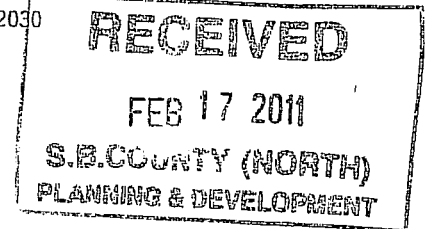




COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

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



TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF FEBRUARY 9, 2011

RE: *Hollister-Yacono Development Plan, Conditional Use Permit, Consistency Rezone, and Overall Sign Plan; 09RZN-00000-00010, 07DVP-00000-00028, 10CUP-00000-00043, 08OSP-00000-00001*

Hearing on the request of Rob Alexander, Mosaic Land Planning, agent for Kenny Hollister, representative for owner to consider:

- a) **09RZN-00000-00010**, [application filed on October 9, 2007] Zoning Map Amendment to rezone 32.84 acres (gross) from Intensive Agricultural zone district (AGI), under Ordinance 661, to Agriculture, 100 acre minimum parcel size (AG-II-100) zone district, under the Land Use and Development Code in compliance with Chapter 35.104 of the County Land Use and Development Code;
- b) **07DVP-00000-00028** [application filed on October 9, 2007] for approval of a Final Development Plan in compliance with Section 35.82.080 of the County Land Use and Development Code to allow existing and proposed structural development;
- c) **10CUP-00000-00043** [application filed on November 23, 2010], for approval of a Conditional Use Permit in compliance with Section 35.82.060 of the County Land Use and Development Code to allow existing conforming uses and structures onsite;
- d) **08OSP-00000-00001**, [application filed on October 9, 2007] for approval of an Overall Sign Plan in compliance with the Santa Barbara County Land Use and Development Code Section 35.82.150;

and to adopt the Negative Declaration 10NGD-00000-00003 pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. As a result of this project, significant but mitigable effects on the environment are anticipated in the following categories: Aesthetics/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Geologic Processes, Hazardous Materials, Noise, Public Facilities, and Water Resources/Flooding. The ND and all documents may be reviewed at the Planning and Development Department, 123 East Anapamu Street, Santa Barbara, CA 93101, 624 West Foster Road, Suite C, Santa Maria CA 93455, the Santa Maria Public Library, 421 S. McClelland Street, Santa Maria, CA 93454, and Clerk of the Board of Supervisors located at 105 East

Anapamu Street, Santa Barbara, CA 93101. The project site is AP No. 099-640-010, commonly known as 2201 U.S. Highway 101, located approximately 2 miles north of the City of Buellton and 1 ½ miles south of the Highway 101 and Highway 154 interchange. Site access is from Jonata Park Road, Third Supervisorial District.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of February 9, 2011, Commissioner Brooks moved, seconded by Commissioner Brown and carried by a vote of 5 to recommend that the Board of Supervisors:

1. Recommend that the Board of Supervisors make the required findings for the project specified in Attachment A of the staff report, dated December 8, 2010, including CEQA findings;
2. Recommend that the Board of Supervisors adopt the Mitigated Negative Declaration No. 10NGD-00000-00003 (included as Attachment C of the staff report, dated December 8, 2010) and adopt the mitigation monitoring program contained in the conditions of approval;
3. Adopt a resolution recommending that the Board of Supervisors adopt by Ordinance a Zoning Map Amendment for APN 099-640-010, amending the Inland Zoning Map for the Buellton Rural Areas Zones included as Attachments D and E of the staff report, dated December 8, 2010 (revised on February 9, 2011 to reflect current date and Chairman Valencia in the signature block);
4. Recommend that the Board of Supervisors approve 07DVP-00000-00028 subject to the conditions included as Attachment B.1 (Attachment 4 of P/C Memo #2, dated February 1, 2011, as revised in the staff memo dated February 8, 2011 and at the hearing of February 9, 2011);
5. Recommend that the Board of Supervisors approve 10CUP-00000-00043 subject to the conditions included as Attachment B.2 (Attachment 4 of P/C Memo #2, dated February 1, 2011); and
6. Recommend that the Board of Supervisors approve 08OSP-00000-00001 subject to the conditions included as Attachment B.3 (Attachment 4 of P/C Memo #2, dated February 1, 2011, as revised at the hearing of February 9, 2011).

