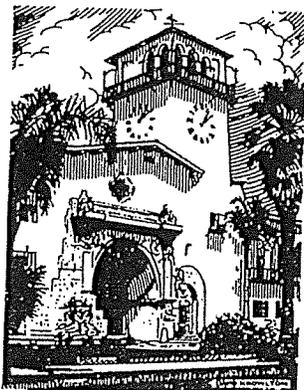


ATTACHMENT 17: PLANNING COMMISSION ACTION LETTER, DATED JUNE 15,
2021



COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

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

June 15, 2021

Sarah Trigueiro
1990 Arriba Street
Carpinteria, CA 93013

PLANNING COMMISSION
HEARING OF JUNE 9, 2021

RE: Trigueiro Appeal of G&K Cannabis Processing Building; 20APL-00000-00045

Hearing on the request of Sarah Trigueiro, Appellant, to consider Case No. 20APL-00000-00045, an appeal of the Zoning Administrator's approval of Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157 (approved November 16, 2020), for the construction of a 25,418-square foot, 25-foot-tall cannabis processing building and a detention basin to capture run-off from the structure. The appeal was filed in compliance with Section 35-182 of Article II, the Coastal Zoning Ordinance. The application involves property zoned AG-I-10 on Assessor Parcel Number 005-280-040, located at 3561 Foothill Road in the Toro Canyon Area, First Supervisorial District. (Continued from 5/05/21 and 6/02/21)

Dear Ms. Trigueiro:

At the Planning Commission hearing of June 9, 2021, Commissioner Cooney moved, seconded by Commissioner Blough and carried by a vote of 4 to 1 (Parke no) to:

1. Deny the appeal, Case No. 20APL-00000-00045;
2. Make the required findings for approval of the modified Project specified in Attachment A to the staff report dated April 27, 2021, including California Environmental Quality Act (CEQA) findings;
3. Determine that the previously certified Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003) is adequate and no subsequent environmental review is required pursuant to CEQA Guidelines §15162 and §15168(c) (Attachment 4 to the memorandum dated June 1, 2021 and Attachment D of the staff report dated April 27, 2021); and
4. Grant *de novo* approval of the modified Project, Case Nos. 19CUP-00000-00062, 20AMD-00000-00003, and 19CDP-00000-00157, subject to the conditions included as Attachment 1 to the memorandum dated June 1, 2021.

The attached findings and conditions reflect the Planning Commission's actions of June 9, 2021.

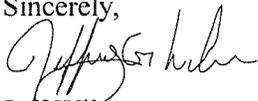
The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission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

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. **The appeal period for this project ends on Monday, June 21, 2021 at 5:00 p.m.**

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

A protest of mitigation fees imposed pursuant to Conditions 31 and 32 in the Action Letter dated June 15, 2021 may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Sincerely,



Jeff Wilson
Secretary to the Planning Commission

cc: Case File: 20APL-00000-00045
Planning Commission File
County Chief Appraiser
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Das Williams, First District Supervisor
Michael Cooney, First District Commissioner
Jenna Richardson, Deputy County Counsel
Ben Singer, Planner

Attachments: Attachment A – Findings

Planning Commission Hearing of June 9, 2021
Trigueiro Appeal of G&K Cannabis Processing Building; 20APL-00000-00045
Page 3

Attachment 1 – Conditions of Approval

JW/dmv

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ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

SUBSEQUENT ACTIVITIES WITHIN THE SCOPE OF THE PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15162 AND 15164:

1.1 CONSIDERATION OF THE SUBSEQUENT ACTIVITIES IN THE PROGRAM

The County Planning Commission (herein after Planning Commission) considered the previously certified PEIR for the Cannabis Land Use Ordinance and Licensing Program, 17EIR-00000-00003 (Attachment D to the staff report, dated April 27, 2021, and incorporated herein by reference), along with the Proposed Project, which is an activity within the scope of the PEIR. The PEIR's certification is not limited to particular purposes or particular areas of the County. The Coastal Commission considered the County's PEIR, and found that the PEIR is consistent with the Local Coastal Program. Staff prepared a written checklist in compliance with State CEQA Guidelines Section 15168(c)(4) to document the evaluation of the site and the activity to determine that the environmental effects of the operation are covered in the PEIR (Attachment D to the staff report, dated April 27, 2021, and incorporated herein by reference). As shown in the written checklist, the Proposed Project is within the scope of the PEIR and the effects of the Proposed Project were examined in the PEIR. Therefore, on the basis of the whole record, including the written checklist, the previously certified PEIR, and any public comments received, the Planning Commission finds that the Proposed Project will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment, and there is no new information of substantial importance under State CEQA Guidelines Section 15162, warranting the preparation of a new environmental document for the Proposed Project.

1.2 LOCATION OF DOCUMENTS

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

2.0 ADMINISTRATIVE FINDINGS

2.1 CONDITIONAL USE PERMIT FINDINGS

Findings required for all Conditional Use Permits. In compliance with Section 35-172.8 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the decision-maker shall first make all of the following findings:

- 2.1.1 *That the site for the Project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.*

The Planning Commission finds that the site for the Proposed Project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed. As discussed in Sections 5.3 and 6.4 of the staff report, dated April 27, 2021, and incorporated herein by reference, the subject property is a 14.66-acre parcel located within Area A of the Carpinteria Agricultural Overlay District and is able to accommodate the proposed structures and uses. The subject parcel is currently cultivating cannabis within existing greenhouses, approved by Case No. 18CDP-00000-00077. The greenhouses make up 356,070 square feet, or approximately 8.2 acres, of the property, and the Project site also contains a warehouse, small accessory structures, paths between structures, a parking area, and an open area where the proposed building would be sited. The proposed 25,418-square-foot cannabis processing building will be located in same general location as the sixth greenhouse previously approved under Development Plan No. 82-DP-30. The processing building will increase the amount on-site development to a total of 405,175 square feet, and the overall on-site development will remain within the originally permitted 415,380 square feet.

The detention basin was required by County Flood Control to address runoff from the proposed processing building. The Project site is adequately located for the proposed development because adjacent and surrounding parcels are used for similar agricultural development. The subject parcel is surrounded on three sides by similar, large-scale greenhouse operations. The Project requires minimal grading, avoids all sensitive habitat, and has services to support the existing and proposed development. Finally, the Proposed Project, as described in the staff report dated April 27, 2021, meets all applicable zoning requirements and development standards pertaining to the AG-I zone district, cannabis regulations and the Carpinteria Agricultural Overlay.

2.1.2 *That adverse environmental impacts are mitigated to the maximum extent feasible.*

The Planning Commission finds that Section 15168(c) of the State CEQA Guidelines allows the County to approve an activity as being within the scope of the Project covered by a program environmental impact report without a new environmental document, if the County finds pursuant to Section 15162 that no new effects could occur or no new mitigation measures will be required and the later activity would not have effects that were not examined in the programmatic environmental impact report. Staff completed the written checklist pursuant to State CEQA Guidelines Section 15168(c)(4) which evaluated the Proposed Project pursuant to the requirements of Section 15162 of the State CEQA Guidelines (Attachment C to the staff report, dated April 27, 2021, and incorporated herein by reference) and determined that all of the environmental impacts of the proposed cannabis processing building would be within the scope of the PEIR prepared for the Cannabis Land Use Ordinance and Licensing Program. No additional cumulative impacts were identified as part of the Proposed Project, and no new environmental document is required. Mitigation measures which were discussed in the PEIR have been incorporated into the Proposed Project (Attachment B to the staff report, dated April 27, 2021, and incorporated herein by reference). The mitigation measures incorporated from the PEIR, including a Lighting Plan, Noise Plan, Odor Abatement Plan, and Site Transportation Demand Management Plan, will mitigate significant environmental impacts to the maximum extent feasible. As such, the Proposed Project will not have any new impacts which were not discussed in the PEIR, and the Proposed Project's adverse and/or significant environmental impacts will be mitigated to the maximum extent feasible.

2.1.3 *That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

The Planning Commission finds that streets and highways are adequate and properly designed to carry the vehicles related to operations, deliveries, and employees of the Proposed Project. The Proposed Project, which includes the construction of a new processing building, will add up to an additional 50 employees to the existing cannabis cultivation operation, for a total of up to 80 employees for the Project site. As discussed in Sections 6.3 and 6.4 of the staff report, dated April 27, 2021, and incorporated herein by reference, a STDMP will reduce employee vehicle trips with a vanpool operation that will transport permanent employees to and from the site, and an estimated 15% of employees will carpool.

