

**ATTACHMENT 2: CONDITIONS OF APPROVAL**  
**CONDITIONS OF APPROVAL**  
**SANTA RITA HOLDINGS, INC., CANNABIS CULTIVATION**  
**CASE NO. 19CUP-00000-00018**  
**APN: 099-110-060**

**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 1-13, dated September 21, 2021, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The Project description is as follows:

The Proposed Project is a request for approval of a Conditional Use Permit to allow for a total of 2.54 acres of outdoor cannabis cultivation, including 1.88 acres under 14-ft.-tall hoop structures, 0.55 acres of mature cultivation without hoop structures, and 0.11 acres of nursery cultivation. Mature cultivation will take place in raised beds, in the ground, or in 30-gallon pots, and nursery cultivation will be in 4-inch to 1-gallon pots located underneath small hoop structures that will be up to 4-ft.-tall. Hoop structures will be located at least 100 ft. from the top-of-bank of a drainage traversing the site. The cultivation area without hoop structures nearest to this drainage will be setback at least 50 ft. from the top-of-bank. Hoop structure coverings will be removed as needed between November and February. Irrigation will be on a timed-drip system and will utilize soil monitoring and evaporative barriers. The Wildlife Movement Plan will be updated to require the owner/applicant to comply with any subsequent modifications or revisions as required by CDFW and/or USFWS.

Hours of operation will be from 6:00 a.m. to 4:00 p.m. seven days per week. Plants will be chopped in the field, binned, and then weighed and tagged outside of an existing 120 sq. ft. shed and underneath an existing 575 sq. ft. tractor shade structure that is open on all sides. Cannabis product will then be loaded onto refrigerated trucks and will be transported offsite. During harvests, the refrigerated trucks will be on the property over the course of up to three days as trucks are filled with cannabis and then transported offsite. Trucks that contain cannabis will not be stored onsite overnight. The 120 sq. ft. shed will be used for storage of pest management equipment, nutrients, as well as administrative records and materials and will not require any utility hook-ups. Harvested cannabis will be trucked offsite for processing daily during harvests, and no drying, trimming, curing, or processing will occur onsite. Plant waste will be stored in bins that will be hauled and composted offsite. Roundtrip vehicle trips generated by incoming and outgoing delivery of supplies or product will occur on average once daily.

The operation will require up to three regular employees, who will live in the onsite legal nonconforming 1,096 sq. ft. single-family dwelling. Aside from housing, the dwelling will not be used for any activities, including administration, related to the cannabis operation. The operation will require up to 12 temporary employees during planting and harvesting for a maximum total of 15 employees. Temporary employees will be transported to the site by a labor contractor in carpools or shuttles. There will be up to three harvests per year which will last up to three days each time. There will be three parking spaces onsite for the cannabis operation and two parking spaces onsite for the single-family dwelling.

All exterior light fixtures will be fully shielded, directed down, on a motion sensor, and mounted at a maximum height of 8 feet. The lights will remain illuminated for five minutes after activation. The site is not visible from any public viewing areas or public roads. The Proposed Project includes 2,780 sq. ft. of aromatic landscaping planted along the west property boundary. An 8-ft.-tall deer fence is located around the cultivation areas and will exclude the legal nonconforming 1,096 sq. ft. single family dwelling and legal nonconforming 216 sq. ft. storage shed, which will not be used as part of the Proposed Project, from the cultivation areas.

The existing five 5,000-gallon water tanks, two 2,500-gallon water tanks, and one 1,500-gallon water tank will remain onsite. Domestic and agricultural water will continue to be provided by Vista Hills Mutual Water Company. Wastewater treatment for regular employees will be provided by an existing onsite septic system and restrooms in the single family dwelling. All sanitation facilities will be provided in compliance with OSHA. Power will be provided by PG&E and a portable generator in the case of an emergency.

There is no grading proposed. The County Sheriff will provide Law enforcement, and County Fire will provide fire protection. The property will be accessed off Santa Rita Road via an existing unpaved 12-ft.-wide private driveway. The property is a 120-acre parcel zoned AG-II-100 and shown as Assessor Parcel No. 099-110-060 located at 2300 Santa Rita Road in the Lompoc 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 (e.g., Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

### **Project Specific Conditions**

3. **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.
4. **Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.  
**PLAN REQUIREMENTS:** This condition shall be printed on all site plans.

