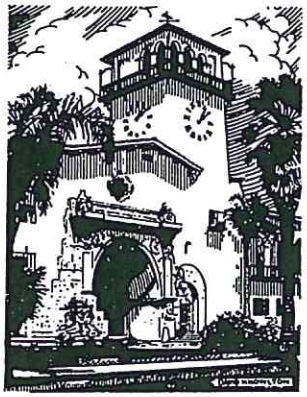


COUNTY OF SANTA BARBARA

CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

REVISED

January 23, 2014

Ginger Andersen
Penfield and Smith
111 East Victoria Street
Santa Barbara, CA 93101

PLANNING COMMISSION
HEARING OF DECEMBER 4, 2013

RE: Beach Club Lot Split, Gabion Wall and Grading, and New Single Family Residence Project; 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-00000-00054

Hearing on the request of Ginger Andersen, agent for the Beach Club Family Trust, owner, to consider the following:

a) **12TPM-00000-00006**, [application filed on July 19, 2012] for approval of a Tentative Parcel Map in compliance with County Code Chapter 21 to divide 10.25 acres into two lots of 3.02 and 7.23 acres, on property zoned 3-E-1;

b) **11CDH-00000-00006** [application filed on February 9, 2011] for a Coastal Development Permit with hearing in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 3-E-1, to allow (1) as-built grading, (2) modifications to the biological resources restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3) removal of the single family dwelling, (4) removal of the accessory structure, (5) removal of a retaining wall, (6) removal of the play structure, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence; and

c) **11CDH-00000-00054** [application filed on November 30, 2011] for a Coastal Development Permit with hearing in compliance with Section 35-169 of the Article II Coastal Zoning Ordinance, on property zoned 3-E-1, to allow construction of a new single family residence and associated fencing and landscaping;

and to adopt the Mitigated Negative Declaration (13NGD-00000-00012) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Resources, Noise and Water Resources. The ND and all documents may be reviewed at the Planning and Development Department, 123 E. Anapamu St., Santa Barbara (or 624 W. Foster Rd., Santa Maria). The ND is also available for review at the Central Branch of the City of Santa Barbara Library, 40 E. Anapamu St., Santa Barbara. The application involves AP No. 005-260-018, located at 2825 Padaro Lane in the Summerland area, First Supervisorial District.

Dear Ms. Andersen:

At the Planning Commission hearing of December 4, 2013, Commissioner Cooney moved, seconded by Commissioner Brown and carried by a vote of 4-0 (Commissioner Blough absent) to:

1. Make the required findings for approval of the project specified in Attachment A of the staff report, dated November 15, 2013, including consistency with policy VIS-S-3 as articulated in the hearing of December 4, 2013, and including CEQA findings;

2. Adopt the Mitigated Negative Declaration13NGD-00000-00012, included as Attachment E of the staff report, dated November 15, 2013, and adopt the mitigation monitoring program contained in the Conditions of Approval;

3. Approve case no. 12TPM-00000-00006 subject to the conditions included as Attachment B of the staff report, dated November 15, 2013, as amended;

4. Approve case no. 11CDH-00000-00006 subject to the conditions included as Attachment C of the staff report, dated November 15, 2013; and

5. Approve case no. 11CDH-00000-00054 subject to the conditions included as Attachment D of the staff report, dated November 15, 2013, as amended.

Revisions to Conditions of Approval are indicated below in strikeout and underline.

Revisions to Conditions of Approval for 12TPM-00000-00002

Condition 18 is revised as follows:

18. **Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems and any other reports required by P&D. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. The Owner/Applicant shall submit the study for P&D ~~and Public Works~~ review and approval. The Owner/Applicant shall also submit the study for Public Works review and approval when work would occur within a public right-of-way and/or require a road encroachment permit. Elements of the approved study shall be reflected on grading and building plans as required. **TIMING:** The Owner/Applicant shall submit the study prior approval of Coastal Development Permits. **MONITORING:** P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

Condition 19 is revised as follows:

19. **WatConv-03: Erosion and Sediment Control Revegetation.** For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. However, fill over the development exclusion area shall only be revegetated with shallow-rooted plants. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until

vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

Condition 25 is revised as follows:

25. **Public Sewer Connection.** Within six months of the time of availability of public sewer service from the Carpinteria Sanitary District on Padaro Lane at the property boundary of both resultant parcels, the applicant shall connect to District services and shall abandon the private septic system, subject to EHS permit requirements.

Revisions of Conditions of Approval for 11CDH-00000-00054

Condition 16 is revised as follows:

16. **Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems and any other reports required by P&D. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. The Owner/Applicant shall submit the study for P&D ~~and Public Works~~ review and approval. The Owner/Applicant shall also submit the study for Public Works review and approval when work would occur within a public right-of-way and/or require a road encroachment permit. Elements of the approved study shall be reflected on grading and building plans as required. **TIMING:** The Owner/Applicant shall submit the study prior approval of Coastal Development Permits. **MONITORING:** P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

Condition 17 is revised as follows:

17. **WatConv-03: Erosion and Sediment Control Revegetation.** For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. However, fill over the development exclusion area shall only be revegetated with shallow-rooted plants. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

Condition 24 is revised as follows:

24. **Public Sewer Connection.** Within six months of the time of availability of public sewer service from the Carpinteria Sanitary District on Padaro Lane at the property boundary of both resultant parcels, the applicant shall connect to District services and shall abandon the private septic system, subject to EHS permit requirements.

The attached findings and conditions reflect the Planning Commission's actions of December 4, 2013.

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

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, December 16, 2013 at 5:00 p.m.**

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

A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Sincerely,

Dianne M. Black

Dianne M. Black
Secretary to the Planning Commission

cc: Case File: 12TPM-00000-00006, 11CDH-00000-00006, 11CDH-00000-00054
Planning Commission File
California Coastal Commission, 89 S. California Street, Suite 200, Ventura, CA 93001
SB School District, 720 Santa Barbara Street, Santa Barbara, CA 93101
Owner: Beach Club Family Trust c/o Tim Hoctor, 3705 Telegraph Road, Ventura, CA 93003
Architect: Mark Wryan, P.O. Box 50705, Montecito, CA 93150

County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
Salud Carbajal, First District Supervisor
Michael Cooney, First District Commissioner
Jenna Richardson, Deputy County Counsel
Joyce Gerber, Planner

Attachments: **Attachment A – Findings**
Attachment B – Conditions of Approval for 12TPM-00000-00006
Attachment C – Conditions of Approval for 11CDH-00000-00006
Attachment D – Conditions of Approval for 11CDH-00000-00054

DMB/dmv

G:\GROUP\PERMITTING\Case Files\CDH\11 Cases\11CDH-00000-00006 Beach Club Gabioon Wall and Grading\Dec 4 PC hearing\12-04-13actltr revised.doc

ATTACHMENT A: FINDINGS

Beach Club Tentative Parcel Map (12TPM-00000-00006 / TPM 14,791), Gabion Wall and Grading (11CDH-00000-00006) and New Single Family Dwelling (11CDH-00000-00054)

1.0 CEQA FINDINGS

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The County Planning Commission has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment and analysis of the County Planning Commission and has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the Negative Declaration and any comments received, the County Planning Commission finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record (including the initial study and any comments received), there is no substantial evidence that the project will have a significant effect on the environment.

1.3 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the County Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 TENTATIVE PARCEL MAP FINDINGS (Chapter 21). The following, among others, shall be cause for disapproval of a tentative map including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:

2.1.1 Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the Office of the County Recorder, provided, however, that the Director of Public Works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the County Recorder, unless the Director of Public Works shall approve such grants. If the Director of Public Works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the Director of Public Works to grant such approvals may be made in

writing to the Board of Supervisors, which may overrule the Director of Public Works and grant such requested approvals in whole or in part.

This Tentative Parcel Map does not include easements along or across county streets.

2.1.2 Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;

Proposed Parcel A has frontage on Padaro Lane. Prior to future development of proposed Parcel A, a driveway of adequate width and design to meet Carpinteria-Summerland Fire District development standards will be constructed. An existing driveway from Padaro Lane provides access to proposed Parcel B.

2.1.3 Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;

There is no grading associated with this Tentative Parcel Map. Approval of related permit no. 11CDH-00000-00006 (to occur on both Parcel A and Parcel B of this Tentative Parcel Map) and permit no. 11CDH-00000-00054 (to occur on Parcel A of this Tentative Parcel Map) will not permit slopes or heights that would be either unsafe or unattractive to view.

2.1.4 Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;

There is no grading associated with this Tentative Parcel Map. However, grading is a part of related permits 11CDH-00000-00006 and 11CDH-00000-00054. Approval of related permit no. 11CDH-00000-00006 will legalize grading conducted on the parent parcel without the benefit of a permit, and will allow fill to be placed over a sensitive cultural resource located on both Parcel A and Parcel B. Permit no. 11CDH-00000-00006 must be issued and implemented prior to map recordation of 12TPM-00000-00006, and prior to issuance of 11CDH-00000-00054 for a single family dwelling, because it resolves the zoning violation on the parent parcel. Permit no. 11CDH-00000-00006 also requires removal of a primary dwelling and a second unit that are located within the ESH buffer on Parcel A. When these structures are removed, there will be no residences on the parent parcel. Therefore, after the zoning violation is abated and existing structures are removed, permit no. 11CDH-00000-00054 for a new single family dwelling would not be dependent on recordation of the Tentative Parcel Map because it would be the only dwelling on the parent parcel.

2.1.5 Potential creation of hazard to life or property from floods, fire, or other catastrophe;

As discussed in Section 6.2 of the staff report, and incorporated herein by reference, the design of the subdivision will not result in any future development being located in areas that would create hazard to life or property.

2.1.6 Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;

As discussed in Section 6.2 of the staff report, and incorporated herein by reference, the Tentative Parcel map conforms to the County's Comprehensive Plan, including the Coastal Land Use Plan and the Summerland Community Plan. The project site is not located near any existing or proposed state highway alignment.

2.1.7 Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;

The lots created by the map would not have a ratio of depth to width in excess of 3 to 1.

2.1.8 Subdivision designs with lots backing up to watercourses.

The front yards of the parent and proposed parcels face Padaro Lane. The eastern property line of the underlying parcel is formed by Toro Canyon Creek, which is considered a watercourse. A watercourse is generally defined in Article II, Coastal Zoning Ordinance, as *major and minor streams, drainage ways and small lakes, ponds and marshy areas through which streams pass*; but does not include coastal wetlands. Toro Creek will form the eastern boundary of Parcel B. The southern property lines of both new parcels will abut the Pacific Ocean, which is not considered a watercourse. Therefore, the design of the subdivision does not have lots backing up to a watercourse.

2.1.9 A tentative map including tentative parcel map shall not be approved if the decision-maker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 *et seq.*, the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.

As discussed in Sections 6.2 and 6.3 of the staff report, and incorporated herein by reference, the design of the subdivision is consistent with the County's General Plan, including the Coastal Land Use Plan and the Summerland Community Plan, and the applicable requirements of the Coastal Zoning Ordinance. As discussed in these Tentative Map Findings, and the Subdivision Map Act Findings below, the tentative parcel map is consistent with Chapter 21 and the findings of the State Subdivision Map Act.

2.2 CHAPTER 21 SUBDIVISION MAP ACT FINDINGS. Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings.

2.2.1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

The lots resulting from the land division will be of adequate size (3.04 and 7.21 acres in size) to take advantage of maximum solar exposure. The proposed tentative parcel map is designed with proposed building envelopes located in such a way that future passive or natural heating or cooling opportunities will be available for future development.

2.2.2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, the proposed subdivision is consistent with the land use density designated for the property in the Coastal Land Use Plan and Summerland Community Plan, and can be found consistent with all applicable policies of these plans.

2.2.3. State Government Code §66474. A legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

2.2.3.1 The proposed map is not consistent with applicable general and specific plans as specified in §65451.

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, the proposed subdivision is consistent with the Comprehensive Plan and Summerland Community Plan.