As discussed in Section 6.3 of the staff report, dated April 27, 2021, and incorporated herein by reference, based on the completed Traffic Study, the Project is not expected to impact the surrounding streets and highways. Traffic to the subject parcel will utilize Highway 101 to Via Real and then will enter the site via an existing driveway off of Via Real. Via Real is a public road maintained by the County. Highway 101 is a public highway maintained by Caltrans. Caltrans and County Public Works Transportation Division reviewed the Proposed Project and Traffic Study, and had no comments.

2.1.4 *That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the Project.*

The Planning Commission finds that there are adequate public services to serve the Proposed Project. As discussed in Section 6.3 of the staff report, dated April 27, 2021, and incorporated herein by reference, adequate public and private services are in place to serve the Proposed Project. Existing wells and the Carpinteria Valley Water District will provide water service. Wastewater treatment will be provided by a new onsite septic system. Two emergency generators would be installed for emergency power. The County Fire Department will provide fire protection and emergency response. Additionally, the Santa Barbara County Fire Department reviewed the Proposed Project and issued a condition letter (Condition No. 38 of Attachment B-1 and Condition No. 35 of Attachments B-2 and B-3 to the staff report, dated April 27, 2021, and incorporated herein by reference). The County Sheriff will provide law enforcement to the subject parcel. Ingress and egress to the parcel will continue to be provided by an easement off Via Real, with emergency ingress and egress also provided off Foothill Road.

2.1.5 *That the Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.*

The Planning Commission finds that the Proposed Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. The Proposed Project consists of the construction of a new 25,418-square foot processing building on a property with an existing 379,757 square feet of structural development. The subject property is surrounded by existing greenhouse developments, agricultural fields, and low-density residential development. The proposed processing building and retention basis will support the existing agricultural development of the property.

The Proposed Project is consistent with all applicable policies, development standards, and regulations. As discussed in Section 6.4.7 of the staff report, dated April 27, 2021, and incorporated herein by reference, the Proposed Project meets all requirements of the cannabis development standards, pursuant to Section 35-144U of Article II, the Coastal Zoning Ordinance. Additionally, as discussed in Sections 6.3 and 6.4 of the staff report, dated April 27, 2021, and incorporated herein by reference, as well as in Findings 1.1 and 2.1.2 above, the Project is consistent with all environmental requirements and includes additional mitigation for potential impacts due to noise, odor, traffic, lighting, and visual impacts. Exterior lighting associated with the proposed building will be downward facing, full cut-off, and motion sensor based. Landscaping and screening of the property was reviewed and approved under Case No. 18CDP-00000-00077 and will provide adequate screening of the Project area from adjacent streets and public viewing areas.

The Project also includes an Odor Abatement Plan (Attachment I to the staff report, dated April 27, 2021, and incorporated herein by reference). As discussed in Section ## of the staff report, dated April 27, 2021, and incorporated herein by reference, the Plan was prepared by a Certified Industrial Hygienist and contains odor abatement measures including carbon based air filters inside the building, a vapor phase odor system on the exterior of the building, air curtains at exterior man doors, spray insulation, and negative pressure within certain rooms. These measures will adequately prevent odors from being experienced by the neighboring properties. The Applicant also submitted a Site Transportation Demand Management Plan (STDMP) (Attachment K to the staff report, dated April 27, 2021, and incorporated herein by reference) which includes a van service and carpooling.

The South Board of Architectural Review (SBAR) conceptually reviewed the proposed processing building, as well as the existing landscaping, fencing, and proposed lighting. Final approval of the Proposed Project by the SBAR is required prior to Zoning Clearance issuance (Condition No. 18 of Attachments B-1, B-2, and B-3 to the staff report, dated April 27, 2021, and incorporated herein by reference).

The Santa Barbara County Air Pollution Control District reviewed the Proposed Project for compliance with air quality regulations and issued a condition letter dated September 21, 2020 (included in Condition No. 38 of Attachment B-1 and Condition no. 35 of Attachments B-2 and B-3 to the staff report, dated April 27, 2021, and incorporated herein by reference). Additionally, the Carpinteria-Summerland Fire Protection District reviewed the Proposed Project for compliance with fire safety regulations and provided a condition letter dated June 4, 2020 (included in Condition No. 38 of Attachment B-1 and Condition No. 35 of Attachments B-2 and B-3 to the staff report, dated April 27, 2021, and incorporated herein by reference).

2.1.6 *That the Project is in conformance with the applicable provisions and policies of this Article and the Coastal Land Use Plan.*

The Planning Commission finds that the Proposed Project is in conformance with the Comprehensive Plan, including the Toro Canyon Plan, the Coastal Land Use Plan, and Article II, the Coastal Zoning Ordinance. As discussed in Section 6.4 of the staff report, dated April 27, 2021, and incorporated herein by reference, the development conforms to the applicable provisions of Article II, including:

- Section 35-68.1 Intent of the AG-I Zone

- Section 35-102F Intent of the Carpinteria Agricultural Overlay District
- Section 35-111 and Section 35-113 Parking Requirements
- Section 35-144U Cannabis Regulations

As discussed in Section 6.3 of the staff report, dated April 27, 2021, and incorporated herein by reference, the development conforms to the applicable provisions of the Comprehensive Plan, including the Toro Canyon Plan and the Coastal Land Use Plan.

2.1.7 *That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.*

The Planning Commission finds that the Proposed Project is compatible with and subordinate to the scenic and rural character of the area. The Proposed Project site is located within the Rural Area according to Comprehensive Plan maps. The subject property is a 14.66-acre parcel surrounded by greenhouse development, agricultural fields, and low-density residential development. The subject parcel is currently developed with 379,757 sq. ft. of greenhouses, warehouses, and accessory structures and is currently used for cannabis cultivation. The Proposed Project consists of the construction of a new processing building that will be used for the storage, drying, trimming, and packaging of cannabis grown, which are supportive uses/activities to the overall cannabis operation on the property. The new processing building complies with all zoning standards and would be approximately the same height as the existing structures, as discussed in Sections 6.3 and 6.4 of the staff report, dated April 27, 2021, and incorporated herein by reference.

All exterior light fixtures will be on motion sensors, downward facing, hooded and full cutoff. The Proposed Project will be sited so that it is not visible from any public viewing area. The SBAR conceptually reviewed the Proposed Project, including landscaping, lighting, fencing, and all structures. Final approval of the Proposed Project by the SBAR is required prior to Zoning Clearance issuance (Condition No. 18 of Attachments B-1, B-2, and B-3 to the staff report, dated April 27, 2021, and incorporated herein by reference).

2.1.8 *That the Project will not conflict with any easements required for public access through, or public use of the property.*

The Planning Commission finds that the Proposed Project does not conflict with any easements for public access through, or public use of the property. No easements exist on the subject for public access through, or public use of the property. A trail easement is reserved on the northern property line of the subject property along Foothill Road, as shown on the Project plans (Sheet A-101 of Attachment H to the staff report, dated April 27, 2021, and incorporated herein by reference), however, the Project does not impact the trail easement because the proposed development is not located near the trail easement.

2.1.9 *That the proposed use is not inconsistent with the intent of the zone district.*

The Planning Commission finds that the Proposed Project is consistent with the intent of the zone district. As discussed in Section 6.4.1 of the staff report, dated April 27, 2021, and incorporated herein by reference, the Proposed Project is consistent with the intent and purpose of the AG-I zone district. The processing building meets all height, setback, and parking requirements associated with the AG-I zone district. In addition,

the Project consists of storage, drying, trimming, and packaging of cannabis grown on site, which are supportive uses to the overall cannabis operation on the property.

2.2 DEVELOPMENT PLAN AMENDMENT FINDINGS

Findings required for all Development Plan Amendments. In compliance with Section 35-174.10.2 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Development Plan Amendment the decision-maker shall first make all of the following findings:

- 2.2.1** *That the findings required for approval of the Final Development Plan, including any environmental review findings made in compliance with the California Environmental Quality Act, that were previously made when the Final Development Plan was initially approved are still applicable to the Project with the addition of the development proposed by the application for the Amendment.*

The Planning Commission finds that the findings made when the Final Development Plan was initially approved are still applicable to the Project with the addition of the proposed development. The previously approved Final Development Plan allowed for the construction of six greenhouses. The proposed 25,418-square-foot cannabis processing building will be located in same general location as the sixth greenhouse previously approved under Development Plan No. 82-DP-30. The processing building will increase the amount on-site development to a total of 405,175 square feet, but the overall on-site development will remain within the originally permitted 415,380 square feet. No new environmental impacts have been identified with the Proposed Project, and the findings made for the Final Development Plan, including CEQA findings, are still applicable.

