substantial evidence, appears to be arbitrary, involved errors and a misuse of discretion, entailed an unfair approval process in a manner that excluded the public's participation and also seemingly ignored new evidence relevant to the decision.

The following general issues are included as to the basis for the appeal at this time.

**Preliminary Procedural Issues—(1) Existence of Pending Litigation as it relates to parking at 2305 Finney Street; (2) Current Use of 2305 as Short Term Rental Property**

The Lacertes and the Mecays are currently in litigation as it relates to longstanding parking issues as they relate to 2305 Finney Street. A copy of the Complaint is attached to this appeal. **The case is scheduled for trial in front of Judge Donna Geck on September 13, 2021.**

The Lacertes allege that residents and guests of 2305 Finney Street have been illegally and improperly parking their vehicles within the easement whose express use is limited to ingress and egress. The Lacertes allege that parking as it relates to 2305 Finney Street has already become grossly overburdened. A favorable ruling by the Court will include a judicial declaration that 2305 Finney Street can no longer use the easement for parking. It is in this context that the project has, inexplicably, now been approved, the effect of which will be to impact parking even further.

The Applicant advertises 2305 Finney Street as a short term rental property. See, <https://www.miramarlane.com/properties/the-beach-cottage>. [“This property is rented monthly, with a 29 day max.”] It appears that no consideration was given to the actual current use of the property, and the actual and real daily parking burden already associated with the property.

At a minimum, consideration should be given to the outcome of this litigation and Judge Geck’s Final Ruling before ruling on this Appeal. Consideration should also be given to the property’s existing use, and the impact that introducing an ADU into an already overburdened commercial environment within the Coastal Zone will have.

**Issues Pertaining to Compliance with County Coastal Zoning Ordinances (et. al.)**

**Issue #1.**

According to Santa Barbara County records the existing single-family dwelling was constructed in 1949 at approximately 1,000 square feet. Notably, the County Assessor’s Office taxes this dwelling at only 1,054 square feet. At some time without benefit of permits the unit was expanded to over 1600 square feet. Santa Barbara County has provided records that indicate that the County was aware of the expansion of the unit including the fact that it was expanded over property lines. The remedy to this situation included a General Plan Amendment, rezone, Lot line adjustment which was approved in 2005. Conditions of this Coastal Development Permit specifically required the applicant to obtain building permits for the expansion of the unit. To date no building permits have been issued for the expansion. The Accessory Dwelling Unit (ADU) requested is based on the square footage that has never been permitted and therefore the size of the ADU is beyond that allowed under the code which is ½ of the legal square footage or 527 square feet. The structure is not nonconforming as it was never expanded lawfully therefore the illegal portion of the dwelling does not exist lawfully, and it cannot therefore be relied upon to expand the allowable area for an ADU.

**Issue #2.**

The project description includes 249 square feet of an outdoor deck which has not been included into the square footage of the ADU but is being permitted under the ADU ordinance. Additional square footage not included in the ADU square footage cannot be permitted under the ADU ordinance but would need to be permitted under a standard review process including the renovations noted to the existing single-family residence.

**Issue #3**

The project was not properly noticed. CZO Section 35-181.8 requires a description of the project be placed on the placard noticing the project. The 249 square foot second story deck/balcony was absent from the project description therefore the noticing is inadequate.

**Issue #4.**

The subject site access is via a private easement and the additional demand for parking will be increase pressure to utilize the ingress/egress easement for parking purposes. The county did not take into consideration that the site is not accessed via a public street but a private easement with limited access to off-street parking. Due to the proximity to the ocean existing off-street parking is limited and must be preserved for public access to the coast. The project is inconsistent with the public access and recreation policies of Chapter 3 of the Coastal Act. Additionally, the project and existing illegal non-conforming dwelling unit is inconsistent with the Summerland Community Plan Action CIRC-S-20.1 that requires additional parking. The fact that additional parking is required may explain why the property owner/applicant did not apply for subsequent building permits as required by the Lot Line Adjustment.

**Issue #5**

The permit approval does not state under what authority the ADU was approved The unit proposed is neither proposed entirely within or partially within an existing single family dwelling nor it is an accessory buildings but rather is proposed as a second story addition to an existing single family dwelling and therefore is not permitted under Section 35.142.5, Section 35.142.6 or 35.142.7 The proposed description states "The project is for a Coastal Development Permit to allow construction of a **new** 810 square foot accessory dwelling unit and an associated 249 square foot deck as a new second story to the existing dwelling". This proposal does not qualify as an ADU under county regulations.

