

ATTACHMENT 5: CONDITIONS OF APPROVAL
Sierra Grande Rural Recreation Project
Case No. 13CUP-00000-00012

July 19, 2016

I. 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 marked “Officially Accepted, County of Santa Barbara January 13, 2016, County Planning Commission Attachments A-H” 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:

A request of Stuart Gildred for approval of a Major Conditional Use Permit on property zoned Agriculture (AG-II-100) in compliance with Section 35.82.060 of the County Land Use and Development Code, to allow for a Zipline Tour and Ropes Course.

The project also includes a request to change the use of an existing 4,477 sq. ft. warehouse (including 395 sq. ft. of restroom facilities) to be used as the orientation center for the operations of the proposed ropes course and zipline. The existing restroom located inside the warehouse would be renovated and two new restroom facilities will be created within the existing restroom area. The overall footprint for the orientation center would not change. In addition, the project includes removing an existing, permitted mobile home used as an employee dwelling from the project site and converting an existing storage building (that was previously used as agricultural employee dwelling) back to an agricultural employee dwelling.

The primary access for the project would be via an existing 20-foot wide private driveway that extends southward from Highway 246. The driveway is mostly paved and has an all-weather surface where it crosses the Santa Ynez River. The driveway is located within an existing non-exclusive 60-foot wide easement for ingress and egress purposes. The applicant is proposing to flare the existing driveway edges to allow eastbound vehicle traffic to decelerate and make a safe turning movement into the project site, and to allow eastbound traffic leaving the project site and turning right onto Highway 246 to accelerate without affecting existing Highway 246 traffic flow. The proposed driveway flares would require Caltrans approval of an encroachment permit and must be completed and accepted by Caltrans prior to the start of project operation. Secondary emergency access would be provided via an exclusive 17- to 20-foot wide paved road and at-grade connection to U.S. Highway 101 located south of the Santa Rosa Road interchange.

There are existing all-weather surface trails throughout the subject properties. The all-weather surfaced trails would be utilized for maintenance of the zipline course. Emergency vehicles would access areas of the zipline course via the existing all-weather surface trails.

Parking. Parking for both the ropes course and zipline operations would be provided by an existing cleared area located adjacent to the existing access road. A total of 45 parking spaces would be provided on the Sierra Grande Ranch property, (APN 137-270-033). Parking spaces would be a minimum of 9 feet by 16.5 feet.

Operational Information. After parking, signage will direct visitors to the orientation center to be housed in an existing 4,477 sq. ft. warehouse structure with restrooms on the site. The project proposes a change of use for this structure from the existing warehouse use to the project's orientation center and restroom facilities. The project proposes to renovate the existing 395 sq. ft. restroom area, which is connected to the warehouse and create 2 restroom facilities totally within the same 395 sq. ft. footprint. Picnic tables would be provided in the vicinity of the orientation center and would be available for use by persons that have made zipline and ropes course reservations.

The zipline and ropes course would operate 7-days a week between the hours of 8:00 a.m. and 6:00 p.m. during the summer months (i.e., June to September) and 8:00 a.m. and 5:00 p.m. during the remaining part of the year. It is anticipated that the project would host approximately 40-50 visitors per day in the non-peak season (October to May) and a maximum of 80 visitors per day in the peak summer season. It is also anticipated that there would be overlap between the visitors for the zipline and the ropes course. The zipline tour would last approximately 90 minutes and the ropes course would last about 60 minutes. All zipline and ropes course participants will be required to make an advance reservation for facility use. It is anticipated that after completing the zipline or ropes course tours, some participants may wish to "crossover" from the zipline or ropes course and use the other facility if space is available. With the anticipated rates of facility crossover, it is estimated that approximately 90 percent of zipline tours would be arranged by appointment and 70 percent of the ropes course visitors would have reservations. The zipline would have a maximum attendance of 20 visitors per tour and the ropes course could accommodate 20 people at a time. While no food preparation is proposed on-site, bottled water and pre-packaged food (i.e., energy bars, etc.) would be available for purchase at the orientation center.

