# REVISIONS TO ATTACHMENTS A THROUGH C (indicated by strikethrough and underlining)

#### **CEQA Findings (A-1)**

- **I.** Overview
  - A. Project Description
  - B. Procedural History
  - C. Environmental Review History
- **II.** Introduction to CEQA Findings
  - A. Procedural Background and Consideration of the EIR
  - B. Consideration and Recommendation of Certification of the EIR
  - C. Location of Record of Proceedings
  - D. Absence of Significant New Information
  - E. Local Coastal Program Exemption

#### **III.** CEQA Findings

- A. Findings for Denial of the Proposed Project
- B. Findings Related to Significant and Unavoidable (Class I) Impacts
- C. Findings Related to Potentially Significant but Mitigable (Class II)

#### **Impacts**

- D. Findings Related to Less Than Significant (Class III) Effects
- E. Findings Related to Beneficial (Class IV) Effects
- F. Findings Regarding Significant Irreversible Changes
- G. Findings Regarding Growth Inducing Effects
- H. Project Alternatives
- **IV.** Statement of Overriding Considerations
  - A. Project Benefits
  - B. Summary
- V. Environmental Reporting and Monitoring Program
- **I.A.1 Overall Scope.** The Santa Barbara Ranch Project ("Project"), as revised by Alternative 1B, entails the development of 71 new residential dwellings, equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, wildlife interpretive kiosk and coastal access trails), and creation of conservation easements for permanent protection of open space and agriculture. The Project site encompasses the Santa Barbara Ranch and the Dos Pueblos Ranch, together totaling 3,254 acres and 85% of the lots comprising the Official Map of the Town Of Naples (Naples Townsite). The two ranches are zoned for AG-II-100 (Coastal Zone) and Unlimited Agriculture (non-Coastal Zone), and are located two miles west of the City of Goleta, AP Nos. 079-040-005 to 081-240-018, Third Supervisorial District.

II.E Local Coastal Program Exemption. Amendments to the Local Coastal Program consisting of the creation of a new Naples Town Site ("NTS") land use designation including text and map changes (Case No. 03GPA-00000-00006), adoption of companion NTS zoning regulations (Case No. 08ORD-00000-00009) and boundary changes to institute the new zoning district for portions of Santa Barbara and Dos Pueblos Ranches (Case No. 03RZN-00000-00005) are exempt from the California Environmental Quality Act by provisions of Section 21080.5 of the Public Resources Code and Title 14, Section 15251(c) of the California Code of Regulations.

## **Mitigation Monitoring and Reporting Program (A-2)**

Mitigation Measure	Mitigation Requirements and Timing	Method of Monitoring	Timing of Monitoring	Party Responsible for Monitoring
<b>SBR-66</b>	Management of Unanticipated Human Remains.			
(Cultural-7)	In the event human remains are encountered, construction in the area of the finding will cease, and the remains will stay in situ pending definition of an appropriate plan. The Santa Barbara County Coroner (Coroner) will be contacted to determine the origin of the remains. In the event the remains are Native American in origin, the NAHC will be contacted to determine necessary procedures for Native American consultation and protection and preservation of the remains, including reburial, as provided in PRC 5097.98 and CEQA Guidelines. Section 15064.5(e). as provided in the CEQA Guidelines Section 15064.5(e). The monitoring Native American shall provide oversight for the procedures and treatment of the remains that are agreeable to the monitoring tribe in accordance with cultural tradition. In the event that the remains are of historic origin, of no interest to the County coroner, and not of Native American origin, arrangements shall be made for the remains to be interred in an appropriate manner in a designated internment area.	A Response Plan for the Unanticipated Discovery of Human Remains shall be prepared as part of the Cultural Resources Construction Monitoring Plan that shall be included in the Cultural Resources Program Plan (CRPP) required under Mitigation Measure Cultural-2.  SBC P&D shall be notified in the event of an unanticipated discovery of human remains. Construction will cease until approved measures are implemented.	The CRPP shall be reviewed and approved prior to issuance of any permit or the granting of zoning clearance for development within the project.  Monitoring during construction as necessary.	P&D in consultation with a County-approved archeologist.
Mitigation	Mitigation Requirements and Timing	Method of	Timing of	Party

Measure		Monitoring	Monitoring	Responsible for Monitoring
SBR-59	New Coastal Trail and De Anza Trail			
(REC-1)	Based on Planning Commission direction July 21, 2008, the trail and beach access on Santa Barbara Ranch project has been deleted, and an alternative more preferable vertical beach access is to be providedproposed on nearby property (Las Varas Ranch). In the event that Las Varas Ranch spur and beach access are not implemented the following coordination shall be initiated. To facilitate vertical access at Las Varas, and in exchange for providing a coastal trail segment on Dos Pueblos Ranch along the south side of Hwy 101, the applicant has been offered a Development Agreement to vest its project.  The applicant shall submit a design that maintains the Coast Trail segment on the property along the south side of Highway 101 in a manner that is acceptable to the Santa Barbara County Parks and Planning and Development Departments. In the event it is not feasible to locate the Coast Trail entirely south of the highway, or the applicant chooses not provide such access through a Development Agreement, an alternate alignment acceptable to both Parks and Recreation and P&D shall be developed.  (For illustration of Las Varas Ranch spur and beach access see Exhibit 15 of the Planning Commission Staff Report, hearing date August 20, 2008)	The applicant shall provide revised trail design plans for review and approval by P&D and by the Parks and Recreation Department. The applicant shall provide revised trail design plans for review and approval.  Post-construction the Coast Trail shall be photodocumented and inspected to ensure compliance with approved trail plans.	Prior to Final Planning Approval for construction of the Coast Trail and public access trails and facilities  Prior to issuance of CDP for construction of the Coast Trail and public access trails and facilities  Prior to final inspection clearance for any residential unit south of Highway 101	SB Parks Department and P&D
<u>SBR-26</u>	III. Requirements of Revegetation Plan:			
(Bio-1a, Bio-2a, Bio-6)	<ul> <li>Revegetation Plan Requirements</li> <li>The vegetation restoration plan shall provide for maintenance and monitoring of grassland and coastal scrub restoration areas for a period of seven years, with monthly semi-quantitative monitoring for the first year and quarterly semi-quantitative monitoring thereafter (visual inspections for invasive weeds and estimates of percent native plant cover, or similar metrics) occurring monthly and with reporting to the County occurring not less than annually.</li> <li>The revegetation plan will require grassland and coastal scrub restoration sites to be maintained to have less than ten-fifty percent cover of nonnative plant species, and to be free ofnot more than twenty percent invasive exotic species.</li> <li>The revegetation plan will require that each perennial native grassland species used in</li> </ul>	The protection and revegetation plan for native grassland and coastal scrub habitat and the final revegetation plan shall be approved.	Prior to Final Planning Approval for any aspect of the Final Development Plans	P&D and a qualified biologist approved by the County

restoration (all species together) shall have a minimum of 80-70 percent survival after 3 years and 70-80 percent survival after 5 years. If a species fails to meet these criteria, deceased individuals shall be replaced.

