

ATTACHMENT 2a: CONDITIONS OF APPROVAL

Project Description

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

PROPOSED DEVELOPMENT

Coastal Development Permit to allow the demolition of an existing 1,774 square foot dwelling and the construction of a new 5,995 gross sq. ft. dwelling, with 5,800 gross sq. ft. of lower level storage area, an attached garage (1,335 gross sq. ft.), and pool and hot tub (486 sq. ft.). The proposed dwelling's roof ridges to extend to a height of 30.8 feet instead of the allowed 28 feet as permitted by associated Modification Case No. 13MOD-00000-00001. The driveway access to the proposed dwelling would be widened to 20 feet per request of the CFD. A new fire hydrant would be installed in the Sandpoint Road right-of-way in accordance with CFD requirements. The proposed structures would maintain a buffer ranging from 73 and 81 feet from an on-site wetland. No native wetland vegetation would be removed. Vegetation removed in any area less than 100 feet from the wetland (currently occupied by iceplant) is proposed to be replaced with native vegetation pursuant to a proposed Restoration and Habitat Enhancement Plan. The project will require 350 cubic yards of cut and no fill or export of soil. No native or specimen trees would be removed.

In addition, the project applicant has proposed the following project description elements:

- 2. Proj Des-01 Project Description Part 2: PROJECT REMOVAL**

As proposed by the Owner (for Conditions 2-5 "Owner" means the applicant and/or landowner who obtains the coastal development permit to construct the Project, together with their successors and assigns. All agreements by Owner in Conditions 2-5 shall be made by Owner on behalf of itself [as of the date this permit is issued] and on behalf of its successors and assigns):

A. Owner agrees that Owner shall remove the entire Project (for Conditions 2-5 "Project" means the residence and all related structures and improvements that are constructed pursuant to this coastal development permit including, but not limited to, the residence, any guest house, garage, deck, patios, parking area, driveway. Project also includes any future additions, modifications, renovations, repairs, and replacements of any of the foregoing elements that occur after the initial construction of the Project) if the following events occur:

- (1) The Project is Substantially Destroyed (for Conditions 2-5 "Substantially

Destroyed” means that more than fifty percent [50%] of the habitable area of the residence has been determined to be unsafe to occupy by the County Building Official. Substantially Destroyed does not include damage or destruction to the lower level of the Project [which is designed with break-away walls] except to the extent that such damage or destruction [such as flooding, tidal scouring, or wave action] results in substantial structural damage to Project that results in the County Building Official determination of “unsafe to occupy” as a result of Destruction by Inundation (for Conditions 2-5 “Destruction by Inundation” means if the Project is Substantially Destroyed from any one or more of waves, erosion, storm conditions, liquefaction, or sea level rise) and, as a result, any government agency with jurisdiction over the subject property has ordered that the Project is not legally habitable;

(2) The Project is Substantially Destroyed as a result of Destruction by Inundation, and, as a result, a court (after a final judgment in a quiet title or similar action) requires the Project to be removed from the subject property; or

(3) The Project is Substantially Destroyed as a result of Destruction by Inundation and Owner is subject to a final order from the State Lands Commission that requires more than thirty percent (30%) of the habitable area of the residence to be removed from the subject property, because that portion of the Project encroaches on to State tidelands.

B. If the Project is required to be removed from the subject property pursuant to Condition 2 (Project Description Part 2), Section A above, and prior to the date of such removal, any portions of the Project fall to the beach and/or become located seaward of the mean high tide line, then Owner agrees that Owner shall remove from the beach and from the ocean all recoverable debris associated with the Project and Owner shall lawfully dispose of the material in a disposal site that is licensed to accept such debris. Prior to commencing any such debris removal, Owner shall obtain a coastal development permit for the work.

