

## Chapter 22.90

### CONSTRUCTION PROHIBITED IN THE VICINITY OF THE CONEJO ROAD LANDSLIDE

<b>Sections:</b>			
<b>22.90.010</b>	<b>Purpose.</b>	<b>22.90.050</b>	<b>Parcels Within Slide Mass C.</b>
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<b>22.90.030</b>	<b>New Construction Prohibited; Exceptions.</b>	<b>22.90.065</b>	<b>Map of Conejo Slide Drainage Area.</b>
<b>22.90.040</b>	<b>Exception: Designs by Engineering Geologist.</b>	<b>22.90.070</b>	<b>Parcels Within Conejo Slide Drainage Area.</b>
<b>22.90.045</b>	<b>Map of the Conejo Slide Area.</b>		

#### **22.90.010 Purpose.**

By reason of special geologic hazard, unstable soils condition, and lack of suitable support, new construction must be prohibited within the area known as the "Conejo Slide." A landslide that occurred in the vicinity of Conejo Road within the City of Santa Barbara revealed unstable conditions in the area depicted on the Map of the Conejo Slide Area adopted as part of this Chapter. The area was the subject of a report (dated April, 1984) by Geotechnical Consultants, Inc. and has been under observation since. Three separate landslide masses were identified as being subject to special geologic hazard, designated as Slide Mass A, Slide Mass B, and Slide Mass C, all located within Slide Mass C on the Map of the Conejo Slide Area adopted as part of this Chapter. The earth within the boundary of Slide Mass C is unstable; structures and other property on Slide Mass A, Slide Mass B, and Slide Mass C have been damaged because of that instability; and further damage to structures and property within the boundary of Slide Mass C is highly probable. Excessive groundwater has been identified as a major cause of instability. Septic tanks have contributed sewage effluent to that excessive groundwater. The provisions of this Chapter are necessary to maintain the public safety and welfare and to protect against hazardous local geologic and soils conditions. (Ord. 5030, 1997.)

#### **22.90.020 Definitions.**

For the purposes of this title, the following words and phrases shall have the meanings indicated, unless the context or usage clearly requires a different meaning:

A. "CESSPOOL" means an excavation in the ground which receives discharge from any sanitation plumbing facilities.

B. "CONEJO SLIDE DRAINAGE AREA" means the area within the boundary depicted on the map identified as the Map of the Conejo Slide Drainage Area adopted by Section 22.90.065 of this Chapter.

C. "NEW CONSTRUCTION" means any man-made change to improved or unimproved real property after June 11, 1991, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, which requires a building permit.

D. "SEPTIC TANK" means a structure for private treatment of sewage before disposal into a cesspool, seepage hole or leaching system.

E. "SLIDE MASS C" means the landslide mass so described in the report by Geotechnical Consultants, Inc. (dated April, 1984) concerning geotechnical investigations of the Conejo Road Landslide, the boundary to which is depicted on the Map of the Conejo Slide Area adopted by Section 22.90.045 of this Chapter. (Ord. 5030, 1997.)

#### **22.90.030 New Construction Prohibited; Exceptions.**

A. All new construction is prohibited on the parcels which are located entirely or partially within the boundary of Slide Mass C, except as provided in this Chapter 22.90. The existing parcels located entirely or partially within Slide Mass C are identified in Section 22.90.050, Parcels Within Slide Mass C.

B. It shall be unlawful to erect, produce, permit, maintain or keep any new construction on a parcel which is located entirely or partially within the boundary of Slide Mass C, in violation of the provisions of this Chapter.

C. The following new construction is excepted from the prohibitions of this section:

- (i) routine repairs and maintenance to residential structures and to road, drive, and utilities improvements,
- (ii) remodeling of the interior of an existing residential structure, and,
- (iii) additions to an existing building which do not exceed one hundred and fifty (150) square feet of enclosed area during any twenty four (24) month period. (Ord. 5030, 1997.)

**22.90.040 Exception: Designs by Engineering Geologist.**

A. The Chief of Building and Safety may approve, or approve with conditions, new construction on any portion of such affected parcels which is located at least 25 feet outside of the boundary of Slide Mass C, upon plans that incorporate the accepted findings and recommendations of a licensed engineering geologist, based upon adequate site investigations, borings, soil samples, laboratory tests and a review of all record data for the parcel and slide area, to the satisfaction of the Chief of Building and Safety and in compliance with all other applicable codes and regulations.

B. A preliminary evaluation of the engineering geologist for the suitability of improvements on such area shall be submitted for review by the Chief of Building and Safety before the preparation of plans pursuant to this section. The Chief of Building and Safety may employ expert peer review in reaching a decision as to whether to accept or reject the findings of the evaluation.