The revegetation plan will require that each perennial native coastal scrub species used in restoration (all species together) shall have a minimum of 80-70 percent survival after 3 years and 70-80 percent survivorship after 5 years. If a species fails to meet these criteria, deceased individuals shall be replaced.

#### SBR-28 (Bio-1b, Bio-2b)

To reduce further the potential for direct effects on sensitive plant species within native grasslands and coastal scrub areas, the applicant shall retain a qualified biologist, approved by P&D, to survey the development envelopes, and vegetation thinning areas, for special-status plant species at times of the year that are appropriate for their detection. Surveys shall conform to guidelines published by the CDFG, USFWS, CNPS, or other expert organization, and survey methods shall be approved by the County.

In the event any sensitive-special-status plant species are found in these areas to be disturbed, a qualified biologist shall collect seeds, bulbs, or cuttings of these species for transplantation to suitable areas within the Open Space Conservation Easement (OSCE).

In the event that any plant species designated as endangered, threatened, or rare under the Endangered Species Act or California Endangered Species Act are detected, construction on the subject lot shall not proceed until the USFWS and/or CDFG have been notified and any required authorizations obtained.

Review and approval by SBC P&D with submittals of biological assessments as needed to CDFG and/or USFWS as appropriate.

P&D and a qualified biologist approved by the county shall review the rare special-status plant results and determine whether salvage of propagules or notification to CDFG/USFWS is required.

A qualified biologist retained by the Applicant and approved by SBC P&D shall conduct rare plant surveys. Surveys shall be conducted within one year of the proposed commencement of construction activities that would potentially affect any plants present.

Surveys must be completed and reports submitted to SBC P&D prior to issuance of building, grading or any other permit that would result in direct ground disturbance.

SBC P&D and a qualified local biologist approved by the County

Mitigation Measure	Mitigation Requirements and Timing	Method of Monitoring	Timing of Monitoring	Party Responsible for Monitoring
SBR-30 (Bio-1b, Bio-2b)	<ul> <li>Monitoring of Revegetation Plan</li> <li>The revegetation plan shall be implemented by a qualified consultant retained by the applicant and approved by the SBC P&amp;D.</li> <li>The implementation of the revegetation plan shall conform to the details and procedures established for restoration planting, soil augmentation, seed collection and irrigation established under the plan.</li> <li>Where performance standards are not met for cover density of native grassland and coastal scrub species contingency measures shall be implemented as required by the plan.</li> <li>Monitoring documentation and report submission shall be performed by the qualified biologist or revegetation specialist according to the requirements of the plan.</li> </ul>	A qualified biologist retained by the Applicant and approved by SBC P&D shall perform visual inspection, checklists and photodocumentation post implementation as required by the final revegetation plan. These materials shall be provided to SBC P&D for review.	Maintenance and monitoring of riparian woodland, grassland and coastal scrub restoration areas will be conducted for a period of seven years post installation, with monthly semiquantitative monitoring during the first year and quarterly semiquantitative monitoring (visual inspections for invasive weeds and estimates of percent native plant cover, or similar metrics) occurring monthly and reporting to SBC P&D occurring not less than annually.	SBC P&D and a qualified local biologist approved by the County

#### **Project Findings (Attachment A-3)**

III.E.1. f. Requirement (State Government Code §66473.1). Multiple final maps relating to an approved or conditionally approved tentative map may be filed prior to the expiration of the tentative map if: (a) the subdivider, at the time the tentative map is filed, informs the advisory agency of the local agency of the subdivider's intention to file multiple final maps on such tentative map, or (b) after filing of the tentative map, the local agency and the subdivider concur in the filing of multiple final maps. In providing such notice, the subdivider shall not be required to define the number or configuration of the proposed multiple final maps. The filing of a final

map on a portion of an approved or conditionally approved tentative map shall not invalidate any part of such tentative map. The right of the subdivider to file multiple final maps shall not limit the authority of the local agency to impose reasonable conditions relating to the filing of multiple final maps. **Finding.** The subdivider has requested that it be allowed to phase the Vesting Tentative Tract Map for purposes of development financing, infrastructure staging and market absorption. Conditions of Approval acknowledge this request and allow project phasing provided that each Final Map complies with specified requirements.

#### **Policy Consistency (Attachment A-4)**

#### Requirement **Preliminary Consistency Determination** CLUP: Policy 7-2 - For all Alternative 1B is Consistent. A dedicated trail easement and public access development\*\*\*\* between the first improvements are included in the project. Vertical access stops at the top of bluff to public road and the ocean granting protect sensitive marine resources at Naples reef and nearby seal haul out. Vertical of an easement to allow vertical access to the mean high tide line will not be provided on the project site. The proposed access to the mean high tide beach access on the Las Varas Ranch property is located within a reasonable distance of line\*\*\*\*\* shall be mandatory the project site and is a more suitable public access corridor because it would avoid unless: adverse impacts. (a) Another more suitable public access corridor is available or proposed by the land use plan within a reasonable distance of the site measured along the shoreline, or (b) Access at the site would result in unmitigable adverse impacts on areas designated as "Habitat Areas" by the land use plan, or (c) Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or (d) The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner. In Policies 7-2 and 7-3 shall not apply to developments excluded from the no case, however, shall development interfere with the public's right of public access requirements of the Coastal Act by PRC Section 30212 or to access to the sea where acquired development incidental to an existing use on the site. through use unless an equivalent access to the same beach area is The mean high tide line (ordinary high water mark) is an ambulatory guaranteed. line which may vary over time as a result of climatic and other influences. The County may also require the The line is the normal or average inland extent of tidal influence. applicant to improve the access corridor and provide bike racks,

signs, parking, etc.