**Issue #6**

The project location is located within a Special Problems Area. The project's access is limited off an easement not a public road (Finney) but the project description indicates that the site is accessed on Finney Road. The restricted access including limited parking, vehicle turnaround and emergency vehicle access was not adequately addressed due to the inaccurate project description.

**Issue #7**

Code section 35-142.6.B.2 states that an ADU located above another floor shall not exceed a total height of 16-feet. The proposed ADU is to be attached to the existing dwelling above an existing floor and therefore the height limit is 16 feet. The proposed ADU height 25-feet. This section of code seems to have been ignored or waived considering the subject lot is on a coastal bluff and in front another dwelling unit. The additional height may block views but no documentation exists or has been provided that substantiates or negates potential view impacts.

**Issue # 8**

The project site is governed by a Coastal Commission issued Coastal Development Permit 02CDH-00000-0041 which has recorded conditions and is currently out of compliance with this permit. The permit conditions specifically conditioned that the project site shall not be allowed to disturb the native biological habitat outside of the development envelope. Split zoning was implemented to mark this area. A trail has been cut into this area in direct violation of this permit. The subject trail improvements are in fact 'development' as defined in the CZO because the improvement includes "...the placement or erection of any solid material...", and "...discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste...", "...grading, removing, dredging, mining, or extraction of any

materials...”, and the, “...change in the density or intensity of use of land...”. This trail improvement required a CDP.

**Issue #9**

The approval findings found in 35-169.5.1.c cannot be made because at least one permit violation exists on the property, and there may be others, including a recently graded and developed footpath, with stairs, which has been improved on the parcel down the bluff top, into and through native habitat and potentially environmentally sensitive habitat, to the beach. No permit records exist for this development, which occurred approximately 2-years ago, and no exhibits exist which show this improvement as legal non-conforming. Such development or an improvement would have been included in exhibits associated with the Lot Line Adjustment. Therefore, the finding that the “subject property and development is in compliance with all laws,” cannot be made. Please see attached photographs depicting the trail improvement, inclusive of stairways, vegetation removal and the installation of irrigation and drainpipes.

**Issue #10**

The project, and existing improvements on site are in conflict with, at a minimum, the policies provided below.

***Coastal Land Use Plan Policies***

***Policy 3-4:*** *In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 75 years, unless such standard will make a lot unbuildable, in which case a standard of 50 years shall be used. The County shall determine the required setback. A geologic report shall be required by the County in order to make this determination. At a minimum, such geologic report shall be prepared in conformance with the Coastal Commission’s adopted Statewide Interpretive Guidelines regarding “Geologic Stability of Bluff top Development.”(See also Policy 4-5 regarding protection of visual resources.)*

Neither the applicant, nor the County, have defined the bluff edge. No geological report has been prepared or made available. The project appears to include new at grade improvements in or within a erosion setback.

***Policy 3-7:*** *No development shall be permitted on the bluff face, except for engineered staircases or accessways to provide beach access, and pipelines for scientific research or coastal dependent industry. Drainpipes shall be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe, and beach. Drainage devices extending over the bluff face shall not be permitted if the property can be drained away from the bluff face.*

The property has unpermitted improvements on the bluff face, including drain pipes.

***Summerland Planning Area***

***Policy 7-9:*** *Implementing Action D: Morris Place shall be managed as part of Lookout Park. The area shall be kept in its natural state as much as possible. A footpath from the parking area in Lookout Park to the beach shall be provided.*

*Environmentally sensitive habitat areas are defined as “any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.” (Coastal Act, Section 30107.5)*

Improvements along the bluff face are in the previously ‘natural state’ of the area noted in the area south of Lookout Park and as defined, the improvements are likely in ESH, but no biological report substantiates or negates this potentiality.

### **Summerland Community Plan**

**Action CIRC-S-20.1:** *The County shall amend the Coastal Zoning Ordinance and Land Use and Development Code upon adoption of the Summerland Community Plan update to: (1) increase the required number of parking spaces per dwelling unit on lots between 7,500 net square feet and 10,000 net square feet from two to three spaces; (2) increase the required number of parking spaces per dwelling units on lots greater than 10,000 net square feet from two to four spaces; and (3) specify development standards and allowed modifications for the location and design of the additional parking spaces. Relief from these additional standards shall be provided if parking requirements cannot feasibly be accommodated due to site constraints such as slope or environmentally sensitive habitat.*

Additional onsite parking is required based on the lot size and in association with the Lot Line Adjustment.