**MONITORING:** P&D permit processing planner shall check plans prior to issuance of the Conditional Use Permit and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

- 5. Cannabis Waste Discharge Requirements.** Prior to issuance of the Conditional Use Permit, the Applicant shall demonstrate compliance with the State Water Resources Control Board’s comprehensive Cannabis Cultivation Policy that includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.  
**TIMING:** The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Zoning Clearance issuance.  
**MONITORING:** P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.
- 6. Fencing and Security Plan.** The Owner/Applicant shall implement the Fencing and Security Plan stamped “Zoning Approved”.  
**PLAN REQUIREMENTS:** The Fencing and Security Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.2) as that section reads as of the date of project approval.  
**TIMING:** The applicant shall implement the Fencing and Security Plan prior to commencement of the cannabis activities that are the subject of this permit. The applicant shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.  
**MONITORING:** P&D compliance staff inspects the Project site to confirm that all components of the Fencing and Security Plan are installed and maintained pursuant to the requirements of this condition.
- 7. Licenses Required.** The Applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.
- 8. Lighting Plan.** The Applicant shall implement the Lighting Plan stamped “Zoning Approved”.  
**PLAN REQUIREMENTS:** The Lighting Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.4) as they existed at the time of approval.  
**TIMING:** All components of the Lighting Plan shall be implemented prior to commencement of cannabis activities that are the subject of this permit. The Applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.  
**MONITORING:** P&D compliance staff inspects the project site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.
- 9. Noise Plan.** The applicant shall implement the Noise Plan stamped “Zoning Approved”.  
**PLAN REQUIREMENTS:** The Noise Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.5) as that section reads as of the date of project approval.  
**TIMING:** The applicant shall implement the Noise Plan prior to issuance of final building inspection. The applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.  
**MONITORING:** P&D compliance staff inspects the project site to confirm that all components of the Noise Plan are installed, operated and maintained pursuant to the requirements of this condition.

- 10. Permit Compliance.** The Owner/Applicant/Operator shall ensure that the project complies with all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:
1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
  2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Conditional 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 to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.
  3. Participate in Initial Compliance Inspections that may occur:
    - a. Prior to commencement of use and/or issuance of Business License,
    - b. Within the first year (during the active growing season), and
    - c. Other instances as deemed necessary by Planning & Development
  4. Participate in Regular Compliance Inspections that may occur:
    - a. Upon renewal of the County Business License,
    - b. For the life of the project, or as specified in permit conditions, and
    - c. Other instances as deemed necessary by Planning & Development

**PLAN REQUIREMENTS:** The Owner/Applicant/Operator shall include a note and a copy of this condition on all project plans.

**TIMING:** Prior to issuance of Conditional Use Permit an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.

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

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

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

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

- 12. Site Transportation Demand Management Plan.** The Applicant shall implement the Site Transportation Demand Management Plan stamped “Zoning Approved”.

**PLAN REQUIREMENTS:** The Site Transportation Demand Management Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.D.1.j) as that section reads as of the date of project approval.

**TIMING:** The Applicant shall implement the Site Transportation Demand Management Plan prior to the commencement of cannabis activities. The Applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.

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

- 13. Transfer of Ownership.** In the event that the Applicant transfers interest in the commercial

cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the project.

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

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

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

14. **Water Efficiency for Commercial Cannabis Activities.** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include the following drip irrigation and evaporative barriers, such as mulch.  
**DOCUMENTATION:** The applicant shall document water-conserving features on the Site Plan stamped “Zoning Approved”.
15. **Cannabis General Order.** The Cannabis General Order includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers. The Cannabis General Order requires that cannabis cultivators provide evidence of compliance with the State Water Resources Control Board (SWRCB) Requirements as part of their application for a California Department of Food and Agriculture cannabis cultivation license.  
**TIMING:** The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Zoning Clearance issuance.  
**MONITORING:** P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.
16. **Emergency Generator.** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. For diesel generators, engines shall be certified to meet EPA Tier 4 Final emissions standards. Pursuant to the manufacturer’s routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. **Timing:** The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater unless the equipment qualifies for an exemption based on low usage.  
**PLAN REQUIREMENTS:** The Permittee shall restate the provisions for compliance on all building plans.  
**TIMING:** If required, Permittee shall obtain an APCD Authority to Construct (ATC) permit prior to engine installation, and an APCD Permit to Operate (PTO) prior to engine operation. All necessary APCD permits, if required, shall be obtained prior to Final Building Inspection Clearance.
17. **Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request.  
**TIMING:** The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

- 18. Odor Abatement Plan.** The Owner/Applicant shall implement the Odor Abatement Plan dated March 15, 2021. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director.

**PLAN REQUIREMENTS:** The Odor Abatement system shall be graphically depicted on project plans. The depicted Odor Abatement system shall conform to the Odor Abatement Plan, as reviewed, and be certified by a Professional Engineer or a Certified Industrial Hygienist.

**TIMING:** The Odor Abatement system shall be installed prior to the first final building inspection for electrical upgrades. The Owner/Applicant shall maintain the system throughout duration of cannabis cultivation activities.