# Requirement CLUP: Policy 7-4 - The County, or

# appropriate public agency, shall determine the environmental carrying capacity for all existing and proposed recreational areas sited on or adjacent to dunes, wetlands, streams, tidepools, or any other areas designated as "Habitat Areas" by the land use plan. A management program to control the kinds,

intensities, and locations of recreational activities so that habitat resources are preserved shall be developed, implemented, and enforced. The level of facility development (i.e., parking spaces, camper sites, etc.) shall be correlated with the environmental carrying

capacity.

#### **Preliminary Consistency Determination**

Not Applicable. Policy 7-4 is a general policy, not specific to the Gaviota coast or the Project site. This policy anticipates a broader determination of carrying capacity than what is specific to the Project. Nevertheless, tThe project is in a rural area, and will not involve the development of intensive recreational facilities, such as campgrounds, active play areas, or intensive parking immediately adjacent to beach or coastal resource areas.

Coastal Act § 30214: (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics; (2) The capacity of the site to sustain use and at what level of intensity; (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses; (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of

Alternative 1B is Consistent. Alternative 1B would provide public recreational opportunities, and would not generate significant impacts to other regional recreational facilities. A draft OSHMP has been submitted, as required by the proposed NTS zoning; and. the OSHMP will be reviewed by P&D to ensure that appropriate public uses are identified and enforced, and to ensure that natural resources and agricultural operations of the project area, including the coastal bluffs and blufftop vegetation, grazing areas, beaches, and the Naples reef area, are not impacted from overuse.

The project area is not served by public transportation and public transportation is not proposed. However, a new parking lot and public access road will improve access where none currently exists. Therefore tThe new coastal trail access will generally be available to motor vehicles (parking lot) and is specifically designed to serve hikers, bicyclists and equestrians. Alternative 1B incorporates a trail design to provide a new segment of the Coastal (De Anza) Trail across the property with linkage to future trial segments on either side. In addition, Alternative 1B includes a parallel spur trail along the south side of Highway 101 to connect the Coast Trail with a vertical access trail on the Las Varas Ranch project, leading to the beach.

#### Requirement

#### **Preliminary Consistency Determination**

litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

#### **CLUP Amendment Resolution (Attachment B-2)**

E. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Plan, the requirements of State Planning and Zoning laws as amended to this date, and are exempt from the California Environmental Quality Act by provisions of Section 21080.5 of the Public Resources Code and Title 14, Section 15251(c) of the California Code of Regulations.

#### **Development Agreements (Attachment B-6)**

#### **Ordinance, Section 3:**

For the Inland Area Development Agreement (Case No. 03ORD-0000-00012), Exhibit A, this ordinance shall not become effective until all of the following events have occurred: (i) the modifications appearing in Exhibit C have been incorporated into the Development Agreement; (ii) the Development Agreement, as modified, has been fully executed by all the parties; (iii) thirty calendar days following the passage of this ordinance; and (iviii) the effective date of approval of WA-ACE Easement Exchange Case No. 05AGP-00000-00011, General Plan Amendment Case No. 03GPA-00000-00006, Vesting Tentative

Tract Map Case No. 08TRM-00000-00006/TM 14,755 and Final Development Plan Case No. 08DVP-00000-00024.

#### **Ordinance, Section 4:**

For the Coastal Area Development Agreement (Case No. 03ORD-00000-00013), Exhibit B, this ordinance shall not become effective until all of the following events have occurred: (i) the modifications appearing in Exhibit C have been incorporated into the Development Agreement; (ii) the Development Agreement, as modified, has been fully executed by all the parties; (iii) thirty calendar days following the passage of this ordinance: and (iviii) the effective date of final approval by the Board of Supervisors and California Department of Conservation of WA-ACE Easement Exchange Case No. 05AGP-00000-00011, final approval by the Board of Supervisors General Plan Amendment Case No. 03GPA-00000-00006, final approval by the Board of Supervisors Final Development Plan Case No. 08DVP-00000-00024, final approval by the Board of Supervisors Final Development Plan Case No. 08DVP-00000-00025; and (vi) the amendments to the Local Coastal Program are certified by the Coastal Commission pursuant to Public Resources Code 30514.

#### **Ordinance, Section 5:**

The owners of Dos Pueblos Ranch shall be entitled to apply for a Development Agreement covering those portions of the Santa Barbara Ranch Project that pertain to Dos Pueblos Ranch consisting of Case Nos. 08COC-00000-00001 through 00003, 08LLA-00000-00010 and 00014, 08CUP-00000-00060, 08CDP-00000-00098 through 00101, and 08LUP-00000-00466 The vesting provisions of Article 4 specified in the Inland Area Development Agreement (Case No. 03ORD-00000-00012) and Coastal Area Development Agreement (Case No. 03ORD-00000-00013), Exhibits A and B, respectively, shall apply to and encompass those portions of the Santa Barbara Ranch Project located on Dos Pueblos Ranch south of Hwy 101 (Case Nos. 08LUP-00000-00466 and 8CDP 00000 00098 through 00101) subject to, and contingent upon, the following: (i) the County receiving written consent from the owners of Dos Pueblos Ranch-with respect to the creek restoration activities that occur on Dos Pueblos Ranch pursuant to Section 2.02(a) of the Inland Area Development Agreement and the trail segment dedication that occur on Dos Pueblos Rand pursuant to Section 2.0302(c) of the Coastal Area Development Agreement; and (ii) the owners, in good faith, engage in negotiations with the Authorized Tribes with respect to executing a Cultural Agreement on the Dos Pueblos Ranch as contemplated in Section 2.02(a) of the Coastal Area Development Coastal. The County's approval of a Development Agreement for Dos Pueblos Ranch shall not be unreasonably withheld so long as the terms and conditions thereof are comparable to the Inland and Coastal Development Agreements set forth in Exhibits A and B hereto.