- 2.2.2** *That the environmental impacts related to the development proposed by the applications for the Amendment are determined to be substantially the same or less than those identified during the processing of the previously approved Final Development Plan.*

The Planning Commission finds that the environmental impacts related to the proposed development are substantially the same or less than those related to the previously approved Final Development Plan. The previously approved Final Development Plan allowed for the construction of six greenhouses. The proposed 25,418-square-foot cannabis processing building will be located in same general location as the sixth greenhouse previously approved under Development Plan No. 82-DP-30. The processing building will increase the amount on-site development to a total of 405,175 square feet, but the overall on-site development will remain within the originally permitted 415,380 square feet. No new environmental impacts have been identified with the Proposed Project, and the findings made for the Final Development Plan, including CEQA findings, are still applicable.

2.3 COASTAL DEVELOPMENT PERMIT FINDINGS

Findings required for all Coastal Development Permits.

- 2.3.1** *In compliance with Section 35-60.5 of the Article II Coastal Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or*

the applicant, that adequate public or private services and resources (i.e. water, sewer, roads, etc.) are available to serve the proposed development.

The Planning Commission finds that public and private services are adequately available to serve the proposed development. As discussed in Section 6.3 of the staff report, dated April 27, 2021, and incorporated herein by reference, adequate services are available to serve the proposed development. The site will be served by the Carpinteria Valley Water District, Carpinteria-Summerland Fire Protection District, and Santa Barbara County Sheriff's Department. A proposed onsite septic system and new restrooms will provide wastewater treatment.

Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may not be appealed to the Coastal Commission. In compliance with Section 35-169.5.3 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit subject to Section 35-169.4.3 for development that may not be appealed to the Coastal Commission the decision-maker shall first make all of the following findings:

2.3.2 *The proposed development conforms:*

- a. To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;***
- b. The applicable provisions of this Article or the Project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings, and Structures).***

The Planning Commission finds that the Proposed Project conforms to the Comprehensive Plan, including the Coastal Land Use Plan, as well as the applicable provisions of the Article II Coastal Zoning Ordinance. As discussed in Sections 6.3 and 6.4 of the staff report, dated April 27, 2021, and incorporated herein by reference, the Proposed Project conforms with all applicable regulations, policies and development standards from the Comprehensive Plan, the Toro Canyon Plan, the Coastal Land Use Plan, and the Article II Coastal Zoning Ordinance.

2.3.3 *The proposed development is located on a legally created lot.*

The Planning Commission finds that the proposed development is located on a legally created lot. The subject lot is a 14.66-acre parcel that is shown as Parcel A of Parcel Map 13,245 in Book 30, Pages 25, 26, and 27 of Parcel Maps in the office of the County Recorder of Santa Barbara County.

2.3.4 *The subject property and development on the property is in compliance with all laws, rules, and regulations pertaining to zoning uses, subdivisions, setbacks, and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).*

The Planning Commission finds that the subject property and proposed development is in compliance with all requirements. As conditioned and as described in the staff report, dated April 27, 2021 will be, in full compliance with all laws, rules, and

regulations pertaining to zoning uses, subdivisions, setbacks, and all other applicable provisions of the Article II Zoning Ordinance, and for the AG-I zone district. Additionally, all processing fees have been paid to date.

Additional findings required for sites within the Toro Canyon Plan area.

- 2.3.5** *In compliance with Section 35-194.6.3 of the Article II Coastal Zoning Ordinance, upon recommendation by the Board of Architectural Review, the decision-maker may approve or conditionally approve an application for a Coastal Development Permit on sites within the Toro Canyon Plan area that includes an exemption to architectural review standards h. or i. of Section 35-194.6.3 if written findings are made that the exemptions would allow a Project that: 1) furthers the intent of protecting hillsides and watersheds, 2) enhances and promote better structural and/or architectural design, and 3) minimizes visual or aesthetic impacts.*

The Planning Commission finds that the Proposed Project does not require exemptions to the architectural review standards h. or i. of Section 35-194.6.3. Standard h. requires the total vertical height of any graded slopes not to exceed 16 vertical feet in height. Standard i. requires the visible portion of a retaining wall above finished grade not to exceed six feet. The Proposed Project does not include any graded slopes that would exceed 16 feet in height or any retaining walls. Therefore, this finding is not applicable to the Proposed Project.

- 2.3.6** *In compliance with Section 35-194.9 of the Article II Coastal Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development Permit on sites within the Toro Canyon Plan that allows a deviation from a policy or standard of the Local Coastal Program to provide a reasonable use the decision-maker shall first make all of the following findings:*
- a. Based on the economic information provided by the Applicant, as well as any other relevant evidence, each use allowed by the Local Coastal Program policies and/or standards would not provide an economically viable use of the Applicant's property.*
 - b. Application of the Local Coastal Program policies and/or standards would unreasonable interfere with the Applicant's investment-backed expectations.*
 - c. The use proposed by the Applicant is consistent with the applicable zoning.*
 - d. The use and Project design, siting, and size are the minimum necessary to avoid a taking.*
 - e. The Project is the least environmentally damaging alternative and is consistent with all provisions of the certified Local Coastal Program other than the provisions for which the exception is requested.*
 - f. The development will not be a public nuisance. If it would be a public nuisance, the development shall be denied.*

The Planning Commission finds that a deviation from a policy or standard of the Local Coastal Program to provide a reasonable use has not been requested as part of the Proposed Project and that the Proposed Project will not result in deviations from the Local Coastal Program policies and standards, and therefore, this finding is not applicable to the Proposed Project.

ATTACHMENT 1-1: CONDITIONS OF APPROVAL FOR 19CUP-00000-00062

CONDITIONS OF APPROVAL

G&K FARMS CANNABIS PROCESSING WAREHOUSE

CASE NO. 19CUP-00000-00062

APN: 005-280-040

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

The Proposed Project is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), a Development Plan Amendment to 82-DP-30 (Case No. 20AMD-00000-00003), and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a new 25,418-square-foot, 25-foot-tall cannabis processing building and a detention basin to capture run-off from the structure.

The site is currently developed with five existing greenhouses permitted under the original Development Plan, Case No. 82-DP-30, and one existing warehouse, which was permitted under a Modification to the Development Plan, Case No. 86-M-4. Of the existing 379,757 square feet of development, 356,070 square feet is currently used for cannabis cultivation as approved by Coastal Development Permit, Case No. 18CDP-00000-00077. The proposed processing building will be used for the storage, drying, trimming, and packaging of cannabis grown both on-site and off-site. Up to 50% of the product processed in the proposed processing building will be grown off-site. Proposed grading for the Project includes 1,400 cu. yd. of cut and 1,000 cu. yd. of fill. Other site improvements required include storm water detention and a septic system. No vegetation or trees are proposed for removal.

External lighting will be provided by sixteen wall-mounted full cut-off LED motion detector lights on the east, north, and west sides of the proposed building near doorways. In addition to the existing vapor phase system, the odor control system will include a new vapor phase unit, carbon filters, air curtains at main doors, spray insulation, and HVAC and negative pressure within rooms most likely to create odors. Existing landscaping along Foothill Road screens the Project from view. Two chillers associated with the HVAC system will be installed adjacent to the proposed building. Five 3,000-gallon water tanks will also be installed on the property.

The proposed cannabis processing building would add up to 50 new full-time year-round employees, for a maximum of 80 full-time year round employees for the entire cannabis operation the property. The Proposed Project will add 16 parking spots and stripe the existing parking area, for a total of 54 parking spots. The operator will lease at least one 15-passenger van through CalVans (or a similar third party company) to provide daily roundtrip weekday vanpool transportation for employees commuting from Ventura County to the Project site for the life of the Project. All employee parking will be on-site and no employee parking on public roads is allowed.

The hours of operation for the processing building will be 6:00 am to 3:30 pm, seven days a week. Two emergency generators will be installed for backup power in case of an outage. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. The proposed processing building will contain two restroom areas for the use of employees. Wastewater treatment will be handled by a new septic system. Primary access to the site will continue to be provided through an existing easement on the neighboring parcel to the west (APN 005-280-015), which connects to Via Real. The property

is a 14.66-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-040, and addressed as 3561 Foothill Road in the Toro Canyon Community Plan 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.

Project Specific Conditions

3. **Licenses Required.** The applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.
4. **Transfer of Ownership.** In the event that the applicant transfers interest in the commercial cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the Project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the Project.

DOCUMENTATION: The successor(s) in interest shall notify P&D compliance staff, in writing, of the transfer in interest, and provide the contact and billing information of the successor(s) in interest.

TIMING: The successor(s) in interest shall provide the written notification within 30 days following the transfer in interest.

MONITORING: P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

5. **Records.** The applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.

TIMING: The applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.

