

County of Santa Barbara Planning and Development



Lisa Plowman, Director

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TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF JUNE 12, 2024

RE: *Arctic Cold Extensive Agricultural Processing Use, General Plan Amendment, Revised Development Plan, Conditional Use Permit, and Tentative Parcel Map; 22GPA-00000-00006, 23RVP-00024, 22CUP-00000-00021, 23TPM-00002*

Hearing on the request of Arctic Cold Betteravia, LLC to consider the following:

- a) Case No. 22GPA-00000-00006 to amend the Santa Barbara County Comprehensive Plan Land Use Element Map Comp-6 by adding the Agricultural Industry Overlay to Assessor Parcel No. (APN) 128-097-012 in compliance with Land Use and Development Code Section 35.104;
- b) Case No. 22CUP-00000-00005 to allow extensive processing of agricultural products on APN 128-097-012 in compliance with Land Use and Development Code Section 35.82.060;
- c) Case No. 23RVP-00024 to revise the previously approved 20DVP-00000-00006 and allow extensive processing of agricultural products on APN 128-097-012 in compliance with Land Use Development Code Sections 35.42.040.B.2. and 35.84.040.E, and to modify the site plan to include a new 35-ft.-tall flag pole;
- d) Case No. 23TPM-00002 to subdivide a 111.75-acre (gross) property into one 71.10-acre parcel (APN 128-097-013) and one 40.65-acre parcel (APN 128-097-012) in compliance with County Code Chapter 21-18, and;
- e) Approve the Addendum to Environmental Impact Report (21EIR-00000-00001) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant impacts as a result of this modification request.

All project documents are available online on the Planning and Development website at:
<https://www.countyofsb.org/798/Arctic-Cold-Agricultural-Freezer-Process>

The application involves a 111.75-acre property shown as APNs 128-097-012 and 128-097-013, located at 1750 East Betteravia Road, in the Santa Maria area, Fourth Supervisorial District.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of June 12, 2024, Commissioner Reed moved, seconded by Commissioner Parke and carried by a vote of 5 to 0 to recommend that the Board of Supervisors:

1. Recommend that the Board of Supervisors make the required findings for approval of the Comprehensive Plan Amendment (22GPA-00000-00006), Conditional Use Permit (22CUP-00000-00021), Revision (23RVP-00024) to the approved Development Plan (20DVP-00000-00006), and Tentative Parcel Map (23TPM-00002) as specified in Attachment A of the staff report dated June 4, 2024, including CEQA findings;
2. Recommend that the Board of Supervisors, after considering the environmental review documents included as Attachment C of the staff report dated June 4, 2024 [Addendum dated June 4, 2024, together with previously certified EIR, Case No. 21EIR-00000-00001] determine that as reflected in the CEQA findings, the project is within the scope of the previous EIR, and no subsequent Environmental Impact Report shall be prepared for this project;
3. Adopt a resolution recommending that the Board of Supervisors approve and adopt a resolution, included as Attachment E to the staff report dated June 4, 2024, amending the Comprehensive Plan to add the Agricultural Industry Overlay to the 40.65-acre project site (Resolution included as Attachment E and Board of Supervisors draft Resolution is Exhibit 1 to Attachment E of the staff report dated June 4, 2024), and;
4. Recommend that the Board of Supervisors approve the project (Case Nos. 22GPA-00000-00006, 22CUP-00000-00021, 23RVP-00024, and 23TPM-00002) subject to the conditions included as Attachment B of the staff report dated June 4, 2024.

Sincerely,



Jeff Wilson
Secretary to the Planning Commission

cc: Owner: Arctic Cold Betteravia, LLC, P.O. Box 6308, Oxnard, CA 93031
Applicant: William Langley, Fisher Construction Group, 625 Fisher Lane, Burlington, WA 98233
County Surveyor
Fire Department
Flood Control
Community Services Department
Public Works
Environmental Health Services
APCD
Bob Nelson, Fourth District Supervisor
Steve Conner, Planner

Attachments: **Attachment A – Findings**
 Attachment B – Conditions of Approval
 Attachment F – Resolution

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

Findings pursuant to Public Resources Code Section 21081 and the California Environmental Quality Act Guidelines Sections 15162 and 15164 that a previously-certified environmental impact report applies to proposed changes to the approved project.

1.1 ADDENDA TO THE ENVIRONMENTAL IMPACT REPORT

The County Planning Commission has considered the Addendum dated June 4, 2024, together with the previously certified EIR (Case No. 21EIR-00000-00001) for the Arctic Cold Agricultural Processor and Freezer Facility. The Addendum reflects the independent judgement of the County Planning Commission and has been completed in compliance with CEQA. The Addendum, together with the EIR 21EIR-00000-00001, is adequate for this proposal. On the basis of the whole record, including the Addendum, the previously certified CEQA document, and any public comments received, the County Planning Commission finds that the proposed project changes described in the Addendum will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment nor present new information of substantial importance pursuant to CEQA Guidelines Sections 15162 and 15164.

Please see Attachment C, 21EIR-00000-00001 Addendum, incorporated herein by reference.

1.2 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the County Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101. The document is also available at: <https://cosantabarbara.app.box.com/s/q97rv82305oyfubdjhcyrddhu3dggkqy/folder/265852832844>

1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The Addendum prepared for the project addressed the following issues: air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials, land use compatibility, noise, transportation/circulation and utilities and service systems. All other issue areas were determined to be unaffected by the proposed project. The Addendum dated June 4, 2024, incorporated herein by reference, finds that the previously certified EIR (21EIR-00000-00001), may be used to fulfill the environmental review requirements of the current project. Since none of the following have occurred, as discussed in Section 6.1 of the staff report to the Planning Commission dated June 4, 2024, incorporated herein by reference, no subsequent environmental review shall be prepared according to CEQA Guidelines section 15168(c) and 15162: there are no substantial changes proposed in the project which will require major revisions to the EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance showing any new or substantially more severe environmental impacts.

2.0 COMPREHENSIVE PLAN AMENDMENT FINDINGS

2.1 FINDINGS REQUIRED FOR APPROVAL OF AMENDMENTS (§35.104.060).

An application for an Amendment to the Comprehensive Plan, Development Code or Zoning Map may be approved only if the review authority first makes all of the following findings, as applicable to the type of Amendment.

A. Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.

1. The request is in the interests of the general community welfare.

The County Planning Commission recommends that the Board of Supervisors find that the request is in the interests of the general community welfare. The Arctic Cold Extensive Agricultural Processing General Plan Amendment will apply the Agricultural Industry Overlay to the Proposed Lot 1 (APN 128-097-012). The Agricultural Element of the Comprehensive Plan encourages the development of agricultural support services within close proximity of existing agricultural operations to provide particular and specific benefits which will advance the purposes and policies of the Agricultural Element. The Santa Maria Rural Region is appropriate for this type of development because it contains some of the most productive agricultural operations in the County. As discussed in Section 6.2 of the staff report, dated June 4, 2024 and incorporated herein by reference, the application of the Agricultural Industry Overlay for the purpose of allowing extensive processing for agricultural products balances the County's goals, policies, and regulations. As such, the request is in the interests of the general community welfare as it will provide a source of agricultural support services, ultimately helping to meet County goals for agricultural production.

2. The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.

The County Planning Commission recommends that the Board of Supervisors find that the request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code (LUDC). As discussed in Section 6.2 of the staff report, dated June 4, 2024 and incorporated herein by reference, the proposed development will allow for agricultural support services in an area that contains productive agricultural operations, which aligns with the County's Comprehensive Plan goals and complies with LUDC requirements.

3. The request is consistent with good zoning and planning practices.

The County Planning Commission recommends that the Board of Supervisors find that the request is consistent with good zoning and planning practices. The project is consistent with local and state planning regulations, as discussed in Section 6.2 of the staff report, dated June 4, 2024 and incorporated herein by reference. Furthermore, the addition of the Agricultural Industry Overlay to include the 40.6-acre parcel is consistent with the intent of the overlay, which is to provide for agriculturally-related commercial and industrial uses in Rural Areas where appropriate. The approval of this Comprehensive Plan Amendment will result in further development of agricultural support services in a location that contains some of the largest agricultural operations in the County, and therefore is consistent with good zoning and planning practices.

B. Additional finding for Comprehensive Plan Amendments.

1. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.

The County Planning Commission recommends that the Board of Supervisors find the request is deemed to be in the public interest. The Comprehensive Plan Amendment is in the interest of actively promoting and protecting the viability of agricultural operations in the immediate area and within the region. The project contributes to achieving these goals by reducing the costs and impacts of transporting agricultural products to areas outside the immediate area and region.

The Comprehensive Plan Amendment will allow for the use of extensive processing for agricultural products on 40.65 acres of land designated A-II and zoned AG-II-40 in the Rural Area of the Santa Maria Rural Region. As discussed in 21EIR-00000-00001, development of extensive processing for agricultural products would realize beneficial impacts to existing agricultural operations in the area and region. Development standards established in the County Land Use and Development Code, along with a discretionary permit process, are intended to reduce adverse impacts to environmental resources and services for projects such as this in the Santa Maria Rural Region.

3.0 ADMINISTRATIVE FINDINGS

3.1 CONDITIONAL USE PERMIT FINDINGS

3.1.1 Findings required for all Conditional Use Permits. In compliance with Section 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Major or Minor Conditional Use Permit the review authority shall first make all of the following findings:

- 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 County Planning Commission recommends that the Board of Supervisors find that the project site is adequate in size, shape, location and physical characteristics to accommodate the proposed program and operational use changes. A Conditional Use Permit is required for the proposed extensive agricultural processing use (milling and bottling of products with additives), as specified in Table 2-1 under LUDC Section 35.21.030.E. The subject site is 40 acres in size and located on an agricultural property at 1750 East Betteravia Road. East Betteravia Road, agricultural fields, and the Central City Cooling (agricultural processing) facility border the site to the north; agricultural fields border the site to the east and west; and agricultural fields and the Mid Coast Cooling (agricultural processing) facility border the site to the south. As discussed in Sections 6.2 and 6.3 of this staff report, dated June 4, 2024 and incorporated herein by reference, no new structural development is included with the proposed CUP. The proposed extensive agricultural processing is consistent with the Land Use Development Code and Comprehensive Plan, which states that agricultural support services are compatible with existing agricultural operations. The proposed project will provide support services to existing onsite and offsite agricultural operations. The structure incorporates styles, colors, and scale compatible with the character of the surrounding development and no external changes are proposed for the facility.

- 2. Within the inland area, significant environmental impacts will be mitigated to the maximum extent feasible.**

The County Planning Commission recommends that the Board of Supervisors find that adverse impacts will be mitigated to the maximum extent feasible. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will not cause any new adverse impacts that have not already been mitigated to the maximum extent feasible. Mitigation measures from the prior EIR, 21EIR-00000-00001, that remain applicable have been carried over to the current proposal to ensure that any project-related impacts will be reduced to the maximum extent feasible. In addition, as discussed in the Sections 6.2 and 6.3 of this staff report, dated June 4, 2024 and incorporated herein by reference, the project will apply the Agricultural Industry Overlay on a limited area within the Rural Area as designated on the Land Use Element Maps, allow an extensive agricultural

processing use, split the lot into two lots, and construct a flag pole.

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

The County Planning Commission recommends that the Board of Supervisors find that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed Conditional Use Permit. As discussed in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference; and as discussed in the Traffic, Parking and VMT Analysis (Attachment D of the staff report), the proposed project will not exceed any County volume/capacity, VMT or LOS thresholds. Additionally, there is no change to the circulation pattern as part of the project and the area roadways will continue to function within acceptable capacities.

4. That there will be adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

The County Planning Commission recommends that the Board of Supervisors find that there will be adequate public services available to serve the project. As discussed in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference, the project is a request to apply the Agricultural Industry Overlay on a limited area within the Rural Area as designated on the Land Use Element Maps, allow an extensive agricultural processing use, split the lot into two lots, and construct a flag pole. The previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The project domestic and fire suppression water for Proposed Lot 1 will be served by a well via an approved non-community non-transient public water system. Existing domestic and agricultural wells will continue to serve Proposed Lot 2. The domestic wastewater for Proposed Lot 1 will be served by an onsite wastewater treatment system. An existing onsite wastewater treatment system will continue to serve Proposed Lot 2. The applicant will continue to implement a Solid Waste Management Plan for Arctic Cold Agricultural Processor and Freezer Facility construction and operations on Proposed Lot 2. The process wastewater on Proposed Lot 2 will be served by a process wastewater basin. Both proposed lots on the project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara County Sheriff. Access to the site will be provided via driveways off East Betteravia Road.