#### **Project Description:**

- **A.1 Overall Scope.** The Project entails the development of 71 new residential dwellings, equestrian center, agricultural support facilities, a worker duplex, public amenities (including access road, parking and restroom, wildlife interpretive kiosk and coastal access trails), and creation of conservation easements for permanent protection of open space and agriculture. The Project site encompasses the Santa Barbara Ranch ("SBR") and the Dos Pueblos Ranch ("DRP"), together totaling 3,249 acres and 85% of the lots comprising the Official Map of Naples Townsite. The two ranches are zoned for AG-II-100 (Coastal Zone) and Unlimited Agriculture (non-Coastal Zone), and are located two miles west of the City of Goleta, AP Nos. 079-040-005 to 081-240-018, Third Supervisorial District.
- **A.3.b.(ii)** Conditional Certificates of Compliance (Case Nos. 08COC-00000-**00001 through 00003).** Validation of three parcels as legal lots located on Dos Pueblos Ranch, south of Hwy 101, as a companion action to lot line adjustments under Case Nos. 08LLA-00000-00010 and 08LLA-00000-0001100014. The requirement for Conditional Certificates of Compliance arises from an improper deed conveyance by the Signal Oil and Gas Company (grantor) to the Dos Pueblos Orchid Company (grantee) in March 5, 1965. The transaction predates the current owner's acquisition of the property in 1979 and resulted in an undersized remnant in the course of creating parcels of lawful size. As provided in Section 66499.35(b) of the California Subdivision Map Act, the County may impose any condition that would have been applicable to a division of the property on December 5, 1979. Zoning in effect in 1979 was the "U" Zone established as part of County Ordinance 661. The minimum building site area requirement for the "U" Zone was 10 acres on the date the Schulte Trust acquired its initial interest in the subject property. Each of the parcels for which Certificates of Compliance are sought exceeds the 10-acre minimum: Case No. 08COC-00000-00001 pertains to 079-080-030 (46.35 acres); Case No. 08COC-00000-00002 pertains to 079-080-029 (58.51 acres); and Case No. 08COC-00000-00003 pertains to 079-080-031 (39.61 acres).
  - (a) Geographic Scope: Exhibit No. 4.
  - **(b) APN Nos.:** 079-080-026 through 029 and 031.
  - (c) **Project Exhibits:** Certificate of Compliance Applications and Supporting Materials, Case Nos. 08COC-00000-00001 through 00003.

**A.3.b.(iii)** Lot Line Adjustments (Case Nos. 08LLA-00000-00010 and 08LLA-00000-0001100014). Lot Line Adjustments involving a total of seven parcels on Dos Pueblos Ranch, south of Hwy 101. Case No. 08LLA-00000-00010 reconfigures the two most westerly parcels of the Dos Pueblos Ranch on the south side of the Highway by increasing an existing legal lot by approximately three acres to a final lot size 20.63 acres (DP-12). The second lot would be reduced to 40.55 acres (DP-13). This adjustment will

render both lots agriculturally viable, and include a designated Development Envelope for a residential structure. Case No. 08LLA-00000-00011—00014 will reconfigure five existing lots into four resultant lots on the balance of Dos Pueblos Ranch, south of Hwy 101. One smaller lot will first be merged into a contiguous parcel, then subsequently adjusted into lots of 35.72 acres (DP-14), 34.63 acres (DP-15), 16.98 acres (DP-16), and 15.02 acres (DP-20). These lots will remain agriculturally viable at these sizes and include a designated Development Envelope for a residential structure (including all residential accessory structures, e.g., detached garages, guest houses, rumpus rooms, etc.).

- (a) Geographic Scope: Exhibit No. 5.
- **(b) APN Nos.:** 079-080-026 through 029 and 031; 079-160-030 and 077.
- (c) **Project Exhibits:** Lot Line Adjustment Maps (two total) dated August 2007; Project Description for Alternative 1B dated July 22, 2008.

A.3.b.(viii) Minor Conditional Use Permits (Case Nos. 08CUP-00000-00042, 08CUP-08CUP-00000-<del>00045</del>—00046 08CUP-00000-<del>00081</del>00062). 00000-00043, and Authorization for use and operation of minor facilities not otherwise allowed as principally permitted under the Naples Townsite zone district and associated regulations of the LUDC. Case No. 08CUP-00000-00042 encompasses all utilities, roads and service connections for inland portions of the Project that are rezoned to Naples Townsite and exceed prescribed thresholds under the LUDC, as amended. Case No. 08CUP-00000-00043 encompasses all utilities, roads and service connections within the Coastal Zone that serve inland portions of the Project. Case No. 08CUP-00000-00045-00046 encompasses all utilities, roads and service connections within the Coastal Zone that serve coastal portions of the Project. Case No. 08CUP-00000-00081-00062 provides for a farm employee duplex located within the Coastal Zone on Santa Barbara Ranch, Lot 97.

- (a) Geographic Scope: Exhibit No. 10
- (b) APN Nos.: 079-040-005; 079-060-065 and 066; 079-080-007, 021, 026 through 029, and 031; 079-090-029 and 030; 079-140-013, 014, 022, 023, 029, 030, 034, 036, 037, 042, 043, 053, 055, 056, 058, 061, 062 and 064; 079-150-002, 006, 009, 011, 015, 017, 026, 028, 032, 034, 036 and 041; 079-160-011, 019, 030, 032, 040, 041, 045, 048, 050, 051, 056, 060, 067 077; 079-172-001; 079-180-003 and 022; 079-190-001 and 007; and 081-240-018.
- (c) Project Exhibits: Vesting Tentative Tract Map & Development Plan Preliminary Grading, Drainage, Roads and Utilities Plan, Alternative No. 1
   Santa Barbara & Dos Pueblos Ranches dated August 23, 2007, as amended; Concept Highway 101 Onramp & Offramp Plan, Option "2", dated May 2008; Project Description for Alternative 1B dated July 22, 2008.