3. Proj Des-01 Project Description Part 3: DECK REMOVAL

A. Owner agrees that Owner shall remove the entire Deck (for Conditions 2-5 “Deck” means the deck, pool, and other improvements that are constructed on the seaward side of the residence) and replace only such portion of the Deck as the County may subsequently allow, if the following events occur: 1) Deck Destruction occurs (for Conditions 2-5 “Deck Destruction” means that both (a) more than fifty percent (50%) of the surface area of the Deck and more than fifty percent (50%) of the structural members supporting the Deck are damaged or destroyed as a result of a Coastal Hazard and (b) the Owner is unable to demonstrate to Planning and Development that another Coastal Hazard event is not likely to occur within the next ten (10) year period that would likely result in damage to the Deck that meets the threshold in clause (a) above, as a result of such Coastal Hazard event. In making the demonstration of the unlikelihood of a future Coastal Event, the Owner shall apply the best available and scientifically acceptable sea level rise and wave run-up analysis approach and methodology then being used by governmental agencies. Deck

Destruction does not include damage or destruction to one or a few of the footings and posts supporting the Deck if damage is to such individual elements. For Conditions 2-5 "Coastal Hazard" means episodic and long-term shoreline retreat; episodic and long-term coastal erosion; high seas; ocean waves; storms; tidal scour; coastal flooding; and the interaction of one or more of any of the foregoing;

(2) (i) The Deck suffers Deck Destruction and the State Lands Commission issues an order that requires more than fifty percent (50%) of the surface area of the Deck and more than fifty percent (50%) of the structural members supporting the Deck to be removed from the subject property, because that portion of the Deck encroaches on to State tidelands and (ii) either (x) Owner fails to challenge such State Lands Commission order in a court action or (y) Owner challenges such State Lands Commission order in a court action and the court (and any appellate court if an appeal is filed) upholds such order.

B. If the Deck is required to be removed from the subject property pursuant to Condition 2 (Project Description Part 2), Section A above, and prior to the date of such removal, any portions of the Deck fall to the beach and/or become located seaward of the mean high tide line, then Owner agrees that Owner shall remove from the beach and from the ocean all recoverable debris associated with the Deck and Owner shall lawfully dispose of the material in a disposal site that is licensed to accept such debris. Prior to commencing any such debris removal, Owner shall obtain a coastal development permit for the work.

4. Proj Des-01 Project Description Part 4: COASTAL HAZARDS

Owner makes the following representations and agreements:

(1) Coastal Hazards: Owner acknowledges and agrees that the subject property and the Project are subject to Coastal Hazards.

(2) Owner Assumes the Risks: Owner hereby assumes the risks to Owner and to the subject property and to the Project of bodily injury to persons and damage to property that may occur from Coastal Hazards.

(3) Permit Intent: Owner hereby agrees that the intent of Conditions 2-5 is to provide reasonably discernible limits and restrictions on the use and occupancy of the Project such that (a) the Project is not occupied after a Coastal Hazard event resulting in damage or destruction to the Project that causes the Project to no longer be safe for occupancy, as determined by the County building official and (b) the Project is not occupied if the Project ceases to be located on the Owner's subject property.

(4) Disclosure: Owner agrees that prior to consummating any sale or lease of the Project (with a term exceeding one year), Owner shall provide the buyer or tenant with a copy of this permit and all of the Conditions of Approval, including without limitation, Conditions 2-5.

5. Proj Des-01 Project Description Part 5: SIGNAGE

Owner agrees that Owner shall not post any signs on the subject property on, at, or seaward of the existing revetment that explicitly state or that or implicitly indicate

that the portion of the sandy beach that is contained within the subject property is private property or that such portion of the beach is not open to the public. Owner shall not post any signs on the subject property on, at, or seaward of the existing revetment that explicitly state or that or implicitly indicate a message that attempts to prohibit public use of the portion of the sandy beach that is contained within the subject property. Owner shall not post any sign on the subject property on, at, or seaward of the existing revetment that reads "Private Beach" or "Private Property". Prior to posting any sign, Owner shall submit the content of the proposed sign to the County for review and approval.

6. **Proj Des-01 Project Description Part 6:** 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.
7. **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

8. **Aest-04 BAR Required:** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and conform in all respects to Case No. 12BAR-00000-00201.
TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to CDP issuance. 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 permit compliance staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.
9. **Aest-10 Lighting:** The Owner/Applicant shall ensure any exterior night lighting installed on the project site 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 include these items on design and construction plans, including electrical details. **TIMING:** Lighting shall be installed in compliance with

this measure prior to Final Building Inspection Clearance.

