

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

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

January 8, 2016

Suzanne Kramer-Morton and Joel Morton
4088 Indian Way
Santa Ynez, CA 93460

Ramon and Sandra Guerrero
5001 Hudson Drive
Plano, TX 75093

PLANNING COMMISSION
HEARING OF JANUARY 6, 2016

RE: Morton Appeal of Brous Horse Barn and Hay Barn; 15APL-00000-00014

Hearing on the request of Suzanne Kramer-Morton, Joel Morton, and Ramon and Sandra Guerrero, appellants, to consider Case No. 15APL-00000-00014 [application filed on July 27, 2015] to appeal the Director's approval of 15LUP-00000-00276, in compliance with Chapter 35.102 of the County Land Use and Development Code, on property located in the AG-I-5 Zone; and to determine the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15301(I) and 15303(e). The application involves AP No. 141-390-015, located at 120 Meadowlark Road, in the Santa Ynez area, Third Supervisorial District.

Dear Mr. and Ms. Morton, Mr. and Ms. Guerrero:

At the Planning Commission hearing of January 6, 2016, Commissioner Hartmann moved, seconded by Commissioner Blough and carried by a vote of 3 to 2 (Cooney and Brown no) to:

1. Deny the appeal, Case No. 15APL-00000-00014, of the decision of the Director to approve the Land Use Permit, Case No. 15LUP-00000-00276;
2. Make the required findings for approval of the modified project, Case No. 15LUP-00000-00276, specified in Attachment A of the staff report, dated December 17, 2015, including CEQA findings;
3. Determine that the modified project, 15LUP-00000-00276, is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Sections 15301(I) and 15303(e), as specified in Attachment C of the staff report, dated December 17, 2015; and
4. Grant *de novo* approval of the modified project, Case No. 15LUP-00000-00276, subject to the conditions included as Attachment B of the staff report, dated December 17, 2015, and as revised at the hearing of January 6, 2016, thereby affirming the decision of the Director.

Condition 15: Animal Waste Management Plan: Animal Waste Management. An animal waste management plan (AWM) and program to control pollution from animal waste shall be developed for the project site. Implementation and strict adherence to the AWM program shall be required for the life of the animal keeping activities on the site and shall include the following:

- 1) At least once per day, manure and soiled bedding shall be collected from stalls and pens, or wherever waste from animal-keeping activities is found, including in the pastures on the site;
- 2) Collected manure and soiled bedding shall be stored temporarily in watertight trash bins and emptied into larger receptacles in a designated trash area screened from sight;
- 3) In order to maintain odor and vector control, the receptacles shall be unloaded at a minimum, once per week to an approved solid waste landfill;
- 4) General sanitation techniques such as proper air circulation, exposure to sunlight, a fly control system, and cleaning shaded areas immediately shall be incorporated into the AWM.

PLAN REQUIREMENTS: The AWM plan shall be described and detailed on the site, grading and drainage, and landscape plans, and depicted graphically. The location and type of controls shall be shown on the site, building and grading plans. Trash receptacles, including screening measures, shall be depicted on the site plan.

TIMING: The plans and maintenance program shall be submitted to P&D and EHS staff for approval prior to issuance of this Land Use Permit and fully installed prior to Final

Building Inspection Clearance. Upkeep and screening is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The landowner is responsible for the maintenance, operation and upkeep of the waste management program and all drainage improvements for the life of the project.

MONITORING: Permit compliance monitoring staff shall site inspect for proper installation prior to Final Building Inspection Clearance. P&D shall monitor and respond to any nuisance complaints.

The attached findings and conditions reflect the Planning Commission's actions of Hearing Date.

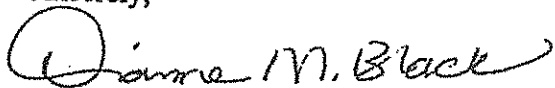
The action of the Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Planning Commission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

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

the Clerk of the Board of Supervisors in order to determine that the appeal is filed within the allowed appeal period. The appeal period for this project ends on January 18, 2016 at 5:00 p.m.