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 County Planning Commission recommends that the Board of Supervisors find 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. As discussed in Section 6.2 of the staff report, dated June 4, 2024, and incorporated herein by reference, the proposed project is compatible with the community's agricultural character because the addition of the extensive agricultural processing use (and associated application of the Agricultural Industry Overlay) will provide a support service to the existing agricultural industry in the immediate area. There will be no new environmental impacts and the proposed project is consistent with Comprehensive Plan policy and LUDC regulations.

6. The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.

The County Planning Commission recommends that the Board of Supervisors find that the proposed project complies with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed Conditional Use Permit. As discussed in Sections 6.2 and 6.3 of this staff report, dated June 4, 2024, and incorporated herein by reference, the proposed Conditional Use Permit, as conditioned, is consistent with all applicable requirements of the LUDC and the Comprehensive Plan. Policies and development standards include those related to land use, provision of services, hillside and watershed protection, parks/recreation, visual resources, agricultural land use, circulation, energy, hazardous waste, noise, seismic/geology, and safety. The project conforms to all requirements of the Land Use Development Code, including the AG-II-40 Zone District standards.

7. Within Rural areas as designated on the Comprehensive Plan maps, the proposed use will be compatible with and subordinate to the rural and scenic character of the area.

The County Planning Commission recommends that the Board of Supervisors find that the proposed project is compatible and subordinate to the character of the project area. As described in Sections 6.2 and 6.3 of this staff report dated June 4, 2024, and incorporated herein by reference, the project site is located in a rural area that supports extensive areas of outdoor and supportive agricultural operations. The proposed extensive agricultural processing is located in an area that currently contains other agricultural processing and freezer operations. Mid Coast Cooling is located on Proposed Lot 2 and Central City Cooling is located on a property located immediately North across East Betteravia Road. The project will therefore not result in new development that will be incompatible with the character of the surrounding environment.

3.2 DEVELOPMENT PLAN FINDINGS

3.2.1 Findings required for a Revision to an Approved Development Plan. An application for an Amendment shall be approved or conditionally approved only if the Review Authority first makes all of the following findings:

- 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 County Planning Commission recommends that the Board of Supervisors find that the findings made for approval of 20DVP-00000-00006, including environmental review findings are still applicable to the project with the addition of development proposed. Approval of a Development Plan is required for a facility to be used for extensive agricultural processing, as specified in LUDC Section 35.42.040.B.2. As described in Sections 6.2 and 6.3 of this staff report dated June 4, 2024, and incorporated herein by reference, revision of the approved Development Plan will allow for construction of a flag pole adjacent to an approved structure. The flag pole structure will be a minor revision to the approved site plan and no new findings are required.

2. **That the environmental impacts related to the development proposed by the application 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 County Planning Commission recommends that the Board of Supervisors find that the environmental impacts related to the development proposed by the application for the Amendment are substantially the same or less than those identified during processing of the previously approved 20DVP-00000-00006. As described in Sections 6.2 and 6.3 of this staff report dated June 4, 2024, and incorporated herein by reference, revision of the approved Development Plan will allow for construction of a flag pole adjacent to an approved structure. No new environmental impacts have been identified as a result of the addition of a flag pole structure on Proposed Lot 2.

3.2.2 Findings required for all Development Plans. In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary Development Plan or Final Development Plan the review authority shall first make all of the following findings, as applicable:

1. **The site of the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will allow for construction of a flag pole adjacent to an approved structure. The proposed minor development will be within the approved development area on

Proposed Lot 2 and will not result in an increase in density or intensity of development.

2. Adverse impacts will be mitigated to the maximum extent feasible.

The County Planning Commission recommends that the Board of Supervisors find that adverse impacts will be mitigated to the maximum extent feasible. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will not cause any new adverse impacts that have not already been mitigated to the maximum extent feasible.

3. Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The County Planning Commission recommends that the Board of Supervisors find that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, and as discussed in the Traffic, Parking and VMT Analysis (Attachment D of the staff report), the proposed project will not exceed any County volume/capacity, VMT or LOS thresholds. Additionally, there is no change to the circulation pattern as part of the project and the area roadways will continue to function within acceptable capacities.

4. There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.

The County Planning Commission recommends that the Board of Supervisors find that there will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The project domestic and fire suppression water for Proposed Lot 1 will be served by a well via an approved non-community non-transient public water system. Existing domestic and agricultural wells will continue to serve Proposed Lot 2. The domestic wastewater for Proposed Lot 1 will be served by an onsite wastewater treatment system. An existing onsite wastewater treatment system will continue to serve Proposed Lot 2. The applicant will continue to implement a Solid Waste Management Plan for Arctic Cold Agricultural Processor and Freezer Facility construction and operations on Proposed Lot 2. The process wastewater on Proposed Lot 2 will be served by a process wastewater basin. Both proposed lots on the project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara County Sheriff. Access to the site will be provided via driveways off East Betteravia Road.

5. **The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.**

The County Planning Commission recommends that the Board of Supervisors find 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. As discussed in Section 6.2 of the staff report, dated June 4, 2024, and incorporated herein by reference, the proposed project will be compatible with the community's agricultural character because the construction of a new flagpole and addition of the extensive agricultural processing use (and associated application of the Agricultural Industry Overlay) will provide a support service to the existing agricultural industry in the immediate area. There will be no new environmental impacts and the proposed project is consistent with Comprehensive Plan policy and LUDC regulations.

6. **The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project complies with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed revision to 20DVP-00000-00006. As discussed in Sections 6.2 and 6.3 of this staff report, dated June 4, 2024, and incorporated herein by reference, the proposed revision to 20DVP-00000-00006, as conditioned, is consistent with all applicable requirements of the LUDC and the Comprehensive Plan. Policies and development standards include those related to land use, provision of services, hillside and watershed protection, parks/recreation, visual resources, agricultural land use, circulation, energy, hazardous waste, noise, seismic/geology, and safety. The project conforms to all requirements of the Land Use Development Code, including the AG-II-40 Zone District standards.

7. **Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project is compatible and subordinate to the character of the project area. As described in Sections 6.2 and 6.3 of this staff report dated June 4, 2024, and incorporated herein by reference, the project site is located in a rural area that supports extensive areas of outdoor and supportive agricultural operations. The proposed extensive agricultural processing is located in an area that currently contains other agricultural processing and freezer operations. Mid Coast Cooling is located on Proposed Lot 2 and Central City Cooling is located on a property located immediately North across East Betteravia Road. The project will not result in new development that will be incompatible with the character of the surrounding environment.

8. The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not conflict with public access easements. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The Arctic Cold Agricultural Processor and Freezer project was conditioned to maintain public access to existing right-of-ways along East Betteravia Road. The project applicant provided a Preliminary Title Report containing all existing easements, including those granted to the County of Santa Barbara (for road and incidental purposes) and the City of Santa Maria (for water lines and incidental purposes). In addition, the Arctic Cold Agricultural Processor and Freezer project was conditioned to dedicate additional roadway easement along the south side of East Betteravia Road for the purpose of formalizing a half-width right-of-way.

3.3 TENTATIVE MAP FINDINGS

3.3.1 The following, among others, shall be cause for disapproval of a tentative map, including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:

- 1. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the office of the county recorder; provided, however, that the director of public works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the county recorder, unless the director of public works shall approve such grants. If the director of public works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the director of public works to grant such approvals may be made in writing to the board of supervisors, which may overrule the director of public works and grant such requested approvals in whole or in part.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project does not involve easements or rights-of-way which are not expressly subordinated to street widening, realignment, or change of grade (by an instrument in writing recorded, or capable of being recorded, in the office of the county recorder) along or across proposed County streets. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic

Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure, including a right-of-way dedication along the south side of East Betteravia Road. Both parcels created by the proposed project will take access directly off of East Betteravia Road. No easements for access are required. Additionally, the Proposed Project was reviewed by the Public Works – Transportation Division, who confirmed it meets all of their requirements.

2. Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;

The County Planning Commission recommends that the Board of Supervisors find that the proposed project does not create a lack of adequate width, improvement of access roads to the property, or landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure.

3. Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not involve grading of steep slopes. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure and no grading is proposed as part of the project.

4. Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not require grading or construction prior to recordation. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure and no grading is proposed as part of the project.

5. Potential creation of hazard to life or property from floods, fire, or other catastrophe;

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not result in the potential creation of hazard to life or property from floods, fire, or other catastrophe. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, potential hazards were already analyzed as part of the

approved Arctic Cold Agricultural Processor and Freezer Facility and the approval of the tentative map to create two legal parcels for conveyance purposes will not create any hazard to life or property.

6. Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;

The County Planning Commission recommends that the Board of Supervisors find that the proposed project is in conformance with the County Comprehensive Plan and with the alignment of existing state highways. As described in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the County Comprehensive Plan. The Project does not abut or take access off of any state highway and is not located within one mile of a state highway.

7. Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not create a lot with a ratio of depth to width in excess of 3 to 1. The proposed parcels will have ratios of approximately 1.2 to 1 and 1.4 to 1.

8. Subdivision designs with lots backing up to watercourses.

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not create parcels that back up to water courses because no water courses are present within the area or vicinity of the proposed project. The existing drainage ditch along the northern boundary of both proposed lots and along the eastern boundary of proposed lot 1 is man-made for the purpose of handling agricultural runoff, and does not constitute a natural water course.

3.3.2 A tentative map including tentative parcel map shall not be approved if the decisionmaker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.

The County Planning Commission recommends that the Board of Supervisors finds that the proposed project is consistent with the requirements of the State Subdivision Map Act, the County Comprehensive Plan, County Land Use and Development Code, and Chapter 21 of the County Code. As described in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the proposed project is consistent with County policies and code requirements.

3.3.3 Prior to recordation of the final or parcel map, the subdivider shall furnish the following information to the Public Works Director, Flood Control Engineer, and

Building Official:

- 1. Complete plans and specifications, including elevations and grades, for any roads, culverts, drainage ways, bridges, or structures necessary for drainage, erosion control, traffic circulation, or public safety;**
- 2. Any other information required by the conditional approval of the decisionmaker.**

The County Planning Commission recommends that the Board of Supervisors find that the Applicant for the proposed project has provided all relevant and required information needed for the Board of Supervisors to make an informed decision to approve this map and proceed to recordation, subject to the Conditions of Approval, included as Attachment B to the staff report dated June 4, 2024, incorporated herein by reference. The Applicant furnished all requested information to the Public Works Director, Flood Control Engineer, and Building Official. Condition letters, included as Attachment B3 Condition No. 10 of the staff report dated June 4, 2024, were provided by the County departments, acknowledge the project's completeness, and provide all requirements prior to recordation of the map.

- 3.3.4 When submitting a tentative map for the subdivision of only a portion of a separate legal lot, the subdivider, unless otherwise directed by the Subdivision/Development Review Committee, shall submit a possible future development plan of remaining portions of the lot on a topographic map. This plan shall indicate a general layout of streets in dotted or dashed lines and shall be clearly labeled: "NOT A PART." Approval of the tentative map shall not constitute approval of the possible future development plan.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed Project is not a subdivision of only a portion of a separate legal lot, and therefore this finding does not apply.

3.4 SUBDIVISION MAP ACT FINDINGS

- 3.4.1 Findings for all Tentative Maps.** In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Arctic Cold Tentative Parcel Map TPM 14,880, Case No. 23TPM-00002:

- 1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The County Planning Commission recommends that the Board of Supervisors find that the design of the Tentative Parcel Map (TPM) 14,880 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The setbacks for the AG-II-40 (Agricultural, 40-acre minimum parcel size) Zone District allow for sufficient area for future development to be sited and designed to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is also sufficient northern,

southern, eastern, and western exposure to allow for passive heating and cooling systems to be provided on the site.

2. **State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project is consistent with the policies of the Santa Barbara County Comprehensive Plan as discussed in Section 6.2 of the staff report dated June 4, 2024, incorporated herein by reference. The proposed project is consistent with all policies, including those related to land use, services, agriculture, and visual resources.

3. **State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:**

- a. **The proposed map is not consistent with applicable general and specific plans as specified in §66451.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project is consistent with the County Comprehensive Plan. As discussed in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference, the proposed project is consistent with the policies of the County Comprehensive Plan, including but not limited to, the Land Use Element, and Agricultural Element.

- b. **The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

The County Planning Commission recommends that the Board of Supervisors find that the design and improvements of the proposed subdivision are consistent with the County Comprehensive Plan. As discussed in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference, the proposed project is consistent with all applicable policies of the Comprehensive Plan.