MONITORING: The applicant shall provide the documentation for review, inspection, examination and audit by the Department.

6. **Permit Compliance.** The Owner/Applicant/Operator shall ensure that the Project complies with the County cannabis regulations, all approved plans and Project conditions, including those which must be monitored after the Project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:
 1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the Project compliance activities.
 2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of Zoning Clearance as authorized by ordinance and fee

- schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff 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. Participate in Initial Compliance Inspections that may occur:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
 4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the Project, or as specific in permit conditions, and
 - c. Other instances as deemed necessary by Planning & Development

PLAN REQUIREMENTS: The Owner/Applicant/Operator shall include a note and a copy of this condition on all Project plans including Building and Grading Plans.

TIMING: Prior to issuance of Zoning Clearance, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.

MONITORING: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

7. **Lighting Plan.** The applicant shall implement the Lighting Plan stamped “Zoning Approved.”

PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.4) as that section reads as of the date of Project approval.

TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The applicant shall maintain the Project site in compliance with the Lighting Plan throughout the life of the Project.

MONITORING: P&D compliance staff inspects the Project site to confirm that all components of the Lighting Plan are installed, maintained, and operated pursuant to the requirements of this condition.

8. **Noise Plan.** The applicant shall implement the Noise Plan stamped “Zoning Approved.”

Plan Requirements: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.5) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Noise Plan prior to issuance of final building inspection. The applicant shall maintain the Project site in compliance with the Noise Plan throughout the life of the Project.

MONITORING: P&D compliance staff inspects the Project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

9. **Odor Abatement Implementation and Monitoring.** The applicant shall implement the Odor Abatement Plan stamped 'Zoning Approved'. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on Project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of Project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.

TIMING: The Odor Abatement system shall be installed prior to the commencement of cultivation activities. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.

MONITORING: P&D compliance staff shall monitor implementation prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

10. **Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved Byers Scientific vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

11. **Site Transportation Demand Management Plan.** The applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved."

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.1.j) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Site Transportation Demand Management Plan prior to issuance of final building and/or grading inspection. The applicant shall maintain the Project in compliance with the Site Transportation Demand Management Plan throughout the life of the Project.

MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented.

12. **Cannabis Waste Discharge Requirements.** The applicant shall demonstrate compliance with the State Water Resources Control Board’s comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.

TIMING: The applicant shall demonstrate compliance prior to approval of Coastal Development Permit.

13. **Emergency Generator.** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. Pursuant to the manufacturer’s routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building and zoning permit plans.

TIMING: The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

14. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

15. **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 issuance of Zoning Clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

16. **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 P&D monitoring staff and 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 first grading 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 and building inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

17. **Construction Hours.** The Owner/Applicant, including 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 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.

18. **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 shall conform in all respects to approval of 19BAR-00000-00225.

TIMING: The Owner/Applicant shall submit architectural drawings of the Project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the Project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

19. **Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for zoning clearance, grading and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

20. **Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site upon completion of construction. The area shall be located at least 100 feet from any storm drain, waterbody, or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use, Grading, and Building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

21. **Habitat Identification.** All plans shall show the precise location of the habitat(s) within 250 feet of work areas.

TIMING: The Applicant shall comply with this measure prior to issuance of Zoning Clearance.

PLAN REQUIREMENTS: Habitat locations shall be clearly identified on the plans submitted prior to issuance of Zoning Clearance.

County Rules and Regulations

22. **Rules-02 Effective Date-Appealable to CCC.** This Conditional Use 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.
23. **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.
24. **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.
25. **Rules-08 Sale of Site.** The Project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), Project description and the conditions of approval including all related covenants and agreements.
26. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
27. **Rules-11 CDP Expiration-With CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval 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. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each 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 or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).
28. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the Zoning Clearance is not issued within the 18 months following the effective date of this Conditional

use Permit, or within such extended period of time as may be authorized in compliance with Section 35-172.9.3 of the Article II Coastal Zoning Ordinance, and an application for an extension has not been submitted to the Planning and Development Department, then this Conditional Use Permit shall be considered void and of no further effect.

29. **Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35-172.9 of the Article II Coastal Zoning Ordinance. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Coastal Development Permit approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit.
30. **Rules-23 Processing Fees Required.** Prior to issuance of 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. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a Project type of nonresidential development.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which increase at the beginning of each fiscal year (July 1st).

32. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a Project type of nonresidential development.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which increase at the beginning of each fiscal year (July 1st).

33. **Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the Project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.
34. **Rules-28 Removal of Greenhouses.** The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit

an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.

TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the CA Overlay is amended) prior to approval of the follow on Zoning Clearance.

35. **Rules-29 Other Department Conditions.** Compliance with Department/Division letters required as follows:
 - a. Air Pollution Control District dated May 24, 2021
 - b. Environmental Health Services Division dated July 30, 2020
 - c. Carpinteria Summerland Fire Protection District dated June 4, 2020
 - d. Flood Control/Project Clean Water dated July 27, 2020
36. **Rules-30 Plan 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.
37. **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.
38. **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.
39. **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.

ATTACHMENT 1-2: CONDITIONS OF APPROVAL FOR 20AMD-00000-00010

G&K FARMS CANNABIS PROCESSING WAREHOUSE

DEVELOPMENT PLAN AMENDMENT

CASE NO. 20AMD-00000-00003

APN: 005-280-040

Project Description

1. **Proj Des-01 Project Description.** This Amendment to the Development Plan (Case No. 82-DP-30) is based upon and limited to compliance with the Project description, the hearing exhibits marked A-L and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The Project description is as follows:

The Proposed Project is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), a Development Plan Amendment to 82-DP-30 (Case No. 20AMD-00000-00003), and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a new 25,418-square-foot, 25-foot-tall cannabis processing building and a detention basin to capture runoff from the structure.

The site is currently developed with five existing greenhouses permitted under the original Development Plan, Case No. 82-DP-30, and one existing warehouse, which was permitted under a Modification to the Development Plan, Case No. 86-M-4. Of the existing 379,757 square feet of development, 356,070 square feet is currently used for cannabis cultivation as approved by Coastal Development Permit, Case No. 18CDP-00000-00077. The proposed processing building will be used for the storage, drying, trimming, and packaging of cannabis grown both on-site and off-site. Up to 50% of the product processed in the proposed processing building will be grown off-site. Proposed grading for the Project includes 1,400 cu. yd. of cut and 1,000 cu. yd. of fill. Other site improvements required include storm water detention and a septic system. No vegetation or trees are proposed for removal.

External lighting will be provided by sixteen wall-mounted full cut-off LED motion detector lights on the east, north, and west sides of the proposed building near doorways. In addition to the existing vapor phase system, the odor control system will include a new vapor phase unit, carbon filters, air curtains at main doors, spray insulation, and HVAC and negative pressure within rooms most likely to create odors. Existing landscaping along Foothill Road screens the Project from view. Two chillers associated with the HVAC system will be installed adjacent to the proposed building. Five 3,000-gallon water tanks will also be installed on the property.

The proposed cannabis processing building would add up to 50 new full-time year-round employees, for a maximum of 80 full-time year round employees for the entire cannabis operation the property. The Proposed Project will add 16 parking spots and stripe the existing parking area, for a total of 54 parking spots. The operator will lease at least one 15-passenger van through CalVans (or a similar third party company) to provide daily roundtrip weekday vanpool transportation for employees commuting from Ventura County to the Project site for the life of the Project. All employee parking will be on-site and no employee parking on public roads is allowed.

The hours of operation for the processing building will be 6:00 am to 3:30 pm, seven days a week. Two emergency generators will be installed for backup power in case of an outage. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. The proposed processing building will contain two restroom areas for the use of employees. Wastewater treatment will be handled by a new septic system. Primary access to the site will continue to be provided through an existing easement on the neighboring parcel to the west (APN 005-280-015), which connects to Via Real. The property is a 14.66-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-040, and addressed as 3561 Foothill Road in the Toro Canyon Community Plan 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.

Project Specific Conditions

3. **Licenses Required.** The applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.
4. **Transfer of Ownership.** In the event that the applicant transfers interest in the commercial cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the Project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the Project.

DOCUMENTATION: The successor(s) in interest shall notify P&D compliance staff, in writing, of the transfer in interest, and provide the contact and billing information of the successor(s) in interest.

TIMING: The successor(s) in interest shall provide the written notification within 30 days following the transfer in interest.

MONITORING: P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

5. **Records.** The applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.

TIMING: The applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.

MONITORING: The applicant shall provide the documentation for review, inspection, examination and audit by the Department.