An objective of the Project is to connect young people and their families to the outdoors. It is also an objective of the Project to cooperate with local youth organizations by periodically offering no- and low-cost use of the zipline and ropes course facilities. Attendance at the project site by members of youth organizations would occur during non-peak operating times, such as weekdays and/or during non-summer months, and would be consistent with the Project's maximum daily attendance limit of 80 persons per day.

Employees. The zipline and rope course operation would employ a total of 7 to 10 people with a maximum of 5 employees on site at any given time.

Zipline. The zip line course would consist of 20 poles. All of the zipline poles would be located on the High Lonesome Ranch (APNs 137-270-031 and 137-280-017). Each pole would be approximately 20 feet in height and 12 -18 inches in diameter. The poles are 30 feet in length, with approximately 10 feet buried, leaving 20 feet of pole height exposed. Zipline cables would be transported and installed between the support poles using a variety of methods, including: the use of small temporary poles and pulleys in areas where topography is relatively level and vegetation is sparse; using a "bean bag canon" that shoots a bean bag and an attached line approximately 500 feet and that line is used to pull a rope that is then used to pull the zipline cable; or transporting the cable by helicopter in areas with steep topography or dense vegetation. Visitors to the zipline course would be shuttled to the first zip line (zipline 0) by shuttle van via an existing 16-foot wide paved private driveway. The drop off point for the zipline 0 provides sufficient area for emergency vehicle turn around and would be utilized by emergency vehicles, if necessary.

The road to the first zipline is the only portion of the project that would require the use of a vehicle, driven by the zipline operator. From the second to the fifth zipline, visitors would walk via existing all-weather surface trails with a width of 12 feet to 16 feet. The termination point of the fifth zipline would be a short walk from the orientation center.

Zipline 0 is an orientation zip line and is a shorter zip line (421 ft in length) than the other proposed ziplines, would be the first zipline visitors would ride, and would be used to acquaint visitors with the feeling of being on a zipline. Visitors would be harnessed and receive explicit instruction about safe zipline behavior. The next zipline (zipline 1) would be located within walking distance of zipline 0.

All ziplines would be dual ziplines so that 2 people can zip at the same time. Each of the ziplines will have a platform for take-off and landing. The zipline platforms would be either 5 feet by 5 feet or 10 feet by 15 feet and would be made of wood. Each zipline pole would require a wood platform at grade level to allow users to access the zipline as well as minimize soil movement. Grading associated with installation of the zipline platforms would occur by hand.

The development footprint associated with the zipline course is approximately 847 sq. ft. (14 sq. ft. of pole area and 833.3 sq. ft. of zipline guide wires).

Ropes Course. The ropes course would be located a short distance from the orientation center on the Sierra Grande Ranch (APN 137-270-033) and accessed via an existing paved driveway. The area designated for the ropes course would be approximately 2,000' long by 50-200' wide. The ropes course would include a high and low element with a maximum of three levels utilizing approximately 50 poles. The poles would be 60 feet high, with approximately 10' buried, leaving 50' height exposed. The high elements would be constructed either in trees or utilize utility-type poles. The elements range in height from 12' off the ground to approximately 42' off the ground. The ropes course would be designed and constructed through the crowns of mature oaks. The ropes course would consist of a high and low element. Participants in the ropes course canopy tour would be harnessed with a belay at all times and guides would be present in both the low and higher elements to ensure complete safety and appropriate navigation of the course itself. Any poles installed within the ropes course would be independent of trees and used for attaching cables, platforms, ladders and other ropes course equipment. Platforms and cables would be attached to trees without invasive hardware in order to preserve the health and structure of trees. The preliminary tree protection measures contained in the Arborist Oak Tree Assessment (December 2013) would be adhered to. While at the project site, zipline and ropes course participants may observe the ropes course by hiking around the perimeter of the course, primarily along its north side along an existing roadway.

Interpretive Materials. To facilitate and enhance educational opportunities, the Project would provide interpretive signs that would include features such as information boards, photographs and pictures, maps or plans, display cases and models, slides, sound or multimedia devices. All interpretative materials would be located in and around the orientation center building and the ropes course area.