- c. **The site is not physically suitable for the type of development proposed.**

The County Planning Commission recommends that the Board of Supervisors find that the project site is physically suitable for the type of development proposed. The proposed project does not include any structural development, but the project site is suitable for the types of development allowed by the A-II-40 Land Use Designation and AG-II-40 Zone District. The project site is generally level and does not contain any sensitive biological resources, known cultural resources, or other constraints to the development of the two proposed

lots. As discussed in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference, the project site also has access to all required services. The project site is suitable for the proposed subdivision and future development.

d. The site is not physically suited for the proposed density of development.

The County Planning Commission recommends that the Board of Supervisors find that the project site is physically suited for the proposed density of development. The proposed project does not include any physical development, and as discussed in Finding 3.4.1.3.c. above, the project site is physically suitable for development. Each lot is consistent with the LUDC requirements regarding lot size and will have adequate area for construction of future development.

e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The County Planning Commission recommends that the Board of Supervisors find that the design of the subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As discussed in Attachment C of the staff report dated June 4, 2024, and incorporated herein by reference, an Addendum to the Arctic Cold Agricultural Processor and Freezer Facility Environmental Impact Report ensures that all environmental impacts will be reduced to the maximum extent feasible. Additionally, the project site is not located in the vicinity of significant biological resources or water bodies.

f. The design of the subdivision or type of improvements is likely to cause serious public health problems.

The County Planning Commission recommends that the Board of Supervisors find that the design of the subdivision will not cause serious public health problems. The proposed project consists of subdividing one 111.75-acre parcel into one 40.65-acre parcel and one 71.10-acre parcel; and does not include any structural development. As discussed in Section 6.2 of the staff report dated June 4, 2024, and incorporated herein by reference, the proposed project meets all requirements of the County Comprehensive Plan. Additionally, the proposed project was reviewed by the County Fire Department, Environmental Health Services, Public Works Department, and Air Pollution Control District, which all confirmed the proposed project meets their requirements. Some of these departments provided condition letters for the proposed project which are included as Condition No. 10 of Attachment B3 to the staff report dated June 4, 2024.

g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The County Planning Commission recommends that the Board of Supervisors

find that the design of the subdivision will not conflict with any easements for access through or use of the proposed subdivision. As discussed in Sections 6.2 and 6.3 of the staff report dated June 4, 2024, and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure, including a right-of-way dedication along the south side of East Betteravia Road.

4. **State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**
 - a. **A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.**
 - b. **An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).**
 - c. **An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.**
 - d. **A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not result in detrimental impacts to agricultural uses and that the land is not subject to any of the above-listed conservation or open space easements. The project site is currently used for row crops and an existing agricultural processor (Mid State Cooling), and these uses will continue. The resulting properties will be large enough to sustain the agricultural use, and the subdivision will not result in residential development not incidental to the commercial agricultural use of the land. The project site is not subject to a Williamson Act contract, an open space easement, an agricultural conservation easement, or a conservation easement.

5. **State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

The County Planning Commission recommends that the Board of Supervisors find that the proposed project will not contribute to or result in a violation of existing requirements prescribed by the California Regional Water Quality Control Board.

The proposed project consists of a subdivision of one 111.75-acre parcel into one 40.65-acre parcel and one 71.10-acre parcel; and does not include any structural development. Additionally, any future development on the properties will require the use of private septic systems for wastewater rather than a community sewer system.

ATTACHMENT B-1: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits 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 includes a request for a Conditional Use Permit to allow extensive processing (e.g. The refinement or other processing of agricultural products to substantially change them from their raw form, which involves machinery, chemical reactions, and/or hazardous or highly odiferous materials or products.), of agricultural products within the previously permitted 449,248 sf dry storage/warehousing Arctic Cold Agricultural Processor and Freezer Facility. The proposed extensive processing use will occur within the northern 120,098 sf fruit processor portion of the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility. The existing operations in other areas of the Arctic Cold Agricultural Processor and Freezer Facility will not be modified as part of the proposed project. The proposed extensive processing uses will take place on the subject 40.65-acre lot in the AG-II-40 (Agriculture II) Zone District on APN 128-097-012.

The proposed project does not include grading or vegetation removal. Water service for the Arctic Cold Agricultural Processor and Freezer Facility is provided by a permitted public water system supplied by two existing potable wells on site. Wastewater treatment service for the Arctic Cold Agricultural Processor and Freezer Facility is provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Access to the Arctic Cold Agricultural Processor and Freezer Facility will be provided by two driveways off East Betteravia Road. The proposed project is located on a 40.65-acre lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Number 128-097-012, and located at 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

- 2. Proj Des-02 Project Conformity:** The grading, development, use, and

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

Conditions By Issue Area

- 3. Special-Greenhouse Gas 1.1:** The project applicant shall implement the Greenhouse Gas Reduction Program (GHGRP) that includes on-site GHG reduction measures to reduce the project's total remaining GHG emissions to 3.8 MT of CO₂e per service person per year or less. Potential options include, but would not be limited to:
- Supply 100 percent of electricity from renewable energy resources. Options include opting into PG&E's Solar Choice (opting to supply 100 percent of annual energy usage) Program or PG&E's Regional Renewable Choice (opting to supply 100 percent of annual energy usage) Program.
 - Implement a transportation demand program. Program measures may include free transit passes for employees, electric rideshare vehicles for employees, and construction of additional transit infrastructure at the project site.
 - Implement a zero waste program or other feasible waste-reduction measures such as composting waste food scraps from employee activities and food waste processing.
 - After implementation of feasible on-site GHG reduction measures, the project applicant may also implement one of, or a combination of, the following off-site measures to achieve up to 50 percent of the total necessary GHG emission:
 - Directly undertake or fund activities that reduce or sequester GHG emissions ("Direct Reduction Activities") and retire the associated "GHG Mitigation Reduction Credits." A "GHG Mitigation Reduction Credit" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). An "Approved Registry" is an accredited carbon registry that follows approved CARB Compliance Offset Protocols. As of April 2021, Approved Registries include American Carbon Registry, Climate Action Reserve, and Verra (CARB 2018b). Credits from other sources shall not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CARB standards. If the project applicant chooses to meet some

of the GHG reduction requirements through Direct Reduction Activities, the activities shall be implemented as feasible in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing GHG Mitigation Reduction Credits to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring GHG Mitigation Reduction Credits specific to the registry involved and shall undertake additional direct investments to recoup the loss.

List continued in GHG-1.2

4. Special-Greenhouse Gas 1.2: Continued from GHG-1.1.

- Obtain and retire "Carbon Offsets." "Carbon Offset" shall mean an instrument issued by an Approved Registry and shall represent the past reduction or sequestration of 1 MT of CO₂e achieved by a Direct Reduction Activity or any other GHG emission reduction project or activity that is not otherwise required (CEQA Guidelines Section 15126.4[c][3]). A "Carbon Offset" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). If the project applicant chooses to meet some of the GHG reduction requirements by purchasing offsets on an annual and permanent basis, the offsets shall be purchased according to the County of Santa Barbara's preference, which is, in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing offsets to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring offsets specific to the registry involved and shall purchase an equivalent number of credits to recoup the loss.

- No more than 50 percent of the project's total requisite emission reduction over the project's lifetime may be achieved through direct reduction activities and carbon offsets.

PLAN REQUIREMENTS: The GHGRP shall either reduce the project's emissions to 3.8 MT CO₂e per service person per year or shall incorporate all feasible actions to reduce emissions associated with electricity demand, transportation, and waste generation and shall purchase 50 percent carbon offsets. Each emission reduction measure shall include a commitment enforceable by P&D.

TIMING: Prior to April 15 of each calendar year following the issuance of the

Zoning Clearance, the applicant shall provide P&D an annual GHG emissions report to verify whether the project has met the 3.8 MT threshold; and if the threshold is not met, the report shall describe the annual 50% offsite reduction obligation. The report shall also describe the necessary annual quantity of verified credits under the GHGRP. Every 5 years, the Applicant shall reevaluate available and feasible GHG reduction measures and update the GHGRP to incorporate newly feasible measures as appropriate to the satisfaction of P&D (in consultation with the SBCAPCD) that will reduce project emissions to 3.8 MT CO₂e per service person per year.

MONITORING: P&D compliance monitoring staff, in consultation with the SBCAPCD, shall confirm inclusion of the required GHG emission reduction measures into the project. Compliance with all components of the GHGRP shall be verified during construction and prior to issuance of a Certificate of Occupancy. The Applicant shall maintain all data and shall provide data to the County upon request. P&D compliance monitoring staff shall confirm inclusion of any new feasible measures whenever the GHGRP is updated, within three months of any updates.

County Rules and Regulations

5. **Rules-01 Effective Date-Not Appealable to CCC:** This Conditional Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. LUDC §35.82.020.
6. **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.
7. **Rules-04 Additional Approvals Required:** Approval of this Conditional Use Permit is subject to the County Board of Supervisors approving the required Comprehensive Plan Amendment.
8. **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.
9. **Rules-06 Recorded Map Required:** Tentative Map 14,880 shall be recorded

prior to issuance of any permits for approval of use.

10. **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.
11. **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 required 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 35.84.030 of the County Land Use Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
12. **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 35.84.040 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance 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. LUDC §35.82.060 & §35.84.060
13. **Rules-18 CUP and DVP Revisions:** The approval by the Planning Commission of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
14. **Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
15. **Rules-21 CUP Revisions-Change of Use:** Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.
16. **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.
17. **Rules-23 Processing Fees Required:** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

- 18. Rules-25 Signed Agreement to Comply:** Prior to issuance of Zoning Clearance, 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. Owners of lots resulting from this land division shall record such agreements prior to issuance of Zoning Clearance for future development.
- 19. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
1. Santa Barbara County Air Pollution Control District dated May 31, 2024;
 2. Community Services District Parks Division dated May 8, 2024;
 3. Public Works Water Resources Division dated May 31, 2023;
 4. Public Works Flood Control Division dated November 3, 2022;
 5. Public Works Surveyor dated June 8, 2023.
- 20. Rules-31 Mitigation Monitoring Required:** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 - b. Sign a separate updated Agreement to Pay (if applicable due to new owner) for compliance monitoring costs (Case No. 22PMC-00000-00027) prior to issuance of Zoning Clearance, as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
 - c. Note the following on each page of building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and Mitigation Measures from Environmental Impact Report SCH# 2020100453/Case No. 20EIR-00000-00001;
 - d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building

inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

21. 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.

22. 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 31, 2024

Steve Conner
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Sent Via Email: conners@countyofsb.org

Re: Santa Barbara County Air Pollution Control District Comments on the Arctic Cold Industrial Ag Overlay Project, 22GPA-00006, 22CUP-00021, 23RVP-00024, and 23TPM-00024

Dear Steve Conner:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of a General Plan Amendment, Conditional Use Permit, Revised Development Plan, and Tentative Parcel Map to allow for a new extensive agricultural processing, packaging, treatment, and/or sale of agricultural commodities. Additionally, the project will allow the creation of a fee title structure that will permit the applicant to convey one portion of the property to the Arctic Cold Processor and Freezer Facility operator. The addition of an agricultural industry overlay on the Arctic Cold site would specifically allow for pureeing of berries that would result in a use of sugars, change in ambient temperature, or produce a chemical reaction. No changes are proposed to the development footprint or structure approved under 20DVP-00006 and 20CUP-00005. The proposed project is located on a 111.8-acre site, zoned AG-II-40, identified by Assessor's Parcel Numbers 128-097-001 and 128-097-002, and located at 1750 East Betteravia Road in the unincorporated Santa Maria area.

The District has the following comment on the referenced project:

1. Based on the District's review of the proposed project and understanding that the chemical additives and heat transfer to be used in the pureeing process are limited to sugar and the use of permitted boilers, the requested changes to the approved project (i.e. more intensive processing operations at the facility to allow for purees of raw berry produce) are exempt from District permit pursuant to District Rule 202.A. The District has no additional conditions on the proposed project. Please reference the attached letter dated August 30, 2021 for suggested conditions related to 20DVP-00003 and 20CUP-00005.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 979-8302 or via email at wongb@sbcapcd.org.