If this decision is appealed, the filing fee for both non-applicant and applicant is \$648.26 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed.

Sincerely,



Dianne M. Black
Secretary to the Planning Commission

- cc: Case File: 15APL-00000-00014
- Planning Commission File
- Owner: Victor Padilla, P.O. Box 24034, Santa Barbara, CA 93121
- Applicant: Greg Brous, 120 Meadowlark Road, Santa Ynez, CA 93460
- County Chief Appraiser
- County Surveyor
- Fire Department
- Flood Control
- Community Services Department
- Public Works
- Environmental Health Services
- APCD
- Doreen Farr, Third District Supervisor
- Joan Hartmann, Third District Planning Commissioner
- ✓ Jenna Richardson, Deputy County Counsel
- ✓ Stephanie Swanson, Planner

Attachments: Attachment A – Findings of Approval
Attachment B – Conditions of Approval

DMB/dmv

ATTACHMENT A: FINDINGS OF APPROVAL

1.0 CEQA FINDINGS

The Planning Commission finds that the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (1) [Existing Facilities] and 15303(e) [New Construction or Conversion of Small Structures]. Please see Attachment C, CEQA - Notice of Exemption.

2.0 FINDINGS REQUIRED FOR ALL LAND USE PERMITS

In compliance with Section 35.30.100.A of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first find, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (e.g., water, sewer, roads) are available to serve the proposed development.

Adequate public services exist to serve the existing development and proposed horse barn and hay barn. The existing development on the parcel is currently, and would continue to be, served by a private, onsite well, a private, onsite septic system, and the Santa Barbara County Fire Department. Access would continue to be provided from Meadowlark Road. The proposed development includes a horse barn and a hay barn. The proposed structures would not require sanitary services or potable water services. The proposed horse barn would include a water trough, which the onsite well would serve. According to Environmental Health Services, private water wells are allowed to be used for agricultural uses, such as the proposed water trough. The proposed barns would contribute to clustered development on the site, allowing Fire to have access to the structures in case of an emergency. The proposed project would not generate new traffic and surrounding roads are adequate to serve the existing and proposed development.

2.1 In compliance with Subsection 35.82.110.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Land Use Permit the review authority shall first make all of the following findings:

2.1.1 The proposed development conforms:

- a. To the applicable provisions of the Comprehensive Plan, including any applicable community or area plan.
- b. With the applicable provisions of this Development Code or falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

As discussed in Section 6.3 and 6.4 of this staff report, dated December 17, 2015 and herein incorporated by reference, the proposed development complies with the applicable policies of the Santa Barbara Comprehensive Plan, and no non-conforming structures are involved in the proposed development. Therefore, this finding can be made.

2.1.2 The proposed development is located on a legally created lot.

The lot has been extensively developed, with twelve different structures. The first building permit for the lot was issued on April 14, 1967 for the construction of the single family dwelling (Permit # 36834). Development continued on the property, including, but not limited to, a barbeque area being permitted in 1994 (Permit No. 250996), accessory structures being permitted from 2002 to 2003 (Permit Nos. 02BDP-00000-02111 and 03BDP-00000-02084) and a conversion of a barn to a detached residential second unit being permitted in 2007 (Permit No. 07BDP-00000-00141). Therefore, the lot has been recognized by the County of Santa Barbara as a legal lot, and this finding can be made.

2.1.3 The subject property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

As discussed in Section 6.4 of this staff report, dated December 17, 2015 and herein incorporated by reference, the proposed development complies with the applicable development standards of the Santa Barbara County Land Use and Development Code, including uses, subdivisions, and setbacks. There are two unpermitted structures on the property. One, the unpermitted barn located within the flood plain, is proposed for demolition as part of the proposed project. There is currently an active building and zoning enforcement case against the property related to the unpermitted horse barn located within the Flood Zone (15BDV-00000-00071 and 15ZEV-00000-00232). The other unpermitted structure on the property is an agricultural accessory structure that was constructed in approximately 2005 along with the construction of the detached residential second unit. The structure was under construction without permits at the time of construction of the detached residential second unit, but not explicitly listed in the project description for approved permits. It was included in the approved site plan for the approval of the detached residential second unit. To clarify the permit history and ensure compliance of all existing and proposed development on the site, the validation of the agricultural accessory structure has been added project description of the subject permit.

