

ATTACHMENT 2-3: 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.