Lighting. There will be no additional lighting for either the zipline or the ropes course. There is one outdoor light on the warehouse which would remain.

Grading. Construction of the proposed zipline and ropes course would require less than one cubic yard of grading. The proposed driveway flare along Highway 246 would require minimal ground disturbance and would result in the installation of approximately 2,000 square feet of asphalt paving. Construction of the driveway deceleration flare would require the removal of one 26-inch diameter oak tree, and construction activities within the dripline of another 26-inch diameter oak tree. The construction of the driveway acceleration flare would have the potential to impact approximately two large landscape trees that are in poor to fair condition, and one small oak tree that has a trunk diameter of less than six inches measured at a location 4.5 feet above ground level.

Services. Water service would be provided by an existing water well. Wastewater disposal would use a proposed new septic system that would replace an existing system. No additional utilities besides what already exist on the project site would be needed for the proposed project. Trash and recycling receptacles would be placed alongside the proposed orientation center and in the parking lot. Restroom facilities would be located within the proposed orientation center.

THIS CONDITIONAL USE PERMIT IS NOT VALID UNTIL A ZONING CLEARANCE PERMIT FOR THE DEVELOPMENT AND/OR USE HAS BEEN OBTAINED. FAILURE TO OBTAIN SAID ZONING CLEARANCE PERMIT SHALL RENDER THIS CONDITONAL USE PERMIT NULL AND VOID.

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.

II. MITIGATION MEASURES FROM MITIGATED NEGATIVE DECLARATION 15NGD-00000-0002

3. **Bio-01: Oak Tree Protection:** In order to protect existing native oak trees and minimize adverse effects of grading and construction onsite, the applicant shall implement a Tree Protection and Replacement Plan. No ground disturbance including grading for buildings, access ways, easements, subsurface grading, sewage disposal, and well placement shall occur within 6 feet outside the dripline of any native tree unless specifically authorized by the approved tree protection and replacement plan. The tree protection and replacement plan shall include the following:
 - a. An exhibit showing the location, diameter and dripline of all native oak trees located within 25 feet of grading and/or construction activities.
 - b. The tree protection plan shall clearly identify any areas where landscaping, grading, trenching, or construction activities would encroach within the dripline of any native or specimen tree. All encroachment is subject to review and approval by P&D.
 - c. Construction equipment staging and storage areas shall be located outside of the protected area and shall be depicted on project plans submitted for land use clearance. No construction equipment shall be parked, stored or operated within the protected

- area. No fill soil, rocks or construction materials shall be stored or placed within the protected area.
- d. All proposed utility corridors and irrigation lines shall be shown on the tree protection exhibit. New utilities shall be located within roadways, driveways or a designated utility corridor such that impacts to trees are minimized.
 - e. Any proposed tree wells or retaining walls shall be shown on the tree protection plan exhibit as well as grading and construction plans and shall be located outside of the critical root zone of all protected trees unless specifically authorized.
 - f. Any encroachment within the dripline of native trees shall adhere to the following standards:
 - i. Any paving shall be of pervious material (gravel, brick without mortar or turf block).
 - ii. Any trenching required within the dripline of a protected tree shall be done by hand.
 - iii. Any roots one inch in diameter or greater encountered during grading or trenching shall be cleanly cut and sealed.
 - g. All trees located within 25 feet of buildings shall be protected from stucco and/or paint during construction.
 - h. No permanent irrigation shall occur within the dripline of any native or oak tree. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.
 - i. Only trees designated for removal on the approved tree protection plan shall be removed.
 - j. Any protected trees which are removed, relocated and/or damaged (more than 20% encroachment into the critical root zone) shall be replaced on a 10:1 (coast live oak) or 15:1 (valley oak) basis with 1 gallon size saplings grown from seed obtained from the same watershed as the project site. Where necessary to remove a tree and feasible to replant, trees shall be boxed and replanted. A drip irrigation system with a timer shall be installed. Trees shall be planted prior to occupancy clearance and irrigated and maintained until established (five years). The plantings shall be protected from predation by wild and domestic animals, and from human interference by the use of staked, chain link fencing and gopher fencing during the maintenance period.
 - k. Any unanticipated damage that occurs to trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by P&D. This mitigation may include but is not limited to posting of a performance security, tree replacement on a 10:1 (coast live oak) or 15:1 (valley oak) ratio and hiring of an outside consultant biologist to assess the damage and recommend mitigation. The required mitigation shall be done immediately under the direction of P&D prior to any further work occurring on site. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and approval of such installation.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP to P&D for review and approval; (2) Include all applicable components in the Tree Replacement; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures. **TIMING:** The Owner/Applicant shall comply with this measure prior to land use clearance. Plan components shall be included on all plans prior to the issuance of grading permits. The Owner/Applicant shall install tree protection measures onsite prior to issuance of building permits and pre-construction meeting.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection Clearance.