MONITORING: P&D planner shall review lighting cut sheets for compliance with this measure prior to permit issuance.

- 10. CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans. **MONITORING:** P&D permit processing planner shall check plans prior to permit issuance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

- 11. 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 web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements.

PLAN REQUIREMENTS: The grading ESCP shall be submitted for review and approved by P&D prior to issuance of the grading permit. 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/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.

- 12. MM-Bio-01 Restoration Plan.:** The applicant shall implement the proposed Restoration and Habitat Enhancement Plan concurrently with construction activities. **PLAN REQUIREMENTS AND TIMING:** The applicant shall comply with all elements of the Restoration Plan. **MONITORING:** Restoration success will be monitored three times a year by a County-qualified biologist (April, July, October)

during Years 1 and 2 to document weed maintenance and plant survival, and annually in October in Years 3, 4, and 5, or until native vegetation covers more than 75 percent of the restored habitat. Performance standards will be measured and monitored according to the requirements of the Restoration Plan. MONITORING: Monitoring reports shall be provided to P&D Permit Compliance staff annually. P&D Permit Compliance staff shall conduct site visits as-needed and prior to release of performance securities as specified in MM-Bio-02.

- 13. MM-Bio-02 Restoration Plan Performance Security:** Two performance security deposits shall be provided by the applicant prior to Coastal Development Permit issuance. One security deposit shall be equal to the value of installation of all items listed in section (a) below (labor and materials). The second security deposit shall be equal to the value of maintenance and/or replacement of the items listed in section (a) for five (5) years of maintenance of the items. The amounts shall be agreed to by P&D. Changes to the approved Restoration Plan may require a substantial conformity determination or an approved change to the plan. The first security deposit shall be released upon satisfactory installation of all items in section (a). If plants and irrigation (and/or any items listed in section (a) below) have been established and maintained, P&D shall release the maintenance security five (5) years after installation. If such maintenance has not occurred, the plants or improvements shall be replaced and the security held for another year. If the applicant fails to either install or maintain according to the approved plan, P&D may use the security deposit amounts to complete the mitigation work on the project site. The installation security shall guarantee compliance with the provision below:
- a) Installation of all components of the Restoration Plan including vegetation, irrigation, and any necessary erosion control components.
 - b) Maintenance and/or replacement of the items listed in section (a) for five (5) years after installation.

MONITORING: P&D Permit Compliance shall inspect landscaping and improvements for compliance with approved plans prior to authorizing release of both installation and maintenance securities.

- 14. MM-Bio-03 Worker Training:** The applicant shall hire a P&D-qualified biological monitor to provide pre-construction training to the contractor and construction personnel working on the driveway, fire hydrant, and associated waterlines. Training will cover wetland and biological resources to be protected in the vicinity of the work area (both sides of Sand Point Road). On-site training will include instruction about wetland plants and associated animals (especially birds, invertebrates, and fish) associated with the Carpinteria Marsh and adjacent wetlands. Training will require a minimum of 20 minutes, and will include hands-on inspection of wetland habitats that occur within 50 feet of the work area and a color hand-out that describes local wetland functions and values. TIMING: Training shall occur prior to the initiation of grading and construction activities. MONITORING: The applicant shall provide documentation to P&D Permit Compliance staff to confirm completion of the training.

