

ATTACHMENT 2: CONDITIONS OF APPROVAL

1. **Proj Des-01 Project Description.** This Coastal Development Permit is based upon and limited to compliance with the project description, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows: Change in previously approved grading to elevate tennis court, accessory structures by approximately 2 feet. Associated 6' retaining wall at southern end of tennis court & 10 ft' fencing surrounding tennis court to remain. Addition of smaller 115' long retaining 'planter wall' (ranging in height from 1-4') between tennis court retaining wall and property line. 50 foot extension of 6' retaining wall to the east of the tennis court, change in location of shallow retention basins from east to west side (near rear property line) of tennis court. Grading to increase flat area at driveway/entrance to property. Total grading calculations for project (including work done on the previous CDP) include 1050 cy of cut/fill and import of approximately 500 cubic yards of material. Project will include the 3 accessory structures and canopy proposed with the previous CDP. The project site will continue to be served by the Carpinteria/Summerland Fire Protection District, the Carpinteria Valley Water District and a private septic system. Access to the site will continue to be provided off of Lomita Lane. The project site totals 1 acre, is zoned 1-E-1, is shown as Assessors Parcel Number 001-190-036 and is located at 1221 Lomita Lane, in the Carpinteria Area, First Supervisorial District.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

CONDITIONS BY ISSUE AREA

3. **Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
 - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
 - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
 - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
 - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
 - f. Order increased watering as necessary to prevent transport of dust off-site.

- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

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

TIMING: The dust monitor shall be designated prior to 1st Grading or Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

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

4. **Geo-02 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, 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 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 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 website: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements.

PLAN REQUIREMENTS: The grading and 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 ESCP 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.

5. **Noise-02 Construction Hours:** The Owner /Applicant, all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) are not subject to these restrictions.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post [2] signs stating these restrictions at construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

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

6. **Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Zoning Clearance and Building.

MONITORING: P&D and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

7. **WatCons-03 Water Conservation in Landscaping.** The project is subject to the California Water Conservation in Landscaping requirements. Prior to issuance of the Zoning Clearance, the Owner/Applicant shall fill out, obtain the stamp of the appropriate licensed professional, sign, and submit to P&D a Water Efficient Landscape Ordinance Supplemental application.

TIMING: The supplemental application shall be completed, stamped, signed, and submitted to P&D prior to issuance of the CDP. The landscape and irrigation shall be installed per plan prior to Final Building Inspection Clearance.

MONITORING: P&D staff shall check in the field prior to Final Building Inspection Clearance.

8. **WatConv-03 Erosion and Sediment Control Revegetation:** The Owner/Applicant shall re-vegetate 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 reseeded 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 30 days.

MONITORING: The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field.

COUNTY RULES AND REGULATIONS

9. **Rules-01 Effective Date-Not Appealable to CCC:** This Coastal Development Permit shall become effective upon the date of 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 final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit.
10. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
11. **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.
12. **Rules-10 CDP Expiration:** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the Director. 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.
13. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved permit plans. Substantial conformity shall be determined by the Director of P&D.
14. **Rules-23 Processing Fees Required.** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
15. **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.

16. **Rules-32 Contractor and Subcontractor Notification:** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
17. **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.
18. **Rules-35 Limits:** This approval does not confer legal status on any existing structures(s) or use(s) on the property unless specifically authorized by this approval.
19. **Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.