Sincerely,

Bryan Wong,
Air Quality Specialist
Planning Division

Attachments: 08-30-21 Arctic Cold Condition Letter

cc: William Sarraf, District Engineering Supervisor [email only]
Planning Chron File
Permitted Sources File SSID 11591/FID 11823

Aeron Arlin Genet, Air Pollution Control Officer

(805) 979-8050

260 N. San Antonio Rd., Ste. A Santa Barbara, CA 93110

ourair.org

[@OurAirSBC](https://www.facebook.com/OurAirSBC)



air pollution control district
SANTA BARBARA COUNTY

August 30, 2021

Holly Owen
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Email Only: howen@co.santa-barbara.ca.us

Re: Santa Barbara County Air Pollution Control District Suggested Conditions for the Arctic Cold Agricultural Processor and Freezer Project, 20DVP-00000-00003, 20CUP-00000-00005

Dear Holly Owen:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of the construction and operation of a 449,248 square foot (SF) freezer and processor facility. The 127,546 SF processor section includes a cooler, canopy, and areas for dry storage, warehousing, processing, administration, and maintenance. The processor will receive strawberries from local flatbed trucks and refrigerated trucks from California and Baja and inspect, sort, process, and package the berries. The 321,702 SF freezer section includes a freezer, blast freezer, dock, administrative area, and mechanical area. The freezer will function as a cold distribution warehouse where product is received on temperature-controlled docks, placed in blast freezers or sent to cold storage, and eventually shipped throughout the United States. The project is expected to generate 454 average daily trips (ADT) during the non-harvest season including 148 truck trips and 1,642 ADT during the peak harvest season including 396 truck trips. Proposed combustion equipment includes a 351 horsepower (hp) diesel fire pump, four 100 hp Miura low-NO_x boilers, one 300 hp Miura low-NO_x boiler, and four propane forklifts. Excavation for construction of the project will require 64,876 cubic yards (cy) of cut and 50,311 cy of fill. The subject property, two parcels totaling 108.76 acres, is zoned AG-II-40, identified in the Assessor Parcel Map Book as APNs 128-097-001 and -002, and is located at 1750 East Betteravia Road in the unincorporated Santa Maria area.

The District advises that mitigation measures listed in the Final Environmental Impact Report (EIR) to reduce air quality and greenhouse gas impacts should be enforced as conditions of approval for the project. Mitigation measures for which the District has jurisdiction will be incorporated into the District-required permits and enforced through permit compliance.

The proposed project is subject to the following **regulatory requirements** that should be included as conditions of approval in the applicable land use permit:

1. The proposed project includes operations subject to District permitting requirements, rules, and regulations, therefore the project will be required to obtain an **Authority to Construct (ATC)** permit from the District prior to building permit issuance. Proof of receipt of the required District permits shall be submitted by the applicant to planning staff. **Advisories:** (1) Since the project has the potential to emit toxic or hazardous air pollutants, the project is required to prepare a **Health Risk Assessment (HRA)** as part of District permit issuance to determine the potential level of risk associated with their operations. The District's August 13, 2021 comment

Aeron Arlin Gener, Air Pollution Control Officer

☎ 805.961.9800

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🌐 www.air.org

🐦 📺 @OurAirSBC

letter on the Draft EIR provided several recommended updates to the project's HRA. The HRA should be revised accordingly in order for the District to rely on the HRA for CEQA responsible agency purposes. (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 www.ourair.org/permit-applications/ to download the necessary permit application(s).

2. All portable diesel-fired construction engines rated at 50 brake horsepower 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. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.
5. Boilers, steam generators, and process heaters with rated heat inputs greater than or equal to 5 million British thermal units per hour (Btu/hr) used in all industrial, institutional, and commercial operations must comply with emission limits and requirements of District Rule 342. Please see www.ourair.org/wp-content/uploads/rule342.pdf for more information.
6. Construction 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*).
7. 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.
8. 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.
9. Boilers, water heaters, and process heaters rated between 2 million to 5 million British thermal units per hour (Btu/hr) must 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.
10. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:

- Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
- Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
- See www.arb.ca.gov/noidle for more information.

11. If contaminated soils are found at the project site, the District must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required. District permits are required for all soil vapor extraction activities. District permits are also required for the excavation ("dig-and-haul") of more than 1,000 cubic yards of contaminated soil.

In addition, the District recommends that the following **best practices** be considered for inclusion as conditions of approval, in the interest of reducing emissions of criteria air pollutants, toxic air contaminants, greenhouse gases, dust, and odors:

12. 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.
13. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible. 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.
14. To reduce diesel particulate emissions and associated health risk from the use of transportation refrigeration units (TRUs) at the facility, the District recommends that:
 - All loading/unloading docks and trailer spaces are equipped with electrical hookups for trucks with TRUs or auxiliary power units. TRUs entering the project site should be plug-in capable to the maximum extent feasible.
 - Use of zero-emission refrigeration technology such as all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged.
 - Onsite TRU diesel engine runtime is limited to no longer than 15 minutes.
15. At a minimum, the project should be designed and operated to minimize GHG emissions. Some potential measures include, but are not limited to:
 - Incorporate high efficiency process equipment
 - Reduction in vehicle trips from haul vehicles

- Utilization of a truck fleet with the newest/cleanest possible vehicles including zero-emission and alternatively fueled vehicles and the infrastructure to support them
- Consideration of onsite renewable energy generation

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8878 or via email at WaddingtonE@sbcapcd.org.

Sincerely,



Emily Waddington
Air Quality Specialist
Planning Division

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

cc: Steve Connor, Rincon Consultants
Chris Bersbach, Rincon Consultants
David Harris, Manager, District Engineering Division
William Sarraf, Supervisor, District Engineering Division
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.



Jesús Armas, Director, Community Services
Andrew Myung, Deputy Director, Administration & Chief Financial Officer
Joe Dzvornik, Deputy Director, Housing & Community Development
Jeff Lindgren, Deputy Director, Parks Division
Ashley Watkins, Division Chief, Sustainability & Libraries Division
Sarah York Rubin, Executive Director, Office of Arts & Culture



May 8, 2024

TO: Steve Conner, Planner
Planning & Development

FROM: Ryan Cooksey, Parks Planner

RE: 23TPM-00002, Arctic Cold TPM, TPM 14,880, APN 141-111-078

County Parks recommends the following condition(s) to the approval of the above referenced project:

- 1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot. The purpose of the fee is to provide park and recreational facilities within the recreational demand area.

Based on the current fee schedule, the total fee for the proposed project would be \$1,548 (\$1,548 per lot x 1 lot). Fees are due prior to final map recordation. The actual fee shall be based on the fee schedule in effect when payment is made. Fee schedules are subject to adjustment on an annual basis. This office will not accept nor process a payment prior to expiration of the appeal period following project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, 123 East Anapamu St., 2nd floor, Santa Barbara CA 93101.

cc: Jesús Armas, Community Services Department Director



**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
<https://www.countyofsb.org/189/Water-Resources>

SCOTT D. MCGOLPIN
Director Public Works

WALTER RUBALCAVA
Deputy Director Water Resources

May 31st, 2023

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

**Re: 23TPM-00002; Arctic Cold/AFM TPM
APN: 128-097-001; Santa Maria**

Dear Mr. Conner:

The Public Works Department Water Resources Division has the following conditions for proposed project to allow a tentative parcel Map

No development is proposed with this tentative map approval mechanism. At the time that each or the combined lots approach the County for development, the applicants may be required to comply with Flood Control District and/or Project Clean Water regulations.

Conditions from the Public Works, Water Resources Division:

A. Flood Control & Water Conservation District

Add the following Flood Control District language to the Information Sheet on the Tentative Map, or record as a separate instrument and provide proof of recordation to the District:

EACH PARCEL SHALL MITIGATE STORM WATER PEAK RUNOFF RATES FOR THE 2-100 YEAR STORM EVENTS PER THE FLOOD CONTROL DISTRICT STANDARD CONDITIONS.

EACH PARCEL SHALL EXECUTE A PRIVATE DETENTION SYSTEM MAINTENANCE AGREEMENT.

BECAUSE NO PRIVATE CROSS-LOT DRAINAGE EASEMENTS ARE PROPOSED OR PROVIDED, POST-DEVELOPMENT STORM RUNOFF CHARACTERISTICS (DISCHARGE PEAKS, POINT OF CONCENTRATION) SHALL NOT CHANGE COMPARED TO PRE-DEVELOPMENT STORM RUNOFF CHARACTERISTICS

B. Project Clean Water

Add the following Project Clean Water language to the Information Sheet on the Tentative Map, or provide as a separate document that must be recorded at the same time as the map recordation:

AT THE TIME OF INDIVIDUAL OR COMBINED LOT DEVELOPMENT, EACH PARCEL MAY BE REQUIRED TO SUBMIT A STORMWATER CONTROL PLAN FOR REVIEW, TOGETHER WITH A PLAN CHECK DEPOSIT TO COVER PLAN CHECK COSTS.

23TPM-00002; Arctic Cold/AFM TPM
May 31, 2023
Page 2 of 2

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

A handwritten signature in black ink, appearing to read 'Katrina', with a long horizontal flourish extending to the right.

By:

Katrina Brunasso
Engineering Technician II | Development Review
kbrunasso@countyofsb.org | (805)568-3267

Cc: Mark Llyod, 3 W. Carrillo St. Suite 205, Santa Barbara CA, 93101
AFP, LLC, PO Box 1862, Santa Maria CA 93456
Frank Maldonado, 1750 E. Betteravia, Santa Maria, CA 93454

Conner, Steve

From: Zemjanis, Aurora
Sent: Thursday, November 3, 2022 12:35 PM
To: Conner, Steve
Cc: DAVID SWENK; Bandurraga, Mark; Brunasso, Katrina
Subject: RE: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

22GPA-00000-00006/22CUP-00000-00021 | Arctic Cold Industrial AG Overlay
APN: 128-097-001, -002 | 1750 East Betteravia Road, Santa Maria

Thank you, Conner. Please accept this email as a “no-conditions letter” for the subject project.

The Flood Control District does not have any conditions for this revision as no new development is proposed as part of this project.

Project Clean Water does not have any conditions for this project located within the NPDES permit area as no new development is proposed as part of this project

Project Description: “Request of David Swenk, Agent for the applicant Fisher Construction, Owner AFP LLC/Great 1031 LLC to request a General Plan Amendment and a Conditional Use Permit to add an Agricultural Industry Overlay on APNs 128-097-001 and 128-097-002 to allow additional agricultural processing consisting of commercial and/or industrial uses that are directly related to the processing, packaging, treatment, and/or sale of agricultural commodities required to support agriculture within the Rural Area as designated on the Comprehensive Plan maps under an approved Development Plan (20DVP-00000-00006). No changes are proposed to the development footprint or structure approved under related Case Nos. 20DVP-00000-00006 and 20CUP-00000-00005. The additional agricultural processing will consist of converting fruit from solid to liquid by pureeing, including additives (such as sugar), chemical reactions, and changes in natural ambient temperatures. The subject property is 108.76 acres, and is zoned AG-II-40. The subject property is shown as Assessor Parcel Number 128-097-001, -002, located at 1750 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.”

Please let me know if you have any follow up questions. Thank you!

Aurora Zemjanis
Santa Barbara County
Flood Control & Water Conservation District
130 E. Victoria St., Ste 200
Santa Barbara, CA 93101
Direct: 805-568-3449

Front Counter: 805-568-3440

Flood Control Development Review Webpage

Flood Control Development Review Counter Hours are **M-F: 9:00am-noon; 1:00pm-4:00pm**

Please note that the Flood Control District Fee Schedule has been updated and the new schedule will become effective on 8-15-22.

Please see revised fee schedule here: <https://content.civicplus.com/api/assets/5359df03-2dd3-46f6-9112-2cb022fc4fc3>

From: Conner, Steve <conners@countyofsb.org>

Sent: Thursday, November 3, 2022 9:08 AM

To: Zemjanis, Aurora <azemjan@countyofsb.org>

Subject: RE: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

That is correct.



**Steve Conner
Planner**

Planning & Development
Development Review Division
123 E. Anapamu St.
Santa Barbara, CA 93101
805-568-2081

conners@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

www.countyofsb.org

From: Zemjanis, Aurora <azemjan@countyofsb.org>

Sent: Thursday, November 3, 2022 8:01 AM

To: Conner, Steve <conners@countyofsb.org>

Subject: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

Hi Steve,

Similar to the previous case that we discussed, it appears that there isn't any additional development proposed as part of this GPA/CUP. Can you please confirm?

Thank you!