- 15. MM-Bio-04 Biological Monitor:** The applicant shall hire a P&D-qualified biological monitor shall to be on-site during any ground disturbance within 100-feet of the on-site wetland. A record of observations must be kept on-site for examination by County staff during construction. **TIMING:** During any ground disturbance within 100-feet of the on-site wetland, weekly monitoring reports shall be submitted to P&D Permit Compliance staff. The reports shall document any potential compliance issues and how they will be/were addressed. **MONITORING:** P&D Permit Compliance staff shall review reports and conduct site inspections as necessary.
- 16. MM-Bio-05 No Construction During Rain Events:** T h e g e n e r a l contractor/project manager shall monitor weather reports. If the National Weather Service predicts a 25% or more chance of rain within 24 hours, all construction activities within 100 feet of Waters of the State (i.e. the on-site wetland) must cease and the applicant must install effective erosion and sediment control measures. Erosion control measures must be kept on site and immediately available for installation. Earth disturbance activities within 100 feet of Waters of the State may commence and/or resume after the rain event has passed and site conditions are dry enough to work without additional risk of discharging to Waters of the State, as determined by a P&D-qualified biologist, P&D Permit Compliance staff, or the County Grading Inspector. **TIMING:** Compliance with this measure shall be documented in the weekly reports prepared by the biological monitor as specified under MM-Bio-04. **MONITORING:** P&D Permit Compliance staff shall review reports and conduct site inspections as necessary.
- 17. MM-Bio-06 Construction Staging:** The construction work area must be clearly delineated, and all work staged the maximum feasible distance from the wetland. The proposed Construction Corridor will utilize a 50-foot wide corridor (narrowing to 15 feet wide near Sand Point Road) that is adjacent to the new residence, but is within the permanent 100-foot wide buffer area. The applicant shall not use any portion of the 100-foot buffer area other than the Construction Corridor for staging materials, parking vehicles, or as a pathway for construction workers and equipment. No refueling may occur or fuel storage or porta-johns stored within 100 feet of wetlands. Equipment clean-out and staging areas will be clearly delineated on all project plans and construction documents. Spoils must be stockpiled on non-wetland side of excavation, and stored on a tarp or removable material. Staging locations must be clearly marked in the field. **TIMING:** These requirements must be included as notations and graphically shown on project plans prior to Coastal Development Permit issuance. The biological monitor and Permit Compliance staff must approve proposed work area boundaries in the field prior to the start of work. **MONITORING:** P&D Permit Compliance staff shall ensure clear delineation of work areas and staging areas prior to the start of construction and shall conduct periodic site checks.
- 18. MM-Bio-07 Additional Wetland Protective Measures:** This mitigation measure amends the Best Management Practices recommended in the original Restoration

Plan (Native Plant Restoration and Habitat Enhancement Plan, Althouse and Meade, January 6, 2018). The Restoration Plan shall indicate that no herbicides will be applied within 20 feet of the wetland. All ice-plant will be removed by hand-crews in areas located 100-feet or less from the on-site wetland. Only minor spot-application will be used to treat new weeds more than 20 feet from wetland habitat. The application of herbicides will be done by sponge or roller, and not sprayed. Materials proposed to be used will be approved by a licensed PCA with experience working in the Coastal Zone, familiar with wetland protection and the value of the Carpinteria Salt Marsh. The proposed 225 square feet of additional driveway at the edge of the 100-ft wetland setback shall be permeable gravel. A steel edge shall be placed along the wetland buffer side of the driveway to prevent discharge of gravel and run-off into the wetland buffer. Proposed temporary impacts for construction staging shall be mitigated at a ratio of 2:1 and permanent driveway impacts shall be will be mitigated at a ratio of 3:1. A total of 24,902 square feet of wetland and wetland buffer area will be restored with native plants. **PLAN REQUIREMENTS AND TIMING:** The applicant shall comply with all elements of the Restoration Plan. The updated plan shall be submitted to P&D prior to Coastal Development Permit issuance. **MONITORING:** The updated Restoration Plan shall be reviewed and approved by P&D prior to Coastal Development Permit issuance.

19. MM-Geo-01: Building design and construction shall comply with all recommendations of the following reports:

- 1) Earth Systems Southern California "Geotechnical Engineering Report for 755 Sand Point Drive, Sandyland Cove Area, Santa Barbara County, California," dated November 19, 2013;
- 2) Earth Systems Southern California, "Supplemental Vertical Pile Capacities and Lateral Pile Analyses, 755 Sand Point Drive, Sandyland Cove Area of Santa Barbara County, California," dated January 24, 2014;
- 3) Earth Systems Southern California, "Review of Structural Engineering Plans, 755 Sand Point Drive, Sandyland Cove Area of Santa Barbara County, California," dated May 5, 2015;
- 4) Streamline West, "Sea Level Rise and Wave Run-Up Analysis," dated October 2017.