In addition to revising the Conditions of Approval as indicated below, the Planning Commission recommended that the proposed project return to the Central Board of Architectural Review (CBAR) for further review prior to the Board of Supervisor's approval hearing. The additional review is requested to address outstanding signage issues including the status of two existing freestanding signs onsite and the type and number of fonts to be used on future signage. Planning & Development will coordinate with the applicant to schedule the requested CBAR meeting prior to scheduling the project for the Board of Supervisor's hearing.

REVISIONS TO THE CONDITIONS OF APPROVAL

DEVELOPMENT PLAN

Condition 1, Project Description, Paragraph 3, language is amended:

The Development Plan proposes ~~45,042~~ 24,134 sq.ft. of structural development consisting of: 1) the construction of a primary residence, six agricultural storage structures and one horse barn for a total of 22,470 square feet; and 2) the inclusion of 1,664 22,572 sq.ft. of existing development (following demolition of 3,784 sq.ft. of existing structures, and deletion of 20,908 sq.ft. of existing structural development). The project proposes approximately 990 cubic yards of cut and 1,955 cubic yards of fill, 600 cubic yards of over-excavation and re-compaction, 1,165 cubic yards of import and 200 cubic yards of export. Grading activities would disturb approximately 3.32 acres of the project site.

Condition 4, language is amended:

All ~~Any~~ exterior night lighting, existing and proposed, ~~installed~~ on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Applicant shall develop a Lighting Plan incorporating these requirements and provisions for dimming lights after 10:00 p.m. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed and approved by P&D and the BAR.

MONITORING: P&D and BAR shall review a Lighting Plan for compliance with this measure prior to approval of a ~~Land Use~~ Zoning Clearance Permit for structures. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

Condition 11, language is amended:

In the event archaeological remains are encountered during any grading of the project site, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

MONITORING: P&D shall check plans prior to approval of Zoning Clearance Permit and shall spot check in the field.

Condition 14, language is amended:

All runoff water from impervious areas shall be conveyed to prevent erosion from slopes and channels. Prior to exceeding one acre of additional disturbed area impervious surfaces constructed onsite, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared). **Plan Requirements and Timing:** A drainage plan which incorporates the above and includes a maintenance and

inspection program to ensure proper functioning shall be submitted prior to approval of Zoning Clearance Permits by the applicant to the Flood Control District for review and approval.

MONITORING: Permit Compliance will photo document compliance with the approved plan. Grading inspectors shall monitor technical aspects of the grading activities.

Condition 23, language is amended:

Special - Aesthetics. Prior to Land Use Clearance, the Owner/Applicant shall remove all outdoor storage areas and non-Caltrans fencing from the Caltrans right-of-way access easement to the creek adjacent to for US Highway 101.

New Conditions 43 and 44 are added:

43. None of the existing legal non-conforming uses in operation on the project site (as indicated in Table 5 of the Staff Report) may be expanded or intensified. Outdoor storage areas currently used for existing legal, non-conforming uses may not be expanded beyond the fenced areas delineated on the project hearing exhibits, dated February 9, 2011.

44. The use of each new structure (i.e., proposed structures P, Q, R, S, U, V, W, and X, as indicated on the approved site plans, dated February 9, 2011) shall be limited to conforming Zoning (AG-II-100) and Comprehensive Plan (Agricultural Industry Overlay) uses, including but not limited to the conforming uses approved under the subject Development Plan, 07DVP-00000-00028, and Conditional Use Permit, 10CUP-00000-00043.