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

- 19. Tree Protection Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment Addendum prepared by Althouse and Meade dated March 2021 and stamped "Zoning Approved". The TPP measures are summarized below:

- 1) Tree protection fencing, and
- 2) No irrigation shall be located within 6 feet of the dripline of any protected tree.

**PLAN REQUIREMENTS:** This condition shall be printed on building and grading plans.

**TIMING:** The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

**MONITORING:** P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the plan set and as detailed in the TPP included in the Biological Resources Assessment prepared by Althouse and Meade dated March 2021 throughout the life of the project to permit compliance staff.

- 20. Habitat Protection Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment prepared by Althouse and Meade dated March 2021 and stamped "Zoning Approved". The HPP measures are summarized below:

- 1) Preconstruction surveys,
- 2) Site impacts away from known and potential California tiger salamander (CTS) breeding habitats,
- 3) Submit names and credentials of biologists and monitors to USFWS,
- 4) A biologist shall conduct a biological resources training program for all construction workers,
- 5) A biologist shall periodically review and monitor ground disturbing activities,
- 6) Prior to ground disturbing activities, all grading limits and construction boundaries

- shall be delineated,
- 7) All linear routes like roads and pipelines shall be reviewed and modified to minimize impacts to CTS,
  - 8) Personnel shall limit their vehicle use to existing routes of travel,
  - 9) Nighttime traffic shall be minimized during the ground disturbing phase,
  - 10) Vehicle speeds shall not exceed 10 miles-per-hour within CTS habitat,
  - 11) Prior to moving vehicles or equipment, personnel shall look under the vehicles or equipment for the presence of CTS,
  - 12) A biologist shall conduct pre-activity surveys of CTS habitat within project disturbance boundaries immediately prior to the onset of any ground disturbance,
  - 13) CTS and other wildlife species shall be allowed to vacate project areas on their own accord under the observation of a biologist,
  - 14) Rodent burrows within the project areas that overlap CTS habitat shall be excavated by a biologist,
  - 15) Exclusionary silt fencing shall be installed at the discretion of a biologist to minimize potential for CTS to enter the worksite,
  - 16) Construction and sediment control fencing shall be inspected each workday during construction activities,
  - 17) Steep-walled excavations like trenches shall be inspected daily and immediately before backfilling,
  - 18) Open pip segments shall be capped or sealed nightly,
  - 19) If activities must occur during the rainy season, construction work shall not take place during rain events, 48 hours prior to significant rain events, or during the 48 hours after these events,
  - 20) All areas used for staging, equipment storage, stockpiling, and refueling shall be located at least 100 feet from surface water bodies and wetland habitats,
  - 21) When working in areas with a predominance of native plants, the upper layer or topsoil material shall be segregated during excavations to preserve the seed bank,
  - 22) Disturbed areas shall be restored and stabilized to reflect pre-existing contours and gradients, and
  - 23) Upon locating CTS, notification shall be made to the USFWS Ventura Field Office.

**PLAN REQUIREMENTS:** This condition shall be printed on building and grading plans.

**TIMING:** The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

**MONITORING:** P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the plan set and as detailed in the HPP included in the Biological Resources Assessment prepared by Althouse and Meade dated March 2021 throughout the life of the project to permit compliance staff.

- 21. Wildlife Movement Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment prepared by Althouse and Meade dated March 2021 and stamped “Zoning Approved”, and any subsequent modifications or revisions as required by CDFW and/or USFWS.

**PLAN REQUIREMENTS:** This condition shall be printed on building and grading plans.

**TIMING:** The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The

requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

**MONITORING:** P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the WMP included in the Biological Resources Assessment prepared by Althouse and Meade dated March 2021 throughout the life of the project to permit compliance staff.

### **County Rules and Regulations**

22. **Rules-01 Effective Date-Not Appealable to the CCC.** This Conditional Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020].
23. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
24. **Rules-05 Acceptance of Conditions.** The 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 Applicant.
25. **Rules-08 Sale of Site.** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.
26. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with the CLUDC.
27. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
28. **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 Conditional Use Permit.
29. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved Tree Protection, Habitat Protection, Wildlife Movement, Odor Abatement, Noise Plan, Site Transportation Demand Management, Lighting and Security and/or



Site plans. Substantial conformity shall be determined by the Director of P&D.

30. **Rules-21 CUP Revisions-Change of Use.** Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.
31. **Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all of the 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
32. **Rules-23 Processing Fees Required.** Prior to issuance of Conditional Use Permit, the Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
33. **Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.
34. **Rules-29 Other Department Conditions.** Compliance with Departmental/Division letters required as follows:
  - a. Air Pollution Control District dated March 27, 2020;
  - b. Environmental Health Services Division dated March 29, 2021;
35. **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.
36. **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.
37. **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.
38. **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.