Aurora Zemjanis

Santa Barbara County

Flood Control & Water Conservation District

130 E. Victoria St., Ste 200

Santa Barbara, CA 93101

Direct: 805-568-3449

Front Counter: 805-568-3440

Flood Control Development Review Webpage

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Please see revised fee schedule here: <https://content.civicplus.com/api/assets/5359df03-2dd3-46f6-9112-2cb022fc4fc3>

**COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT**

123 East Anapamu Street
Santa Barbara, California 93101
(805) 568-3000



SCOTT D. MCGOLPIN

Director

June 8, 2023

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Tentative Parcel Map 14,880
Los Alamos Investments (23TPM-00000-00002)
APN: 128-097-001, 128-097-002

Owner: AFP, LLC
Agro Pismo, LLC

Surveyor: Don Poppe, PLS
L&P Consultants
3 West Carrillo Street, Suite 205
Santa Barbara, CA 93101
(805) 962-4611

Requirements of the County Surveyor's Office

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map to record **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.



Very truly yours,

E. Terrell Matlovsky

Deputy for:
Aleksandar Jevremovic
County Surveyor

TP14880_SurveyorConditions_Letter_EL-EFM.doc

AA/EEO Employer

Walter Rubalcava, Deputy Director

Julie Hagen, Deputy Director

Chris Shedd, Deputy Director

Aleksandar Jevremovic, County Surveyor

Leslie Wells, Deputy Director

www.countyofsb.org/pwd

ATTACHMENT B-2: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Revision to 20DVP-00000-00006 is based upon and limited to compliance with the project description, the hearing exhibits 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 includes a request for a Revision to Development Plan (Case No. 20DVP-00000-00006) to designate Agricultural Industry Overlay upon APN 128-097-012, allow extensive fruit and vegetable processing uses within the 120,098 sf northern portion of the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility, and allow construction of a 35-ft.-tall flag pole. The proposed project does not include grading or vegetation removal. Water service for the Arctic Cold Agricultural Processor and Freezer Facility will be provided by a permitted public water system supplied by two existing potable wells on site. Wastewater treatment service for the Arctic Cold Agricultural Processor and Freezer Facility will be provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Access to the Arctic Cold Agricultural Processor and Freezer Facility will be provided by two driveways off East Betteravia Road. The proposed project is located on a 40.65-acre lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Number 128-097-012, and located at 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

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

Conditions By Issue Area

3. Special-Greenhouse Gas 1.2: The project applicant shall implement the Greenhouse Gas Reduction Program (GHGRP) that includes on-site GHG reduction measures to reduce the project's total remaining GHG emissions to 3.8 MT of CO₂e per service person per year or less. Potential options include, but would not be limited to:

- Supply 100 percent of electricity from renewable energy resources. Options include opting into PG&E's Solar Choice (opting to supply 100 percent of annual energy usage) Program or PG&E's Regional Renewable Choice (opting to supply 100 percent of annual energy usage) Program.
- Implement a transportation demand program. Program measures may include free transit passes for employees, electric rideshare vehicles for employees, and construction of additional transit infrastructure at the project site.
- Implement a zero waste program or other feasible waste-reduction measures such as composting waste food scraps from employee activities and food waste processing.
- After implementation of feasible on-site GHG reduction measures, the project applicant may also implement one of, or a combination of, the following off-site measures to achieve up to 50 percent of the total necessary GHG emission:
 - Directly undertake or fund activities that reduce or sequester GHG emissions ("Direct Reduction Activities") and retire the associated "GHG Mitigation Reduction Credits." A "GHG Mitigation Reduction Credit" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). An "Approved Registry" is an accredited carbon registry that follows approved CARB Compliance Offset Protocols. As of April 2021, Approved Registries include American Carbon Registry, Climate Action Reserve, and Verra (CARB 2018b). Credits from other sources shall not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CARB standards. If the project applicant chooses to meet some of the GHG reduction requirements through Direct Reduction Activities, the activities shall be implemented as feasible in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing GHG Mitigation Reduction Credits to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring GHG Mitigation Reduction Credits specific to the registry involved and shall undertake additional direct investments to recoup the loss.

List continued in GHG-1.2

4. Special-Greenhouse Gas 1.2: Continued from GHG-1.1.

- Obtain and retire "Carbon Offsets." "Carbon Offset" shall mean an instrument issued by an Approved Registry and shall represent the past reduction or sequestration of 1 MT of CO₂e achieved by a Direct Reduction Activity or any other GHG emission reduction project or activity that is not otherwise required (CEQA Guidelines Section 15126.4[c][3]). A "Carbon Offset" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). If the project applicant chooses to meet some of the GHG reduction requirements by purchasing offsets on an annual and permanent basis, the offsets shall be purchased according to the County of Santa Barbara's preference, which is, in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing offsets to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring offsets specific to the registry involved and shall purchase an equivalent number of credits to recoup the loss.
- No more than 50 percent of the project's total requisite emission reduction over the project's lifetime may be achieved through direct reduction activities and carbon offsets.

PLAN REQUIREMENTS: The GHGRP shall either reduce the project's emissions to 3.8 MT CO₂e per service person per year or shall incorporate all feasible actions to reduce emissions associated with electricity demand, transportation, and waste generation and shall purchase 50 percent carbon offsets. Each emission reduction measure shall include a commitment enforceable by P&D.

TIMING: Every 5 years, the Applicant shall reevaluate available and feasible GHG reduction measures and update the GHGRP to incorporate newly feasible measures as appropriate to the satisfaction of P&D that will reduce project emissions to 3.8 MT CO₂e per service person per year.

MONITORING: P&D compliance monitoring staff shall confirm inclusion of the required GHG emission reduction measures into the project. Compliance with all components of the initial GHGRP shall be verified during construction and prior to issuance of a Certificate of Occupancy. The Applicant shall maintain all data and shall provide data to the County upon request. P&D compliance monitoring staff shall confirm inclusion of any new feasible measures whenever the GHGRP is

updated, within three months of any updates.

Permit Specific Conditions

5. **DVP Revision - Original Conditions Apply:** All original conditions of approval of the Development Plan (20DVP-00000-00006) still apply unless explicitly modified by this Revised Development Plan.

County Rules and Regulations

6. **Rules-01 Effective Date-Not Appealable to CCC:** This Revision to 20DVP-00000-00006 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. LUDC §35.82.020.
7. **Rules-04 Additional Approvals Required:** Approval of this Revision to 20DVP-00000-00006 is subject to the County Board of Supervisors approving the required Comprehensive Plan Amendment.
8. **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.
9. **Rules-07 DP Conformance:** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan.
10. **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.
11. **Rules-14 Final DVP Expiration:** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
12. **Rules-18 CUP and DVP Revisions:** The approval by the County Planning Commission of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
13. **Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.

14. **Rules-23 Processing Fees Required:** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
15. **Rules-25 Signed Agreement to Comply:** Prior to issuance of Zoning Clearance, 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. Owners of lots resulting from this land division shall record such agreements prior to issuance of Zoning Clearance for future development.
16. **Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
 1. Santa Barbara County Air Pollution Control District dated May 31, 2024;
 2. Community Services District Parks Division dated May 8, 2024;
 3. Public Works Water Resources Division dated May 31, 2023;
 4. Public Works Flood Control Division dated November 3, 2022;
 5. Public Works Surveyor dated June 8, 2023.
17. **Rules-31 Mitigation Monitoring Required:** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall comply with all components of the Greenhouse Gas Reduction Program (included as Attachment B-1-1) during construction and for the life of the project.
18. **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.
19. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.



air pollution control district
SANTA BARBARA COUNTY

May 31, 2024

Steve Conner
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Sent Via Email: conners@countyofsb.org

Re: Santa Barbara County Air Pollution Control District Comments on the Arctic Cold Industrial Ag Overlay Project, 22GPA-00006, 22CUP-00021, 23RVP-00024, and 23TPM-00024

Dear Steve Conner:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of a General Plan Amendment, Conditional Use Permit, Revised Development Plan, and Tentative Parcel Map to allow for a new extensive agricultural processing, packaging, treatment, and/or sale of agricultural commodities. Additionally, the project will allow the creation of a fee title structure that will permit the applicant to convey one portion of the property to the Arctic Cold Processor and Freezer Facility operator. The addition of an agricultural industry overlay on the Arctic Cold site would specifically allow for pureeing of berries that would result in a use of sugars, change in ambient temperature, or produce a chemical reaction. No changes are proposed to the development footprint or structure approved under 20DVP-00006 and 20CUP-00005. The proposed project is located on a 111.8-acre site, zoned AG-II-40, identified by Assessor's Parcel Numbers 128-097-001 and 128-097-002, and located at 1750 East Betteravia Road in the unincorporated Santa Maria area.

The District has the following comment on the referenced project:

1. Based on the District's review of the proposed project and understanding that the chemical additives and heat transfer to be used in the pureeing process are limited to sugar and the use of permitted boilers, the requested changes to the approved project (i.e. more intensive processing operations at the facility to allow for purees of raw berry produce) are exempt from District permit pursuant to District Rule 202.A. The District has no additional conditions on the proposed project. Please reference the attached letter dated August 30, 2021 for suggested conditions related to 20DVP-00003 and 20CUP-00005.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 979-8302 or via email at wongb@sbcapcd.org.

Sincerely,

Bryan Wong,
Air Quality Specialist
Planning Division

Attachments: 08-30-21 Arctic Cold Condition Letter

cc: William Sarraf, District Engineering Supervisor [email only]
Planning Chron File
Permitted Sources File SSID 11591/FID 11823

Aeron Arlin Genet, Air Pollution Control Officer

(805) 979-8050

260 N. San Antonio Rd., Ste. A Santa Barbara, CA 93110

ourair.org

@OurAirSBC



air pollution control district
SANTA BARBARA COUNTY

August 30, 2021

Holly Owen
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Email Only: howen@co.santa-barbara.ca.us

Re: Santa Barbara County Air Pollution Control District Suggested Conditions for the Arctic Cold Agricultural Processor and Freezer Project, 20DVP-00000-00003, 20CUP-00000-00005

Dear Holly Owen:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of the construction and operation of a 449,248 square foot (SF) freezer and processor facility. The 127,546 SF processor section includes a cooler, canopy, and areas for dry storage, warehousing, processing, administration, and maintenance. The processor will receive strawberries from local flatbed trucks and refrigerated trucks from California and Baja and inspect, sort, process, and package the berries. The 321,702 SF freezer section includes a freezer, blast freezer, dock, administrative area, and mechanical area. The freezer will function as a cold distribution warehouse where product is received on temperature-controlled docks, placed in blast freezers or sent to cold storage, and eventually shipped throughout the United States. The project is expected to generate 454 average daily trips (ADT) during the non-harvest season including 148 truck trips and 1,642 ADT during the peak harvest season including 396 truck trips. Proposed combustion equipment includes a 351 horsepower (hp) diesel fire pump, four 100 hp Miura low-NO_x boilers, one 300 hp Miura low-NO_x boiler, and four propane forklifts. Excavation for construction of the project will require 64,876 cubic yards (cy) of cut and 50,311 cy of fill. The subject property, two parcels totaling 108.76 acres, is zoned AG-II-40, identified in the Assessor Parcel Map Book as APNs 128-097-001 and -002, and is located at 1750 East Betteravia Road in the unincorporated Santa Maria area.

The District advises that mitigation measures listed in the Final Environmental Impact Report (EIR) to reduce air quality and greenhouse gas impacts should be enforced as conditions of approval for the project. Mitigation measures for which the District has jurisdiction will be incorporated into the District-required permits and enforced through permit compliance.

The proposed project is subject to the following regulatory requirements that should be included as conditions of approval in the applicable land use permit:

1. The proposed project includes operations subject to District permitting requirements, rules, and regulations, therefore the project will be required to obtain an **Authority to Construct (ATC)** permit from the District prior to building permit issuance. Proof of receipt of the required District permits shall be submitted by the applicant to planning staff. Advisories: (1) Since the project has the potential to emit toxic or hazardous air pollutants, the project is required to prepare a **Health Risk Assessment (HRA)** as part of District permit issuance to determine the potential level of risk associated with their operations. The District's August 13, 2021 comment

Aeron Arlin Genet, Air Pollution Control Officer

letter on the Draft EIR provided several recommended updates to the project's HRA. The HRA should be revised accordingly in order for the District to rely on the HRA for CEQA responsible agency purposes. (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 www.ourair.org/permit-applications/ to download the necessary permit application(s).

2. All portable diesel-fired construction engines rated at 50 brake horsepower 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. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.
5. Boilers, steam generators, and process heaters with rated heat inputs greater than or equal to 5 million British thermal units per hour (Btu/hr) used in all industrial, institutional, and commercial operations must comply with emission limits and requirements of District Rule 342. Please see www.ourair.org/wp-content/uploads/rule342.pdf for more information.
6. Construction 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*).
7. 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.
8. 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.
9. Boilers, water heaters, and process heaters rated between 2 million to 5 million British thermal units per hour (Btu/hr) must 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.
10. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:

- Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.
11. If contaminated soils are found at the project site, the District must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required. District permits are required for all soil vapor extraction activities. District permits are also required for the excavation ("dig-and-haul") of more than 1,000 cubic yards of contaminated soil.