PLAN REQUIREMENTS AND TIMING: Building Plans shall comply with the recommendations of the above-referenced reports. This condition shall be included as a notation on project plans prior to Coastal Development issuance and Building Permit issuance. **MONITORING:** P&D staff shall check plans for notations prior to permit issuance. B&S staff shall ensure compliance with recommendations during plan check review and in the field.

20. MM-Noise-02 Construction Hours: The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical,

drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein. **PLAN REQUIREMENTS:** The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries. **TIMING:** Signs shall be posted prior to commencement of construction and maintained throughout construction. **MONITORING:** The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

- 21. MM-Wat-01:** Building design and construction shall comply with all recommendations of the Tier 1 Stormwater Control Plan (Ashley Vance Engineers, March 14, 2014). **PLAN REQUIREMENTS AND TIMING:** Grading and drainage plans shall comply with the recommendations of the above-referenced plan. This condition shall be included as a notation on project plans prior to Coastal Development issuance and Grading Permit issuance. **MONITORING:** P&D staff shall check plans for notations prior to permit issuance. B&S staff shall ensure compliance with recommendations during plan check review and in the field.
- 22. Noise-04 Equipment Shielding-Construction:** Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction. **PLAN REQUIREMENTS:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **TIMING:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities. **MONITORING:** The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.
- 23. 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 CDP issuance. **TIMING:** A copy of the written notice shall be submitted to P&D permit processing staff prior to CDP issuance. This restriction shall be maintained throughout construction. **MONITORING:** Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

- 24. WatCons-03 Water Conservation in Landscaping:** The project is subject to the California Water Conservation in Landscaping requirements. Prior to issuance of the CDP, 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, as appropriate to the size of the landscape area.
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: Permit Compliance shall check in the field prior to Final Building Inspection Clearance.
- 25. WatConv-05 Equipment Washout-Construction:** To the maximum extent feasible, the washout area will be located outside of the wetland buffer. In no case shall the washout be placed further into the buffer than the agreed upon temporary work and staging area. No discharge will occur from the washout area, as contaminated or polluted water will be captured on site and removed via truck. Location and detail for this measure will be shown on the erosion control plan.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Coastal Development Permit, Grading and Building plans.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: Building and Safety staff shall ensure compliance prior to and throughout construction.

County Rules and Regulations

- 26. 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].
- 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 Zoning Administrator. 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 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.
- 31. Rules-26 Performance Security Required:** The Owner/Applicant shall post a performance security, the amount and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of HABITAT RESTORATION. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for three years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed HABITAT RESTORATION plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved HABITAT RESTORATION has been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved HABITAT RESTORATION, P&D may use the security to complete the work.
- 32. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
1. Air Pollution Control District dated February 20, 2018;
 2. Flood Control dated March 2, 2018; and
 3. Carpinteria Summerland Fire Department dated March 2, 2018
- 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. To accomplish this, the Owner/Applicant shall:
1. 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;
 2. Pay fees prior to issuance of the Coastal Development Permit 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;

3. Note the following on each page of grading and building plans “This project is subject to CONDITION Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval.

4. Contact P&D compliance staff at least two weeks prior to commencement of construction activities 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.

36. 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.