CONDITIONAL USE PERMIT

Condition 1, Project Description, language is amended:

This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits, dated February 9, 2011 ~~December 8, 2010~~, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the Board of Supervisors for conformity with this approval. Deviations may require modification to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

An as-Built Conditional Use Permit to legalize the following existing uses currently operating on the project site as:

1. Templeton Livestock Sales Yard
2. D.C. Whitford Trucking Inc. Hay and Feed Supply
3. ~~Ralph Lausten Farming~~
3. John Krska Farming
4. Pacific Livestock Supplement

OVERALL SIGN PLAN

Condition 1, Project Description, language is amended:

The Hollister-Yacono Overall Sign Plan is based upon and limited to compliance with the project description, Planning Commission Hearing Exhibits dated February 9, 2011 ~~December 8, 2010~~, and conditions of approval set forth below. 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.

The project description is as follows:

Hearing on the request of Rob Alexander, Mosaic Land Planning, agent for the Charles C. and Mary E. Hollister Trust, landowner, to consider Case No. 08OSP-00000-00001 (application filed on October 9, 2007) for approval of an Overall Sign Plan consisting of 19 signs in association with the approved Development Plan (07DVP-00000-00028) for the Hollister-Yacono project site as follows:

~~Fifteen~~ Eighteen wall signs, one freestanding sign, and three under-canopy signs in compliance with LUDC Section 35.38.090 - Signs Allowed in Agricultural Zone District with an Agricultural Industrial overlay. One wall sign on each frontage open to the public, not to exceed 1/8 of the square footage of the building façade or a maximum of 100 square feet, canopy signs for each enterprise not exceeding six square feet in sign area, and the lower edge of the sign must be a minimum of eight feet above finished ground level.

Each new sign to have dimensions of 16" x 96" and made from horizontal painted wood. Background colors to be white with the lettering and logo to be brown. The bottom of all canopy signs to be 8' above finished grade and the top of all wall signs for the new buildings to be 12' above top of grade. The existing sign located on the welding shop is to be removed and replaced in compliance with the new signage criteria above. All Signage for the Veterinarian Supply Store, Hay and Feed, Trucking Terminal, Two Equipment Storage Shop, Fencing Contractor Shop/Truck Terminal and Trailer Sales to comply with the Overall Sign Plan criteria.

The existing Buellton Ag Center 4' x 8' freestanding sign (10' in height by 5' in width) to be relocated outside of the County Right of Way to a location on the project site as approved by P&D with input from modified as proposed by the Central Board of Architectural Review (CBAR) on August 1, 2008, the CBAR supported the height exemption and setback exception for the existing freestanding sign, not to exceed 16' in height.

All existing signs to reflect colors and materials as approved by CBAR.

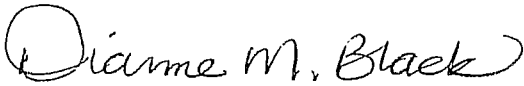
New Condition 8 is added:

V. ADDITIONAL PROJECT-SPECIFIC CONDITION

8. The existing Buellton Ag Center freestanding sign (10' in height by 5' in width) shall be relocated outside of the County Right of Way to a location on the project site as approved by P&D with input from the Central Board of Architectural Review (CBAR).

The attached findings and conditions reflect the Planning Commission's actions of February 9, 2011.

Sincerely,



Dianne M. Black
Secretary Planning Commission

cc: Case File: 09RZN-00000-00010, 07DVP-00000-00028, 10CUP-00000-00043, 08OSP-00000-00001
Planning Commission File
Dianne M. Black, Director Development Review
Agent: Rob Alexander, Mosaic Land Planning LLC, 436 Alisal Road, Suite E, Solvang 93463
Owner: Charles C. and Mary E. Hollister Trust, 2201 U.S. Highway 101, Buellton, CA 93427
Rachel Van Mullem, Deputy County Counsel
John Karamitsos, Supervising Planner

Attachments: **Attachment A - Findings**
 Attachment D – Draft Ordinance
 Attachment E – Planning Commission Resolution
 Attachment 4 – Conditions of Approval

DMB/dmv

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

1.1 CONSIDERATION OF THE NEGATIVE DECLARATION AND FULL DISCLOSURE

The Planning Commission has considered the Mitigated Negative Declaration (MND) together with the comments received and considered during the public review process. The MND reflects the independent judgment and analysis of the Planning Commission and has been completed in compliance with CEQA, and is adequate for this proposal.