2.2.3.2 The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

No improvements are proposed with this tentative parcel map. However, as discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, conditions of approval would ensure that future development on the parcels would occur in compliance with applicable policies of the Comprehensive Plan and Summerland Community Plan. In addition, the design of the proposed subdivision would result in two lots that would be suitable for future residential development in compliance with the applicable Comprehensive Plan and Summerland Community Plan policies.

2.2.3.3 The site is not physically suitable for the type of development proposed.

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, Parcel A will be 3.04 acres in size and contain a 47,579 sq ft building envelope that avoids all applicable setback requirements as well all sensitive cultural and biological resources. Parcel B will be 7.21 acres in size and contain a building envelope of 89,084 sq ft to avoid all applicable setback requirements and sensitive cultural and biological resources. A separate development exclusion area precludes any development in the significant portion of the archaeological site. Future development within the building envelope and an associated access driveway on proposed Parcel A were determined to be geologically feasible as stated in the reports titled Geotechnical Engineering Report, Proposed Single Family Dwelling and Barn, April 30, 2012 (Revised September 17, 2012), Addendum to Second Response to County of Santa Barbara Peer Review dated June 19, 2013, Second Response to County of Santa Barbara Peer Review dated May 14, 2013, Fault Rupture Hazard Report dated August 29,

2012, a Fault Rupture Hazard Report, Proposed Single Family Dwelling and Barn, dated August 29, 2012 (Revised September 17, 2012) and a Seismic Refraction Investigation Geophysical Survey, GEOVision Geophysical Services, Inc. dated August 14, 2012.These reports were peer-reviewed and accepted by the P&D Geologic consultant, GeoDynamics, Inc. (June 19, 2013). Future development proposed for Parcel B will also be required to provide soils engineering studies and comply with the recommendations therein.

2.2.3.4 The site is not physically suited for the proposed density of development.

The site is physically suited for the proposed density of development of the resulting lots. The proposed density (at one residence per 3.0-acre lot) is consistent with the designated density (Residential, 1.0 dwelling unit per 3 acres) of the Coastal Land Use Plan and Summerland Community Plan. As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, Parcel A will be 3.04 acres in size and contain a 47,579 sq ft building envelope that would avoid all applicable setback requirements as well as sensitive cultural and biological resources. Parcel B will be 7.21 acres in size and contain a building envelope of 89,084 sq ft to avoid all applicable setback requirements and sensitive cultural and biological resources. A separate development exclusion envelope on both parcels A and B precludes any development in the significant portion of the archaeological site. As such, the site can physically accommodate the proposed density of development.

2.2.3.5 The design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

As summarized in Section 6.1 of the staff report dated November 15, 2013, and discussed in detail in the Proposed Final Mitigated Negative Declaration (13NGD-00000-00012), incorporated herein by reference, any potential impacts that could result from the proposed subdivision and subsequent future development are mitigated to less than significant levels by incorporation of the mitigation measures and monitoring into the project's conditions of approval. The project would not cause substantial environmental damage or injure fish or wildlife of their habitat.

2.2.3.6 The design of the subdivision or type of improvements is likely to cause serious public health problems.

The design of the subdivision would not cause serious public health problems. As discussed in Section 6.2 of the staff report dated November 15, 2013, and in the Proposed Final Mitigated Negative Declaration (13NGD-00000-00012), incorporated herein by reference, adequate services are available to serve the subdivision and the project would not create any hazardous situations that could lead to public health problems.

2.2.3.7 The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The Summerland Community Plan identifies a "possible future trail" on the subject property from Padaro Lane to the ocean, within the ESH and Toro Canyon Creek corridor. However, there is no easement in this particular area and no easements for the public at large cross the property. Therefore, the design of the subdivision would not conflict with existing easements.

2.2.4. **State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**

(a) A contract entered into pursuant to the California Land Conservation Act of 1965 [Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5], including an easement entered into pursuant to Section 51256.

(b) An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 [Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5].

(c) An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.

(d) A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.

The parent parcel is residentially zoned and is not used for agriculture. The land is not subject to (a) a contract entered into pursuant to the California Land Conservation Act of 1965 [Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5], including an easement entered into pursuant to Section 51256 (b) an open-space easement entered into pursuant to the Open-Space Easement Act of 1974 [Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5]; (c) an agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code; or (d) a conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code. Therefore, this finding does not apply.

2.2.5. **State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The proposed project would utilize private wastewater disposal (septic systems) only if public sewer service is not available from the Carpinteria Sanitary District. Discharge of waste into the District system would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. Therefore, this finding does not apply.

2.3 ARTICLE II COASTAL ZONING ORDINANCE FINDINGS FOR TENTATIVE PARCEL MAPS

2.3.1. In order to obtain approval for a division of land, the subdivider shall demonstrate that adequate water is available to serve the newly created lots except for lots to be designated as "Not A Building Site" on the recorded subdivision or parcel map.

The proposed project would be served by the Montecito Water District (MWD). One existing water meter is located on the property. As indicated by the letter from Tom Mosby, General Manager, dated August 8, 2012, the Montecito Water District has the capacity to serve the both newly created lots. The project has been conditioned to require the applicant to obtain a Can and Will Serve letter for both new lots prior to map recordation.

2.3.2. As a requirement for approval of any proposed land division of agricultural land designated as AG-I or AG-II, the County shall make a finding that the long-term agricultural productivity of the land will not be diminished by the proposed division.

The proposed project is not located on land designated as AG-I or AG-II. Therefore, this finding does not apply.

2.3.3 In addition to the findings that are required for approval of a development project (as development is defined in this Article), as identified in each section of Division 11 - Permit Procedures of Article II, a finding shall also be made that the project meets all applicable policies and development standards included in the Summerland Community Plan.

As discussed in Section 6.2 of the staff report dated November 15, 2013, and incorporated herein by reference, the proposed subdivision is conditioned so that any future development complies with the applicable development standards of the Coastal Land Use Plan and Summerland Community Plan. Therefore, this finding can be made.

2.4 COASTAL DEVELOPMENT PERMIT FINDINGS FOR 11CDH-00000-00006

2.4.1 In compliance with Section 35-60.5 of the Article II 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.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, adequate services and resources are available to serve the proposed development. The project is for as built grading, modification of the biological resources restoration plan for the Toro Canyon Creek corridor, removal of the single family dwelling and accessory structure, removal of a retaining wall and a play structure, abandonment of an existing well, grading for sensitive resource capping and installation of a split rail safety fence. No new structural or residential development is proposed under this permit. An existing well on the lot will provide water to irrigate restored and replanted areas as needed. The development will be accessed by an existing driveway from Padaro Lane. Other services such as roadways are adequate to serve the proposed development. Therefore, this finding can be made.

2.4.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.1. In compliance with Section 35-169.5.1 of the Article II 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 review authority shall first make all of the following findings, as applicable:

1. The development conforms:

(a) To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;

(b) 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).

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, 11CDH-00000-00006 conforms to the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan, Summerland Community Plan, and the provisions of Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

2. The development is located on a legally created lot.

The subject property was created by Lot Line Adjustment 07LLA-00000-00011, which was approved by the Zoning Administrator on February 27, 2008. Therefore, this finding can be made.

3. 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 zoning violations recorded against the subject parcel would be resolved by approval and issuance of 11CDH-00000-00006. With approval, issuance and effectuation of that permit, all applicable zoning violation enforcement fees and processing fees will be paid and the subject property and proposed project will be compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, parking, height and all other applicable provisions of the Article II Coastal Zoning Ordinance for the 1-E-1 zone district. Therefore, this finding can be made.

2.4.3 Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the review authority shall first make all of the following findings, as applicable:

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

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00006,

as conditioned, will not obstruct public views from any public road or from a public recreation area to, and along the coast. Therefore, this finding can be made.

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

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00006, as conditioned, will be compatible with the established physical scale of the area. Therefore, this finding can be made.

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

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00006, as conditioned, complies with the applicable public access and recreation policies of the of Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal land Use Plan and Summerland Community Plan. Therefore, this finding can be made.

2.5 COASTAL DEVELOPMENT PERMIT FINDINGS FOR 11CDH-00000-00054

2.5.1 In compliance with Section 35-60.5 of the Article II 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.

As discussed in Section 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, adequate services exist to serve the proposed single family dwelling. The project would be served by the Montecito Water District, connection to the public sewer line at Padaro Lane or, if it is not available, an existing, previously approved private drywell-type septic system, and the Carpinteria-Summerland Fire Protection District. Police services are also available to serve the development. Therefore, this finding can be made.

2.5.2 Findings required for Coastal Development Permit applications subject to Section 35-169.4.1. In compliance with Section 35-169.5.1 of the Article II 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 review authority shall first make all of the following findings, as applicable:

1. The development conforms:

(a) To the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan;

(b) 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).

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, conforms to the applicable policies of the Comprehensive Plan, including the Coastal land Use Plan and Summerland Community Plan and the

provisions of Article II Coastal Zoning Ordinance. Therefore, this finding can be made.

2. The development is located on a legally created lot.

The subject property was created by Lot Line Adjustment 07LLA-00000-00011, which was approved by the Zoning Administrator on February 27, 2008. Therefore, this finding can be made.

3. 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 zoning violations recorded against the subject parcel would be resolved by approval, issuance, and effectuation of 11CDH-00000-00006. With approval, issuance and effectuation of that permit, all applicable zoning violation enforcement fees and processing fees will be paid and the subject property and proposed project will be compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, parking, height and all other applicable provisions of the Article II Coastal Zoning Ordinance for the 1-E-1 zone district. Therefore, this finding can be made.

Conditions of approval require approval and issuance of 11CDH-00000-00006 prior to approval of any other permits on Parcel A. With approval and issuance of that permit, the subject property and proposed project are in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks, parking, height and all other applicable provisions of the Article II Coastal Zoning Ordinance for the 1-E-1 zone district. Therefore, this finding can be made.

2.5.3 **Findings required for Coastal Development Permit applications subject to Section 35-169.4.2. In compliance with Section 35-169.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.2 the review authority shall first make all of the following findings, as applicable:**

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

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, will not significantly obstruct public views from any public road or from a public recreation area to, and along the coast. Therefore, this finding can be made.

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

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, will be compatible with the established physical scale of the area. Therefore, this finding can be made.

3. The development will comply with the public access and recreation policies of

this Article and the Comprehensive Plan including the Coastal Land Use Plan.

As discussed in Sections 6.2 and 6.3 of the staff report dated November 15, 2013, and incorporated herein by reference, the development described in 11CDH-00000-00054, as conditioned, complies with the applicable public access and recreation policies of the of Article II Coastal Zoning Ordinance and the Comprehensive Plan, including the Coastal land Use Plan and Summerland Community Plan. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

Case No. 12TPM-00000-00006, TPM 14,791

1. **Proj Des-01 Project Description.** This Tentative Parcel Map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit "H", dated December 4, 2013, 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:

   Tentative Parcel Map 14,791 would subdivide the existing 10.25-acre parcel into two resultant parcels of 3.04 acres (Proposed Parcel A) and 7.21 acres (Proposed Parcel B) in size.

   A development exclusion area located primarily on proposed Parcel B would be placed to avoid impacts to cultural resources. Building envelopes on proposed Parcels A and B would contain all future structural development.

   Within the development exclusion area, no structural development or ground disturbance of any kind would occur with the exception of the following:

   - **Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.**
   - **Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.**
   - **A protective fence would be installed along the bluff top, with fenceposts placed entirely within the fill soil above the geogrid fabric layer.**
   - **The applicant could retain access to the beach via a small segment of unpaved roadway located in a narrow area between the lower and middle terraces, as shown on the Parcel Map. All other roadways must be located outside of the exclusion area.**

   Building envelopes on proposed Parcels A and B would contain all future structural development such as residential and accessory structures. These envelopes are outside of the riparian corridor and associated buffer (which is 100 ft from the 2006 canopy of the riparian corridor), ordinance-defined property line setbacks, and the slope stability and bluff retreat setbacks calculated for the proposed project.