Santa Barbara County
Air Pollution Control District

February 20, 2018

Nicole Lieu
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: APCD Suggested Conditions on Feldman Demo, Rebuild, and Garage, 13CDH-00000-00001

Dear Ms. Lieu:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of the demolition of an existing 1,774 square foot dwelling and the construction of a new 5,995 sq. ft. dwelling, with 5,800 sq. ft. of lower level storage area, an attached garage (1,335 sq. ft.), pool and hot tub (486 sq. ft.). The driveway access to the proposed dwelling would be widened per request of the Carpinteria Fire Department (CFD). The project will require 350 cubic yards of cut and no fill or export of soil. The subject property, a 6.15-acre parcel zoned 10-R-1 and identified in the Assessor Parcel Map Book as APN 005-460-043, is located at 455 Sand Point Road 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 grading/building permit issuance.
2. The State of California considers particulate matter emitted by diesel engines carcinogenic. 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 particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible.
3. Prior to building permit issuance, **APCD Authority to Construct permits** must be obtained for all equipment that requires an APCD permit. Proof of receipt of the required APCD permits shall be submitted by the applicant to planning staff. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.
4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to grading/building permit issuance. 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 more information on asbestos in construction, please see www.ourair.org/asbestos/.
6. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of APCD Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.
7. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to building permit issuance. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the APCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
8. 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)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion/minimization)
 - Architectural features (green building practices, cool roofs)
9. 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) 961-8890 or via email at BarhamC@sbcapcd.org.

Sincerely,



Carly Barham
Technology and Environmental Assessment Division

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

cc: TEA Chron File



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 grading/building permit issuance and/or map clearance.

Plan Requirements: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

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



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

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

The following measures are required by state law:

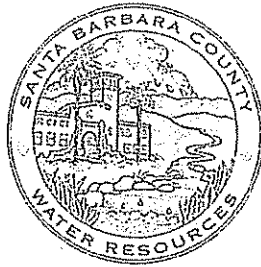
- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-Use Off-Road Diesel Vehicles (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of mobile construction equipment are subject to the CARB Regulation for In-Use (On-Road) Heavy-Duty Diesel-Fueled Vehicles (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. On-road heavy-duty trucks shall comply with the State On-Road Regulation. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, 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 equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- 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: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

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



Santa Barbara County Public Works Department
Flood Control & Water Agency & Project Clean Water

March 2, 2018

Nicole Lieu, Planner
County of Santa Barbara
Planning & Development Department
123 E. Anapamu St.
Santa Barbara, CA 93101

Re: 13CDH-00000-00001; Feldman Residence and Modification
APN: 005-460-043; Carpinteria

Dear Ms. Lieu:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The above referenced project is located within the Coastal High Hazard/Repetitive Loss Zone of the County Floodplain Management Plan, as adopted per County Resolution #92-138
- b. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated January 2011 (<http://www.countyoofs.org/uploadedFiles/pwd/Content/Water/Documents/StdConditionsJan2011.pdf>)
- c. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.

2. Prior to Issuance of Permits

- a. The applicant shall submit all improvement plans, grading plans, drainage plans, drainage studies and landscape plans to the District for review and approval.
- b. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- c. Development design and construction shall conform to the requirements listed in Section 15A-22, "Coastal High Hazard Areas" of the County Floodplain Management Ordinance (attached).

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Naomi Schwartz Building

Scott D. McGolpin
Public Works Director

130 E. Victoria Street, Suite 200, Santa Barbara, California 93101
PH: 805 568-3440 FAX: 805 568-3434 <http://cosb.countyoofs.org/pwd/water/>

Thomas D. Fayram
Deputy Public Works Director

- d. Development shall follow the recommendations presented in the guidance document "Coastal Construction Manual" published by the Federal Emergency Management Agency. (https://www.fema.gov/media-library-data/20130726-1538-20490-2983/fema499web_2.pdf).
- e. A registered civil engineer or architect shall certify that the design and methods of construction to be used are in accordance with said Ordinance and FEMA guidance documents.
- f. The base flood level (BFE) is elevation 13.6 feet (NAVD 1988 Datum) per County Resolution 92-138. Please show NAVD 88 Datum on all plan sheets.
- g. Foundation system needs to be shown on the plans. Per the floodplain management ordinance Chapter 15A, the structure must be elevated on columns and piles with the lowest horizontal structural member above the BFE. All new construction, substantial improvement and other proposed new development shall have the space below the lowest floor free of obstructions or constructed with breakaway walls as defined in section 15A-5 of this chapter.
- h. County ordinance does not allow coastal structures to be elevated on fill.
- i. Utilities for new or substantially improved structures shall be elevated 2' above 13.6 feet (NAVD 88 Datum) or be designed to eliminate infiltration of flood waters into the system.
- j. BFE for garage is 13.6' (NAVD 88). This is a non-habitable accessory structure to be used for parking and storage only.
- k. For the garage if finished floor below BFE+2', a minimum of two flood vents must be used and sized according to 15A standards of one square inch of opening per one square foot of enclosed space subject to flooding, the openings shall be installed on at least two walls and bottom of openings shall be no higher than one foot above grade.
- l. The applicant shall pay the appropriate ministerial fee at the time of the initial submittal of plans and studies.

