

**EXHIBIT B - CONDITIONS OF APPROVAL  
DRC2014-00139 / CURTI**

**Approved Development**

1. This approval authorizes:
  - a. The construction of a new two-story, 3,187 square foot single family residence. The residence will be 27 feet in height above the highest point of the lot and will have an attached 749 square foot garage. The project will result in the disturbance of the entire 6,000 square foot parcel through development, landscaping and associated improvements.
  - b. Maximum height of the residence is 27 feet from the highest point of the lot.

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. **AS-1 At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

***Fire Safety***

4. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. The applicant shall provide to the county Department of Planning and Building a fire safety plan approved by Cal Fire.
5. **At the time of application for construction permits**, all plans submitted shall demonstrate that the applicant has placed the address number on both sides of the proposed structure, Avila Beach Drive and facing the Beach Colony Lane alleyway.

***Landscape Plan***

6. **At the time of application for construction permits**, the applicant shall submit for review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project activities with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

***Mitigation Measure, Noise***

7. **N-1** The applicant will demonstrate that the homes are designed to minimize interior noise exposure including, but not limited to the following features:

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- a. Air conditioning or a mechanical ventilation system.
- b. Solid core exterior doors with perimeter weather stripping and threshold seals.
- c. Exterior finish stucco or brick veneer (or wood siding with plywood under layer).
- d. Roof or attic vents baffled.

### ***Mitigation Measure, Air Quality***

8. **AQ-1 At the time of application for construction permits**, submitted plans shall clearly show APCD fugitive dust mitigation measures on the plans. To minimize nuisance dust impacts during construction, the applicant is required to implement APCD fugitive dust mitigation measures. All required PM10 measures shall be shown on applicable grading or construction plans. In addition, the developer shall designate personnel to ensure compliance and monitor the effectiveness of the required dust control measures (as conditions dictate, monitor duties may be necessary on weekends and holidays to insure compliance); the name and telephone number of the designated monitor(s) shall be provided to the APCD prior to construction/ grading permit issuance.
  - a. Reduce the amount of the disturbed area where possible;
  - b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, it is recommended that the contractor or builder consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook;
  - c. All dirt stock-pile areas should be sprayed daily as needed; and,
  - d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
  - e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and,
  - f. The contractor or builder should designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity. Their duties should include holidays and weekend periods when work may not be in progress.

### ***Services***

9. **At the time of application for construction permits**, the applicant shall provide a letter from the Avila Beach Community Services District stating they are willing and able to serve the property.

### ***Grading, Drainage, Sedimentation and Erosion Control***

10. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Coastal Zone Land Use Ordinance.

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11. **At the time of application for construction permits**, the applicant shall show, per the requirements of the grading plan which underlays your lot, that the finished floor elevation of the garage is at or above 8.8 ft (NAVD '88).
12. **At the time of application for construction permits**, the applicant shall add this note to the plans: All future garage structures will have a finished floor elevation above the 25-year flood elevation (elevation = 8.8 ft navd) and property owners are required to store any hazardous material above the 100-year storm flood elevation (elevation = 9.2 ft navd '88). See drainage report prepared by cannon associates july 2004.
13. **At the time of application for construction permits**, the applicant shall submit a complete erosion and sedimentation control plan for review and approval in accordance with Section 23.05.036.
14. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

### **Conditions to be completed prior to issuance of a construction permit**

#### ***Grading, Drainage, Sedimentation and Erosion Control***

15. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.

#### ***Fees***

16. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

### **Conditions to be completed during project construction**

#### ***Building Height***

17. The maximum height of the project is 27 feet from the highest point of the lot.
  - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish the highest point of the lot and set a reference point (benchmark).
  - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a licensed surveyor prior to pouring footings or retaining walls, as an added precaution.
  - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable

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height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

### **Conditions applicable throughout project construction**

#### ***Mitigation Measures, Cultural Resources***

18. **CR-1 During construction/ground disturbing activities**, the applicant shall comply with all requirements of the Cultural Resources Monitoring Plan dated May 2008 and revised December 2008, including retaining a Chumash representative during ground disturbance.
19. **CR-2** Any soil from the embankment that is excavated shall remain on the lot where it originated from or be transported to the approved location as shown on the "Colony Retrieval Site" map dated July 15, 2006. Reburial and relocation of cultural materials at this location shall be conducted under the authority of the local Chumash representative and the project archaeologist who shall also be on site during depositing of materials and/or reburial activities.
20. **CR-3 During construction/ground disturbing activities**, in the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department of Planning and Building so proper disposition may be accomplished. If human remains are unearthened, State Health and Safety Code Section 7050.5 require that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition and pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then contact the most likely descendent of the deceased Native American, who will then serve as consultant on how to proceed with the remains (i.e. avoid, rebury).

### **Conditions to be completed prior to occupancy or final building inspection/establishment of the use**

21. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before **final inspection**. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
22. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from CAL FIRE of all required fire/life safety measures.
23. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

#### ***Mitigation Measures, Cultural Resources***

24. **CR-3 Prior to final inspection** the applicant shall submit the final Phase III monitoring/mitigation report (completed by Applied EarthWorks, Inc.) detailing all field

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and laboratory work completed, materials recovered, and conclusions reached during all monitoring activities for review and approval. This report shall show how the project complied with all the required mitigation measures outlined in the submitted monitoring report by Applied EarthWorks, Inc. (May 2008).

### **On-going conditions of approval (valid for the life of the project)**

25. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/ or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et. sec.
26. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
27. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.