   Development that could occur outside of the building envelopes would include non-structural development such as patios, hardscape, driveways and septic systems, provided that such items are located outside of the development exclusion area.

   Development within the riparian corridor and buffer would be limited to habitat restoration planting as approved in the Habitat Restoration Plan, and maintenance of project elements approved with 11CDH-00000-00006 such as the gabion wall and drainage features.

   The property would continue to be served by the Montecito Water District for domestic water and a private well near the Padaro Lane entrance for irrigation of landscaping and restoration plantings. Waste disposal would be provided by either a private EHS-approved drywell type of septic system or, if available, connection to public sewer lines at Padaro Lane. Fire protection would be provided by the Carpinteria-Summerland Fire Protection District. Access to proposed Parcel B would be taken from an existing driveway at the northeast corner of proposed Parcel B. Parcel A would also have frontage on Padaro Lane to allow access and utility connections to be taken directly from Padaro Lane. A drainage acceptance agreement is also proposed on Parcel B for the benefit of Parcel A.

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.

MITIGATION MEASURES FROM 13NGD-00000-00012:

3. **Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for all current and future projects on both resultant parcels. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous SBAR approvals under Case No. 12BAR-00000-00070. **TIMING:** The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4. **Aest-06 Building Materials.** For all current and future projects on both resultant parcels, natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and fences, except for residential development otherwise subject to review of the South Board of Architectural Review (SBAR). For residential structures, materials shall be in conformance with those approved by the SBAR. **PLAN REQUIREMENT:** Materials shall be denoted on building plans. **TIMING:** Structures shall be painted prior to Final Building Inspection Clearance. **MONITORING:** P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.

5. **Aest-10 Lighting.** For all current and future projects on both resultant parcels, the Owner/Applicant shall ensure any exterior night lighting proposed on either of the resulting parcels is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan for SBAR and P&D approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance. **MONITORING:** P&D and/or BAR shall review a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit or Coastal Development Permit for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

6. **Special Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing**: At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans. **Monitoring**: P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.

7. **Bio-12 Habitat Restoration.** The Owner/Applicant has submitted a draft Habitat Restoration Plan titled "Restoration As-Built Report and Addendum to Conceptual Habitat Restoration and Revegetation Plan" prepared by Hunt & Associates and dated May 25, 2012. The Owner/Applicant shall submit for P&D approval a final version of the Hunt & Associates Habitat Restoration Plan. The report shall include the following components:

a. Project landscaping in areas within Toro Canyon Creek shall be with, but not limited to, native riparian species such as coast live oak, western sycamore and numerous others as identified in the draft plan. Restoration plantings within and adjacent to the creek shall be planted as identified in the draft Plan.
b. Species shall be from locally obtained plants and seed stock.
c. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years.
d. When work occurs within 100 feet of the top of bank of Toro Canyon Creek, the creek area shall be fenced with orange construction fencing or similar to protect restoration plantings, staked a minimum of every six feet or as necessary to keep fencing from collapsing. Fencing shall be located as far away from the creek as possible but at least 25 feet from the top of bank unless such placement inhibits the work activity.
e. All plantings shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and/or gopher fencing as appropriate during the maintenance period. Fencing for plantings in resources areas shall be anchored in fill soils above a geofabric layer only.
f. Non-native species identified in the Hunt & Associates Plan, shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

PLAN REQUIREMENTS/ TIMING: The Final Plan shall be submitted to P&D for review and final approval prior to issuance of the first Coastal Development Permit (CDP) for any building or project element which requires a CDP. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three (3) years. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

8. **Bio-20 Equipment Storage-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated Building Envelope to contain spills, facilitate clean-up 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. The equipment storage area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

9. **Bio-20a Equipment Washout-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated Building Envelope 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. The equipment washout area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

10. **Special Condition CulRes-1: Analysis of Existing Collections.** The Applicant shall fund an archaeological study to complete the Phase 2 work begun by Compass Rose Archaeological, Inc. (Romani et al. 2008). Archaeological remains collected from intact site deposits by Applied EarthWorks, Inc. during an impact assessment (Lebow 2012) would be included in the Phase 2 completion study. Completing the Phase 2 work shall include:

- Sorting the remaining unsorted screen residues;
- Analysis of lithic debris (debitage, tools, and fire-altered rock);
- Identification of vertebrate faunal remains to the lowest possible taxa;
- Identification of invertebrate faunal remains to the lowest possible taxa
- Analyses of pigment and asphaltum; and
- Documentation of the results.

Using the materials recovered during the Compass Rose and Applied EarthWorks excavations, the Applicant shall also fund special studies typical of a Phase 3 investigation. Specifically, special Phase 3 studies shall include:

- Radiocarbon analysis sufficient to accurately delineate the chronology of site use;
- Identification of all shell beads and placement of the beads in the site chronology;
- Microscopic edge-wear analysis of all flaked stone tools;
- Archaeobotanical analysis of macrobotanical remains from flotation completed by Compass Rose;
- Geological sourcing and hydration rim measurement of obsidian specimens (if recovered); and

- Preparation of a Phase-3 level report. The report shall be synthetic by including both the Phase 2 and Phase 3 work. It shall provide a research design; present a site chronology; detail the results of the Phase 2 and Phase 3 technical analyses; and interpret the results. Interpretations shall consider the site in the context of data from a nearby site or sites. The report shall include an updated site form and shall be filed with the Central Coast Information Center at the University of California, Santa Barbara.

  The Applicant shall fund curation, in perpetuity, of the cultural materials collected from the site.

Plan Requirements: The Owner/Applicant shall submit a work plan and timeline to the County for review and approval. After completion of the work, the Owner/Applicant shall submit the required archaeological studies for P&D review and approval. **Timing:** The work plan shall be submitted to the County prior to issuance of Coastal Development Permit for 11CDH-00000-00006. P&D planning staff shall approve the work plan prior to issuance of the Coastal Development Permit. The final report shall be submitted to P&D and shall be consistent with the approved proposal and timeline. Prior to issuance of 11CDH-00000-00006, the Owner/Applicant shall post a performance security prior to issuance of the Coastal Development Permit in the amount necessary to complete the analysis and prepare the report. **Monitoring:** P&D planning staff shall review and approve a draft study report prior to submittal of final report. The Owner/Applicant shall submit to P&D compliance monitoring staff the final report consistent with the approved proposal and timeline. The performance security shall be released upon satisfactory completion of the final report.

11. **Special Condition CulRes-02: Structural Demolition & Retention of Foundations in Place.** In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

12. **Special Condition CulRes-03: Cap Significant Site Areas.** After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall

be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.

13. **Special Condition CulRes-04: Pre-Construction Workshop.** A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the archaeologist and Native American observer prior to commencing work. The workshop shall:

    a. Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
    b. Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
    c Provide examples of common artifacts to examine; and
    d. Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

    A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

14. **Special Condition CulRes-05: Cultural Resources Monitor.** For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new

monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.

15. **Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains.** In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.

16. **Special Condition CulRes-07: Compliance with plans.** For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant

shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

17. **Special Condition CulRes-08: Development Exclusion Area.** In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as "Development Exclusion Area". This sheet shall be recorded with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

18. **Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems and any other reports required by P&D. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. The Owner/Applicant shall submit the study for P&D review and approval. The Owner/Applicant shall also submit the study for Public Works review and approval when work would occur within a public right-of-way and/or require a road encroachment permit. Elements of the approved study shall be reflected on grading and building plans as required. **TIMING:** The Owner/Applicant shall submit the study prior approval of Coastal Development Permits. **MONITORING:** P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

19. **WatConv-03: Erosion and Sediment Control Revegetation.** For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. However, fill over the development exclusion area shall only be revegetated with shallow-rooted plants. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS:** Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within one week of work

stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

20. **WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

21. **Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING**: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

PROJECT SPECIFIC CONDITIONS

22. **Special Condition DevEnv-04 - Exclusion Area for Maps.** The Planning Commission has determined an exclusion envelope is necessary to identify areas onsite that are excluded from all uses and development. Exclusion envelopes shall be identified for those areas shown on Exhibit H, dated November 15, 2013 to avoid impacts to significant cultural resources. No development of any kind, including grading, stockpiling, access ways, development, vegetation removal, construction equipment operation or storage shall occur in the identified exclusion area(s) with the exception of the following activities:

    - Fill material shall be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
    - Shallow-rooted landscaping sahll be placed entirely within the fill on top of the geogrid fabric.
    - A protective fence may be installed along the bluff top, with fenceposts placed entirely within the fill soil above the geogrid fabric layer.
    - The applicant may retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces, as shown on the Parcel Map. All other paved or unpaved driveways and access routes must be located outside of the exclusion area.

    Plan Requirements: The exclusion area shall be recorded concurrently with and cross-referenced on the map. The exclusion area shall also be described by metes and bounds and shown on all plans submitted for Coastal Development Permits, Zoning Clearances, Grading Permits and Building Permits. **Timing:** This condition shall be recorded with the final map. **MONITORING:** During plan check of any permit on Parcel A or Parcel B, the P&D permit processing planner shall confirm that no development would occur within the development exclusion envelope with the exception of activities explicitly permitted by permit no. 11CDH-00000-00006.

23. **Special Condition DevEnv-01 Building Envelopes.** All structural development on both newly created lots shall be limited to the building envelopes designated on Exhibit H, dated December 4, 2013. The building envelopes identify the location of proposed structures, construction storage and staging while allowing other uses such as grading, stockpiling, utilities, paving, etc. to occur outside the building envelope, subject to applicable permits. **PLAN REQUIREMENTS:** The building envelopes shall be described by metes and bounds and with this condition shall be recorded with the final map on the deed. The building envelopes shall also be recorded with and cross-referenced on the map. Finally, the building envelopes shall be depicted on all plans submitted for Coastal Development Permits or Zoning Clearances, and Building Permits. **TIMING:** The building envelopes shall be staked in the field prior to approval of any Coastal Development Permit. **MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved building envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the building envelopes and that staking remains in place during construction.

24. **Can and Will Serve Letters.** Prior to map recordation, the owner/applicant shall obtain can and will serve letters from the Montecito Water District for both lots created by 12TPM-00000-00006.

25. **Public Sewer Connection. Public Sewer Connection.** Within six months of the time of availability of public sewer service from the Carpinteria Sanitary District on Padaro Lane at the property boundary of both resultant parcels, the applicant shall connect to District services and shall abandon the private septic system, subject to EHS permit requirements.

26. **Special Condition GRD-1 Location of Stockpile Areas.** All stockpiles shall be located within designated building envelopes. **TIMING**: Stockpile locations shall be graphically depicted on all land use and grading permits. **MONITORING:** P&D processing planner shall ensure stockpile locations are within building envelopes. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite.

TENTATIVE PARCEL MAP CONDITIONS

27. **Map-01 Maps-Info.** Prior to recordation of the map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.

28. **Map-01a Maps-Future Lots.** Any lot created by the recordation of this map is subject to the conditions of this map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this map, each set of plans accompanying any permit for development shall contain the conditions of this map.

29. **Map-04 TPM, TM, LLA Submittals**. Prior to recordation of the map, the Owner/Applicant shall submit a map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.

30. **Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.

31. **Map-09 Drainage Easement.** The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve a drainage easement over Lot B in favor of Lot A at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.

32. **Map-10 Public Utility Easements.** Prior to recordation, public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.

33. **Map-11 Electrical Utilities.** Electrical utilities shall be installed underground.

COUNTY RULES AND REGULATIONS

34. **Special Condition Rules-04 Additional Approvals Required**. Approval of this Tentative Parcel Map is subject to the Planning Commission approving permit no. 11CDH-00000-000016, which resolves an active zoning violation on the subject parcel.