4. **Special Condition: Pre-Construction Surveys for Nesting Birds.** If construction occurs during the bird breeding and nesting season (February 1 to August 15), the applicant shall hire a County-approved biologist to conduct a pre-project survey of all habitat areas within 100 feet of construction areas, including roadways.

PLAN REQUIREMENT AND TIMING: This survey shall be undertaken 10 days prior to construction of proposed structures, to determine whether raptors or other special status species are nesting on site. A brief letter shall be prepared by the biologist and reviewed and approved by P&D before project activities are initiated. If raptors or other special status species are found to be nesting, applicant shall avoid work in the area by providing a buffer of a distance specified by the County-approved biologist from active nests until birds have fledged-as determined by the qualified biologist.

MONITORING: P&D shall be given the name and contact information for the qualified biologist prior to initiation of the survey. Biologist shall contact P&D at the conclusion of the field survey to inform P&D in writing of the results of the surveys. If no sensitive species are found, P&D will allow grading activities to commence. All required mitigation shall be implemented prior to the start of proposed grading activities. Grading Inspectors shall inspect as needed.

5. **Special Bio 5 Protection of migratory bird nesting.** In order to minimize migratory bird nesting disruptions (including but not limited to: 1) elimination of and/or reduction in the quality or quantity bird nesting areas; and 2) abandonment or interruption of nesting by migratory birds as a result of the project), the Owners/Applicants shall conduct non-emergency maintenance activities involving roads/trails, cables and poles to the period between August and February. **PLAN REQUIREMENTS AND TIMING:** The above measure shall be noted on all grading and construction plans measure prior to issuance of a Zoning Clearance.

MONITORING: P&D shall conduct periodic site inspections to ensure compliance.

6. **Special Condition: Adherence to Recommendations in the Oak Tree Assessment.** The project owner/applicant shall adhere to all of the recommendations listed in the Oak Tree Assessment prepared by Bill Spiewak dated December 13, 2013.

PLAN REQUIREMENTS: The Oak Tree Assessment recommendations shall be noted on all grading and construction plans. The applicant shall submit to P&D on an annual basis an Oak Tree Assessment Compliance Report prepared by a certified arborist. The

purpose of the Compliance Report is to monitor the Project's compliance with the tree protection and maintenance recommendations included in the Oak Tree Assessment. The Compliance Report shall provide a description of the tree protection measures and recommendations that were implemented during the past year; specific tree protection and maintenance items to be completed in the upcoming year; and an evaluation of the Project's compliance with recommendations included in the December 13, 2013 Oak Tree Assessment under the following report headings:

- Construction & Attaching Minimally Invasive Structures
- Protection the Soil & Roots
- Tree Pruning
- Ongoing Maintenance
- Long Term Preservation
- Other Tree Management Issues
- Crown Cleaning
- Crown Thinning
- Root Crown Excavation and Fill Soil
- Cabling
- Preliminary Tree Protection Measures

TIMING: The Owner/Applicant shall comply with the requirement to provide the Oak Tree Assessment recommendations on grading and construction plans prior to issuance of a Zoning Clearance. The Oak Tree Assessment Compliance Report shall be submitted to P&D Permit Compliance within 45 days of the end of every calendar year.