**A.3.b.(ix)** Coastal Development Permits (Case Nos. 08CDP-00000-00080 through 08CDP-00000-00123 and 08CDP-00000-00163). Coastal Development Permits depicting site-specific details as to physical configuration and building design for all

road. utilities (including package treatment plants structures. treatment/reclamation/storage facilities), coastal access and related improvements located within the Coastal Zone. Case No. 08CDP-00000-00080 encompasses all utilities, roads and service connections within the Coastal Zone that serve inland portions of the Project. Case No. 08CDP-00000-00081 encompasses all utilities (including package treatment plants and water treatment/reclamation facilities), roads and service connections within the Coastal Zone that serve coastal portions of the Project. Case Nos. 08CDP-00000-00082 through 08CDP-00000-00097 encompasses 16 residential lots located within the Coastal Zone on Santa Barbara Ranch, Lots 70, 63, 35, 39, 91, 66, 43, 42, 41, 71, 12, 69, 97, 93, 119 and 122. Case Nos. 08CDP-00000-00098 through 00101 encompass four residential lots, each with an individual septic system, located within the Coastal Zone on Dos Pueblos Ranch, Lots DP-13, 15, 16 and 20. Case No. 08CDP-00000-00120 encompasses equestrian facilities and agricultural support buildings located within the Coastal Zone on Santa Barbara Ranch, Lot 97. Case No. 08CDP-00000-00121 encompasses coastal access improvements within the Coastal Zone on Dos Pueblos Ranch and Santa Barbara Ranch including trails, public access road, restroom facility, 30space public parking lot and marine wildlife interpretive pavilion and beach access structure. Case No. 08CDP-00000-00122 encompasses improvements to the existing Hwy 101 northbound on and off ramps to provide a configuration similar to the existing Case No. 08CDP-00000-00123 encompasses miscellaneous southbound facilities. accessory facilities consisting of a new entry gatehouse at Langtry Lane, two new security gates for access roads north of Hwy 101, and three new mailbox/callbox shelters. Case No. 03CDP-00000-0008108CDP-00000-00163 encompasses a farm employee duplex located within the Coastal Zone on Santa Barbara Ranch, Lot 97.

- (a) Geographic Scope: Exhibit No. 11
- **APN Nos.:** 079-080-026 through 029; 079-140-023; 079-150-002, 006, 009, 011, 015, 026, 032, 034, 036 and 041; 079-160-011, 019, 032, 040, 041, 045, 048, 050, 051, 056, 060 and 067; 079-172-001; 079-180-003 and 022; 079-190-001 and 079-190-007.
- Project Exhibits: Vesting Tentative Tract Map & Development Plan Preliminary Grading, Drainage, Roads and Utilities Plan, Alternative No. 1 Santa Barbara & Dos Pueblos Ranches dated August 23, 2007, as amended; Santa Barbara/Dos Pueblos Ranch Applicant Alternative (Design Booklet/Master Plan) dated January 14, 2005, and last revised February 27, 2008; Lot Relocation Plan and Prototype Design Plans for Lots 185, 201, 212, 215 and DP3A dated June 17, 2008; Exterior Lighting Concepts dated May 29, 2008; Preliminary Fencing Plan dated June 27, 2008; Design Guidelines dated May 29, 2008, and Amended July 9, 2008; Design Plans for Lots 70 and 93dated July 9, 2008; Prototype Matrix dated July 14, 2008; Concept Highway 101 Onramp & Offramp Plan, Option "2", dated May 2008; Preliminary Landscape Plan dated May 2008; Project Description for Alternative 1B dated July 22, 2008.

A.3.b.(ix)Land Use Permits (Case Nos. 08LUP-00000-00416 thru 08LUP-00000-00465, <del>03LUP</del>08LUP-00000-00344, 08LUP-00000-00466 and 03LUP-00000-00739). Land Use Permits depicting site-specific details as to physical configuration and building design for all structures, road, utilities (including package treatment plant and water treatment/reclamation/ storage facilities), coastal access and related improvements within areas inland of the Coastal Zone. Case Nos. 08LUP-00000-00416 thru 08LUP-00000-00465 encompass 49 residential lots located inland of the Coastal Zone on portions of Santa Barbara and Dos Pueblos Ranches, Lots 49, 50, 51, 104, 105, 108,134, 135, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214A, 214B, 215, 216, 107A, DP-1A, DP-1B, DP-1C, DP-10A, DP-10B, DP-2A, DP-2B, DP-2C, DP-3A, DP-3B, DP-4, DP-5A, DP-5B, DP-5C, DP-5D, DP-6A, DP-6B, DP-7A, DP-7B, DP-8A, DP-8B, DP-9A and DP-9B. Case No. 08LUP-00000-00466 encompasses one residential lot, with an individual septic system, located inland of the Coastal Zone on Dos Pueblos Ranch, south of Hwy 101, Lot DP-12. Case No. 08LUP-00000-00344 encompasses all utilities, roads and service connections for inland portions of the Project that are rezoned to Naples Townsite and exceed prescribed thresholds under the LUDC, as amended. Case No. 03LUP-00000-00739 provides for temporary stockpiling on Lot 51-50 in association with the previous development of Lot 132 authorized under Case No. 03LUP-00000-00739.

- (a) Geographic Scope: Exhibit No. 12
- (b) APN Nos.: 079-040-005; 079-060-065 and 066; 079-080-007, 021, 026 and 029; 079-090-030; 079-140-013, 014, 022, 027, 029, 030, 036, 037, 053, 054, 061, 062 and 064; 079-150-004, 017, 028 and 034; 081-240-018
- Project Exhibits: Vesting Tentative Tract Map & Development Plan Preliminary Grading, Drainage, Roads and Utilities Plan, Alternative No. 1 Santa Barbara & Dos Pueblos Ranches dated August 23, 2007, as amended; Santa Barbara/Dos Pueblos Ranch Applicant Alternative (Design Booklet/Master Plan) dated January 14, 2005, and last revised February 27, 2008; Lot Relocation Plan and Prototype Design Plans for Lots 185, 201, 212, 215 and DP3A dated June 17, 2008; Prototype Matrix dated July 14, 2008; Exterior Lighting Concepts dated May 29, 2008; Preliminary Fencing Plan dated June 27, 2008; Design Guidelines dated May 29, 2008, and Amended July 9, 2008; Preliminary Landscape Plan dated May 2008. Application and associated exhibits for Case No. 03LUP-00000-00739; Project Description for Alternative 1B dated July 22, 2008.

#### **Project Specific Conditions:**

#### 1. Biology

a. Prior to Final Planning Approval, the Open Space and Habitat Management Plan ("OSHMP") shall be revised and resubmitted to the Department for review and approval. Revisions to the Plan shall consist of

the following: (i) modification of narrative, statistics and related elements to fully incorporate Alternative 1B as the approved Project; (ii) incorporation of all relevant Mitigation Measures and Conditions of Approval bearing on biological resource protection and enhancement; (iii) identification of the specific third party conservation organization to whom the Open Space Conservation Easement ("OSCE") is to be conveyed (e.g., Land Trust or other organization); (iv) elimination of the proposed beach access structure and westerly loop trail segment as elements of coastal access improvements; (v) prohibition—of all pets outside of development envelopes, including designated open space and access trails must be leashed at all times; and (vi) revision of the Monitoring and Enforcement provisions of the document to fully distinguish between short-term, long-term monitoring and in perpetuity, substantially in conformance with the Final Open Space Management Plan for The Preserve at San Marcos dated December 6, 2006.