In addition, the District recommends that the following **best practices** be considered for inclusion as conditions of approval, in the interest of reducing emissions of criteria air pollutants, toxic air contaminants, greenhouse gases, dust, and odors:

12. 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.
13. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible. 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.
14. To reduce diesel particulate emissions and associated health risk from the use of transportation refrigeration units (TRUs) at the facility, the District recommends that:
- All loading/unloading docks and trailer spaces are equipped with electrical hookups for trucks with TRUs or auxiliary power units. TRUs entering the project site should be plug-in capable to the maximum extent feasible.
 - Use of zero-emission refrigeration technology such as all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged.
 - Onsite TRU diesel engine runtime is limited to no longer than 15 minutes.
15. At a minimum, the project should be designed and operated to minimize GHG emissions. Some potential measures include, but are not limited to:
- Incorporate high efficiency process equipment
 - Reduction in vehicle trips from haul vehicles

- Utilization of a truck fleet with the newest/cleanest possible vehicles including zero-emission and alternatively fueled vehicles and the infrastructure to support them
- Consideration of onsite renewable energy generation

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8878 or via email at WaddingtonE@sbcapcd.org.

Sincerely,



Emily Waddington
Air Quality Specialist
Planning Division

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

cc: Steve Connor, Rincon Consultants
Chris Bersbach, Rincon Consultants
David Harris, Manager, District Engineering Division
William Sarraf, Supervisor, District Engineering Division
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.



air pollution control district
SANTA BARBARA COUNTY

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.



Jesús Armas, Director, Community Services
Andrew Myung, Deputy Director, Administration & Chief Financial Officer
Joe Czvonik, Deputy Director, Housing & Community Development
Jeff Lindgren, Deputy Director, Parks Division
Ashley Watkins, Division Chief, Sustainability & Libraries Division
Sarah York Rubin, Executive Director, Office of Arts & Culture



May 8, 2024

TO: Steve Conner, Planner
Planning & Development

FROM: Ryan Cooksey, Parks Planner

RE: 23TPM-00002, Arctic Cold TPM, TPM 14,880, APN 141-111-078

County Parks recommends the following condition(s) to the approval of the above referenced project:

- 1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot. The purpose of the fee is to provide park and recreational facilities within the recreational demand area.

Based on the current fee schedule, the total fee for the proposed project would be \$1,548 (\$1,548 per lot x 1 lot). Fees are due prior to final map recordation. The actual fee shall be based on the fee schedule in effect when payment is made. Fee schedules are subject to adjustment on an annual basis. This office will not accept nor process a payment prior to expiration of the appeal period following project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, 123 East Anapamu St., 2nd floor, Santa Barbara CA 93101.

cc: Jesús Armas, Community Services Department Director



**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
<https://www.countyofsb.org/189/Water-Resources>

SCOTT D. MCGOLPIN
Director Public Works

WALTER RUBALCAVA
Deputy Director Water Resources

May 31st, 2023

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

**Re: 23TPM-00002; Arctic Cold/AFM TPM
APN: 128-097-001; Santa Maria**

Dear Mr. Conner:

The Public Works Department Water Resources Division has the following conditions for proposed project to allow a tentative parcel Map

No development is proposed with this tentative map approval mechanism. At the time that each or the combined lots approach the County for development, the applicants may be required to comply with Flood Control District and/or Project Clean Water regulations.

Conditions from the Public Works, Water Resources Division:

A. Flood Control & Water Conservation District

Add the following Flood Control District language to the Information Sheet on the Tentative Map, or record as a separate instrument and provide proof of recordation to the District:

EACH PARCEL SHALL MITIGATE STORM WATER PEAK RUNOFF RATES FOR THE 2-100 YEAR STORM EVENTS PER THE FLOOD CONTROL DISTRICT STANDARD CONDITIONS.

EACH PARCEL SHALL EXECUTE A PRIVATE DETENTION SYSTEM MAINTENANCE AGREEMENT.

BECAUSE NO PRIVATE CROSS-LOT DRAINAGE EASEMENTS ARE PROPOSED OR PROVIDED, POST-DEVELOPMENT STORM RUNOFF CHARACTERISTICS (DISCHARGE PEAKS, POINT OF CONCENTRATION) SHALL NOT CHANGE COMPARED TO PRE-DEVELOPMENT STORM RUNOFF CHARACTERISTICS

B. Project Clean Water

Add the following Project Clean Water language to the Information Sheet on the Tentative Map, or provide as a separate document that must be recorded at the same time as the map recordation:

AT THE TIME OF INDIVIDUAL OR COMBINED LOT DEVELOPMENT, EACH PARCEL MAY BE REQUIRED TO SUBMIT A STORMWATER CONTROL PLAN FOR REVIEW, TOGETHER WITH A PLAN CHECK DEPOSIT TO COVER PLAN CHECK COSTS.

23TPM-00002; Arctic Cold/AFM TPM
May 31, 2023
Page 2 of 2

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

A handwritten signature in black ink, appearing to read 'Katrina', with a long horizontal flourish extending to the right.

By:

Katrina Brunasso
Engineering Technician II | Development Review
kbrunasso@countyofsb.org | (805)568-3267

Cc: Mark Llyod, 3 W. Carrillo St. Suite 205, Santa Barbara CA, 93101
AFP, LLC, PO Box 1862, Santa Maria CA 93456
Frank Maldonado, 1750 E. Betteravia, Santa Maria, CA 93454

Conner, Steve

From: Zemjanis, Aurora
Sent: Thursday, November 3, 2022 12:35 PM
To: Conner, Steve
Cc: DAVID SWENK; Bandurraga, Mark; Brunasso, Katrina
Subject: RE: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

22GPA-00000-00006/22CUP-00000-00021 | Arctic Cold Industrial AG Overlay
APN: 128-097-001, -002 | 1750 East Betteravia Road, Santa Maria

Thank you, Conner. Please accept this email as a “no-conditions letter” for the subject project.

The Flood Control District does not have any conditions for this revision as no new development is proposed as part of this project.

Project Clean Water does not have any conditions for this project located within the NPDES permit area as no new development is proposed as part of this project

Project Description: “Request of David Swenk, Agent for the applicant Fisher Construction, Owner AFP LLC/Great 1031 LLC to request a General Plan Amendment and a Conditional Use Permit to add an Agricultural Industry Overlay on APNs 128-097-001 and 128-097-002 to allow additional agricultural processing consisting of commercial and/or industrial uses that are directly related to the processing, packaging, treatment, and/or sale of agricultural commodities required to support agriculture within the Rural Area as designated on the Comprehensive Plan maps under an approved Development Plan (20DVP-00000-00006). No changes are proposed to the development footprint or structure approved under related Case Nos. 20DVP-00000-00006 and 20CUP-00000-00005. The additional agricultural processing will consist of converting fruit from solid to liquid by pureeing, including additives (such as sugar), chemical reactions, and changes in natural ambient temperatures. The subject property is 108.76 acres, and is zoned AG-II-40. The subject property is shown as Assessor Parcel Number 128-097-001, -002, located at 1750 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.”

Please let me know if you have any follow up questions. Thank you!

Aurora Zemjanis
Santa Barbara County
Flood Control & Water Conservation District
130 E. Victoria St., Ste 200
Santa Barbara, CA 93101
Direct: 805-568-3449

Front Counter: 805-568-3440

Flood Control Development Review Webpage

Flood Control Development Review Counter Hours are **M-F: 9:00am-noon; 1:00pm-4:00pm**

Please note that the Flood Control District Fee Schedule has been updated and the new schedule will become effective on 8-15-22.

Please see revised fee schedule here: <https://content.civicplus.com/api/assets/5359df03-2dd3-46f6-9112-2cb022fc4fc3>

From: Conner, Steve <conners@countyofsb.org>
Sent: Thursday, November 3, 2022 9:08 AM
To: Zemjanis, Aurora <azemjan@countyofsb.org>
Subject: RE: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

That is correct.



Steve Conner
Planner

Planning & Development
Development Review Division
123 E. Anapamu St.
Santa Barbara, CA 93101
805-568-2081

conners@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

www.countyofsb.org

From: Zemjanis, Aurora <azemjan@countyofsb.org>
Sent: Thursday, November 3, 2022 8:01 AM
To: Conner, Steve <conners@countyofsb.org>
Subject: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

Hi Steve,

Similar to the previous case that we discussed, it appears that there isn't any additional development proposed as part of this GPA/CUP. Can you please confirm?

Thank you!

Aurora Zemjanis

Santa Barbara County
Flood Control & Water Conservation District
130 E. Victoria St., Ste 200
Santa Barbara, CA 93101
Direct: 805-568-3449
Front Counter: 805-568-3440

Flood Control Development Review Webpage

Flood Control Development Review Counter Hours are **M-F: 9:00am-noon; 1:00pm-4:00pm**

Please note that the Flood Control District Fee Schedule has been updated and the new schedule will become effective on 8-15-22.

Please see revised fee schedule here: <https://content.civicplus.com/api/assets/5359df03-2dd3-46f6-9112-2cb022fc4fc3>

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
(805) 568-3000



SCOTT D. MCGOLPIN
Director

June 8, 2023

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Tentative Parcel Map 14,880
Los Alamos Investments (23TPM-00000-00002)
APN: 128-097-001, 128-097-002

Owner: AFP, LLC
Agro Pismo, LLC

Surveyor: Don Poppe, PLS
L&P Consultants
3 West Carrillo Street, Suite 205
Santa Barbara, CA 93101
(805) 962-4611

Requirements of the County Surveyor's Office

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map to record **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.



Very truly yours,
E. Teñell Matlovsky
Deputy for:
Aleksandar Jevremovic
County Surveyor

TP14880_SurveyorConditions_Letter_EL-ETM.doc

AA/EEO Employer

Walter Rubalcava, Deputy Director

Chris Sneddon, Deputy Director

Leslie Wells, Deputy Director

Julie Hagen, Deputy Director

Aleksandar Jevremovic, County Surveyor

www.countyofsb.org/pwd

ATTACHMENT B-3: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Tentative Parcel Map is based upon and limited to compliance with the project description, the hearing exhibits 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 includes a request for a Tentative Parcel Map to create two legal parcels to allow for a fee title separation of existing independent agricultural operations on APN 128-097-013, including agricultural row crop production and the Mid Coast Cooling processor, from the Arctic Cold Agricultural Processor and Freezer Facility currently under construction on APN 128-097-012. The Tentative Parcel Map will split the legal lot into the two legal lots. Proposed Lot 1 will be a 40.65-acre parcel and proposed Lot 2 will be a 71.10-acre parcel. Existing development on proposed Lot 1 includes the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility and accessory buildings. Existing development on proposed Lot 2 includes the 52,000 sf Mid Coast Cooling facility and 5,600 sf Valley Farm Supply building.

The proposed project does not include grading or vegetation removal. Water service for proposed Lot 1 will be provided by a permitted public water system supplied by two existing potable wells on site. Water service for proposed Lot 2 will be provided by one existing potable well and one existing agricultural well on site. Wastewater treatment service for proposed Lot 1 will be provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Wastewater treatment service for proposed Lot 2 will be provided by an existing septic system. Access to proposed Lot 1 will be provided by two driveways off East Betteravia Road. Access to proposed Lot 2 is provided by the existing driveway south of the intersection of Rosemary Lane and East Betteravia Road. The proposed project is located on a 111.75-acre lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Numbers 128-097-012 and 128-097-013, and located at 1750 and 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

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

Permit Specific Conditions

3. **Map-01 Maps-Info:** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Parcel Map. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.
4. **Map-01a Maps-Future Lots:** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
5. **Map-01b Maps-Not Retroactive:** If Zoning Clearance is obtained prior to recordation, Tentative Map conditions will not apply retroactively to the previously issued permit.
6. **Map-04 Parcel Map and Tract Map Submittals:** The Owner/Applicant shall submit a Parcel Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, project description, conditions of approval, and applicable Chapter 21 Land Division requirements, as well as applicable project components required as part of recorded project conditions.

County Rules and Regulations

7. **DIMF-24e DIMF Fees-Parks:** 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 Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.
The total Parks DIMF amount is currently estimated to be \$1,548 (June 12, 2024).

This is based on a project type of Commercial and a project size of 449,248 square feet.