35. **Rules-23 Processing Fees Required**. Prior to map recordation, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions and applicable law in effect when paid.

36. **DIMF-24e DIMF Fees-Parks (Quimby Fee)**. 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 $1,226.00 per lot. This is based on a project type of a single-family dwelling. **TIMING:** Parks DIMFs shall be paid to the County Parks Department prior to map recordation.

37. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
    a) Air Pollution Control District dated August 3, 2012
    b) Environmental Health Services Division dated March 28, 2013
    c) Carpinteria-Summerland Fire Protection District dated August 15, 2012
    d) Parks Department dated November 15, 2013

38. **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.

39. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. A separate Permit Compliance case shall be opened for monitoring of new construction on each lot and for utility/service improvements. To accomplish this, the Owner/Applicant shall:
    a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
    b) Pay fees prior to CDP approval for on-site utility improvements, grading and new construction, as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
    c) Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, conditions of approval, and mitigation measures from Negative Declaration 13NGD-00000-00012";
    d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities for on-site utility improvements and for new construction on each lot to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

40. **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. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

41. **Rules-36 Map/LLA Expiration.** This map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.

Santa Barbara County
Air Pollution Control District

RECEIVED
AUG 08 2012
S.B. COUNTY
PLANNING & DEVELOPMENT

August 3, 2012

Errin Briggs
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: APCD Comments on Beach Club Drive Family Trust Parcel Map, 12TPM-00000-00006

Dear Mr. Briggs:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of dividing the subject 10-acre parcel into a 3-acre parcel and a 7-acre parcel. Each proposed lot will have designated building envelopes. An existing single family dwelling and detached second residential unit would be removed by separate permit. A 1,250 square foot residence and a 7,649 square foot horse barn are proposed by separate permit. The subject property is zoned 3-E-1 and identified in the Assessor Parcel Map Book as APN 005-260-018. The property is located at 3282 Padaro Lane in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Dust and Odor Control Measures (**Attachment A**) are recommended during operations of the facility. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.

2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

3. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

4. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at www.sbcapcd.org/eng/dl/dl08.htm) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the APCD with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.sbcapcd.org/biz/asbestos.htm or contact APCD's Engineering and Compliance Division at (805) 961-8800.

5. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
   - Energy use (energy efficiency, low carbon fuels, renewable energy)
   - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
   - Water conservation (improved practices and equipment, landscaping)
   - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
   - Architectural features (green building practices, cool roofs)

6. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,

Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Ginger Andersen
Project File
TEA Chron File

Santa Barbara County
Air Pollution Control District

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

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

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: March 28, 2013

SUBJECT: Case No. : 12TPM-00000-00006, 11CDH-00000-00054, 11CDH-00000-000006 in the Summerland Area

Applicant: 3282 Beach Club Family Trust
c/o Tim Hoctor
3705 Telegraph Road
Ventura, CA. 93003

Assessor's Parcel No. 005-260-018, zoned 3-E-1, located at 2825 Padaro Lane.

12TPM-00000-00006 (TPM 14,791) represents a request to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) in size.

11CDH-00000-00054 is a request to construct a new single family residence of 5,126 square feet with a 500 sf basement and a 750 sf attached garage.

11CDH-00000-00006 is a request to abandon an existing water well and items not regulated by Environmental Health Services.

Domestic water supply is proposed to be provided by the Montecito Water District. Since the project represents an increase in demand on the public water supply, the Montecito Water District will need to review the project and agree in writing to serve the new lot.

Sewage disposal is proposed to be provided by a private onsite wastewater treatment system. The applicant has provided to Environmental Health Services a wastewater engineering study completed by Earth Systems and dated November 14, 2012 that indicates that an onsite wastewater treatment system could be constructed to serve the project.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Montecito Water District indicating that said district can and will provide domestic water service upon demand and without exception.

2. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.

3. Prior to Issuance of a Coastal Development Permit for the new single family residence, the applicant shall obtain an onsite wastewater treatment system permit from Environmental Health Services.

4. Prior to Issuance of a Coastal Development Permit for the abandonment of the water well, the applicant shall obtain a well destruction permit from Environmental Health Services.

Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Montecito Water District
Office of the County Surveyor
Phillip Oates, Planning & Development Building Div., Santa Barbara
Willie Brummett, Environmental Health Services

LU-5168

Erin B.

CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

August 15, 2012

RECEIVED
AUG 17 2012
S.B. COUNTY
PLANNING & DEVELOPMENT

Ms. Petra Leyva
Planning and Development
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

Re: Project 12TPM-00000-00006 / proposed subdivision
APN 005-260-018 / 2825 Padaro Lane

Subject: Letter of Conditions

Dear Petra Leyva:

The following items are necessary for fire protection:

1. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8.
   a. Proposed easement across parcel A from existing access at Padaro Lane appears to be sufficient.
   b. Driveway turning radius must accommodate a fire apparatus.

2. When access ways are gated, a Fire District approved key box shall be installed in an accessible location. Prior to installation, the Fire District shall approve the location and type. The gate must swing in the direction of entrance travel.

3. Public fire hydrants supplying the required fire flow within the required driving distance from any proposed structures shall be provided. Both the Fire District and the Montecito Water District shall approve the type of hydrant and the exact location. Site plan shall include the location of the nearest fire hydrant. If a new fire hydrant is required, the new fire hydrant(s) shall be installed and in-service prior to any construction.

4. Application for a new address shall be submitted to the Fire District after map recordation.

5. Visible street address numbers must be visible from the public street. Numbers must be posted at the driveway and on the building. Numbers shall be a minimum 4 inches high on a contrasting background.

6. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a service charge of $405.00 is assessed on plans reviews.

7. A review of our files at the Fire District reveals that an invoice charge related to the processing of Permit 07LLA-00000-00011, the splitting of APN 005-260-009 filed in 2008, has not been paid. The service fee of Three Hundred Eighty ($380.00) is due and payable to the Fire District. (a copy of clearance letter and invoice attached).

8. 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.

If you need additional information on Fire District conditions, please contact me at 566-2451.

Sincerely,

Ed Foster

Ed Foster
Fire Marshal
Fire Prevention Bureau

Encl: Invoice #2012-0111
~~Fire District Letter dated 3/28/2008~~
~~Invoice #08-0140~~

Cc: Ginger Anderson,
Penfield & Smith

Herman D. Parker
Community Services Director
(805) 568-2467

Kerry Bierman
Chief Financial Officer
(805) 568-3408

Paddy Langlands
Deputy Director
Parks Division
(805) 568-2461

Dinah Lockhart
Deputy Director
Housing and Community
Development Division
(805) 568-3520

Ginny Brush
Executive Director
Arts Commission
(805) 568-3990

☐ Community Services
Administration
105 E Anapamu Street, 4th Floor
Santa Barbara, CA 93101
Tel: (805) 568-2467
Fax: (805) 568-3414

☐ Park Administration
610 Mission Canyon Road
Santa Barbara, CA 93105
Tel: (805) 568-2461
Fax: (805) 568-2459

☐ Housing and Community
Development Administration
105 E Anapamu Street, Room 105
Santa Barbara, CA 93101
Tel: (805) 568-3520
Fax: (805) 568-2289

☐ Arts Commission
Administration
1100 Anacapa Street
3rd Floor Rotunda Tower
Santa Barbara, CA 93101
Tel: (805) 568-3990
Fax: (805) 568-3991

Connecting People to Opportunities

November 15, 2013

TO: Joyce Gerber, Planner
Planning & Development

FROM: Claude Garciacelay, Park Planner

RE: **12TPM-0026 / TPM 14,791**
APN 005-260-009

County Parks recommends the following condition(s) to the approval of the above referenced project:

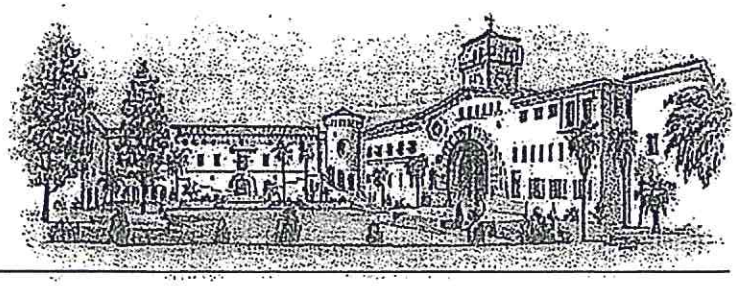
1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area. A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Based on the current fee schedule, the total fee for the proposed project would be $1,226 ($1,226 x 1 new lot(s)/dwelling unit(s)). Fees are due prior to recordation of final map. The actual fee shall be based on the fee schedule in effect when payment is made and, fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105; or in the North County (by appointment) at Waller Park, 300 Goodwin Road, Santa Maria, CA 93455.

C: County Surveyor
Agent

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



November 5, 2013

TO: Joyce Gerber, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (1 page)**
Beach Club Drive Family Trust Parcel Map
12TPM-00000-00006; TPM 14,971
11CDH-00000-00006, 11CDH-00000-00054
APN: 005-260-018/ Carpinteria

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Carpinteria Planning Area of the County.

   Based on the current fee schedule, the total estimated fee for the proposed project is $2,047 (1 new developable residential lots x $2,047/lot). The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

   Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

William T. Robertson — 11/05/2013

William T. Robertson — Date

cc: 12TPM-00000-00006, TPM 14,971
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
G:\Transportation\Traffic\Transportation Planning\Development Review\Carpinteria\Beach Club Drive Family Trust Parcel Map 12TPM-Cond.doc

ATTACHMENT C

COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 11CDH-00000-00006

Project Name: Beach Club Gabion Wall and Grading

Project Address: 2825 Padaro Lane

Assessor's Parcel No.: 005-260-018

Applicant Name: Beach Club Family Trust

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

Associated Case Number(s): 12TPM-00000-00006, 11CDH-00000-00054

Project Description Summary: The request is for (1) as-built grading, (2) modifications to the biological resources restoration plan titled "Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3) removal of the single family dwelling, (4) removal of the accessory structure, (5) removal of a retaining wall, (6) removal of the play structure, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence.

Project Specific Conditions: See Attachment A.

Permit Compliance Case: x Yes ____No

Permit Compliance Case No.: _____

Appeals: The approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, or the Clerk of the Board of Supervisors at 105 Anacapa Street, Santa Barbara, 93101, by 5:00 p.m. on or before December 16, 2013.

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

Terms of Permit Issuance:

1. **Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
2. **Date of Permit Issuance.** This Permit shall be deemed effective and issued on December 16, 2013 above, provided an appeal of this approval has not been filed.
3. **Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

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

Owner/Applicant Acknowledgement: Undersigned permittee acknowledges receipt of this pending approval and agrees to abide by all terms and conditions thereof.

_____/_____

Print Name Signature Date

Date of Planning Commission Approval: _____

Planning and Development Departm ent Issuance by:

_____/_____

Print Name Signature Date

ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

1.P roj Des-01 Project Description. This Coastal Development Permit with Hearing is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit "I-J", dated December 4, 2013, 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 consists of (1) as-built grading, (2) modifications to the biological resources restoration plan titled *"Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California"* dated April 9, 2009 (Plan) that was previously approved under Case no. 08CDH-00000-00014, (3-6) demolition of existing structures, (7) abandonment of an existing well, (8) grading for sensitive resource capping, and (9) installation of a split-rail safety fence, as follows:

(1) ***Permit grading that was performed without benefit of permit.*** The requested permit would allow total grading of approximately 341 cubic yards of cut and 3,390 cubic yards of fill, consisting of 66 cubic yards of cut to widen the existing driveway, 275 cubic yards of cut to improve onsite access and 3,390 cubic yards of fill placed in the area of the previously permitted watchman's trailer. In addition, construction of the gabion wall required approximately 8 cy of cut and fill. This grading was conducted without permits and was not a part of the approved or proposed habitat restoration activities.