Through the course of the subject appeal, the applicant has confirmed that the existing accessory structures, permitted as tack rooms with restrooms, are currently being used as guest houses, and that they each have unpermitted bathing facilities. These facilities constitute zoning and building violations. The conditions of approval for the subject Land Use Permit have been expanded to require the conversion of the accessory structures back to tack rooms with restrooms, without bathing facilities, prior to the issuance of the subject Land Use Permit to ensure compliance with the County Land Use and Development Code and the California Building Code. As conditioned, the proposed development will provide for the demolition of the unpermitted barn, conversion of the guest houses to tack rooms, and construction of a new horse and hay barn, thereby abating all building and zoning violations. Additionally, the revised project description validates an existing unpermitted agricultural accessory structure. Therefore, this finding can be made.

ATTACHMENT B: CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

1. **Proj Des-01 Project Description.** This Land Use Permit is based upon and limited to compliance with the project description 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 project is for a Land Use Permit for the validation of an existing agricultural accessory structure of approximately 1,425 square feet, and the construction of a 2,809 square foot horse barn and 1,440 square foot hay barn. The project would also allow for the demolition of a 2,809 square foot horse barn located in the floodplain, to abate zoning and building violations (15BDV-00000-00071 and 15ZEV-00000-00232). The proposed barn has been reviewed by County Flood Control and is located outside of FEMA's Special Flood Hazard Area. The project meets all required setbacks, and the proposed outdoor lighting is in compliance with Santa Ynez Valley Community Plan lighting requirements. Grading would be less than 50 cubic yards. No trees are proposed for removal. The parcel will continue to be served by a private well, private septic system, and the County Fire Protection District. Access will continue to be provided off of Meadowlark Road, a private road. The property is a 29.39-acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 141-390-015, located at 120 Meadowlark Road in the Santa Ynez Area, 3rd 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. **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The design of the lighting will incorporate fully shielded (full cutback) designs. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 9 pm.

PLAN REQUIREMENTS: The Owner/Applicant shall include the specification of the intended light fixture on all plans for Land Use Permits or Building Permits.

TIMING: Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction

on the approved plans.

4. **Air-01 Dust Control.** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
 - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
 - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
 - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
 - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
 - f. Order increased watering as necessary to prevent transport of dust off-site.
 - g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
 - h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

- a. Assure all dust control requirements are complied with including those covering weekends and holidays.
- b. Order increased watering as necessary to prevent transport of dust offsite.
- c. Attend the pre-construction meeting.

TIMING: The dust monitor shall be designated prior to Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.
MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

5. **Bio-01c Tree Protection Plan-Unexpected Damage and Mitigation.** In the event of unexpected damage or removal, this mitigation shall include but is not limited to posting of a performance security and hiring an outside consulting biologist or arborist to assess damage and recommend mitigation. The required mitigation shall be done 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 and maintenance.

Damaged trees shall be mitigated on a minimum 10:1 ratio. If it becomes necessary to remove a tree not planned for removal, if feasible, the tree shall be boxed and replanted. If a P&D approved arborist certifies that it is not feasible to replant the tree, it shall be replaced on a 10:1 basis (15:1 for Blue or Valley Oaks) with trees with 10-gallon or larger size saplings grown from locally obtained seed. If replacement trees cannot all be accommodated on site, a plan must be approved by P&D for replacement trees to be planted off site.

PLAN REQUIREMENTS: Plans shall include the language of this condition.

TIMING: Damage shall be reported to P&D Permit Compliance staff who will oversee mitigation plantings.

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

7. **Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday.