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

- 8. Rules-01 Effective Date-Not Appealable to CCC:** This Tentative Parcel Map 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. LUDC §35.82.020
- 9. Rules-19 Maps/LLA Revisions:** If the unrecorded Tentative Map is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Tentative Map.
- 10. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:

 1. Santa Barbara County Air Pollution Control District dated May 31, 2024;
 2. Community Services District Parks Division dated May 8, 2024;
 3. Public Works Water Resources Division dated May 31, 2023;
 4. Public Works Flood Control Division dated November 3, 2022;
 5. Public Works Surveyor dated June 8, 2023.
- 11. 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.
- 12. Rules-36 Map/LLA Expiration:** This Tentative Map shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
- 13. 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 31, 2024

Steve Conner
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Sent Via Email: conners@countyofsb.org

Re: Santa Barbara County Air Pollution Control District Comments on the Arctic Cold Industrial Ag Overlay Project, 22GPA-00006, 22CUP-00021, 23RVP-00024, and 23TPM-00024

Dear Steve Conner:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of a General Plan Amendment, Conditional Use Permit, Revised Development Plan, and Tentative Parcel Map to allow for a new extensive agricultural processing, packaging, treatment, and/or sale of agricultural commodities. Additionally, the project will allow the creation of a fee title structure that will permit the applicant to convey one portion of the property to the Arctic Cold Processor and Freezer Facility operator. The addition of an agricultural industry overlay on the Arctic Cold site would specifically allow for pureeing of berries that would result in a use of sugars, change in ambient temperature, or produce a chemical reaction. No changes are proposed to the development footprint or structure approved under 20DVP-00006 and 20CUP-00005. The proposed project is located on a 111.8-acre site, zoned AG-II-40, identified by Assessor's Parcel Numbers 128-097-001 and 128-097-002, and located at 1750 East Betteravia Road in the unincorporated Santa Maria area.

The District has the following comment on the referenced project:

1. Based on the District's review of the proposed project and understanding that the chemical additives and heat transfer to be used in the pureeing process are limited to sugar and the use of permitted boilers, the requested changes to the approved project (i.e. more intensive processing operations at the facility to allow for purees of raw berry produce) are exempt from District permit pursuant to District Rule 202.A. The District has no additional conditions on the proposed project. Please reference the attached letter dated August 30, 2021 for suggested conditions related to 20DVP-00003 and 20CUP-00005.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 979-8302 or via email at wongb@sbcapcd.org.

Sincerely,

Bryan Wong,
Air Quality Specialist
Planning Division

Attachments: 08-30-21 Arctic Cold Condition Letter

cc: William Sarraf, District Engineering Supervisor [email only]
Planning Chron File
Permitted Sources File SSID 11591/FID 11823

Aeron Arlin Genat, Air Pollution Control Officer

(805) 979-8050

260 N. San Antonio Rd., Ste. A Santa Barbara, CA 93110

ourair.org



@OurAirSBC



air pollution control district
SANTA BARBARA COUNTY

August 30, 2021

Holly Owen
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Email Only: howen@co.santa-barbara.ca.us

Re: Santa Barbara County Air Pollution Control District Suggested Conditions for the Arctic Cold Agricultural Processor and Freezer Project, 20DVP-00000-00003, 20CUP-00000-00005

Dear Holly Owen:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of the construction and operation of a 449,248 square foot (SF) freezer and processor facility. The 127,546 SF processor section includes a cooler, canopy, and areas for dry storage, warehousing, processing, administration, and maintenance. The processor will receive strawberries from local flatbed trucks and refrigerated trucks from California and Baja and inspect, sort, process, and package the berries. The 321,702 SF freezer section includes a freezer, blast freezer, dock, administrative area, and mechanical area. The freezer will function as a cold distribution warehouse where product is received on temperature-controlled docks, placed in blast freezers or sent to cold storage, and eventually shipped throughout the United States. The project is expected to generate 454 average daily trips (ADT) during the non-harvest season including 148 truck trips and 1,642 ADT during the peak harvest season including 396 truck trips. Proposed combustion equipment includes a 351 horsepower (hp) diesel fire pump, four 100 hp Miura low-NO_x boilers, one 300 hp Miura low-NO_x boiler, and four propane forklifts. Excavation for construction of the project will require 64,876 cubic yards (cy) of cut and 50,311 cy of fill. The subject property, two parcels totaling 108.76 acres, is zoned AG-II-40, identified in the Assessor Parcel Map Book as APNs 128-097-001 and -002, and is located at 1750 East Betteravia Road in the unincorporated Santa Maria area.

The District advises that mitigation measures listed in the Final Environmental Impact Report (EIR) to reduce air quality and greenhouse gas impacts should be enforced as conditions of approval for the project. Mitigation measures for which the District has jurisdiction will be incorporated into the District-required permits and enforced through permit compliance.

The proposed project is subject to the following regulatory requirements that should be included as conditions of approval in the applicable land use permit:

1. The proposed project includes operations subject to District permitting requirements, rules, and regulations, therefore the project will be required to obtain an **Authority to Construct (ATC)** permit from the District prior to building permit issuance. Proof of receipt of the required District permits shall be submitted by the applicant to planning staff. Advisories: (1) Since the project has the potential to emit toxic or hazardous air pollutants, the project is required to prepare a **Health Risk Assessment (HRA)** as part of District permit issuance to determine the potential level of risk associated with their operations. The District's August 13, 2021 comment

Aeron Arlin Genet, Air Pollution Control Officer

letter on the Draft EIR provided several recommended updates to the project's HRA. The HRA should be revised accordingly in order for the District to rely on the HRA for CEQA responsible agency purposes. (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 www.ourair.org/permit-applications/ to download the necessary permit application(s).

2. All portable diesel-fired construction engines rated at 50 brake horsepower 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. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.
5. Boilers, steam generators, and process heaters with rated heat inputs greater than or equal to 5 million British thermal units per hour (Btu/hr) used in all industrial, institutional, and commercial operations must comply with emission limits and requirements of District Rule 342. Please see www.ourair.org/wp-content/uploads/rule342.pdf for more information.
6. Construction 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*).
7. 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.
8. 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.
9. Boilers, water heaters, and process heaters rated between 2 million to 5 million British thermal units per hour (Btu/hr) must 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.
10. At all times, idling of heavy-duty diesel trucks should be minimized; auxiliary power units should be used whenever possible. State law requires that:

- Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
- Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
- See www.arb.ca.gov/noidle for more information.

11. If contaminated soils are found at the project site, the District must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required. District permits are required for all soil vapor extraction activities. District permits are also required for the excavation ("dig-and-haul") of more than 1,000 cubic yards of contaminated soil.

In addition, the District recommends that the following **best practices** be considered for inclusion as conditions of approval, in the interest of reducing emissions of criteria air pollutants, toxic air contaminants, greenhouse gases, dust, and odors:

12. 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.
13. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures should be implemented to the maximum extent feasible. 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.
14. To reduce diesel particulate emissions and associated health risk from the use of transportation refrigeration units (TRUs) at the facility, the District recommends that:
 - All loading/unloading docks and trailer spaces are equipped with electrical hookups for trucks with TRUs or auxiliary power units. TRUs entering the project site should be plug-in capable to the maximum extent feasible.
 - Use of zero-emission refrigeration technology such as all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged.
 - Onsite TRU diesel engine runtime is limited to no longer than 15 minutes.
15. At a minimum, the project should be designed and operated to minimize GHG emissions. Some potential measures include, but are not limited to:
 - Incorporate high efficiency process equipment
 - Reduction in vehicle trips from haul vehicles

- Utilization of a truck fleet with the newest/cleanest possible vehicles including zero-emission and alternatively fueled vehicles and the infrastructure to support them
- Consideration of onsite renewable energy generation

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8878 or via email at WaddingtonE@sbcapcd.org.

Sincerely,



Emily Waddington
Air Quality Specialist
Planning Division

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

cc: Steve Connor, Rincon Consultants
Chris Bersbach, Rincon Consultants
David Harris, Manager, District Engineering Division
William Sarraf, Supervisor, District Engineering Division
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.



air pollution control district
SANTA BARBARA COUNTY

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.



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FUTURE

Jesús Armas, Director, Community Services
Andrew Myung, Deputy Director, Administration & Chief Financial Officer
Joe Dzonik, Deputy Director, Housing & Community Development
Jeff Lindgren, Deputy Director, Parks Division
Ashley Watkins, Division Chief, Sustainability & Libraries Division
Sarah York Rubin, Executive Director, Office of Arts & Culture



Community
Services
Department

May 8, 2024

TO: Steve Conner, Planner
Planning & Development

FROM: Ryan Cooksey, Parks Planner

RE: 23TPM-00002, Arctic Cold TPM, TPM 14,880, APN 141-111-078

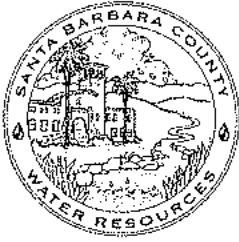
County Parks recommends the following condition(s) to the approval of the above referenced project:

- 1) Pursuant to the provisions of Santa Barbara County Ordinance 4317 (Quimby Ordinance) and the appurtenant fee resolution for the recreational demand area, the applicant will be required to pay a fee for each generated lot. The purpose of the fee is to provide park and recreational facilities within the recreational demand area.

Based on the current fee schedule, the total fee for the proposed project would be \$1,548 (\$1,548 per lot x 1 lot). Fees are due prior to final map recordation. The actual fee shall be based on the fee schedule in effect when payment is made. Fee schedules are subject to adjustment on an annual basis. This office will not accept nor process a payment prior to expiration of the appeal period following project approval by the decision maker.

Fees are payable to the COUNTY OF SANTA BARBARA, and may be paid in person or mailed to: Santa Barbara County Parks Administration, 123 East Anapamu St., 2nd floor, Santa Barbara CA 93101.

cc: Jesús Armas, Community Services Department Director



**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
<https://www.countyofsb.org/189/Water-Resources>

SCOTT D. MCGOLPIN
Director Public Works

WALTER RUBALCAVA
Deputy Director Water Resources

May 31st, 2023

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

**Re: 23TPM-00002; Arctic Cold/AFM TPM
APN: 128-097-001; Santa Maria**

Dear Mr. Conner:

The Public Works Department Water Resources Division has the following conditions for proposed project to allow a tentative parcel Map

No development is proposed with this tentative map approval mechanism. At the time that each or the combined lots approach the County for development, the applicants may be required to comply with Flood Control District and/or Project Clean Water regulations.

Conditions from the Public Works, Water Resources Division:

A. Flood Control & Water Conservation District

Add the following Flood Control District language to the Information Sheet on the Tentative Map, or record as a separate instrument and provide proof of recordation to the District:

EACH PARCEL SHALL MITIGATE STORM WATER PEAK RUNOFF RATES FOR THE 2-100 YEAR STORM EVENTS PER THE FLOOD CONTROL DISTRICT STANDARD CONDITIONS.

EACH PARCEL SHALL EXECUTE A PRIVATE DETENTION SYSTEM MAINTENANCE AGREEMENT.

BECAUSE NO PRIVATE CROSS-LOT DRAINAGE EASEMENTS ARE PROPOSED OR PROVIDED, POST-DEVELOPMENT STORM RUNOFF CHARACTERISTICS (DISCHARGE PEAKS, POINT OF CONCENTRATION) SHALL NOT CHANGE COMPARED TO PRE-DEVELOPMENT STORM RUNOFF CHARACTERISTICS

B. Project Clean Water

Add the following Project Clean Water language to the Information Sheet on the Tentative Map, or provide as a separate document that must be recorded at the same time as the map recordation:

AT THE TIME OF INDIVIDUAL OR COMBINED LOT DEVELOPMENT, EACH PARCEL MAY BE REQUIRED TO SUBMIT A STORMWATER CONTROL PLAN FOR REVIEW, TOGETHER WITH A PLAN CHECK DEPOSIT TO COVER PLAN CHECK COSTS.

23TPM-00002; Arctic Cold/AFM TPM
May 31, 2023
Page 2 of 2

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

A handwritten signature in black ink that reads "Katrina". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

By:

Katrina Brunasso
Engineering Technician II | Development Review
kbrunasso@countyofsb.org | (805)568-3267

Cc: Mark Llyod, 3 W. Carrillo St. Suite 205, Santa Barbara CA, 93101
AFP, LLC, PO Box 1862, Santa Maria CA 93456
Frank Maldonado, 1750 E. Betteravia, Santa Maria, CA 93454

Conner, Steve

From: Zemjanis, Aurora
Sent: Thursday, November 3, 2022 12:35 PM
To: Conner, Steve
Cc: DAVID SWENK; Bandurraga, Mark; Brunasso, Katrina
Subject: RE: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

22GPA-00000-00006/22CUP-00000-00021 | Arctic Cold Industrial AG Overlay
APN: 128-097-001, -002 | 1750 East Betteravia Road, Santa Maria

Thank you, Conner. Please accept this email as a “no-conditions letter” for the subject project.