7. **Special Condition: Preconstruction Surveys for Silvery legless lizards.** Prior to the start of any grading or construction activities, the areas that would be affected shall be marked in the field and surveyed by a qualified biologist for the presence of silvery legless lizard. If detected, carefully move the legless lizard to similar habitat at least 300 feet from any proposed construction area, including vehicle access routes and parking areas. The legless lizard should be placed near the base of a large shrub. **PLAN REQUIREMENT AND TIMING:** The survey shall be performed no more than two weeks before conducting any project-related ground disturbing activity. A report describing the survey results shall be submitted to Planning & Development prior to the start of grading activities. Specified areas shall be marked in the field and surveyed by a qualified biologist for the presence of silvery legless lizards. If silvery legless lizards are found, they shall be relocated to similar undisturbed habitat to the west.

MONITORING: P&D shall be given the name and contact information for the qualified biologist prior to initiation of the survey. Biologist shall contact P&D at the conclusion of the field survey to inform P&D in writing of the results of the surveys. If no sensitive species are found, P&D will allow grading activities to commence. All required mitigation shall be implemented prior to the start of proposed grading activities. Grading Inspectors shall inspect as needed.

8. **Special Condition: Erosion and Sediment Control.** The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety approved erosion control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **PLAN REQUIREMENTS:** This requirement shall be noted on all grading and building plans. **TIMING:** Graded surfaces shall be reseeded within 4 weeks of grading completion, with the exception of surfaces graded for the placement of

structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

MONITORING: P&D shall site inspect during grading to monitor dust generation and 4 weeks after grading to verify reseeded and to verify reseeded and to verify the construction has commenced in areas graded for placement of structures.

9. **Special Condition – Annual Reporting Required:** The project owner/applicant /operator shall ensure project operations comply with the maximum daily visitor attendance limit specified by Condition of Approval No. 1, which indicates that the maximum daily visitor attendance will be 80 persons per day. Actual daily visitor attendance information shall be recorded and provided to P&D on a quarterly basis for two years and annually thereafter.

PLAN REQUIREMENTS AND TIMING: Daily visitor attendance shall be reported for the calendar year (January 1 – December 31). The required quarterly and annual reports shall be submitted to P&D Permit Compliance within 45 days of the end of each reporting period.

MONITORING: P&D Permit Compliance shall review quarterly and annual reports to determine if the maximum daily attendance limit was exceeded during the previous period year.

III. PROJECT SPECIFIC CONDITIONS

10. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant. **PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans. **MONITORING:** P&D permit processing planner shall check plans prior to issuance of zoning clearance and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

IV. COUNTY RULES AND REGULATIONS

11. **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.
12. **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.

13. **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.
14. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with County LUDC.
15. **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 35.82.060 of the County Land Use and Development Code and an application for an extension has not been submitted to the Planning and Development Department, the Conditional Use Permit shall be considered void and of no further effect.
16. **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 35.82.060 of the Santa Barbara 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.
17. **Rules-18 CUP 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.
18. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved building or landscape plans. Substantial conformity shall be determined by the Director of P&D.
19. **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.
20. **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.
21. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law.

The total DIMF amount for Transportation is assessed at \$12,033. This is based on a project type of non-retail commercial project type (recreation) and traffic generation of 21 peak hour trips in the afternoon peak hour.