6. **Permit Compliance.** The Owner/Applicant/Operator shall ensure that the Project complies with the County cannabis regulations, all approved plans and Project conditions, including those which must be monitored after the Project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:
 1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the Project compliance activities.
 2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff 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. Participate in Initial Compliance Inspections that may occur:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the Project, or as specific in permit conditions, and
 - c. Other instances as deemed necessary by Planning & Development

PLAN REQUIREMENTS: The Owner/Applicant/Operator shall include a note and a copy of this condition on all Project plans including Building and Grading Plans.

TIMING: Prior to issuance of Zoning Clearance, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.

MONITORING: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

7. **Lighting Plan.** The applicant shall implement the Lighting Plan stamped “Zoning Approved.”

PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.4) as that section reads as of the date of Project approval.

TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The applicant shall maintain the Project site in compliance with the Lighting Plan throughout the life of the Project.

MONITORING: P&D compliance staff inspects the Project site to confirm that all components of the Lighting Plan are installed, maintained, and operated pursuant to the requirements of this condition.

8. **Noise Plan.** The applicant shall implement the Noise Plan stamped “Zoning Approved.”

Plan Requirements: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.5) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Noise Plan prior to issuance of final building inspection. The applicant shall maintain the Project site in compliance with the Noise Plan throughout the life of the Project.

MONITORING: P&D compliance staff inspects the Project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

9. **Odor Abatement Implementation and Monitoring.** The applicant shall implement the Odor Abatement Plan stamped ‘Zoning Approved’. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on Project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of Project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.

TIMING: The Odor Abatement system shall be installed prior to the commencement of cultivation activities. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.

MONITORING: P&D compliance staff shall monitor implementation prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

10. **Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved Byers Scientific vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

11. **Site Transportation Demand Management Plan.** The applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved."

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.1.j) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Site Transportation Demand Management Plan prior to issuance of final building and/or grading inspection. The applicant shall maintain the Project in compliance with the Site Transportation Demand Management Plan throughout the life of the Project.

MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented.

12. **Cannabis Waste Discharge Requirements.** The applicant shall demonstrate compliance with the State Water Resources Control Board’s comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.

TIMING: The applicant shall demonstrate compliance prior to approval of Coastal Development Permit.

13. **Emergency Generator.** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. Pursuant to the manufacturer’s routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building and zoning permit plans.

TIMING: The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

14. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

15. **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 issuance of Zoning Clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

16. **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 P&D monitoring staff and 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 first grading 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 and building inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

17. **Construction Hours.** The Owner/Applicant, including 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 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.

18. **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 shall conform in all respects to approval of 19BAR-00000-00225.

TIMING: The Owner/Applicant shall submit architectural drawings of the Project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the Project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

19. **Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for zoning clearance, grading and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

20. **Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site upon completion of construction. The area shall be located at least 100 feet from any storm drain, waterbody, or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use, Grading, and Building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

21. **Habitat Identification.** All plans shall show the precise location of the habitat(s) within 250 feet of work areas.

TIMING: The Applicant shall comply with this measure prior to issuance of Zoning Clearance.

PLAN REQUIREMENTS: Habitat locations shall be clearly identified on the plans submitted prior to issuance of Zoning Clearance.

County Rules and Regulations

22. **Rules-01 Effective Date-Not Appealable to CCC.** This Development Plan Amendment 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.
23. **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.
24. **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.
25. **Rules-08 Sale of Site.** The Project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), Project description and the conditions of approval including all related covenants and agreements.
26. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
27. **Rules-11 CDP Expiration-With CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval 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. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each 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 or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).
28. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
29. **Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.

30. **Rules-23 Processing Fees Required.** Prior to issuance of 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. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a Project type of nonresidential development.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which increase at the beginning of each fiscal year (July 1st).

32. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a Project type of nonresidential development.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which increase at the beginning of each fiscal year (July 1st).

33. **Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the Project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

34. **Rules-28 Removal of Greenhouses.** The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.

TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the CA Overlay is amended) prior to approval of the follow on Zoning Clearance.

35. **Rules-29 Other Department Conditions.** Compliance with Department/Division letters required as follows:

- a. Air Pollution Control District dated May 24, 2021
- b. Environmental Health Services Division dated July 30, 2020
- c. Carpinteria Summerland Fire Protection District dated June 4, 2020
- d. Flood Control/Project Clean Water dated July 27, 2020

36. **Rules-30 Plan 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.
37. **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.
38. **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.
39. **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.

ATTACHMENT 1-3: CONDITIONS OF APPROVAL FOR 19CDP-00000-00157
G&K FARMS CANNABIS PROCESSING WAREHOUSE
COASTAL DEVELOPMENT PERMIT
CASE NO. 19CDP-00000-00157
APN: 005-280-040

Project Description

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

The Proposed Project is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), a Development Plan Amendment to 82-DP-30 (Case No. 20AMD-00000-00003), and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a new 25,418-square-foot, 25-foot-tall cannabis processing building and a detention basin to capture run-off from the structure.

The site is currently developed with five existing greenhouses permitted under the original Development Plan, Case No. 82-DP-30, and one existing warehouse, which was permitted under a Modification to the Development Plan, Case No. 86-M-4. Of the existing 379,757 square feet of development, 356,070 square feet is currently used for cannabis cultivation as approved by Coastal Development Permit, Case No. 18CDP-00000-00077. The proposed processing building will be used for the storage, drying, trimming, and packaging of cannabis grown both on-site and off-site. Up to 50% of the product processed in the proposed processing building will be grown off-site. Proposed grading for the Project includes 1,400 cu. yd. of cut and 1,000 cu. yd. of fill. Other site improvements required include storm water detention and a septic system. No vegetation or trees are proposed for removal.

External lighting will be provided by sixteen wall-mounted full cut-off LED motion detector lights on the east, north, and west sides of the proposed building near doorways. In addition to the existing vapor phase system, the odor control system will include a new vapor phase unit, carbon filters, air curtains at main doors, spray insulation, and HVAC and negative pressure within rooms most likely to create odors. Existing landscaping along Foothill Road screens the Project from view. Two chillers associated with the HVAC system will be installed adjacent to the proposed building. Five 3,000-gallon water tanks will also be installed on the property.

The proposed cannabis processing building would add up to 50 new full-time year-round employees, for a maximum of 80 full-time year round employees for the entire cannabis operation the property. The Proposed Project will add 16 parking spots and stripe the existing parking area, for a total of 54 parking spots. The operator will lease at least one 15-passenger van through CalVans (or a similar third party company) to provide daily roundtrip weekday vanpool transportation for employees commuting from Ventura County to the Project site for the life of the Project. All employee parking will be on-site and no employee parking on public roads is allowed.

The hours of operation for the processing building will be 6:00 am to 3:30 pm, seven days a week. Two emergency generators will be installed for backup power in case of an

outage. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. The proposed processing building will contain two restroom areas for the use of employees. Wastewater treatment will be handled by a new septic system. Primary access to the site will continue to be provided through an existing easement on the neighboring parcel to the west (APN 005-280-015), which connects to Via Real. The property is a 14.66-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-040, and addressed as 3561 Foothill Road in the Toro Canyon Community Plan 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.

Project Specific Conditions

3. **Licenses Required.** The applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.
4. **Transfer of Ownership.** In the event that the applicant transfers interest in the commercial cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the Project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the Project.

DOCUMENTATION: The successor(s) in interest shall notify P&D compliance staff, in writing, of the transfer in interest, and provide the contact and billing information of the successor(s) in interest.

TIMING: The successor(s) in interest shall provide the written notification within 30 days following the transfer in interest.

MONITORING: P&D compliance staff reviews the written notification to confirm that all requisite information has been included pursuant to the requirements of this condition.

5. **Records.** The applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.

TIMING: The applicant shall maintain the documentation for a minimum of five years following the preparation and/or approval of the documentation.

MONITORING: The applicant shall provide the documentation for review, inspection, examination and audit by the Department.

6. **Permit Compliance.** The Owner/Applicant/Operator shall ensure that the Project complies with the County cannabis regulations, all approved plans and Project conditions, including those which must be monitored after the Project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:
 1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the Project compliance activities.
 2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff 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. Participate in Initial Compliance Inspections that may occur:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
 4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the Project, or as specific in permit conditions, and
 - c. Other instances as deemed necessary by Planning & Development

PLAN REQUIREMENTS: The Owner/Applicant/Operator shall include a note and a copy of this condition on all Project plans including Building and Grading Plans.

TIMING: Prior to issuance of Zoning Clearance, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.

MONITORING: Planning & Development Compliance Staff or designee shall conduct initial and regular compliance inspections as identified above in accordance with this condition, and as determined to be necessary.

7. **Lighting Plan.** The applicant shall implement the Lighting Plan stamped “Zoning Approved.”

PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.4) as that section reads as of the date of Project approval.

TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The applicant shall maintain the Project site in compliance with the Lighting Plan throughout the life of the Project.

MONITORING: P&D compliance staff inspects the Project site to confirm that all components of the Lighting Plan are installed, maintained, and operated pursuant to the requirements of this condition.

8. **Noise Plan.** The applicant shall implement the Noise Plan stamped “Zoning Approved.”

Plan Requirements: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.5) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Noise Plan prior to issuance of final building inspection. The applicant shall maintain the Project site in compliance with the Noise Plan throughout the life of the Project.

MONITORING: P&D compliance staff inspects the Project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

9. **Odor Abatement Implementation and Monitoring.** The applicant shall implement the Odor Abatement Plan stamped ‘Zoning Approved’. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on Project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of Project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.

TIMING: The Odor Abatement system shall be installed prior to the commencement of cultivation activities. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.

MONITORING: P&D compliance staff shall monitor implementation prior to Final Building Clearance and/or commencement of use, whichever occurs first. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant’s expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

10. **Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved Byers Scientific vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State’s Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their

intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

11. **Site Transportation Demand Management Plan.** The applicant shall implement the Site Transportation Demand Management Plan stamped “Zoning Approved.”

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.1.j) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Site Transportation Demand Management Plan prior to issuance of final building and/or grading inspection. The applicant shall maintain the Project in compliance with the Site Transportation Demand Management Plan throughout the life of the Project.

MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented.

12. **Cannabis Waste Discharge Requirements.** The applicant shall demonstrate compliance with the State Water Resources Control Board’s comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.

TIMING: The applicant shall demonstrate compliance prior to approval of Coastal Development Permit.

13. **Emergency Generator.** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. Pursuant to the manufacturer’s routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building and zoning permit plans.

TIMING: The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

14. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

15. **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 issuance of Zoning Clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

16. **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 P&D monitoring staff and 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 first grading 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 and building inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

17. **Construction Hours.** The Owner/Applicant, including 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 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.

18. **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 shall conform in all respects to approval of 19BAR-00000-00225.

TIMING: The Owner/Applicant shall submit architectural drawings of the Project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the Project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

19. **Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for zoning clearance, grading and building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

20. **Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site upon completion of construction. The area shall be located at least 100 feet from any storm drain, waterbody, or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use, Grading, and Building permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction.

21. **Habitat Identification.** All plans shall show the precise location of the habitat(s) within 250 feet of work areas.

TIMING: The Applicant shall comply with this measure prior to issuance of Zoning Clearance.

PLAN REQUIREMENTS: Habitat locations shall be clearly identified on the plans submitted prior to issuance of Zoning Clearance.

County Rules and Regulations

22. **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.
23. **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.

24. **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.
25. **Rules-08 Sale of Site.** The Project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), Project description and the conditions of approval including all related covenants and agreements.
26. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
27. **Rules-11 CDP Expiration-With CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval 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. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each 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 or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).
28. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
29. **Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
30. **Rules-23 Processing Fees Required.** Prior to issuance of 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. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a Project type of nonresidential development.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which increase at the beginning of each fiscal year (July 1st).

- 32. DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a Project type of nonresidential development.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which increase at the beginning of each fiscal year (July 1st).

- 33. Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the Project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.

- 34. Rules-28 Removal of Greenhouses.** The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.

TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the CA Overlay is amended) prior to approval of the follow on Zoning Clearance.

- 35. Rules-29 Other Department Conditions.** Compliance with Department/Division letters required as follows:
- a. Air Pollution Control District dated May 24, 2021
 - b. Environmental Health Services Division dated July 30, 2020
 - c. Carpinteria Summerland Fire Protection District dated June 4, 2020
 - d. Flood Control/Project Clean Water dated July 27, 2020

- 36. Rules-30 Plan 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.

- 37. 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.

38. **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.
39. **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.



air pollution control district
SANTA BARBARA COUNTY

May 24, 2020

Ben Singer
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: Santa Barbara County Air Pollution Control District Comments on G&K Processing Structure, 19CUP-00000-00062, 19CDP-00000-00157, 20AMD-00000-00003

Dear Ben Singer:

The Air Pollution Control District (District) has reviewed the referenced project, which consists of the construction of a 25,418 square foot (SF) single-level cannabis processing building. Cannabis cultivation currently takes place onsite and was previously approved under 18CDP-00000-00077. Storage, drying, trimming and packaging of cannabis grown on-site would be conducted in the building. No offsite cannabis would be brought onsite. The site is currently developed with five existing greenhouses and one existing warehouse totaling 379,757 SF. The existing warehouse is not affiliated with the cannabis operation. The processing building would contain a carbon/charcoal filtration system for odor control in addition to the existing Byers waterless vapor phase system which surrounds the entire facility. Two 464 brake horsepower (bhp) Cummins QSL9-G7 diesel emergency standby generators are proposed and will be used for cultivation and non-cultivation purposes such as security and lighting. No new boilers are proposed. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. Grading is estimated at 1,400 cubic yards of cut and 1,000 cubic yards of fill. The subject property, a 14.66-acre parcel zoned AG-I-10 and identified in the Assessor Parcel Map Book as APN 005-280-040, is located at 3561 Foothill Road in the unincorporated area of Carpinteria.

District rules and regulations apply to various aspects of the cannabis industry. This includes the need to obtain one or more permits or registrations. County staff and the cannabis operator should carefully review the District's *Cannabis Permitting Requirements & Nuisance Enforcement Table and Advisory on Air Quality and Cannabis Operations* (available at www.ourair.org/cannabis). These resources provide provides local agencies and cannabis operators guidance regarding the air quality aspects of this industry. The advisory discusses the District's regulatory limitations on odors from agricultural operations, recommendations for odor abatement, and cannabis-related operations that may require a District permit.

Based on the current project description and information that has been provided, the two proposed 464 bhp diesel generators are subject to District permit requirements and prohibitory rules. Therefore, the District will be a **responsible agency under the California Environmental Quality Act (CEQA)** and will rely on the County's CEQA determination when evaluating any District permits for proposed equipment. The County's CEQA analysis should include the air pollutant emissions for all proposed equipment to avoid additional CEQA documentation requirements related to District permit issuance. **In addition, as**

Aeron Arlin Genet, Air Pollution Control Officer

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part of District permit issuance, the proposed project will require that a Health Risk Assessment (HRA) be performed to demonstrate that the operation of project-related equipment does not cause a significant risk to the surrounding community and nearby sensitive receptors. An HRA should be performed as part of the CEQA review for the land use permit to ensure that project-related equipment will not result in a significant health risk impact. The District will not issue a permit if an HRA shows that a significant impact will occur.

The District advises that the following applicable regulatory requirements be included by the lead agency as conditions of approval for the proposed project:

1. Prior to building permit issuance, **District Authority to Construct permits** must be obtained for the two proposed 464-brake horsepower diesel-fired emergency/standby generator engines. Proof of receipt of the required District permits shall be submitted by the applicant to planning staff. *Advisories: (1) An equipment-specific Health Risk Assessment will be required as part of District permit issuance. Please refer to the District's website at www.ourair.org/dice-atcm for more information on diesel engine permitting. (2) The District permit process can take several months. To avoid delay, the applicant is encouraged to submit their Authority to Construct permit application to the District as soon as possible, see <http://www.ourair.org/permit-applications/> load the necessary permit application(s).*
2. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates are exempt from the District permit, provided they will be on-site for less than 12 months.
3. The application of architectural coatings, such as paints, primers, and sealers that are applied to buildings or stationary structures, shall comply with District Rule 323.1, *Architectural Coatings* that places limits on the VOC-content of coating products.
4. Construction/demolition activities are subject to District Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*. This rule establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites, includes measures for minimizing fugitive dust from on-site activities, and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/rule345.pdf. Activities subject to Rule 345 are also subject to Rule 302 (*Visible Emissions*) and Rule 303 (*Nuisance*).
5. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 British thermal units per hour (Btu/hr) and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of District Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.
6. Boilers, water heaters, and process heaters rated between 75,000 and 2.0 million British thermal units per hour (Btu/hr) must comply with the emission limits and certification requirements of District Rule 360. Note: Units fired on fuel(s) other than natural gas still need to be certified under Rule 360. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information.
7. The District recommends that boilers, water heaters, and process heaters rated between 2 million to 5 million British thermal units per hour (Btu/hr) comply with the emission limits and

certification requirements of District Rule 361. Please see www.ourair.org/wp-content/uploads/Rule361.pdf for more information. Units rated above 5 million Btu/hr are recommended to comply with the emission limits and certification requirements of District Rule 342. Please see www.ourair.org/wp-content/uploads/rule342.pdf for more information.