The Flood Control District does not have any conditions for this revision as no new development is proposed as part of this project.

Project Clean Water does not have any conditions for this project located within the NPDES permit area as no new development is proposed as part of this project

Project Description: “Request of David Swenk, Agent for the applicant Fisher Construction, Owner AFP LLC/Great 1031 LLC to request a General Plan Amendment and a Conditional Use Permit to add an Agricultural Industry Overlay on APNs 128-097-001 and 128-097-002 to allow additional agricultural processing consisting of commercial and/or industrial uses that are directly related to the processing, packaging, treatment, and/or sale of agricultural commodities required to support agriculture within the Rural Area as designated on the Comprehensive Plan maps under an approved Development Plan (20DVP-00000-00006). No changes are proposed to the development footprint or structure approved under related Case Nos. 20DVP-00000-00006 and 20CUP-00000-00005. The additional agricultural processing will consist of converting fruit from solid to liquid by pureeing, including additives (such as sugar), chemical reactions, and changes in natural ambient temperatures. The subject property is 108.76 acres, and is zoned AG-II-40. The subject property is shown as Assessor Parcel Number 128-097-001, -002, located at 1750 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.”

Please let me know if you have any follow up questions. Thank you!

Aurora Zemjanis
Santa Barbara County
Flood Control & Water Conservation District
130 E. Victoria St., Ste 200
Santa Barbara, CA 93101
Direct: 805-568-3449

Front Counter: 805-568-3440

Flood Control Development Review Webpage

Flood Control Development Review Counter Hours are **M-F: 9:00am-noon; 1:00pm-4:00pm**

Please note that the Flood Control District Fee Schedule has been updated and the new schedule will become effective on 8-15-22.

Please see revised fee schedule here: <https://content.civicplus.com/api/assets/5359df03-2dd3-46f6-9112-2cb022fc4fc3>

From: Conner, Steve <conners@countyofsb.org>
Sent: Thursday, November 3, 2022 9:08 AM
To: Zemjanis, Aurora <azemjan@countyofsb.org>
Subject: RE: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

That is correct.



Steve Conner
Planner

Planning & Development
Development Review Division
123 E. Anapamu St.
Santa Barbara, CA 93101
805-568-2081

conners@countyofsb.org

<https://www.countyofsb.org/160/Planning-Development>

www.countyofsb.org

From: Zemjanis, Aurora <azemjan@countyofsb.org>
Sent: Thursday, November 3, 2022 8:01 AM
To: Conner, Steve <conners@countyofsb.org>
Subject: SDRC | 22GPA-00006, 22CUP-00021 Arctic Cold

Hi Steve,

Similar to the previous case that we discussed, it appears that there isn't any additional development proposed as part of this GPA/CUP. Can you please confirm?

Thank you!

Aurora Zemjanis
Santa Barbara County
Flood Control & Water Conservation District
130 E. Victoria St., Ste 200
Santa Barbara, CA 93101
Direct: 805-568-3449
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COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
(805) 568-3000



SCOTT D. MCGOLPIN
Director

June 8, 2023

County Subdivision Committee
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Tentative Parcel Map 14,880
Los Alamos Investments (23TPM-00000-00002)
APN: 128-097-001, 128-097-002

Owner: AFP, LLC
Agro Pismo, LLC

Surveyor: Don Poppe, PLS
L&P Consultants
3 West Carrillo Street, Suite 205
Santa Barbara, CA 93101
(805) 962-4611

Requirements of the County Surveyor's Office

Pursuant to Section 66448 of the State Subdivision Map Act and County Subdivision Regulations Chapter 21, Section 21-9, the Parcel Map to record **shall be based upon a field survey** made in conformity with the Professional Land Surveyors Act. Furthermore, property lines **shall be monumented** in accordance with Section 21-16 of said County Code.



Very truly yours,
E. Teñell Matlovsky
Deputy for:
Aleksandar Jevremovic
County Surveyor

TP14880_SurveyorConditions_Letter_EL-ETM.doc

AA/EEO Employer

Walter Kubalcava, Deputy Director

Julie Hagen, Deputy Director

Chris Sneddon, Deputy Director

Aleksandar Jevremovic, County Surveyor

Leslie Wells, Deputy Director

www.countyofsb.org/pwd

ATTACHMENT E

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE BOARD OF SUPERVISORS THE ADOPTION OF AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND ELEMENT MAP FOR THE SANTA MARIA AREA (COMP-6) TO APPLY THE AGRICULTURAL INDUSTRY OVERLAY TO ASSESSOR'S PARCEL NO. 128-097-012.

RESOLUTION NO. 24- 08

CASE NO: 22GPA-00000-00006

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan (General Plan) for the County of Santa Barbara.
- B. WHEREAS on September 3, 1991, the Board of Supervisors adopted Resolution No. 91-536 initiating amendments to Overlay Symbols and Land Use definitions of the Land Use Element to describe the purpose of the Agricultural Industry Overlay and require Development Plans and Conditional Use Permits for any requests to designate new Agricultural Industry Overlay areas.
- C. WHEREAS on July 8, 2014, the Board of Supervisors adopted Resolution No. 14-182 initiating amendments to Section 35-1, the County Land Use Development Code, of Chapter 35, Zoning, of the County Code by amending Division 35.2.040-Agricultural Processing Facilities, and Article 35.11 to allow for processing of agricultural products from a raw form to a milled liquid form on parcels zoned AG-I and AG-II in the unincorporated area of the County located outside of the Coastal Zone.
- D. WHEREAS the above-referenced initiated amendments to the Comprehensive Plan were developed in order to comply with Government Code Section 65860 that requires that County zoning ordinances shall be consistent with the General Plan.
- E. WHEREAS the proposed amendment is consistent with the Santa Barbara County Comprehensive Plan and the requirements of California Planning, Zoning, and Development laws.
- F. WHEREAS public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been provided the opportunity for involvement pursuant to Section 65351 and 65352 of the Government Code.
- G. WHEREAS the County initiated consultations with Native American tribes as required by Government Code Sections 65352.3 and 65352.4.
- H. WHEREAS this County Planning Commission has held a duly noticed hearing, as required by Section 65353 of the Government Code on the proposed amendment at which hearing the amendment was explained and comments invited from the persons in attendance and through this Resolution will endorse and transmit a written recommendation to the Board of Supervisors pursuant to Government Code Section 65354.

1. WHEREAS, in compliance with Government Code Section 65855, which requires the County Planning Commission's written recommendation on the proposed amendments and ordinances to include the reasons for the recommendation and the relationship of the proposed ordinances and amendments to applicable general and specific plans, the County Planning Commission has determined that the proposed amendments represent good planning consistent with the intent of the Comprehensive Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. The County Planning Commission now finds that it is in the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt a Resolution (Case No. 22GPA-00000-00006) amending the Santa Maria Area (COMP-6) Map of the Comprehensive Plan Land Use Element, to designate Proposed Lot 1 (Assessor's Parcel No. 128-097-012) with the Agricultural Industry Overlay as shown on attached Exhibit A of Attachment 1.

Said recommended Board Resolution is attached hereto as Attachment 1 and is incorporated by reference.

3. This County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above-mentioned recommendation of this Commission, based on the findings included as Attachment A of the Planning Commission Staff report for the project dated June 4, 2024.
4. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
5. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above-mentioned action by the County Planning Commission.

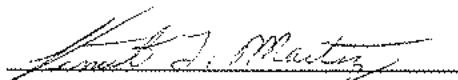
PASSED, APPROVED AND ADOPTED this June 12, 2024 by the following vote:

AYES: Cooney, Bridiey, Parke, Reed, Martinez

NOES:

ABSTAIN:


ABSENT:



VINCENT MARTINEZ, Chair

Santa Barbara County Planning Commission

ATTEST:



JEFF WILSON
Secretary to the Commission

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By  _____
Deputy County Counsel

ATTACHMENTS:

1. Board of Supervisors Resolution

ATTACHMENT 1

RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE BOARD OF SUPERVISORS THE ADOPTION OF AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND ELEMENT MAP FOR THE SANTA MARIA AREA (COMP-6) TO APPLY THE AGRICULTURAL INDUSTRY OVERLAY TO ASSESSOR'S PARCEL NOS. 128-097-001 AND 128-097-002.

RESOLUTION NO. 24-_____

CASE NO: 22GPA-00000-00006

WITH REFERENCE TO THE FOLLOWING:

- A. WHEREAS on December 20, 1980, by Resolution No. 80-566, the Board of Supervisors of the County of Santa Barbara adopted the Comprehensive Plan (General Plan) for the County of Santa Barbara.
- B. WHEREAS on September 3, 1991, the Board of Supervisors adopted Resolution No. 91-536 initiating amendments to Overlay Symbols and Land Use definitions of the Land Use Element to describe the purpose of the Agricultural Industry Overlay and require Development Plans and Conditional Use Permits for any requests to designate new Agricultural Industry Overlay areas.
- C. WHEREAS on July 8, 2014, the Board of Supervisors adopted Resolution No. 14-182 initiating amendments to Section 35-1, the County Land Use Development Code, of Chapter 35, Zoning, of the County Code by amending Division 35.2.040-Agricultural Processing Facilities, and Article 35.11 to allow for processing of agricultural products from a raw form to a milled liquid form on parcels zoned AG-I and AG-II in the unincorporated area of the County located outside of the Coastal Zone.
- D. WHEREAS the above-referenced initiated amendments to the Comprehensive Plan were developed in order to comply with Government Code Section 65860 that requires that County zoning ordinances shall be consistent with the General Plan.
- E. WHEREAS the proposed amendment is consistent with the Santa Barbara County Comprehensive Plan and the requirements of California Planning, Zoning, and Development laws.
- F. WHEREAS public agencies, California Native American Indian Tribes, civic, education, and other community groups, public utility companies, and citizens have been provided the opportunity for involvement pursuant to Section 65351 of the Government Code.

- G. WHEREAS the County conducted consultations with Native American tribes as required by Government Code Section 65352.3 and 65352.4.
- H. WHEREAS the County Planning Commission held a duly noticed hearing, as required by Section 65353 of the Government Code on the proposed amendment at which hearing the amendment was explained and comments invited from the persons in attendance and has endorsed and transmitted a written recommendation to the Board of Supervisors pursuant to Government Code Section 65354.
- H. WHEREAS this Board has held a duly noticed public hearing, as required by Section 65355 of the Government Code on the proposed amendment, at which hearing the proposed amendment was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. Whereas the Board of Supervisors now finds consistent with the authority of Government Code Section 65358 that it is in the interest of orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of said County to amend the Land Use Element of the Santa Barbara County Comprehensive Plan's as follows:
 - A. Amend the Santa Maria Area (COMP-6) Map to designate Assessor's Parcel No. 128-097-012 with the Agricultural Industry Overlay as shown on attached Exhibit A.
- 3. In compliance with the provisions of Section 65356 of the Government Code, the above described change is hereby adopted as an amendment to the Land Use Element of the Santa Barbara County Comprehensive Plan.
- 5. Pursuant to provisions of Government Code Section 65357(b), the Clerk of the Board is hereby directed to make the documents amending the Santa Barbara County Comprehensive Plan, including the diagrams and text, available to the public for inspection.
- 6. The Chair and the Clerk of this Board are hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the Board.
- 7. Pursuant to the provisions of Government Code Section 65357, the Clerk of the Board is hereby authorized and directed to send endorsed copies of said maps to the planning agency of each city within this County.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steve Lavagnino, Chair
Board of Supervisors
County of Santa Barbara

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

A. 22GPA-00000-00006 Santa Maria Area (COMP-6) Map

EXHIBIT A:

22GPA-00000-00006 Santa Maria Area (COMP-6) Map




Exhibit A
22GPA-00000-00006
Proposed Agricultural Industry Overlay

APN: 128-097-012

0 500 1,000 Feet
N

Map of 2024 - MapInfo software used: ApriSoft/MapInfo

Exhibit A
22GPA-00000-00006

 Proposed Agricultural Industry Overlay

E Battles Rd

Rosemary Rd

E Betteravia Rd

APN: 128-097-012

Prell Rd

Bridle Trails L

Cambridge Wy

0 500 1,000
Feet