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

22. **Rules-25 Signed Agreement to Comply.** Prior to approval of Land Use, Grading, or 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.
23. **Rules-28 NTPO Condition.** A recorded Notice to Property Owner document is necessary to ensure that the proposed farm employee dwelling shall be used only for its permitted uses. The property owner shall sign and record the document prior to approval of Zoning Clearance Permits. The Notice shall specify that in the event that the property is sold, the new owner shall ensure that the dwelling be occupied by full-time farm employees who reside on the property or the use of the dwelling shall be discontinued and said dwelling unit shall be removed or converted to a legal use.
24. **Rules-29 Other Dept. Conditions.** Compliance with Departmental/Division letters required as follows:
 - a. Environmental Health Services Division dated October 1, 2014
 - b. Fire Department dated June 18, 2015
 - c. Air Pollution Control District dated June 3, 2015
 - d. Transportation Division dated June 11, 2015
25. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
26. **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. Pay fees prior to approval of Zoning Clearance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including 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;

- c. Note the following on each page of grading and building plans “This project is subject to Mitigation and Conditions Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, 15NGD-00000-0002.
 - 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.
27. **Rules-32 Contractor and Subcontractor Notification.** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
28. **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. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
29. **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.

V. ADDITIONAL PROJECT SPECIFIC CONDITIONS

30. **CDFW Requirements.** Prior to Zoning Clearance for the construction of the zip line course, the Owner/Applicant shall provide evidence to the County of initiating the Streambed Alteration Agreement notification process with CDFW. Prior to the issuance of a Building Permit for the construction of the zipline course, the Owner/Applicant shall submit evidence to the County that the Streambed Alteration Agreement process has been completed, if required.

MONITORING: The applicant shall submit to P&D Permit Compliance evidence that CDFW requirements have been initiated prior to zoning clearance. The applicant shall

submit to P&D Permit Compliance that a Streambed Alteration Agreement has been obtained, if required, or documentation from CDFW that it is not required.

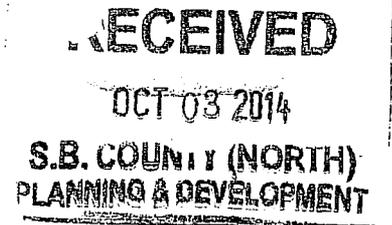
31. **Access Driveway River Crossing Use.** The project facilities, including the picnic and hiking services, shall be temporarily closed when: a) water in the Santa Ynez River is flowing over the driveway river crossing; and/or b) there is an imminent chance of an electrical storm in the project region. The project shall remain closed until such time that the two conditions described above no longer exist. The temporary closure shall include posting a temporary sign that states why the driveway and project site are closed. The sign shall also provide a phone number that can be called for additional information. The applicant/site operator shall make reasonable efforts, such as but not limited to phone calls, emails, and posting website information, to inform persons with reservations that the zipline and ropes course are temporarily closed due to weather conditions. **PLAN REQUIREMENTS AND TIMING:** The days that the zipline and ropes course facilities are closed due to weather conditions shall be reported for the calendar year (January 1 – December 31). Required quarterly and annual reports as required by Condition No. 9 (Annual Reporting Required) shall be submitted to P&D Permit Compliance within 45 days of the end of each reporting period.

MONITORING: P&D Permit Compliance shall review quarterly and annual reports, and compile information regarding when weather-related closures occurred.

32. **Promotional Material Requirements.** Promotional materials for the project shall include information stating that the use of all project-site facilities requires an advance reservation and that persons arriving at the project site without a reservation will not be accommodated. The promotional material shall also specify a vehicle speed limit for the access road, and inform visitors that the project site access driveway crosses private property and that trespassing onto lands adjacent to the driveway, including the Santa Ynez River, is not allowed. **PLAN REQUIREMENTS AND TIMING:** The applicant shall submit proposed promotional material wording to P&D for review and approval prior to zoning clearance.

33. **No Smoking Signs Required.** The applicant shall install and maintain “No Smoking” signs in and around the proposed vehicle parking area, orientation/restroom building, picnic area, and other appropriate areas of the project site. **PLAN REQUIREMENTS AND TIMING:** The locations of the “No Smoking” signs shall be shown on final building plans. The signs shall be installed prior to final building inspection clearance.

MONITORING: P&D Permit Compliance shall review the final building plans and inspect the project site to confirm the signs have been installed.