(2) ***Requested changes to the originally approved restoration plan.*** The request includes changes to the *Habitat Restoration and Revegetation Plan for 2825 Padaro Lane (APN 005-260-009), Summerland, Santa Barbara County, California" dated April 9, 2009* (Plan) that was previously approved under Case no. 08CDH-00000-00014. The intent of the originally approved Plan was to restore Toro Canyon Creek and the creek buffer area within the subject parcel by restoring canopy coverage and native understory consistent with direction given by the California Coastal Commission. Changes to the approved Plan are requested in order to more effectively accommodate on-the-ground conditions that were encountered during Plan implementation. Specific components of the revised Plan are detailed in the proposed Plan Addendum by Hunt & Associates (on file with P&D and available for review) and would consist of the following:

a. ***Gabion wall.*** The originally approved Plan required removal of non-native vegetation and planting of native vegetation within the riparian corridor. The proposed changes would modify the plan to legalize construction of a gabion retaining wall along a slope that separates the stream terrace from the site's "upper landform". This slope was originally sparsely vegetated with non-native, invasive species and would not otherwise be stable enough to accept plantings because it was formed of loose non-compacted material, construction debris and trash introduced to the site prior to current ownership. The nearly vertical slope would be stabilized with an approximately 80 ft long, 13 foot high series of stepped, rock-filled cage gabions that would form a retaining wall between the stream terrace level and the upper landform. Soil would be added to the rock-filled cage gabions to further anchor and stabilize the wall and support plantings. The purpose of the

wall is to allow implementation of the restoration plan, prevent the steep, unstable slope from eroding into the terrace and lagoon area, and to protect sensitive resources located at the top of, and immediately behind, the slope. The gabion design would allow the restoration plantings to root into the retaining wall and result in a more natural solution as compared to a standard concrete retaining wall. A new split-rail safety fence would be installed along the top row of the gabion wall (fence posts would be installed completely in fill soil). Completion of the gabion wall to meet existing grade would require an additional approximately 8 cubic yards of balanced cut and fill. After completion of the wall, it would be wrapped with and covered in an approximately 8 inch thick cap of soil, and native vegetation would be planted as part of the habitat restoration.

b. ***Retention of drainage/bioswale and access path to stream terrace.*** The approved Plan called for abandonment, stabilization and re-vegetation (with native plants) of the lower (southern) road to the stream terrace, to achieve a bioswale function. The proposed project would revise the Plan to narrow the road to a walking path to retain private pedestrian access for the purpose of ongoing habitat maintenance of the lower stream terrace while disallowing vehicular access. Drainage would be directed to an existing rock-lined drainage swale along the south side of the access path that would be filled with fill soil and planted with appropriate riparian plants. Boulders would continue from the western terminus of the drainage swale for approximately 25 ft. Removal of existing non-native plants and re-vegetation with native plants would continue to occur per the Plan in order to narrow the access path and control erosion.

c. ***Boulders for slope stabilization.*** The approved Plan permitted the use of mechanical erosion control measures (e.g., boulder rip-rap) which are to be implemented in consultation with a consulting engineer during non-native plant control and revegetation (p. 28, Section 6.4.3). In accordance with this approval, the proposed project would include placement of 6-inch to 24-inch diameter rocks for slope stabilization, with grading for placement of boulders and tree wells along the western slope of the stream terrace as shown on sheet 3 of the engineering plan set for 11CDH-00000-00006. This work would occur along the streambank and within the 100 ft riparian setback area.

d. ***Stream terrace plantings.*** The approved Plan called for planting up to four species of native grasses on the northern and southern stream terraces. Currently, three species already occur there. The proposed project would revise the Plan to remove some of the existing additional plantings of *Carex pragracilis* and intersperse the existing plantings with the three other species that occur in the area to give the restoration more species diversity. All grasses would be allowed to grow and remain in their natural forms (i.e. unmowed).

e. ***Seeding methods.*** Tables 5 and 6 of the approved Plan call for hydroseeding of the terraces and coastal bluff with appropriate seed mixes The proposed project would allow seed mixes to be hand-applied and raked into the soil, which would result in less damage to in-place container plants and avoid the necessity of

spraying water on areas prone to erosion. Section 6.4.2 of the approved Plan (see Table 7) also calls for hydroseeding of specific species at the mouth of Toro Canyon Creek. Because two of these species are already present at this location, the proposed project would instead remove non-native vegetation in this dune habitat area, allowing the existing natives to proliferate; and additional appropriate native species would be installed as container plants. These changes would be implemented as illustrated in the proposed Plan Addendum.

f. ***Planting area, planting density and species richness.*** The proposed project would permit deviations from the approved Plan which are intended to result in a more diverse assemblage and larger area of food plant species to be planted with the intent of supporting larval and adult monarch butterflies in onsite coastal bluff scrub and riparian scrub. Proposed changes are as follows:

- 8% decrease in coast live oak-sycamore riparian woodland area,
- 129% increase in southern coastal bluff scrub area,
- 567 % increase in freshwater marsh area,
- 33% increase in southern foredune (coastal strand) area,
- 61 additional native species and 4,555 additional plants planted in habitat restoration area, and
- Increase in size of restoration area from 3.18 acres to 3.42 acres.

g. ***Convert existing lawn*** to the east of the existing power pole by covering it with geofabric and fill soil, and re-planting with native species. Plantings would be placed in fill soils. 12-inch tall tree wells would be constructed above the geofabric around existing trees at the edge of the lawn area to protect from erosion.

All other aspects of the Plan would be implemented as originally approved. Equipment used for construction of the gabion wall would consist of a small excavator, shovels and cage gabions. Cages would be filled with rock currently stored on-site outside of the ESH. All mechanized work would be conducted from the existing access road at the top of the east-facing slope; workers at the bottom of the slope would rake fugitive soil back into the project area. Irrigation for the restoration areas and landscaping would be provided by the remaining onsite well located at the northeast corner of the property near the existing entry gate.

(3) **Demolition** of an approximately 1,350 square foot single family dwelling and removal of the attached 1,079 square foot deck (deck supports to be cut off at grade and slab foundation to remain in place).

(4) **Demolition and removal of** the existing 1,118 square foot detached residential second unit (DRSU) and accessory structure (slab foundation to remain in place).

(5) **Remove existing 2-4' retaining wall** located within the 100 ft riparian corridor setback, and re-plant northern path to stream terrace maintaining only a pedestrian path for purposes of habitat restoration and maintenance.

(6) **Removal of an existing play structure** from within the 100 ft setback from edge of canopy/riparian.

(7) **Removal of an existing water well** and associated vault located in the creek terrace level and within the 100 ft riparian corridor setback in the eastern portion of the property.

(8) **Resource Capping.** The slab foundations associated with the residence and DRSU would be left in place and all existing utility lines would be abandoned in place. The areas around the slabs, extending down to the proposed split rail fence would be capped with fill soils totaling approximately 2,400 cubic yards on Proposed Parcel B and approximately 415 cubic yards on Proposed Parcel A ranging from 12 to 18 inches deep. The fill soils would be non-reactive, "clean", certified fill soil and placed over a geofabric layer. All landscaping and other ground disturbance within the sensitive area would occur in fill soils only.

(9) Construction of a new, approximately 250-linear foot split-rail safety fence along the edge of bluff and western top of bank of Toro Canyon Creek (Proposed Parcel B of 12TPM-00000-00006.

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.P **roj 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.

MITIGATION MEASURES FROM 13NGD-00000-00012:

3.S **pecial Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of

a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing:** At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans. **Monitoring:** P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.

4.Bio-12 Habitat Restoration. The Owner/Applicant has submitted a draft Habitat Restoration Plan titled "Restoration As-Built Report and Addendum to Conceptual Habitat Restoration and Revegetation Plan" prepared by Hunt & Associates and dated May 25, 2012. The Owner/Applicant shall submit for P&D approval a final version of the Hunt & Associates Habitat Restoration Plan. The report shall include the following components:

1. Project landscaping in areas within Toro Canyon Creek shall be with, but not limited to, native riparian species such as coast live oak, western sycamore and numerous others as identified in the draft plan. Restoration plantings within and adjacent to the creek shall be planted as identified in the draft Plan.
2. Species shall be from locally obtained plants and seed stock.
3. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years.
4. When work occurs within 100 feet of the top of bank of Toro Canyon Creek, the creek area shall be fenced with orange construction fencing or similar to protect restoration plantings, staked a minimum of every six feet or as necessary to keep fencing from collapsing. Fencing shall be located as far away from the creek as possible but at least 25 feet from the top of bank unless such placement inhibits the work activity.
5. All plantings shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and/or gopher fencing as appropriate during the maintenance period. Fencing for plantings in resources areas shall be anchored in fill soils above a geofabric layer only.
6. Non-native species identified in the Hunt & Associates Plan, shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

PLAN REQUIREMENTS/ TIMING: The Final Plan shall be submitted to P&D for review and final approval prior to issuance of the first Coastal Development Permit (CDP) for any building or project element that requires a CDP. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three (3) years. **MONITORING:** The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance and maintained throughout the maintenance period. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

5.Bio-20 Equipment Storage-Construction. For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated Building Envelope to contain spills, facilitate clean-up 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. The equipment storage area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

6.Bio-20 **a Equipment Washout-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated Building Envelope 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. The equipment washout area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

7.Sp **ecial Condition CulRes-1: Analysis of Existing Collections.** The Applicant shall fund an archaeological study to complete the Phase 2 work begun by Compass Rose Archaeological, Inc. (Romani et al. 2008). Archaeological remains collected from intact site deposits by Applied EarthWorks, Inc. during an impact assessment (Lebow 2012) would be included in the Phase 2 completion study. Completing the Phase 2 work shall include:

- Sorting the remaining unsorted screen residues;
- Analysis of lithic debris (debitage, tools, and fire-altered rock);
- Identification of vertebrate faunal remains to the lowest possible taxa;
- Identification of invertebrate faunal remains to the lowest possible taxa
- Analyses of pigment and asphaltum; and
- Documentation of the results.

Using the materials recovered during the Compass Rose and Applied EarthWorks excavations, the Applicant shall also fund special studies typical of a Phase 3 investigation. Specifically, special Phase 3 studies shall include:

- Radiocarbon analysis sufficient to accurately delineate the chronology of site use;
- Identification of all shell beads and placement of the beads in the site chronology;
- Microscopic edge-wear analysis of all flaked stone tools;

- Archaeobotanical analysis of macrobotanical remains from flotation completed by Compass Rose;
- Geological sourcing and hydration rim measurement of obsidian specimens (if recovered); and
- Preparation of a Phase-3 level report. The report shall be synthetic by including both the Phase 2 and Phase 3 work. It shall provide a research design; present a site chronology; detail the results of the Phase 2 and Phase 3 technical analyses; and interpret the results. Interpretations shall consider the site in the context of data from a nearby site or sites. The report shall include an updated site form and shall be filed with the Central Coast Information Center at the University of California, Santa Barbara.

The Applicant shall fund curation, in perpetuity, of the cultural materials collected from the site.

Plan Requirements: The Owner/Applicant shall submit a work plan and timeline to the County for review and approval. After completion of the work, the Owner/Applicant shall submit the required archaeological studies for P&D review and approval. **Timing:** The work plan shall be submitted to the County prior to issuance of Coastal Development Permit for 11CDH-00000-00006. P&D planning staff shall approve the work plan prior to issuance of the Coastal Development Permit. The final report shall be submitted to P&D and shall be consistent with the approved proposal and timeline. Prior to issuance of 11CDH-00000-00006, the Owner/Applicant shall post a performance security prior to issuance of the Coastal Development Permit in the amount necessary to complete the analysis and prepare the report. **Monitoring:** P&D planning staff shall review and approve a draft study report prior to submittal of final report. The Owner/Applicant shall submit to P&D compliance monitoring staff the final report consistent with the approved proposal and timeline. The performance security shall be released upon satisfactory completion of the final report.