- b. The third party conservation organization identified in the Final OSHMP to manage and enforce the OSCE shall be a bona fide conservation organization, fully independent of the HOA, among whose purposes it is to conserve open space and/or natural resources. In the event a third party conservation organization is unavailable to accept the easement and implement the OSHMP, the County shall identify an alternative appropriate entity, in consultation with the Applicant, to the parties mutual satisfaction; provided, further, that if agreement on an third party conservation organization cannot be reached, the County shall have the sole authority to appoint such an entity. If the replacement organization cannot demonstrate expertise in natural resource management and conservation, such organization, as a condition of its selection, shall employ a qualified biologist, as approved by the Department, to monitor implementation of the OSHMP. Through implementation of the OSHMP, the third party conservation organization shall assure that the open space will be protected in perpetuity from all forms of development, except as shown on the approved Final Development Plans.
- enhancement purposes, Aall ground disturbances and vegetation removal shall be prohibited in a 50-foot setback from either side of the top-of-bank of all streams and drainages. These areas shall be fenced with a fencing type and in a location acceptable to the Department. No alteration to stream channels or banks shall be permitted until: (i) the California Department of Fish and Game has been contacted to determine if the drainage falls under its jurisdiction; and (ii) a U.S. Army Corps of Engineers 404 permit for any grading or fill activity has been obtained, if

required. Prior to and as a condition prerequisite to obtaining Final Planning Approval, the Applicant shall obtain a U.S. Army Corps of Engineers 404 permit for any grading or fill activity within areas under Corps jurisdiction. A copy of the 404 permit or waiver shall be submitted to the Department as a condition precedent to obtaining Final Planning Approval.

#### 2. Land Use

Williamson Act Contract Modifications Agricultural a. and Conservation Easement Exchange, Case No. 05AGP-00000-00011, shall be finalized and duly recorded prior to and as a condition prerequisite to obtaining Final Planning Approval for any aspect of the Project or recording any subdivision Map associated therewith. Prior to or concurrent with recordation,—: (i) the final terms and conditions of the Agricultural Conservation Easement ("ACE") shall be submitted to and approved by County Counsel and the Department, which approval shall not be unreasonably withheld provided that (i) the ACE substantially conforms to the Draft ACE Easement Documents (three total) dated July 14, 2008, as amended, and ACE Easement Maps (two total) dated April 2008the California Department of Conservation; (ii) each ACE document is modified to incorporate the provisions of Rule 1-2.3.C of the County Uniform Rules, requiring non-prime land to be actively engaged in agricultural production, including grazing and/or cultivationthe Rescission Agreement approved current herewith by adoption of Board Resolution No. 08shall be executed and recorded; and (iii) the Applicant evidences that a minimum 100-foot separation is provided between each habitable structure within the NTS zone district and the immediately adjacent boundary of any parcel with an agricultural land use or zoning designation; and (iv) a Certificate of Compliance is obtained for the remainder parcel (Lot DP-11) in connection with the Tentative Vesting Tract Map (Case No. 08TRM-00000-00006/TM14,755. The Certificate of Compliance and Tentative Vesting Tract Map shall conclusively establish the exact acreage comprising each component of the WA-ACE Easement Exchange ("Final Calculations"); where differences occur between the Final Calculations and the figures appearing through the Project approvals, the Final Calculations shall govern and automatically supersede and correct the earlier figures. Any substantial deviation between the Draft and Final ACE shall constitute an amendment of these Conditions of Approval and shall be returned to the Review Authority for consideration in the time and manner stipulated for permit amendments in the LUDC.

- b. Prior to and as a condition prerequisite to obtaining Final Planning Approval for any new development on the lots listed in Table 3, the Applicant shall either: (i) obtain, if required, the appropriate permits necessary to remedy the non-conforming condition, use and improvement of all existing structures in compliance with applicable provisions of the LUDC; or (ii) discontinue and remove all non-conforming uses and structures. For those residential structures that are retained, and as a condition prerequisite to obtaining Final Planning Approval on affected lots lists in Table 3, the Applicant shall and (ii) record a use restriction on each affected lot, limiting the occupancy in accordance with provisions of the LUDC depending upon the underlying zone designation, number of dwellings and type of permit required (i.e., residential agricultural unit vs. agricultural employee housing; four or less agricultural employee housing vs. five or more such units; AG-II-100 zoning vs. NTS zoning). For each agricultural employee housing unit, the Applicant shall provide proof of full-time employment of persons residing in each such dwelling (including trailers) every five years beginning from Final Planning Approval for the agricultural employee dwelling. Such proof shall be to the satisfaction of the Department in the form of any one or combination of the following: (i) Applicant's income tax return; (ii) employee's pay receipts; (iii) employee's W-2 form; (iv) notarized contract between Applicant and employee which delineates work to be performed and wages to be received; (v) other option approved by Planning and Development; or (vi) Employer's DE-3. These requirements shall be noted on all subdivision Maps to which the lots listed in Table 3 apply.
- The Private Agriculture Conservation Easement ("PACE") shall be c. reviewed and approved by the Department and County Counsel, and shall there then be recorded on the Property prior to and as a condition prerequisite to obtaining Final Planning Approval for any development on SBR (south of Hwy 101), including, but not limited to, recordation of subdivision Maps. The terms and conditions of the PACE also: (i) be incorporated into the CCRs required by Condition No. D.3.c.; and (ii) name the County as a non-signatory third party beneficiary with the right, but not the obligation, to enforce the PACE. In addition, the CC&Rs shall expressly provide financing to underwrite the cost of maintaining common infrastructure and managing farm/grazing operations to sustain the agricultural viability. Alternatively, operations Property's enforcement of the PACE may be accomplished through creation of a Community Facilities District (or equivalent) as provided in Condition No. D.7.d.