Environmental Health Services

2125 S. Centerpointe Pkwy., #333 • Santa Maria, CA 93455-1340
805/346-8460 • FAX 805/346-8485

TO: John Zorovich, Planner
Planning & Development Department
Development Review Division

FROM: Paul E. Jenzen
Environmental Health Services

DATE: October 1, 2014

SUBJECT: Case No. 13CUP-00000-00012 Buellton Area

Applicant: Stuart Gildred
P.O. Box 577
Buellton, CA. 93427

Assessor's Parcel No. 137-270-033,031; 137-280-017, zoned AG-II-100, located at 484 Highway 101..

13CUP-00000-00012 represents a request to construct a Zip Line Tour and Ropes Course. An existing warehouse will be converted to an office and orientation center. Additionally there will be a restroom for clients use. It is anticipated that there will be up to 80 visitors per day during peak usage with 40-50 visitors during off peak times.

Prepackaged food will be available for purchase at the orientation center.

Domestic water supply is proposed to be provided by a private water system. There is a water system serving the existing development but since the public will be utilizing the site in number greater than the state minimum for a public water system, a Domestic Water Supply Permit shall be reviewed and approved by Environmental Health Services prior to issuance of zoning clearance.

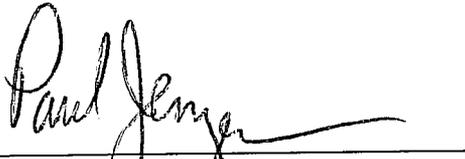
Sewage disposal is proposed to be provided by an existing onsite wastewater treatment system. The existing onsite wastewater treatment system will need to be modified to meet the requirements of the new use. A modification permit shall be reviewed and approved by Environmental Health Services prior to Zoning clearance.

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

1. Prior to Issuance of Zoning Clearance, a completed application for a **Domestic Water Supply Permit** shall be reviewed and approved by Environmental Health Services. The application shall include final

detailed engineering plans and specifications for the proposed water supply system to serve the project.

2. Prior to Issuance of Zoning Clearance, the applicant shall complete a modification of the existing septic system which includes all of the following:
 - a. Estimated sewage flow calculations for the existing and proposed uses, based upon the California Plumbing Code.
 - b. Adequacy of the septic system the projected sewage loading,
 - c. Recommended modifications to the existing septic system and how they will be accomplished,
 - d. A septic tank pumper's report, completed within the last two years, which verifies the capacity of the septic tank and includes a statement regarding the current physical operating condition of the septic system,
 - e. A detailed plot plan which includes the location and size of all septic system components, including the existing disposal area and the 100% expansion area,
 - f. Floor plans of all structure to be served by the system,
3. Prior to Issuance of Zoning Clearance, any modifications recommended by a registered civil or licensed soils engineer shall be installed under permit by Environmental Health Services.
4. Prior to Issuance of a Building Permit, the applicant will need to consult with Environmental Health Services regarding the need for a health permit for food sales.



Paul E. Jenzen, REHS
Senior Environmental Health Specialist

cc: Applicant
Agent, Jane Gray, DUDEK, 621 Chapala Street, Santa Barbara, CA. 93101
Mark Matson, Planning & Development Building Division, Santa Maria
Norman Fujimoto, Environmental Health Services

Memorandum

DATE: June 18, 2015

TO: John Zorovich
Planning and Development
Santa Barbara

FROM: Fred Tan, Captain
Fire Department

SUBJECT: APN: 137-270-033/-031; 137-280-017; Permit: 13CUP-00012
Site: Santa Rosa Road, Buellton
Project: Conditional Use Permit



*This Condition Memorandum Supersedes the Previous Condition Memorandum
Dated October 6, 2014*

The above project is located within the jurisdiction of the Santa Barbara County Fire Department.

PRIOR TO CONDITIONAL USE PERMIT ISSUANCE

1. Emergency Response Plan shall be approved by the fire department.
 - Emergency vehicle access to the zip line course and facilities shall be approved by the fire department.
 - Access and extrication of persons servicing or using the zip-line course shall be approved by the fire department.

ADVISORY

Any change of use of existing buildings shall meet Santa Barbara County Fire Department Development Standards.