8.Sp ecial Condition CulRes-02: Structural Demolition & Retention of Foundations in Place. In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map

recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

9.Sp ecial Condition CulRes-03: Cap Significant Site Areas. After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.

10. **Special Condition CulRes-04: Pre-Construction Workshop.** A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the archaeologist and Native American observer prior to commencing work. The workshop shall:

    a. Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
    b. Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
    c Provide examples of common artifacts to examine; and

d. Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

11. **Special Condition CulRes-05: Cultural Resources Monitor.** For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.

12. **Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains.** In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot

check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.

13. **Special Condition CulRes-07: Compliance with plans.** For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

14. **Special Condition CulRes-08: Development Exclusion Area.** In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as "Development Exclusion Area". This sheet shall be recorded

with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

15. **Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems. **PLAN REQUIREMENTS:** For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. The Owner/Applicant shall submit the study for P&D and Public Works review and approval. Elements of the approved study shall be reflected on grading and building plans as required..**TIMING:** The Owner/Applicant shall submit the study prior approval of Coastal Development Permits. **MONITORING:** P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

16. **WatConv-03: Erosion and Sediment Control Revegetation**. For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS**: Include this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

17. **WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

18. **Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING**: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

COASTAL DEVELOPMENT PERMIT CONDITIONS

19. **Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **PLAN REQUIREMENTS:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round. **MONITORING:** P&D staff shall perform site inspections throughout the construction phase.

20. **Special Condition GRD-1 Location of Stockpile Areas.** All stockpiles shall be located within designated building envelopes. **TIMING:** Stockpile locations shall be graphically depicted on all land use and grading permits. **MONITORING:** P&D processing planner shall ensure stockpile locations are within building envelopes. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite.

21. **Bio-08 Fish and Wildlife.** No alteration to stream channels or banks shall be permitted (no Coastal Development Permit shall be issued) until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Wildlife and/or federal agencies for any planned alteration to stream channels or banks in accordance with the provisions and requirements of this permit.

22. **Bio-22 Fish and Wildlife Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the "County of Santa Barbara" within 10 days of project approval as required by California Fish and Wildlife Code Section 711.4 for that Department's review of the Mitigated Negative Declaration associated with the project.

23. **Special Condition BIO-1 Removal of Rocks in Stream Corridor.** Prior to issuance of 11CDH-00000-00006, rocks lining the western creek corridor at the bottom of the bioswale shall be removed.

COUNTY RULES AND REGULATIONS

24. **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].

25. **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.

26. **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 County 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.

27. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.

28. **Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County resolutions and ordinances and applicable law in effect when paid.

29. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
    a) Air Pollution Control District dated March 1, 2011
    b) Environmental Health Services Division dated March 28, 2013

30. **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.

31. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. A separate Permit Compliance case shall be

opened for monitoring of new construction on each lot and for utility/service improvements. To accomplish this, the Owner/Applicant shall:

a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
b) Pay fees prior to CDP approval for on-site utility improvements, grading and new construction, as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
c) Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, conditions of approval, and mitigation measures from Negative Declaration 13NGD-00000-00012";
d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities for on-site utility improvements and for new construction on each lot to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

32. **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. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

Santa Barbara County
Air Pollution Control District

Our Vision Clean Air

March 1, 2011

Joyce Gerber
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: APCD Comments on Beach Club Family Trust As-Built Retaining Wall, 11CDH-00000-00006

Dear Ms. Gerber:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of permitting an as-built gabion retaining wall and associated site grading. The wall is approximately fifty feet long and twelve feet high and the associated as-built grading was approximately 1,840 cubic yards of cut and 4,560 cubic yards of fill. Also proposed, one foot of height is proposed to be added to the top of the wall. A second retaining wall of 165 linear feet, ranging from three feet to six feet is proposed, requiring approximately 109 cubic yards of additional fill. The subject property, a 10.2-acre parcel zoned 3-E-1 and identified in the Assessor Parcel Map Book as APN 005-260-018, is located at 2825 Padaro Lane in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.

2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*, became effective on July 21, 2010 and establishes new limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.

3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

RECEIVED
MAR 02 2011
S.B.COUNTY (NORTH)
PLANNING & DEVELOPMENT

Terence E. Dressler • Air Pollution Control Officer
260 North San Antonio Road, Suite A • Santa Barbara, CA 93110 • www.sbcapcd.org • 805.961.8800 • 805.961.8801 (fax)

Sincerely,

Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Mark Wryan
Project File
TEA Chron File

Santa Barbara County
Air Pollution Control District

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

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

  Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

  MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from In-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: March 28, 2013

SUBJECT: Case No. : 12TPM-00000-00006, 11CDH-00000-00054, 11CDH-00000-000006 in the Summerland Area

Applicant: 3282 Beach Club Family Trust
c/o Tim Hoctor
3705 Telegraph Road
Ventura, CA. 93003

Assessor's Parcel No. 005-260-018, zoned 3-E-1, located at 2825 Padaro Lane.

12TPM-00000-00006 (TPM 14,791) represents a request to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) in size.

11CDH-00000-00054 is a request to construct a new single family residence of 5,126 square feet with a 500 sf basement and a 750 sf attached garage.

11CDH-00000-00006 is a request to abandon an existing water well and items not regulated by Environmental Health Services.

Domestic water supply is proposed to be provided by the Montecito Water District. Since the project represents an increase in demand on the public water supply, the Montecito Water District will need to review the project and agree in writing to serve the new lot.

Sewage disposal is proposed to be provided by a private onsite wastewater treatment system. The applicant has provided to Environmental Health Services a wastewater engineering study completed by Earth Systems and dated November 14, 2012 that indicates that an onsite wastewater treatment system could be constructed to serve the project.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Montecito Water District indicating that said district can and will provide domestic water service upon demand and without exception.

2. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.

3. Prior to Issuance of a Coastal Development Permit for the new single family residence, the applicant shall obtain an onsite wastewater treatment system permit from Environmental Health Services.

4. Prior to Issuance of a Coastal Development Permit for the abandonment of the water well, the applicant shall obtain a well destruction permit from Environmental Health Services.

Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Montecito Water District
Office of the County Surveyor
Phillip Oates, Planning & Development Building Div., Santa Barbara
Willie Brummett, Environmental Health Services

LU-5168

COUNTY OF SANTA BARBARA

Planning and Development

COASTAL DEVELOPMENT PERMIT

Case No.: 11CDH-00000-00054

Project Name: Beach Club Single Family Dwelling

Project Address: 2825 Padaro Lane

Assessor's Parcel No.: 005-260-018

Applicant Name: Beach Club Family Trust

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

Associated Case Number(s): 12TPM-00000-00006, 11CDH-00000-00006

Project Description Summary: Construction of a new single family residence of 5,576 square feet with a 500 square foot basement and a 750 square foot attached garage. The average height of the residence would be less than 16 feet. Project also includes Construction of approximately 500 linear feet of courtyard retaining walls, between 1 and 4 feet in height, landscaping, a split rail fence, storm drain, and removal and relocation of trees.

Project Specific Conditions: See Attachment A.

Permit Compliance Case: x Yes ____No

Permit Compliance Case No.: _____

Appeals: T he approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant or an aggrieved person. The written appeal and accompanying fee must be filed with the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, or the Clerk of the Board of Supervisors at 105 Anacapa Street, Santa Barbara, 93101, by 5:00 p.m. on or before December 16, 2013.

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

Terms of Permit Issuance:

1. **Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
2. **Date of Permit Issuance.** This Permit shall be deemed effective and issued on December 16, 2013 above, provided an appeal of this approval has not been filed.
3. **Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

NOTE: Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to

be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

Owner/Applicant Acknowledgement: Undersigned permittee acknowledges receipt of this pending approval and agrees to abide by all terms and conditions thereof.

_____/_____

Print Name Signature Date

Date of Planning Commission Approval: _____

Planning and Development Department Issuance by:

_____/_____

Print Name Signature Date

ATTACHMENT A: PROJECT SPECIFIC CONDITIONS

1. **Proj Des-01 Project Description.** This Coastal Development Permit with Hearing is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit "K", dated December 4, 2013, 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:

   This Coastal Development Permit with hearing is a request to allow a single family dwelling and grading, as follows:

   (1) **Construction of a new single family residence of 5,576 square feet with a 500 square foot basement and a 750 square foot attached garage. The average height of the residence would be less than 16 feet (Proposed Parcel A of 12TPM-00000-00006);**

   (2) **Construction of approximately 500 linear feet of courtyard retaining walls, between 1 and 4 feet in height, associated with the residence (Proposed Parcel A of 12TPM-00000-00006);**

   (3) **Landscaping associated with the SFD: proposed landscaping would be selected to discourage foot traffic along the bluff edge. Plants are proposed to be low water, low root-spread varieties. Planting within the resource boundary would be installed above the proposed geofabric layer only to avoid disturbance to resources. A new split-rail fence would also be added along the bluff; within the resource boundary, footings would be located entirely in fill soil (proposed Parcels A and B of 12TPM-00000-00006).**

   (4) **Installation of approximately 90 feet of existing, underground 24-inch storm drain to connect to an existing drain well located on the east side of the property. (Proposed Parcels A & B of 12TPM-00000-00006);**

   (5) **Tree removal and relocation. Two existing eucalyptus trees at the western property line of proposed Parcel A would be removed and an existing fig tree would be boxed and relocated onsite to facilitate construction of the residence. Removal of these trees would be mitigated through completion of the restoration plan which calls for planting of 75 additional trees beyond the 131 planted thus far during restoration.**

   The total amount of grading for the single family dwelling site would be approximately 1,030 cubic yards of cut and 3,055 cubic yards of fill with 2,025 cubic yards of import. The property would continue to be served by the Montecito Water District (for domestic water), private septic systems (or, if available, connection to a public sewer line at Padaro Road) and the Carpinteria-Summerland Fire Protection District. Water for landscaping would be provided by an onsite well on proposed Parcel B and a shared water system agreement to benefit proposed Parcel A. . Access would be taken via a private drive from Padaro Lane

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.

MITIGATION MEASURES FROM 13NGD-00000-00012:

3. Aest-04 BAR Required. The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for all current and future projects on both resultant parcels. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous SBAR approvals under Case No. 12BAR-00000-00070. TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of the Coastal Development Permit. Grading plans, if required, shall be submitted to P&D concurrent with or prior to BAR plan filing. MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

4. **Aest-06 Building Materials.** For all current and future projects on both resultant parcels, natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and fences, except for residential development otherwise subject to review of the South Board of Architectural Review (SBAR). For residential structures, materials shall be in conformance with those approved by the SBAR. **PLAN REQUIREMENT:** Materials shall be denoted on building plans. **TIMING:** Structures shall be painted prior to Final Building Inspection Clearance. **MONITORING:** P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.

5. **Aest-10 Lighting.** For all current and future projects on both resultant parcels, the Owner/Applicant shall ensure any exterior night lighting proposed on either of the resulting parcels is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **PLAN REQUIREMENTS:** The Owner/Applicant shall develop a Lighting Plan for SBAR and P&D approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture. **TIMING:**

Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance. **MONITORING:** P&D and/or BAR shall review a Lighting Plan for compliance with this measure prior to approval of a Land Use Permit or Coastal Development Permit for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

6. **Special Condition Bio-01: Nesting Birds.** The applicant shall retain and pay for a P&D approved biologist to inspect and monitor the project site for bird and raptor nesting activity prior to construction on either Parcel. If construction is to take place during the nesting season (March to September), a P&D approved biologist shall conduct a pre-construction bird and raptor nesting inspection not more than one week prior to the proposed beginning of construction activity. If birds or raptors are determined to be nesting on or within the vicinity of the project site, no construction activities, including, but not limited to grading or heavy equipment operation, shall take place within 500 feet of the raptor nest or within 300 feet (or the property line, whichever is closer) of a bird nest. Certain construction activities may be allowed on a case-by-case basis as reviewed and approved by P&D. **Plan Requirements and Timing**: At a minimum of two days prior to the proposed beginning of construction activity, the results of the survey shall be reviewed and approved by P&D. This condition shall be printed on all final construction, grading, and building plans. **Monitoring**: P&D staff shall perform site inspections throughout the construction phase and receive the report from the P&D approved biologist.