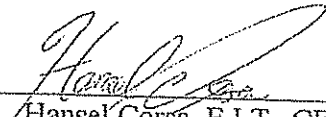
3. Prior to Occupancy Clearance

- a. The applicant shall submit all certifications as required in section 15A-22 f of the County Floodplain Management Ordinance (attached).
- b. The applicant shall submit an Elevation Certificate (FEMA Form 086-0-33) to the District's Floodplain Manager, which indicates that the lowest horizontal portion of the structural members of the lowest floor (excluding the pilings or columns) is elevated to 13.6 feet (NAVD Datum).
- c. The applicant shall submit record drawings to the District's Floodplain Manager in electronic format on a compact disc.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION
DISTRICT

By: _____


Hansel Corsa, E.I.T., CFM
Civil Engineering Associate

Cc: Janice Feldman, 755 Sand Point Rd., Carpinteria, CA 93013
Jennifer Siemens -Foster Planning, P.O. Box 591, Summerland, CA 93067
Jacobsen Architecture, 2529 P Street NW, Washington DC 20007



CARPINTERIA ~ SUMMERLAND FIRE PROTECTION DISTRICT

March 2, 2018

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

Re: 13CDH-00000-00001 / Demolition and New SFD
APN: 005-460-043 / 755 Sandpoint Road

Dear Nicole Lieu:

The following items are necessary for fire protection:

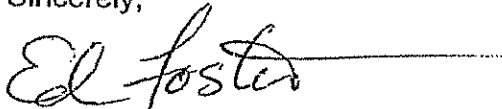
1. Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. Distance shall be measured by an approved route around the exterior of the building.
2. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8 and the Carpinteria-Summerland Fire District Standard #1.
3. 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.
4. 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.
5. A public fire hydrant supplying the required fire flow within the required driving distance from the structures shall be provided. Both the Fire District and the Carpinteria Valley Water District shall approve the type of hydrant and the exact location. The new fire hydrant(s) shall be installed and in-service prior to any construction. Plan set dated 1/11/2018 provides an approved location.

"Pride in Service"

6. Fire Hydrant vehicle impact protection shall be provided by the installation of Bollards in accordance with the provisions of CFC Section 312.
7. 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.
8. Per 2016 California Building Code and 2016 California Fire Code, smoke detectors and Carbon Monoxide Alarms must be installed in all residences.
9. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a fee is assessed on reviews of lot line adjustments, lot splits, and development review.
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

ATTACHMENT 2b: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Modification is based upon and limited to compliance with the project description, the hearing exhibits marked 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:

Modification to height regulations in compliance with Section 35-179 of the Article II Coastal Zoning Ordinance, to allow 146.65 sq. ft. feet of the proposed dwelling's roof ridges to extend to a height of 30.8 feet instead of the allowed 28 feet.

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.

County Rules and Regulations

- 3. Rules-02 Effective Date-Appealable to CCC:** This Modification 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].
- 4. 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.

- 5. 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.
- 6. Rules-16 Modification Expiration:** This Modification shall expire 12 months from the effective date if the Owner/Applicant fails to obtain a Coastal Development Permit unless otherwise specified in these conditions of project approval or unless a time extension is approved in compliance with County rules and regulations. Once the Coastal Development Permit for the structure has been issued, the Modification shall have the same expiration date as the issued Coastal Development Permit. Any use authorized by this Modification shall immediately cease if this Modification expires.
- 7. 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.
- 8. 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.