In addition, the District advises that the following **best practices** be conditioned by the lead agency as appropriate:

1. To reduce the potential for violations of District Rule 345 (*Control of Fugitive Dust from Construction and Demolition Activities*), Rule 302 (*Visible Emissions*), and Rule 303 (*Nuisance*), 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 District 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 shall be implemented to the maximum extent feasible. Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.
3. At a minimum, prior to occupancy, any feasible greenhouse gas reduction measures from the following sector-based list shall 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)
 - For additional information on greenhouse gas mitigation and potential strategies, see www.ourair.org/ghgmitigation-sbc.
4. Indoor and mixed-light cultivation (e.g., greenhouses) located near residential, commercial and other sensitive receptors shall abate cannabis odors through the use of containment, ventilation, filters, control and/or deodorizing systems. Outdoor cultivation and growing operations also create strong cannabis odors, and the District recommends that such operations not be located near public locations such as residences, commercial buildings, or other sensitive receptors. The District encourages the use of buffer zones to allow for maximum odor dispersion, as well as other odor abatement strategies, to avoid nuisance odors. Odor abatement strategies shall be implemented as laid out in a comprehensive odor abatement plan to ensure that cannabis odors are not detected by nearby residential areas or sensitive receptors. All odor abatement technology shall be operated according to the manufacturer's specifications and/or as recommended by a professional engineer or certified industrial hygienist. Any changes to the odor abatement chemical/solution or odor abatement technology should be reviewed and approved by the County.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8873 or via email at HoD@sbcapcd.org.

Sincerely,

Desmond Ho

Desmond Ho
Air Quality Specialist
Planning Division

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

cc: William Sarraf, Supervisor, District Engineering Division [email only]
David Harris, Manager, District Engineering Division [email only]
Eric Kett, Supervisor, District Compliance Division [email only]
Planning 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. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. 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 when sustained 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.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day 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.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures 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: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The 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 greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (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 diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (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. 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. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

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. Electric auxiliary power units should be used to the maximum extent 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.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

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

Santa Barbara County
PUBLIC Health
DEPARTMENT



Van Do-Reynoso, MPH, PhD Director
Suzanne Jacobson, CPA Chief Financial Officer
Paige Batson, MA, PHN, RN Interim Deputy Director
Douglas Metz, DPM, MPH Deputy Director
Polly Baldwin, MD, MPH Medical Director
Polly Baldwin, MD, MPH Interim Health Officer

Environmental Health Services

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Lawrence Fay Director of Environmental Health

TO: Stephen Peterson, Planner
Planning & Development Department
Development Review Division

FROM: Deanna Talerico
Environmental Health Services

DATE: July 30, 2020

SUBJECT: Case No. 19CUP-00000-00062, 19CDP-00000-00157, 20AMD-00000-00003

Agent: Jay Higgin, H&H Environmental, Inc.

Project: G&K Farm Cannabis Processing Warehouse

Assessor's Parcel No 005-280-040

Located at: 3561 Foothill Road in Carpinteria, CA zoned AG-I-510

The proposed Project is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), Development Plan Amendment to 82DP-30 (Case No. 20AMD-00000-00003) and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a 25,418 sq. ft. single-level 25-foot tall cannabis processing building on a 14.66 acre lot. Cannabis cultivation currently takes place onsite and was previously approved under 18CDP-00000-00077. Storage, drying, trimming and packaging of cannabis grown on-site would be conducted in the building. No offsite cannabis would be brought onsite. Proposed grading for the project would include 1,400 cubic yards of cut and 1,000 cubic yards of fill. The site is currently developed with 5 existing greenhouses and 1 existing warehouse totaling 379,757 square feet permitted under a development plan (82DP-30). The property is a 14.66-acre parcel zoned AG-I-10 and shown as Assessor's Parcel Number 005-280-040, located at 3561 Foothill Road in the Toro Canyon Plan area, First Supervisorial District.

The cannabis operation will utilize a maximum of 80 full-time year-round employees. The hours of operation will be 6:00 am to 3:30 pm, seven days per week.

Domestic water is provided by the Carpinteria Water District through an existing water meter, and an existing onsite private well provides irrigation water services for the cannabis cultivation operation.

Sanitary services will be provided to cannabis staff via a combination of existing and newly proposed permanent restrooms. Two existing greenhouse restrooms are served by an existing onsite wastewater treatment system (OWTS) that is in acceptable condition, and will remain unchanged in place. Additionally, six new permanent restrooms will be installed in the proposed processing warehouse. Environmental Health Services has received and reviewed acceptable soils percolation testing and a feasible preliminary design for a new onsite wastewater treatment system to serve the six restrooms in the processing warehouse, designed with a septic tank, grinder pump, and leach line dispersal fields to accommodate the wastewater flow of up to 56 employees in that building. The older OTWS was designed to accommodate approximately 20-22 employees in the greenhouse areas.

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

1. Prior to Issuance of Zoning Clearance, an application for the new **Onsite Wastewater Treatment System** permits shall be submitted to Environmental Health Services. The plans shall include a layout for the installation of a 200% primary installation (dual disposal field) and 100% expansion area. The onsite wastewater treatment systems shall be designed to handle peak daily flows according to the criteria of the State Onsite Wastewater Treatment System Policy and the Santa Barbara County Code, Chapter 18-C.
2. Prior to Issuance of Zoning Clearance, the applicant shall submit a **solid waste management plan** to County Environmental Health Services for review and approval. The plan shall include but not be limited to the following:
 - (a) planned on-site composting details,
 - (b) means of waste transport,
 - (c) description of short-term storage facilities, if any
 - (d) method and area of waste disposal,
 - (e) any equipment necessary to implement the plan.
3. Prior to Issuance of Zoning Clearance, the applicant shall submit verification of exemption and/or enrollment with the Regional Water Quality Control Board waste discharge requirements.
4. Prior to Issuance of a Building Permit, the application for the new onsite wastewater treatment system permit shall be approved by Environmental Health Services.
5. Prior to Occupancy, the approved onsite wastewater treatment systems shall be installed, constructed and fully operational, to be verified by Environmental Health Services through inspection.
6. Prior to Occupancy, the applicant shall contact Environmental Health Services Hazardous Materials Program (**CUPA**) staff to evaluate possible permitting requirements.



Deanna Talerico, REHS
Senior Environmental Health Specialist



CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

3561, Foothill Road, , Carpinteria, , CA, 93013, , New cannabis processing building.

Location	34.415708, -119.554948
Status	Planning Completed
Submittal Date:	2020-05-28
Address/Location:	3561 Foothill Road Carpinteria, CA 93013
APN:	005-280-040
Number of stories:	1
Comments:	New cannabis processing building.
Submittal Type:	Planning
Applicant:	H & H Environmental Inc.
Address	3217 Calle Noguera Santa Barbara, CA 93105
Phone Number:	805-617-4563
Email:	jay@higginsland.com
Fire Protection Systems Existing or Required	Yes

Planning/Conceptual Design

Date Plan Review Completed:	2020-06-04
Permit Number:	19CUP-0-00062, 19CDP-0-00157
Submittal Type:	CDP
	CUP
	New Construction
Description:	New cannabis processing building.
Plans Checked By:	Todd Jenkins
Invoiced	Yes
Items Invoiced:	FPC-P
Invoices Paid	Yes
Invoices Paid:	FPC-P

Project Conditions

All work shall be done per current applicable CFC and CSFPD ordinance and standards.

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CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

Access and Identification

All required access ways (public or private) shall be installed and made serviceable prior to the erection of combustible materials.

Access to this project shall conform to the requirements for the private roads and driveways set forth in the CSFPD California Fire Code Amendment Ordinance and the CSFPD Road and Driveway Standards and the Santa Barbara County Private Road and Driveway Design Standards (Section #8).

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building.

Dead end access roads or driveways shall terminate with a Fire District approved turnaround.

Water Requirements

Fire Lane Identification shall comply with Development Standard #1 Exhibit C

Fire hydrants capable of supplying the required fire flow for fire protection shall be provided for all buildings or portions of buildings which have been or are hereafter constructed within this project.

Fire hydrants shall be installed within 250 feet driving distance of all structures. The hydrant(s) shall be of the type approved by the Fire District and acceptable to Carpinteria Valley Water District. The fire hydrant and mains supplying the same shall be installed in accordance with the current CFC and CSFPD standards. The minimum gallons per minute at 20 PSI shall be determined by the fire flow requirements in the current CFC.

Prior to the erection of combustible materials the fire protection water system shall be installed tested and approved by the Fire District to assure compliance with the standards expressed herein.