7. **Bio-20 Equipment Storage-Construction.** For all current and future projects on both resultant parcels, the Owner/Applicant shall designate one or more construction equipment filling and storage areas within the designated Building Envelope to contain spills, facilitate clean-up 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. The equipment storage area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development, Building & Grading Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

8. **Bio-20a Equipment Washout-Construction**. For all current and future projects on both resultant parcels, the Owner/Applicant shall identify within the designated Building Envelope 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. The equipment washout area may be located outside the designated Building Envelope with approval from P&D. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permits. **TIMING:** The Owner/Applicant shall install the area prior to commencement of construction. **MONITORING:** P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

9. **Special Condition CulRes-02: Structural Demolition & Retention of Foundations in Place.** In order to avoid disturbing the surrounding deposit, all structural foundations shall remain in place. All machinery used for structural demolition shall remain on the existing gravel road. Demolition shall be accomplished using an excavator with a thumb to remove pieces of the structure and put them directly into a haul away truck also parked on gravel road. Demolition may also be accomplished by use of hand tools. In the event that any portion of the existing residence cannot be reached by equipment parked on the road, the fill required in Special Condition CulRes-3 shall be spread in front of the excavator and, when geofabric and fill are in place per that condition, the excavator may park on it to reach those portions of the house than cannot be reached from the road. Debris shall not be piled on the ground but shall instead be placed directly into a haul-away vehicle. All structural foundations shall be left in place. The work shall proceed according to a demolition plan prepared by a qualified archaeologist and approved by P&D. The demolition plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to structural demolition shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit the Owner/Applicant shall submit to P&D for review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work (demolition plan), and once approved, shall execute the contract. The work shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check field work.

10. **Special Condition CulRes-03: Cap Significant Site Areas.** After demolition of the house and accessory structure, a layer of geotextile fabric and at least 18 inches of chemically inert fill shall be placed over the significant portions of the archaeological site identified in Lebow (2012, p. 54, Figure 4-2) and as shown on the grading plans associated with 11CDH-00000-00054 and 11CDH-00000-00006. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. The work shall proceed according to a capping plan prepared with the assistance of a qualified archaeologist and approved by P&D. The capping plan shall include both text and a large-scale figure suitable for guiding work in the field. All work related to capping shall be guided by the archaeologist and monitored by an archaeologist and a Native American observer. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. The Owner/Applicant shall print this condition on all grading and building plans. Prior to issuance of the Coastal Development Permit for 11CDH-00000-00006, the Owner/Applicant shall submit to P&D for review and approval a contract or Letter of Commitment between the Owner/Applicant and a County-approved archaeologist consisting of a project description (fill plan) and scope of work and once approved by P&D, shall execute the contract. The fill plan shall be implemented after issuance of 11CDH-00000-00006 but prior to map recordation for 12TPM-00000-00006 and prior to issuance of 11CDH-00000-00054. Implementation of the fill plan shall be supervised by an archaeologist and monitored by a Native American observer. **Monitoring:**

The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the archaeologist and Native American monitor prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm that placement of fill conforms to the approved fill plan, and P&D grading inspectors shall spot check field work.

11. **Special Condition CulRes-04: Pre-Construction Workshop.** A pre-construction workshop shall be conducted to inform construction personnel about the archaeological issues on site. Prior to any and all ground disturbing activities, including but not limited to structural demolition and placement of geofabric and fill, a short pre-construction workshop shall be conducted by a qualified archaeologist and a local Native American (Chumash) observer. Attendees shall include all construction supervisors, other personnel and equipment operators. New operators or supervisors shall receive the briefing by the archaeologist and Native American observer prior to commencing work. The workshop shall:

    a) Inform all workers of the cultural resource related conditions on the project, provide copies of conditions, and ensure that are understood.
    b) Review the types of archaeological artifacts that may be found during construction and on the ground surface in the vicinity of the proposed project;
    c) Provide examples of common artifacts to examine; and
    d) Discuss prohibited activities, including unauthorized collection of artifacts and associated penalties.

    A sign-in sheet shall be provided to document dates and names of persons attending. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all grading and building plans. **Monitoring:** P&D compliance monitoring staff shall confirm attendance. The Owner/Applicant shall include attendance sheets in the final monitoring report.

12. **Special Condition CulRes-05: Cultural Resources Monitor.** For all current and future projects on both resultant parcels, the Owner/Applicant shall have all earth disturbances including scarification and placement of fill monitored by a P&D qualified archaeologist and a Native American observer in compliance with the provisions of the County Cultural Resource Guidelines. The Native American observer shall maintain a daily field log and share this information with interested Chumash individuals and tribal members on a weekly basis. In the event that human remains are discovered on site, and the Most Likely Descendent (MLD) appointed by the Native American Heritage Commission is the acting monitor, then a new monitor shall be retained so that the monitor is not the same individual as the MLD. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be shown on all building and grading plans. Prior to issuance of any Coastal Development Permit, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist consisting of a project description and scope of work, and once approved, shall execute the contract. Prior to final building clearance issuance, a monitoring report shall be submitted to P&D. The report shall be written by the monitoring archaeologist and shall include the Native American observer's field log. The report shall also be submitted to the Central Coast Information Center at the University of California, Santa Barbara (CCIC). **Monitoring:** The Owner/Applicant shall provide P&D

compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American observer and P&D grading inspectors shall spot check fieldwork.

13. **Special Condition CulRes-06: Discovery of Features, Diagnostic Artifacts or Human Remains.** In the event that archaeological features such as hearths or burials are encountered, P&D shall be notified and work shall be stopped immediately. If human remains are encountered, then the County Coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, and such remains shall be treated in accordance with California Public Resources Code 5097.98. Intact features other than human remains shall be treated in accordance with County Cultural Resources Guidelines. Diagnostic artifacts shall be documented, collected and curated. Human remains shall be returned to the Most Likely Descendent (MLD) and may, at the discretion of the MLD, be re-buried in an area of the site that will not experience any further disturbance. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check fieldwork. Prior to final building clearance issuance, the applicant shall demonstrate that any collected artifacts have been appropriately documented and curated with the remainder of the collection from the site.

14. **Special Condition CulRes-07: Compliance with Plans.** For all current and future projects on both resultant parcels, all development, including utilities and accessways, shall occur outside of the area mapped in Lebow 2012 (p.54) as significant. Habitat restoration and landscaping may occur within significant site areas only if it is located entirely in fill above the geofabric described in Special Condition CulRes-3. The exception to this requirement is the northernmost lobe of the site identified as significant by Lebow (2012:54), which is located on both sides of the existing driveway. In that location, no fill is required because site deposits are already overlain by approximately 2.6 ft of fill. All excavation for placement of plants must be located within the fill and above the geofabric (where present). Construction of the split-rail safety fence shall also occur entirely above the geofabric and within the fill. If any trees within the significant site area are proposed for removal, either as part of this project or any future projects, they shall be cut off above the level of the geofabric; they shall not be dug out and the roots shall be left in place. **Plan Requirements and Timing:** This condition applies to 11CDH-00000-00006, 11CDH-00000-00054 and shall be recorded with 12TPM-00000-00006. This condition shall be printed on all grading and building plans. Prior to issuance of any CDPs, P&D shall confirm that plans show that any development is occurring solely outside of the significant portion of the site, and shall confirm that the locations and depths of the landscaping and split rail safety fence are above geofabric and in fill. **Monitoring:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite archaeological monitor(s) prior to grading/building permit issuance and pre-construction meeting. Prior to the start of any ground disturbing activity and periodically thereafter, P&D compliance monitoring staff shall confirm with the archaeologist that all

work is occurring outside of the mapped boundaries of the significant portion of the site or otherwise complies with requirements to be located within fill.

15. **Special Condition CulRes-08: Development Exclusion Area.** In order to protect on site cultural resources, the area mapped in Lebow 2012 (p.54, Figure 4-2) as significant shall be excluded from all future development with the exception of the following:

- Fill material would be placed on top of a geogrid fabric layer to protect significant cultural resources in accordance with the conditions included with the Parcel Map.
- Shallow-rooted landscaping would be placed entirely within the fill on top of the geogrid fabric.
- A protective fence would be installed along the bluff top, with fenceposts placed entirely in the fill soil above the geogrid fabric layer.
- The applicant could retain access to the beach via a small segment of unpaved roadway located in the narrow area between the lower and middle terraces. All other roadways must be located outside of the exclusion area.

Plan Requirements and Timing: This condition applies to 11CDH-00000-00006, 11CDH-00000-00054, and shall be recorded graphically with 12TPM-00000-00006. The area designated in Lebow 2012 (p. 54, Figure 4-2) as significant archaeological site shall be mapped graphically on a separate informational sheet and designated as "Development Exclusion Area". This sheet shall be recorded with the final map. **Monitoring:** P&D shall ensure that this condition is met prior to map recordation.

16. **Special Geologic Protection Measures.** For all current and future projects on both resultant parcels, all construction techniques and onsite development shall conform to the recommendations contained in the relevant Geotechnical Engineering Reports prepared by Earth Systems and any other reports required by P&D. **Plan Requirements**: For proposed development on both newly created parcels, the Owner/Applicant shall submit a soils engineering study addressing structure locations and access road(s) to determine structural design criteria. The Owner/Applicant shall submit the study for P&D review and approval. The Owner/Applicant shall also submit the study for Public Works review and approval when work would occur within a public right-of-way and/or require a road encroachment permit. Elements of the approved study shall be reflected on grading and building plans as required. **Timing**: The Owner/Applicant shall submit the study prior approval of Coastal Development Permits. **Monitoring**: P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

17. **WatConv-03: WatConv-03: Erosion and Sediment Control Revegetation.** For all current and future projects on both resultant parcels, the Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. However, fill over the development exclusion area shall only be revegetated with shallow-rooted plants. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeding of surfaces graded for the placement of structures if construction does not commence within 30 days of grading. **PLAN REQUIREMENTS**: Include

this measure as a note on all grading and building plans. **TIMING:** The Owner/Applicant shall re-vegetate graded areas within one week of work stoppage or completion of work. **MONITORING:** The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

18. **WatConv-07: SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **TIMING:** Prior to issuance of the first Grading Permit on the resultant parcels, the Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities. **MONITORING:** P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

19. **Noise-02:** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 4:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Three signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits. **MONITORING**: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

COASTAL DEVELOPMENT PERMIT CONDITIONS

20. **Special Condition DevEnv-01 Building Envelopes.** All structural development on both newly created lots shall be limited to the building envelopes designated on Exhibit H, dated December 4, 2013. The building envelopes identify the location of proposed structures, construction storage and staging while allowing other uses such as grading, stockpiling, utilities, paving, etc. to occur outside the building envelope, subject to applicable permits. **PLAN REQUIREMENTS:** The building envelopes shall be described by metes and bounds and with this condition shall be recorded with the final map on the deed. The building envelopes shall also be recorded with and cross-referenced on the map. Finally, the building envelopes shall be depicted on all plans submitted for Coastal Development Permits or Zoning Clearances, and Building Permits. **TIMING:** The building envelopes shall be staked in the field prior to approval of any Coastal Development Permit. **MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved building envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the building envelopes and that staking remains in place during construction.

21. **Special Condition GRD-1 Location of Stockpile Areas.** All stockpiles shall be located within designated building envelopes. **TIMING**: Stockpile locations shall be graphically depicted on all land use and grading permits. **MONITORING:** P&D processing planner shall ensure stockpile locations are located within building envelopes. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite.

22. **Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (http://sbcountyplanning.org/building/grading.cfm) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **PLAN REQUIREMENTS**: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **TIMING:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round. **MONITORING**: P&D staff shall perform site inspections throughout the construction phase.