**Action BIO-S-1.5:** *In the event that activities determined to be zoning violations result in the degradation of native habitat, the applicant shall be required to prepare and implement a habitat restoration plan. Degraded or disturbed areas of an identified habitat outside of any formal landscaping plan shall be restored with appropriate native species to offset increased development and increased human and domestic animal presence.*

The trail improvements and other improvements on the bluff face and in ‘natural habitat’ require a habitat restoration plan. Such a plan was not provided or submitted by the applicant.

**Policy BIO-S-3:** *Monarch Butterfly roosting habitats shall be preserved and protected.*

**Action BIO-S-3.1:** *Any construction, grading or development within 200 feet of known or historic butterfly roosts shall be prohibited between November 1 and April 1. This requirement may be modified/deleted on a case-by-case basis where either DER or additional information/study with the approval of DER concludes that one or more of these activities would not impact monarchs using the trees.*

The project site is within 200-feet of a known Monarch Butterfly roosting habitat. The trail improvements may have occurred during the timelines noted above and the approved CDP for the ADU excludes reference to this condition or requirement and the applicant has provided no information as to whether this condition or requirement is substantiated or negated.

**Action BIO-S-3.2:** *Prior to issuance of a CDP or LUP for development within 200' of known or historic butterfly roosts, RMD shall determine if the proposed project would have the potential to adversely impact monarch butterfly habitat. This shall be determined based on proximity to known, historic, or potential butterfly trees. The Summerland Biological Resources map shall be considered in determining proximity as well as other available information and maps. In the event the proposed project does have*

*the potential to adversely impact monarch butterfly habitat, the applicant shall submit to DER a butterfly Roost Protection Plan. This plan shall be developed at the applicant's expense and shall be included on any grading designs. The plan shall include the following information and measures: a. The mapped location of the windrow or cluster of trees where monarch butterflies are known, or have been known, to aggregate; b. A minimum setback of 50 feet from either side of the roost shall be noted on the plan. Buffers surrounding potential roosts may be increased from this minimum, to be determined on a case by case basis. A temporary fence shall be installed at the outside of the buffer boundary. All ground disturbance and vegetation removal shall be avoided within this buffer region; and c. Native vegetation shall be maintained around this buffer.*

This information has not been provided by the applicant or made available to the appellant.

**Action BIO-S-3.3:** *The County shall amend Article II zoning maps to designate the Monarch Butterfly Habitat area as shown in Figure 23 as "Environmentally Sensitive Habitat" (ESH). [accomplished with the adoption of the Plan]*



*the minimum necessary to protect life and safety and that such development would not have an adverse impact to the butterfly habitat. All fuel modification shall take place when monarch butterflies are not present (outside the months of autumnal aggregation, October to March) (LCP Amendment STB-MAJ-1-03-B).*

The existing and illegal trail improvements are in the exclusion area, and some components of the CDP for the ADU may also be in this area. No arborists report was prepared or made available.

*Action FLD-5-2.1: For any proposed new development where the building site would be subject to adverse drainage impacts from surrounding properties, or which would create offsite drainage impacts, an on-site drainage system shall be designed by a registered civil engineer and approved by the County Flood Control District to intercept drainage (a.g., perimeter traughs and/or drain inlets) and to safely deliver this run-off to the nearest public street.*

No drainage report or drainage system has been prepared or made available.

*Policy GEO-S-3: All new development on ocean bluff-top property shall be carefully designed to minimize erosion and sea cliff retreat and to avoid the need for shoreline protection devices in the future.*

No erosion control design or measures were provided or made available.

*Action GEO-S-3.1: The County shall require all development proposed to be located on ocean bluff top property to perform a site specific analysis, prior to project review and approval, by a registered or certified geologist to determine the extent of the hazards (including bluff retreat) on the project site.*

No site specific analysis by a certified geologist was prepared or made available.

Thank you for your consideration and our office will be submitting a Public Records Act Request for all correspondence to and from your office with the applicant, owner, applicant agents, as well as for any permits, studies, documents or analysis by the Department used or not used to justify the project approval.

Thank you,



BERG LAW GROUP  
Eric Berg

Attachments:

- Complaint
- Photographs

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