# 4. Development Envelopes

Development envelopes identify the location and limit the area of all a. ground-disturbance activities and to protect on-site resources. The size, location and configuration of development envelopes shall be restricted to those areas shown on the Vesting Tentative Tract Map and Final Development Plans. Except or unless otherwise provided elsewhere in the Conditions of Approval, no development or earth disturbance shall occur outside of the designated development envelopes (including utility infrastructure), only those uses and improvements shown on the Final Development Plans shall be allowed within these areas. Construction equipment operation shall be confined to the approved development envelopes. Development envelope boundaries shall be staked by a licensed surveyor in the field and only the uses and improvements shown on the applicable subdivision maps and final development plans may be allowed within the boundaries thereof. Development envelope locations shall be described by metes and bounds and recorded on a separate informational map sheet with all subdivision Maps. Prior to Final Planning Approval for development of each lot, a Notice to Property Owner (NTPO) stating this limitation and including a exhibit depicting the development envelope location shall be recorded against the Property with the County Clerk-Recorder. The development envelope envelop-shall be shown on all plans submitted for land use and building permits. Development envelopes shall be staked by a licensed surveyor prior to start of grading or structural development.

#### **Permit Specific Conditions:**

# 1. Tentative Map, Lot Line Adjustments and Conditional Certificates of Compliance

b. Approval of the Vesting Tentative Tract Map shall not become effective until or unless: (i) all required applications have been filed and accepted by the Department as necessary to undertake the Project, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate); (ii) final approval is granted by the Board and the California Department of Conservation and becomes effective for the Williamson Act Contract Modifications and Agricultural Conservation Easement Exchange Case No. 05AGP-00000-00011, Comprehensive Plan Amendment Case No. 03GPA-00000-00005 and Zoning Ordinance Amendment (Case Nos. 08ORD-00000-00009 and 03RZN-00000-00005; and (iii) all voluntary lot mergers have been completed. It is the

Applicant's declared intent to process and develop the Vesting Tentative Tract Map in phases, which request is hereby approved. Prior to, and as condition prerequisite, Final Planning Approval shall not be granted for development of any lot encompassed within area covered by the Vesting Tentative Tract Map until such Map is first amended to indicate that development is to be phased as provided in the Subdivision Map Act. As used herein, the term "Final Map" means and includes each phase of development covered by such Map. Prior to and as a condition prerequisite to recordation, the Applicant shall identify the location of all abandoned oil well test sites within the development envelopes, maintain a ten-foot separation between each site and all structures, and denote this information on the Final Map. The Final Map and ACE documents shall be recorded concurrently.

- b. Prior to recordation of the Vesting Tentative Tract Map and subject to approval by the County Surveyor and the Department as to form and content, the Applicant shall include all of the Conditions of Approval associated with or required by this Project on a separate informational sheet to be recorded with the Final Map for each phase of development. All applicable conditions and mitigation measures of the Project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible. Prior to and as a condition prerequisite to recordation, the Applicant shall identify the location of all abandoned oil well test sites within the development envelopes, maintain a ten-foot separation between each site and all structures, and denote this information on the Final Map. The Final Map and ACE documents shall be recorded concurrently.
- l. Lot Line Adjustment Case Nos. 08LLA-00000-00010 and 0001100014, and Conditional Certificates of Compliance Case Nos. 08COC-00000-00001, 00002 and 00003 are approved subject to the following provisions: (i) development shall be limited and conform to that which concurrently approved for Land Use Permit No. 08LUP-00000-00466 and Coastal Development Permit Nos. 08CDP-00000-00098 through 00101, including all conditions applicable thereto; (ii) the form and content of the Maps and exhibits shall be subject to specification and approval by the County Surveyor; (iii) the actions shall not become effective until or unless the voluntary merger of lots comprising DP-17 have been completed; (iv) the actions not become effective until all required applications have been filed and accepted by the Department as necessary to undertake the Project, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate); and (v) prior to and as a condition prerequisite to recordation, the Applicant shall identify the location of all

abandoned oil well test sites within development envelopes, maintain a ten-foot separation between each site and all structures, and denote this information on disclosure documents recorded on the affected lots Furthermore, Lot Line Adjustment Case Nos. 08LLA-00000-00010 and 00011 shall not accepted for recordation by the County Surveyor until: (i) the Conditional Certificates of Compliance are first accepted and recorded; and (ii) the voluntary merger associated with Lot Line Adjustment Case Nos. 08LLA-00000-00011-00014 is completed.

#### 3. Conditional Use Permits

The Conditional Use Permit Nos. 08CUP-00000-00042 and 03CUPa. 00000-00082 shall not become effective until or unless: (i) all required applications have been filed and accepted by the Department as necessary to undertake the Project, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate); and (ii) concurrent approval is granted and becomes effective for Final Development Plan Case No. 08DVP-00000-00024. Approval of the Conditions Use Permit Nos. 08CUP-00000-00043, 08CUP-00000-0004500046, 03CUP-00000-0008108CUP-00000-00062, 03CUP-00000-00083, 08CUP-00000-00044, 08CUP-00000-00060 and 08CUP-00000-00061 shall not become effective until or unless: (i) all required applications have been filed and accepted by the Department as necessary to undertake the Project, including the consent of all Property owners (e.g., Dos Pueblos Ranch and Santa Barbara Ranch, as appropriate); and (ii) concurrent approval is granted and becomes effective for Final Development Plan Case No. 03DVP-00000-00041.

#### 3. Coastal Development and Land Use Permits

e. Materials stockpiled on Lot 51–50 in association with the development of Lot 132 may be utilized in connection with the Project, or in the alternative, shall be removed the Property and lawfully disposed in manner consistent with the County Code. In either event, the stockpile shall be eliminated prior to occupancy of any dwelling constructed on Lot 5150.

#### Tables (C-2)

TABLE 1	A	В	С			D						
Conditions of Approval (See Explanatory Footnotes at End f Table)												
Lot Line Adjustments												
08LLA-00000-00010 and <del>00011</del> 00014						Notes:						
Minor Conditional Use Permits						_						
08CUP-00000- <del>00045</del> <u>00046</u> Coastal						1. Upper case letters at top of Table correspond to						
Infrastr.						Paragraph headings in the Conditions of Approval.						
08CUP-00000-00081 Employee Dup.						Numeric and lower case letters at top of Table						
Coastal Development Permits						correspond to specific Conditions.						
03CDP-00000- <del>00081</del> - <u>00062</u>						- contropona to specific conditions.						
Employee Dup.						2. Refer to the Mitigation Monitoring and						
Land Use Permits						Reporting Program to determine the applicability						
03LUP08LUP-00000-00344 Inland				of Conditions of Approval, Paragraph C, to the								
Infrastr.												
						individual permits and entitlements.						