23. **Shared Water for Landscaping.** Prior to occupancy clearance, the applicant shall submit an application and receive entitlement for a Minor Conditional Use Permit to allow a shared water system for the agricultural water well on Parcel B, to serve irrigation purposes on Parcel A.

24. **Public Sewer Connection.** Within six months of the time of availability of public sewer service from the Carpinteria Sanitary District on Padaro Lane at the property boundary of both resultant parcels, the applicant shall connect to District services and shall abandon the private septic system, subject to EHS permit requirements.

COUNTY RULES AND REGULATIONS

25. **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].

26. **Special Condition Rules-04 Additional Approvals Required**. Approval of this Coastal Development Permit is subject to the Planning Commission approving permit no. 11CDH-00000-000016, which resolves an active zoning violation on the subject parcel.

27. **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.

28. **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 County 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.

29. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.

30. **Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions and applicable law in effect when paid.

31. **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 $2,047.00. This is based on a project type of one single family dwelling. **TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to final building inspection.

32. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
    a) Air Pollution Control District dated May 17, 2012
    b) Environmental Health Services Division dated March 28, 2013
    c) Carpinteria-Summerland Fire Protection District dated November 1, 2013
    d) Parks Department dated November 15, 2013
    e) Transportation Division dated November 5, 2013

33. **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.

34. **Rules-31 Mitigation Monitoring Required**. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. A separate Permit Compliance case shall be opened for monitoring of new construction on each lot and for utility/service improvements. To accomplish this, the Owner/Applicant shall:
    a) Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
    b) Pay fees prior to CDP approval for on-site utility improvements, grading and new construction, as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
    c) Note the following on each page of grading and building plans "This project is subject to Mitigation Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, conditions of approval, and mitigation measures from Negative Declaration 13NGD-00000-00012";
    d) Contact P&D compliance staff at least two weeks prior to commencement of construction activities for on-site utility improvements and for new construction on each lot to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

35. **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. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to

cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

Santa Barbara County
Air Pollution Control District

May 17, 2012

Joyce Gerber
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: APCD Comments on Beach Club Family Trust New SFD, 11CDH-00000-00054

Dear Ms. Gerber:

The Air Pollution Control District (APCD) has reviewed the revised project, which consists of two phases. The first phase includes demolition of an existing 1,079 square foot single-family dwelling and a second residential unit of 1,369 square feet. A new single-family residence of 1,460 square feet with decks will be constructed. Also proposed are a 520 linear foot retaining wall, and other fencing, decorative walls, storm and storm drain improvements. Grading for the entire project will be conducted in Phase 1 and will consist of 3,306 cubic yards of cut and 3,306 cubic yards of fill balanced on-site. Phase 2 consists of construction of a 5,992 square foot horse barn and greenhouse, with an office and a 1,653 square foot basement. The subject property, a 10.2-acre parcel zoned 3-E-1 and identified in the Assessor Parcel Map Book as APN 005-260-018, is located at 2825 Padaro Lane in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.

2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.

3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

5. Advisory: The applicant should determine whether any structure(s) proposed for demolition or renovation contains asbestos that is friable or has the potential to become friable during

demolition or disposal. If any structure does contain friable asbestos, the asbestos should be removed by a contractor that is state certified for asbestos removal. For additional information regarding asbestos in construction, please refer to APCD's website at www.sbcapcd.org/biz/asbestos.htm.

6. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
   - Energy use (energy efficiency, low carbon fuels, renewable energy)
   - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
   - Water conservation (improved practices and equipment, landscaping)
   - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
   - Architectural features (green building practices, cool roofs)

7. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,

Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: Mark Wryan
Project File
TEA Chron File

Santa Barbara County
Air Pollution Control District

ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

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

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.

Santa Barbara County
Air Pollution Control District

ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

Plan Requirements: Measures shall be shown on grading and building plans. Timing: Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

Santa Barbara County
PUBLIC Health
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: Errin Briggs, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: March 28, 2013

SUBJECT: Case No. : 12TPM-00000-00006, 11CDH-00000-00054, 11CDH-00000-000006 in the Summerland Area

Applicant: 3282 Beach Club Family Trust
c/o Tim Hoctor
3705 Telegraph Road
Ventura, CA. 93003

Assessor's Parcel No. 005-260-018, zoned 3-E-1, located at 2825 Padaro Lane.

12TPM-00000-00006 (TPM 14,791) represents a request to subdivide the existing 10.25-acre parcel into two resultant parcels of 3.02 acres (Proposed Parcel A) and 7.23 acres (Proposed Parcel B) in size.

11CDH-00000-00054 is a request to construct a new single family residence of 5,126 square feet with a 500 sf basement and a 750 sf attached garage.

11CDH-00000-00006 is a request to abandon an existing water well and items not regulated by Environmental Health Services.

Domestic water supply is proposed to be provided by the Montecito Water District. Since the project represents an increase in demand on the public water supply, the Montecito Water District will need to review the project and agree in writing to serve the new lot.

Sewage disposal is proposed to be provided by a private onsite wastewater treatment system. The applicant has provided to Environmental Health Services a wastewater engineering study completed by Earth Systems and dated November 14, 2012 that indicates that an onsite wastewater treatment system could be constructed to serve the project.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Recordation, Environmental Health Services shall receive and approve written notice from the Montecito Water District indicating that said district can and will provide domestic water service upon demand and without exception.

2. Prior to Recordation, the applicant shall submit a copy of the final map to Environmental Health Services.

3. Prior to Issuance of a Coastal Development Permit for the new single family residence, the applicant shall obtain an onsite wastewater treatment system permit from Environmental Health Services.

4. Prior to Issuance of a Coastal Development Permit for the abandonment of the water well, the applicant shall obtain a well destruction permit from Environmental Health Services.

Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Ginger Anderson, Penfield & Smith
Montecito Water District
Office of the County Surveyor
Phillip Oates, Planning & Development Building Div., Santa Barbara
Willie Brummett, Environmental Health Services

LU-5168

CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

November 1, 2013

Ms. Petra Leyva
Planning and Development
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

Re: 11CDH-00000-00054 / Single Family Dwelling
APN: 005-260-018 / 2825 Padaro Lane

Dear Ms. Leyva:

The following items are necessary for fire protection:

1. Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. Distance shall be measured by an approved route around the exterior of the building.

2. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8 and the Carpinteria-Summerland Fire District Standard #1.

3. Driveways in excess of one hundred fifty (150') feet must be provided with an approved area for turning around fire apparatus. Either a hammerhead or circular turnaround shall be provided at an approved distance from the structure.

4. When access ways are gated, a Fire District approved key box shall be installed in an accessible location. Prior to installation, the Fire District shall approve the location and type. The minimum clear width of gate opening shall be at least 2 feet wider than the road served. The gate shall be at least 30 feet off of the public or private access roadway.

5. Visible street address numbers must be posted at the driveway and on the building. Numbers shall be a minimum 4 inches high on a contrasting background. An application for new addressing and a site plan showing structures and indicating the current addresses for existing buildings on Parcel B is required.

6. All new buildings/ structures shall be protected by an approved automatic fire sprinkler system. Prior to installation, plans for the proposed fire sprinkler system shall be designed by a qualified person and submitted to the prevention bureau for approval.

7. Per 2010 California Building Code and 2010 California Fire Code, smoke detectors and carbon monoxide alarms must be installed in all residences.

8. Public fire hydrants supplying the required fire flow within the required driving distance from the structures shall be provided. The existing dry-barrel fire hydrant located within the required driving distance does not meet the current minimum standard. A wet barrel fire hydrant providing one 4-inch and one 2-1/2 inch outlet is required. The installation shall be coordinated with the Montecito Water District. The new fire hydrant shall be installed and in-service prior to any construction using combustible material.

9. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a fee is assessed on review of lot line adjustments, lot splits, and development reviews.

10. Pursuant to Santa Barbara County Ordinance No. 4566, prior to issuance of a "Certificate of Occupancy", the Carpinteria-Summerland Fire Protection District mitigation fee must be paid.

11. 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.

If you need additional information on Fire District conditions, please contact me at 566-2451.

Sincerely,

Ed Foster
Fire Marshal
Fire Prevention Bureau

Cc: Penfield & Smith
Property Owner
Architect

Herman D. Parker
Community Services Director
(805) 568-2467

Kerry Bierman
Chief Financial Officer
(805) 568-3408

Paddy Langlands
Deputy Director
Parks Division
(805) 568-2461

Dinah Lockhart
Deputy Director
Housing and Community
Development Division
(805) 568-3520

Ginny Brush
Executive Director
Arts Commission
(805) 568-3990

☐ **Community Services Administration**
105 E Anapamu Street, 4th Floor
Santa Barbara, CA 93101
Tel: (805) 568-2467
Fax: (805) 568-3414

☐ **Park Administration**
610 Mission Canyon Road
Santa Barbara, CA 93105
Tel: (805) 568-2461
Fax: (805) 568-2459

☐ **Housing and Community Development Administration**
105 E Anapamu Street, Room 105
Santa Barbara, CA 93101
Tel: (805) 568-3520
Fax: (805) 568-2289

☐ **Arts Commission Administration**
1100 Anacapa Street
3rd Floor Rotunda Tower
Santa Barbara, CA 93101
Tel: (805) 568-3990
Fax: (805) 568-3991

Connecting People to Opportunities

November 15, 2013

TO: Joyce Gerber, Planner
Planning & Development

FROM: Claude Garciacelay, Park Planner

RE: **12TPM-0026 / TPM 14,791**
APN 005-260-009

County Parks recommends the following condition(s) to the approval of the above referenced project:

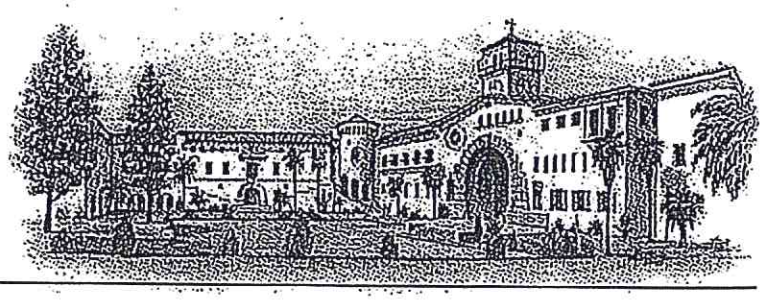
1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot or dwelling unit. The purpose of the fee is to provide park and recreational facilities within the recreational demand area. A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Based on the current fee schedule, the total fee for the proposed project would be **$1,226** ($1,226 x 1 new lot(s)/dwelling unit(s)). Fees are due prior to recordation of final map. The actual fee shall be based on the fee schedule in effect when payment is made and, fee schedules are subject to adjustment on an annual basis. Please phone this office prior to payment to verify the final fee required. This office will not accept or process a payment prior to project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, Rocky Nook Park, 610 Mission Canyon Road, Santa Barbara, CA 93105; or in the North County (by appointment) at Waller Park, 300 Goodwin Road, Santa Maria, CA 93455.

C: County Surveyor
Agent

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



November 5, 2013

TO: Joyce Gerber, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (1 page)**
Beach Club Drive Family Trust Parcel Map
12TPM-00000-00006; TPM 14,971
11CDH-00000-00006, 11CDH-00000-00054
APN: 005-260-018/ Caprinteria

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Carpinteria Planning Area of the County.

   Based on the current fee schedule, the total estimated fee for the proposed project is **$2,047 (1 new developable residential lots x $2,047/lot)**. The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to map recordation and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

   Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

William T. Robertson — 11/05/2013

William T. Robertson — Date

cc: 12TPM-00000-00006, TPM 14,971
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department
G:\Transportation\Traffic\Transportation Planning\Development Review\Carpinteria\Beach Club Drive Family Trust Parcel Map 12TPM-Cond.doc

RECEIVED
JAN 24 2014
S.B. COUNTY (NORTH)
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