C. The decision of the Chief of Building and Safety may be appealed to the Building and Fire Code Board of Appeals, whose decisions shall be final.

D. Such approval may require submission and/or recording of a release and agreement, approved by the City Attorney, to indemnify the City, its officers and employees, from liability related to such new construction.

E. New construction in accordance with such approved plans shall not be unlawful under the provisions of this Chapter. (Ord. 5030, 1997.)

**22.90.045 Map of the Conejo Slide Area.**

The Map of the Conejo Slide Area, dated November 6, 1997 and depicting the parcels of real property that are located entirely or partially within the boundary of Slide Mass C of the Conejo Slide Area is hereby adopted. The City Clerk and the Chief of Building and Safety shall each keep a copy of the Map of the Conejo Slide Area on file as adopted. An example of such map shall be reproduced and codified with this section. (Ord. 5030, 1997.)

**22.90.050 Parcels Within Slide Mass C.**

The parcels of real property that are entirely or partially within the Conejo Slide Area, Slide Mass C, are as follows:

<u>Assessor's Parcel No.</u>	<u>Address</u>	<u>Assessor's Parcel No.</u>	<u>Address</u>
19-061-34	11 Ealand Place	19-061-25	530 Conejo Road
19-061-27	16 Ealand Place	19-062-06	481 Conejo Road
19-061-35	17 Ealand Place	19-062-07	529 Conejo Road
19-061-07	21 Ealand Place	19-062-04	525 Conejo Road
19-061-03	22 Ealand Place	19-062-05	535 Conejo Road
19-061-33	27 Ealand Place	21-143-05	1761 Sycamore Canyon Road
19-061-06	29 Ealand Place	21-143-07	1815 Stanwood Drive
19-061-17	468 Conejo Road	21-143-01	1825 Stanwood Drive
19-061-18	474 Conejo Road	13-161-04	1761 Sycamore Canyon Road
19-061-19	478 Conejo Road	21-143-06	(Edison property)
19-061-20	486 Conejo Road	21-143-04 & 13-161-03	1761 Sycamore Canyon Road
19-061-21	494 Conejo Road		
19-150-03	498 Conejo Road	19-150-05	1709 Sycamore Canyon Road
19-061-23	502 Conejo Road	19-150-10	1705 Sycamore Canyon Road
19-061-24	508 Conejo Road		

(Ord. 5030, 1997.)

**22.90.060 Septic Tanks Prohibited.**

No person shall construct or install a septic tank or increase the use of a septic tank on any parcel located entirely or partially within the Conejo Slide Drainage Area. Such parcels are identified in the listing of parcels adopted as Section 22.90.070 of this Chapter, entitled "Parcels Within Conejo Slide Drainage Area". (Ord. 5030, 1997.)

**22.90.065 Map of Conejo Slide Drainage Area.**

The Map of the Conejo Slide Drainage Area, dated November 6, 1997 and depicting the limits of the Conejo Slide Drainage Area and the parcels located entirely or partially within the Conejo Slide Drainage Area, is hereby adopted. The City Clerk and the Chief of Building and Safety shall each keep a copy of the Map of the Conejo Slide Drainage Area on file as adopted. An example of such map shall be reproduced and codified with this section. (Ord. 5030, 1997.)

**22.90.070 Parcels Within Conejo Slide Drainage Area.**

The parcels of real property that are either entirely or partially within the Conejo Slide Drainage Area are as follows:

<u>Assessor's Parcel No.</u>	<u>Address</u>	<u>Assessor's Parcel No.</u>	<u>Address</u>
19-061-26	10 Ealand Place	19-061-21	494 Conejo Road
19-061-34	11 Ealand Place	19-061-31	3512 Conejo Road
19-061-27	16 Ealand Place	19-150-03	498 Conejo Road
19-061-35	17 Ealand Place	19-062-11	501 Conejo Road
19-061-07	21 Ealand Place	19-061-23	502 Conejo Road
19-061-03	22 Ealand Place	19-062-10	507 Conejo Road
19-061-32	24 Ealand Place	19-061-24	508 Conejo Road
19-061-33	27 Ealand Place	19-062-09	515 Conejo Road
19-061-06	29 Ealand Place	19-062-08	523 Conejo Road
19-121-08	80 Conejo Road	19-062-07	529 Conejo Road
19-042-08	114 Conejo Road	19-061-25	530 Conejo Road
19-042-11	116 Conejo Road	19-062-04	525 Conejo Road
19-042-10	134 Conejo Road	19-062-03	533 Conejo Road
19-050-31	331 Conejo Road	19-062-05	535 Conejo Road
19-050-30	333 Conejo Road	19-062-02	545 Conejo Road
19-050-28	345 Conejo Road	21-143-07	1815 Stanwood Drive
19-061-30	352 Conejo Road	21-143-01	1825 Stanwood Drive
19-061-01	350 Conejo Road	13-161-04	1761 Sycamore Canyon Road
19-050-29	357 Conejo Road	21-143-06	(Edison property)
19-050-10	413 Conejo Road	21-143-05 & 13-161-03	1761 Sycamore Canyon Road
19-061-10	418 Conejo Road	19-150-05	1709 Sycamore Canyon Road
19-050-12	425 Conejo Road	19-150-10	1705 Sycamore Canyon Road
19-050-20	427 Conejo Road	21-143-04	1761 Sycamore Canyon Road
19-061-11	428 Conejo Road	19-130-10	1048 Las Alturas Road
19-061-12	434 Conejo Road	19-150-15	46 Camino Alto
19-050-19	435 Conejo Road	19-130-25	100 Camino Alto
19-061-13	438 Conejo Road	19-130-26	110 Camino Alto
19-050-18	441 Conejo Road	19-150-13	120 Camino Alto
19-061-29	444 Conejo Road	19-121-09	121 Camino Alto
19-050-17	447 Conejo Road	19-050-13	430 Conejo Road
19-061-37	450 Conejo Road	19-042-05	140 Camino Alto
19-061-36	456 Conejo Road	19-042-09	150 Camino Alto
19-061-16	462 Conejo Road	19-044-02	155 Camino Alto
19-061-17	468 Conejo Road	19-130-32	1050 Las Alturas Road
19-061-18	474 Conejo Road	19-130-31	1052 Las Alturas Road
19-061-19	478 Conejo Road	19-121-06	33 Las Alturas Circle
19-062-06	481 Conejo Road	19-031-14	45 Las Alturas Circle
19-061-20	486 Conejo Road		

<u>Assessor's Parcel No.</u>	<u>Address</u>	<u>Parcel No.</u>	
19-050-05	318 Sherman Road	19-042-14	140 Conejo Road
19-042-13	124 Conejo Road	19-050-15	6547 Coronita Street, Carlsbad, CA 92009 (OWNER)
19-042-12	140 Conejo Road		
<u>Assessor's</u>	<u>Address</u>		

Upon the date of taking effect, this ordinance repeals Ordinance 4698, Ordinance 4344, and Ordinance 4293. (Ord. 5030, 1997.)

## Chapter 22.92

### OIL DRILLING PROHIBITED

**Sections:**

<b>22.92.010</b>	<b>Penalty for Violation.</b>	<b>22.92.030</b>	<b>Nonconforming Uses.</b>
<b>22.92.020</b>	<b>Drilling, Etc., Declared Nuisance - Abatement.</b>		

**22.92.010 Penalty for Violation.**

It shall be unlawful for any person, firm or corporation, whether as principal, agent, employee or otherwise, to explore for, prospect for, or drill for, or to permit or to commence the exploration, prospecting or drilling for, oil, gas or other hydrocarbon substances within the corporate limits of the City. Any such activity shall be deemed to constitute a nuisance.

The violation of any provision of this section, or of any provision of Section 1500 of the Charter prohibiting drilling for oil, gas, or other hydrocarbon substances within the corporate limits of the City shall be deemed a misdemeanor and shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or imprisonment for a term of not exceeding six (6) months, or by both such fine and imprisonment.

Every day on which any violation of this section or of such section of the Charter occurs shall constitute a separate offense for any day upon which the same occurs. (Ord. 3077 §1, 1965; prior Code §33.1.)

**22.92.020 Drilling, Etc., Declared Nuisance - Abatement.**

Any use of property within the corporate limits of the City for the exploration, prospecting or drilling for oil, gas or other hydrocarbon substances, and any equipment or structure set up, erected, built or maintained or used thereon or therein, for the exploration, prospecting or drilling for oil, gas or other hydrocarbon substances, is declared to be a public nuisance, and the City Attorney shall, upon order of the City Council, immediately commence action proceedings for the abatement and removal and enjoinder thereof in the manner provided by law and shall take such other steps and shall apply to such court as may have jurisdiction to grant such relief as will abate, remove, restrain and enjoin the use of any such property within the corporate limits of the City and the erection, maintenance or use of any such equipment or structure for any such purposes contrary to the provisions of this chapter. (Prior Code §33.2.)

**22.92.030 Nonconforming Uses.**

The lawful use of land existing on June 27, 1953, although such use does not conform to the provisions of this chapter may be continued, but if such nonconforming use is abandoned any future use of the land shall be in conformity with the provisions of this chapter. (Prior Code §33.3)