2. Fire Protection Certificate(s) will be required.
3. Driveway plans shall be approved by the fire department prior to any work being undertaken.
 - All access ways shall be installed, made serviceable and maintained for the life of the project.
 - Driveway shall have a minimum width of 20 feet.

- Surface shall be all-weather or paved.
 - All portions of the access exceeding 10 percent in slope shall be paved.
 - All portions of the access exceeding 15 percent in slope shall be engineered concrete.
 - Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
 - A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
4. Recorded addressing is required by the fire department.*
 5. Proper directional signage shall be approved and installed as required by fire department.
 6. All new development shall meet Santa Barbara County Fire Department requirements.

As always, if you have any questions or require further information, please telephone 805-681-5528 or 805-681-5523.

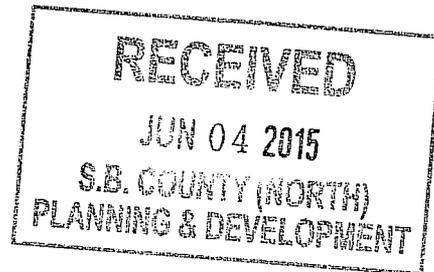
FT:mkb



**Santa Barbara County
Air Pollution Control District**

June 3, 2015

John Zorovich
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455



Re: APCD Comments on Sierra Grande Rural Recreation, 13CUP-00000-00012

Dear Mr. Zorovich:

The Air Pollution Control District (APCD) has reviewed the referenced project, which consists of a Major Conditional Use Permit to allow for a Zip Line Tour and Ropes Course. The project also includes a request to change the use of an existing 4,477 sq. ft. warehouse (including 395 sq. ft. of restroom facilities) to be used as the orientation center for the operations of the proposed ropes course and zip line. The existing restroom located inside the warehouse would be renovated and two new restroom facilities will be created within the existing restroom area. The overall footprint for the orientation center would not change. In addition, the project includes removing an existing, permitted mobile home used as an employee dwelling from the project site and converting an existing storage building (that was previously used as agricultural employee dwelling) back to an agricultural employee dwelling. The project also proposes to construct a 150-foot long paved roadway segment that would connect the highway access road to a paved road that extends eastward approximately 0.75 of a mile to the project site. The subject property, a 1,189-acre parcel zoned AG-II-100 and identified in the Assessor Parcel Map Book as APN 137-270-033, 137-270-031, and 137-280-017, is located at 484 Highway 101 in the unincorporated Buellton area.

Air Pollution Control District staff offers the following suggested conditions:

1. 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 APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.ourair.org/wp-content/uploads/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. 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 ozone precursors and fine particulate emissions from diesel exhaust.
4. All portable diesel-fired construction engines rated at 50 bhp or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to

operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

5. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at www.ourair.org/compliance-forms/ for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.ourair.org/asbestos/ or contact APCD's Compliance Division at (805) 961-8800.
6. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of APCD Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.
7. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8890 or via email at cvw@sbcapcd.org.

Sincerely,



Carly Wilburton,
Air Quality Specialist
Technology and Environmental Assessment Division

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

cc: Jane Gray
TEA Chron File



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated 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 shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- 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.

Plan Requirements: Measures shall be shown on grading and building plans. **Timing:** Measures shall be adhered to throughout grading, hauling and construction activities.

MONITORING: Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



June 11, 2015

TO: John Zorovich, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (1 page)**
Sierra Grande Rural Recreation
13CUP-00000-00012
APN: 137-270-033/ Buellton

Traffic Mitigation Fees

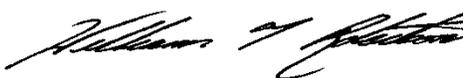
1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Buellton Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is **\$9,168 (16 new peak hour trips x \$573/peak hour trip)**. The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to LUP occupancy clearance and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

 11/09/2015

William T. Robertson

Date

cc: 13TPM-00000-00012

F:\Group\Transportation\Traffic\Transportation Planning\Development Review\Buellton\Sierra Grande Rural Recreation 13CUP-Cond.Rev1doc