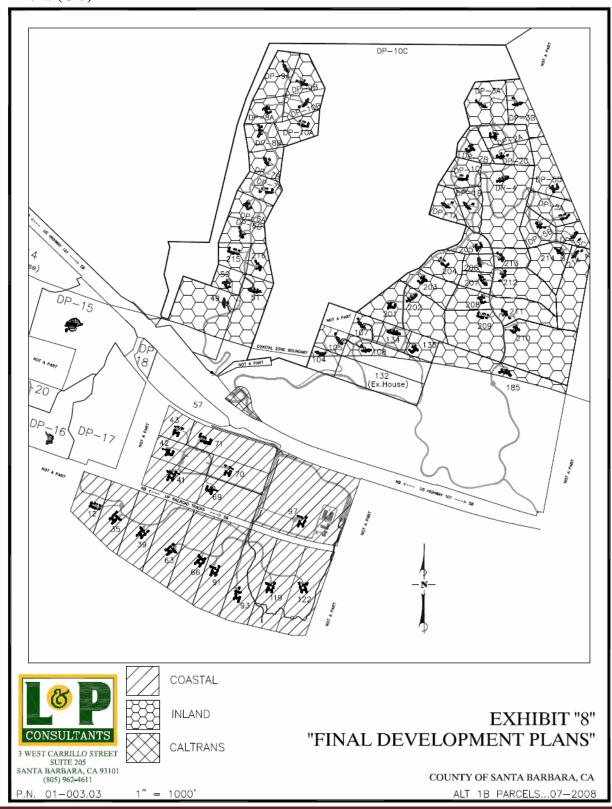
Table 2  Development Parameters  (See Explanatory Footnotes at End of Table)							
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Lot # (See Exhibit 1)	Lot Area (Acres)	Earthwork (Cubic Yards)	Dwelling (Max. Size; Gross Sq. Ft.)	Guest House (Max. Size; Gross Sq. Ft.)	Garage (Max. Size; Gross Sq. Ft.)	Accessory Structures (Max. Size; Gross Sq. Ft.)	Sum of Columns 4, 5, 6 & 7

#### Notes:

- 1. Gross Square Feet shall have the same meaning as defined in Section 35.110.020 of the County Land Use and Development Code excluding court yards, breezeways and similar architectural appendages that do not increase Net Floor Area and are necessary and appropriate to fulfill the architectural intent of the Design Guidelines as determined by the Board of Architectural Review.
- 2. For Columns 4, 5, 6 and 7, Gross Square Feet individually allocated to these categories may be exchanged between the columns so long as: (i) the total does not exceed the sum listed in Column 8; (ii) the Gross Square Footage for the principal residence does not exceed the amount shown in Column 4; and (ii) Net Floor Area of a guesthouse, as defined in Section 35.110.020 of the County Land Use and Development Code, shall not exceed a maximum of 800 square feet.

TABLE 3 Inventory of Existing Buildings					
Lot #	Structure Description	Bldg. Sq. Ft.	<b>Construction Date</b>		
SBR-43	Miscellaneous Agriculture Buildings	Unknown	Unknown		
DP-10C	Lake Cabin	600	Unknown		
DP-11	Reservoir (2)	n.a.	Unknown		
	Barns/Corals	Unknown	Unknown		
	Employee House 1-North	1,385	Unknown		
	Employee House 2-North	4,530	Unknown		
	Employee House 3-North	1,980	Unknown		
	Employee House 4-North	2,590	Unknown		
	Employee House 5-North	1,370	Unknown		
DP-12	None	n.a.	n.a.		
DP-13	Metal Working Shop (Truck Garage)	4,599	1918		
	New Maintenance Garage (Shop) (2)	5,055	1967		
	Old Maintenance Garage (Shop)	4,630	1918		
	West Horse Stable	5,375	Unknown		
	East Horse Stable	8,615	1924		
	Storage Barn No. 1 (Feed Storage)	1,665	1924		
	Storage Barn No. 2 (Feed Storage)	1,620	1924		
	Feed Mill Buildings (3)	780	Unknown		
	Storage Shed/Maintenance Garage	11,975	1918		
DP-14	Office	1,490	1926		
	Gardens	n.a.	n.a.		
	Guest Apts (2) Garage	2,595	1924		
	Casa Grande (Main Residence; First Floor Only)	3,870	1924		
	Storage Shed	1,070	1954		
DP-15	Long Garage No. 1 & Shed	2,095	Unknown		
	Boarding House (Ranch No. 1)	4,359	1926		
	Residence (Ranch No. 2)	878	Unknown		
	Residence (Ranch No. 5)	1,050	Unknown		
	Duplex (Ranch Nos. 6 & 7)	1,732	1930		
	Duplex (Ranch Nos. 8 & 9)	1,732	1930		
	Long Garage No. 2	1,120	Unknown		
	Residence (Ranch No. 10)	1,050	Unknown		
	Nicolas A. Den Adobe Features	878	Unknown		
	Mobile Home Trailers (3)	2,390	Unknown		
DP-16	Dos Pueblos Creek Bridge	n.a.	Unknown		
	Employee House No. 12	3,470	Unknown		
DP-17	Meatpacking Building & Garage (Meat House)	1,980	1947		
	Pump House	88	1924		
	Milking Barn & Silos (Dairy Barn)	3,320	1924		
	Shop Building	1,180	Unknown		
	Calving Barn (Bull Stalls)	5,415	1930		
	Three Small Barns	6,000	Unknown		
	Hay Barn	1,950	1924		
	Historic El Camino Real & Stage Coach Road Fragment	n.a.	Unknown		
	Employee House No. 11	832	1926		
	Aquaculture Facilities (Hatchery)	3,340	1992		
	Employee Trailer 4	1,250	Unknown		
	X-Mas Tree Office	490	Unknown		
DP-20	None None	n.a.	n.a.		
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## Exhibits (C-3)



# **Exhibit 13 (Project Scope)**

# Case No. 08CUP08CDP-00000-00081

## Case No. 08CDP-00000-0006208CDP-00000-00163

### Case No. 03LUP-00000-00739

<u>Lot 5150, (APN 079-140-029 and 079-140-030)</u> – A Land Use Permit for temporary stockpiling in on Lot 51–50 in association with the previous development of Lot 132 authorized under a previous permit.