No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

PLAN REQUIREMENTS: The Owner/Applicant shall provide and post a sign stating these restrictions at all construction site entries.

TIMING: Signs shall be posted prior to commencement of construction and maintained throughout construction.

MONITORING: The Owner/Applicant shall demonstrate that required signs are posted prior to grading/building permit issuance and pre-construction meeting. Building inspectors and permit compliance staff shall spot check and respond to complaints.

8. **Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written

notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Land Use Permit.

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to Issuance of Land Use Permit. This restriction shall be maintained throughout construction.

MONITORING: P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

9. **SolidW-02 Solid Waste-Recycle.** The Owner/Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Owner/Applicant shall provide separate onsite bins as needed for recycling.

PLAN REQUIREMENTS: The Owner/Applicant shall print this requirement on all grading and construction plans. Owner shall provide Building and Safety with receipts for recycled materials or for separate bins.

TIMING: Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.

10. **SolidW-03 Solid Waste-Construction Site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.

PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction.

TIMING: Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

11. **WatConv-04 Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved

location on all Building permit plans.

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

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

12. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as necessary. The area shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Building permit plans.

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

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

Project Specific Condition

13. **Structural Demolition:** Prior to the construction of the new horse barns, and within 30 days of the issuance of this Land Use Permit, the unpermitted barn that is the subject of building and zoning violations (case numbers 15BDV-000000-00071 and 15ZEV-00000-00232) will be demolished.

PLAN REQUIREMENTS: The structure proposed for demolition will be noted on all plans submitted for Land Use Permit and Building Permits.

MONITORING: Permit compliance monitoring staff shall ensure compliance prior to the construction of the new horse barns.

14. **Plumbing Demolition:** Prior to the issuance of Land Use Permit, the applicant shall submit documentation that the four accessory structures, currently being used as guest houses with bathing facilities, have been converted to their permitted use of tack rooms with restrooms.

PLAN REQUIREMENTS: The structures proposed for conversion will be noted on all plans submitted for Land Use Permit and Building Permits.

TIMING: The demolition permit shall receive its Final Building Inspection Clearance prior to issuance of Land Use Permit.

15. **Animal Waste Management Plan:** Animal Waste Management. An animal waste management plan (AWM) and program to control pollution from animal waste shall be developed for the project site. Implementation and strict adherence to the AWM program shall be required for the life of the animal keeping activities on the site and shall include the following:

1) At least once per day, manure and soiled bedding shall be collected from stalls and pens, or wherever waste from animal-keeping activities is found, including in the pastures on the site;

2) Collected manure and soiled bedding shall be stored temporarily in watertight trash bins and emptied into larger receptacles in a designated trash area screened from sight;

- 3) In order to maintain odor and vector control, the receptacles shall be unloaded at a minimum, once per week to an approved solid waste landfill;
- 4) General sanitation techniques such as proper air circulation, exposure to sunlight, a fly control system, and cleaning shaded areas immediately shall be incorporated into the AWM.

PLAN REQUIREMENTS: The AWM plan shall be described and detailed on the site, grading and drainage, and landscape plans, and depicted graphically. The location and type of controls shall be shown on the site, building and grading plans. Trash receptacles, including screening measures, shall be depicted on the site plan.

TIMING: The plans and maintenance program shall be submitted to P&D and EHS staff for approval prior to issuance of this Land Use Permit and fully installed prior to Final Building Inspection Clearance. Upkeep and screening is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The landowner is responsible for the maintenance, operation and upkeep of the waste management program and all drainage improvements for the life of the project.

MONITORING: Permit compliance monitoring staff shall site inspect for proper installation prior to Final Building Inspection Clearance. P&D shall monitor and respond to any nuisance complaints.

County Rules and Regulations

16. **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.
17. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved permit plans. Substantial conformity shall be determined by the Director of P&D.
18. **Rules-23 Processing Fees Required.** Prior to issuance of Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
19. **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.
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 Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Land Use Permit 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 grading and building plans "This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval";

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. 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.
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.