Fire Protection Systems

All new buildings and 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 this office for approval.

A fire alarm or sprinkler monitoring system shall be installed or modified. Prior to installation plans for the system shall be designed by a qualified person and submitted to this office for approval.

Multi-station fire alarm devices shall be provided such that all occupants will be notified in the event of a fire. State Fire Marshal approved interconnected smoke detectors must be installed in accordance with the California Fire Code and Santa Barbara County Code.

Prior to occupancy Portable Fire Extinguishers shall be mounted such that the maximum travel distance from any area will meet the standard or be less than 75 feet.

Additional Requirements

Illuminated exit signs and Emergency Exit lighting shall be provided in accordance with the provisions of the California Fire Code.

A business plan shall be submitted prior to occupancy.

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Checks shall be made payable to: Carpinteria-Summerland Fire Protection District (CSFPD) and delivered to Fire District Headq
Inspector's Signature:

Signed 2020-06-04 21:22:55 UTC

"Pride in Service"

1140 Eugenia Place, Suite A • Carpinteria, California 93013 • (805) 684-4591 Fax (805) 684-8242



**Santa Barbara County Public Works Department
Water Resources Division**

Flood Control ♦ Water Agency ♦ Project Clean Water
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101
PH (805) 568-3440 FAX (805) 568-3434
<http://cosb.countyofsb.org/pwd/pwwater.aspx?id=2956>

SCOTT D. MCGOLPIN
Director Public Works

THOMAS D. FAYRAM
Deputy Director Water Resources

July 27, 2020

Stephen Peterson
County of Santa Barbara
Planning & Development Department
624 W. Foster Rd.
Santa Maria, CA 93455

**Re: 19CDP-00000-00157; 19CUP-00000-00062; G&K Farm/K&G Flower – Cannabis Processing Structure
APN: 005-280-040; Carpinteria**

Dear Stephen:

This condition letter supersedes that dated May 18, 2020 as the proposed building layout has been revised to be located outside of the FEMA Regulatory SFHA, and to update the timing of submittal requirements.

The District recommends that approval of the above referenced project, which proposes a 25,000 square foot cannabis cultivation processing structure, be subject to the following conditions:

A. Flood Control & Water Conservation District:

This project is located within the FEMA Recovery Mapping High Hazard Area (HHA). All substantially improved or newly permitted structures proposing improvements within the HHA are required to be floodproofed to a minimum of the AFE plus 2 FT (NAVD '88 Datum) per Floodplain Management Ordinance Chapter 15A of the Santa Barbara County Code, and as indicated per the conditions below.

1. General
 - a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Project Plan Approval dated January 2011 (<http://www.countyofsb.org/uploadedFiles/pwd/Content/Water/Documents/StdConditionsJan2011.pdf>)
 - b. The applicant shall provide a site plan of the proposed development in NAVD '88 following the guidelines provided in the Standard Conditions for Project Plan Approval.
2. Design/ Prior to Permit Issuance
 - a. Projects located in a SFHA shall be designed in compliance with Floodplain Management Ordinance Chapter 15A of the Santa Barbara County Code.

- b. The applicant shall submit all improvement plans, grading plans, drainage plans, drainage studies, structural foundation plans and landscape plans to the District for review and approval.
 - c. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
 - d. Non-residential structures shall comply with the requirements set forth in FEMA Technical Bulletin 3-93, "Non-Residential Floodproofing – Requirements and Certification for buildings located in Special Flood Hazard Areas".
 - e. New or substantially improved non-residential structures within the SFHA shall either:
 - i. Be designed so that the lowest finished floor is elevated a minimum of 2' above the AFE with flood-resistant materials and flood-opening vents below the finished floor elevation, or,
 - ii. Together with attendant utility and sanitary facilities, be designed so that below the finished floor elevation (minimum of AFE +2'), the structure is watertight with walls substantially impermeable to the passage of water.
 - f. Utilities for new or substantially improved structures shall be elevated above the AFE +2', or designed to eliminate infiltration of flood waters into the system.
 - g. Detention basins shall provide detention such that the post-development peak storm runoff rate shall not exceed the pre-development runoff for 2-year through 100-year 24-hr storm events.
 - h. For greenhouses, maximum outflow discharge rates of the post-development condition shall not exceed 75% of the calculated pre-development amounts.
 - i. Drainage report to include an exhibit clearly showing **existing** hardscape area by type and square footage. Also an exhibit for a site plan showing **proposed** hardscape area by type and square footage.
 - j. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies. Please make the check payable to: *Santa Barbara County Flood Control & Water Conservation District*.
 - k. The applicant shall sign and return the Maintenance Agreement (Owner's Agreement).
 - l. The applicant shall submit to the District electronic drawings in PDF format of the approved grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc.
3. Prior to Occupancy Clearance
- a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
 - b. Non-residential structures that are designed to be watertight (dry-floodproofed) shall submit:
 - i. Floodproofing Certificate for Non-residential Structures (FEMA Form 086-0-34, <https://www.fema.gov/media-library-data/20130726-1511-20490-5294/job6.pdf>) and

- ii. Final *Flood Emergency Operations Plan* and an *Inspection & Maintenance Plan* prior to occupancy clearance to District for approval. See FEMA P-936 and FEMA TB-3 for more detail.
- c. The applicant shall submit an Elevation Certificate (FEMA Form 086-0-33) to the District's Floodplain Manager for all structures located within a Special Flood Hazard Area.
- d. The applicant shall submit record drawings to the District's Floodplain Manager in electronic format.
- e. In the event that the grading and drainage plans are revised during the construction process the applicant shall update the drainage report and submit to the District for review and approval.

B. Project Clean Water

The proposed project is subject to Post-Construction Stormwater Requirements (PCRs) pursuant to the Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032. The proposed project would result in approximately 25,000 sf of new or replaced impervious surfaces, which exceeds the established threshold of 15,000 square feet of impervious area. Therefore, the proposed project is required to treat and prevent offsite discharge of storm water runoff for all events up to and including the design storm (95th percentile event).

The following provisions apply to this project:

It is recommended to follow the County of Santa Barbara's Stormwater Technical Guide for a **Tier 3** project. The Stormwater Technical Guide is on the Water Resources Division website. Click on the Development tab at SBProjectCleanWater.org. A copy of the spreadsheet(s) used in the stormwater calculator shall be included, along with a summary of the general long-term maintenance requirements and responsibilities.

2. Prior to issuance of Building or Grading Permits (whichever of these actions comes first), the applicant must submit to the Water Resources Division for review and approval a **Storm Water Control Plan**. The Storm Water Control Plan shall follow the County of Santa Barbara's Stormwater Technical Guide in its approach.

The Stormwater Control Plan must provide relevant details on the location and function of treatment facilities. These facilities shall be depicted on a separate plan sheet within the engineering plan set. At a minimum, the submittal(s) must:

- a. Show the locations of all impervious surfaces and their delineated drainage management area, and associated stormwater control measure,
- b. Show the treatment areas comply with the conditions by managing runoff from the design storm,
- c. Demonstrate adequate space is dedicated to meet the performance objective for stormwater volume retention, and
- d. Include a long-term maintenance plan appropriate for the proposed facilities.

The applicant will include a deposit for plan check review at the time the Stormwater Control Plan and engineering plans are submitted. The plan check deposit of \$1,150 shall be submitted to Water Resources Division, Public Works, 130 E. Victoria St., Santa Barbara, CA 93101. The check shall be made payable to Project Clean Water.

3. Prior to issuance of Building or Grading Permits (whichever comes first), the owner must sign a maintenance agreement that includes the long-term maintenance plan. Instructions for preparing a maintenance plan are provided in the Stormwater Technical Guide. The maintenance agreement identifies the owner as the party responsible for maintaining the storm water retention facilities for the life of the project. The maintenance agreement will be signed and notarized by the property owner.

4. Upon installation of treatment systems, and prior to Building Division final clearance on Grading or Building permits, all improvements required as part of the above conditions shall be installed in accordance with the approved plans. An Engineer's Certificate of Approval shall be signed and stamped by the engineer of record and submitted to the Water Resources Division along with a set of As-Built plans or drawings in PDF format. If the treatment systems are be installed in phases, separate Certificates of Approval can be provided for each phase. If necessary, the final maintenance plan shall be revised by the engineer of record based on as-built construction drawings, including elevations and construction details of stormwater facilities.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 
Karen Sullivan, P.E.
Development Review Engineer

Cc: Jay Higgins, 3217 Calle Noguera, Santa Barbara CA 93105
Graham Farrar, G & K Farm and K & G Flower, 3561 Foothill Road, Carpinteria, CA 93013