1.2 FINDING OF NO SIGNIFICANT EFFECT

On the basis of the whole record, including the negative declaration and comments received, the Planning Commission finds that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated and on the basis of the whole record there is no substantial evidence that the project will have a significant effect on the environment.

1.3 LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101 or 624 West Foster Road, Suite C, Santa Maria CA 93455, the Santa Maria Public Library, 421 S. McClelland Street, Santa Maria, CA 93454, and Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

1.4 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section and CEQA Guidelines Section 15074(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

2.0 ADMINISTRATIVE FINDINGS

2.1 REZONE FINDINGS

Pursuant to Section 35.104.060, in order for the Planning Commission to recommend approval or for the Board of Supervisors to approve a rezone request, the following findings shall be made by the Planning Commission and Board of Supervisors:

2.1.1. The request is in the interests of the general community welfare.

The rezone will bring the subject parcel into conformance with the current ordinance, the County's Land Use and Development Code (LUDC). The rezone will not change the fundamental intent of the current zone district. The subject parcel is currently zoned for agricultural use and will remain zoned for agricultural use. All types of agriculture

allowed under the current zoning district would be allowed under the proposed zoning district. Rezoning the parcel will also facilitate permitting for new agricultural or other types of development. Therefore, the project is in the interests of the general community welfare.

2.1.2 The request is consistent with the Comprehensive Plan, the requirements of State planning and zoning laws, and this Development Code.

State law requires zoning ordinances to be consistent with the comprehensive plan. The subject parcel is designated Agriculture II, 100-acre minimum lot area (A-II-100) under the County Comprehensive Plan. The request will rezone the subject parcel from the antiquated AGI zoning district under Ordinance 661 to the modern AG-II-100 zoning district under LUDC Section 35.21. The AG-II-100 zoning district is consistent with the objectives, policies and general land uses in the A-II-100 plan designation. The current parcel size is 32.84 acres and is considered legal nonconforming as to size. With the adoption of the rezone the parcel would still remain legal nonconforming as to size. Therefore, the proposed rezone is consistent with this finding.

2.1.3 The request is consistent with good zoning and planning practices.

The subject parcel is currently zoned under Ordinance 661. In 1983, the County replaced Ordinance 661 with Article III, and then again in 2006 with the Inland LUDC. The subject parcel and numerous other parcels in rural areas are still subject to the outdated Ordinance 661. Therefore, the request is consistent with good zoning and planning practices.

The request will replace the existing antiquated Ordinance 661 zoning onsite with the modern zoning in the LUDC. This will help implement a uniform and up-to-date zoning ordinance throughout the inland area. The benefits of the rezone include simplifying the zoning and permitting process and reducing permitting costs and time delays. In addition, the property owner will enjoy full use of the parcel consistent with other parcels that are already subject to LUDC zones and allowable uses. Therefore, the rezone is consistent with this finding.

3.0 DEVELOPMENT PLAN FINDINGS

3.1 Findings required for all Preliminary or Final Development Plans. In compliance with Subsection 35.82.080.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings:

3.1.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.

The project is located in a rural area of the County and is surrounded by residential ranchettes and cattle grazing. The western and eastern extents of the project site contain various slopes ranging from 5 to 20 percent. The central portion of the 32.84-acre parcel is relatively level, and currently developed with approximately 26,356 square feet of commercial agricultural related development. The project site parallels Highway 101.

Upon completion of development the site will contain approximately 45,042 square feet of total development which represents approximately 3% in total lot coverage. Approximately 31 acres of the site will remain open area. The physical characteristics, shape and size of the site are adequate to support both the development.

3.1.2 Adverse impacts will be mitigated to the maximum extent feasible.

The environmental analysis performed for this project and contained in 10NGD-00000-00003 (Attachment C) identifies significant but mitigable impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Fire Protection, Geologic Processes, Hazardous Materials/Risk of Upset, Land Use, Noise, and Water Resources/Flooding. Adherence to required mitigation measures will ensure that adverse impacts are mitigated to the maximum extent feasible.

3.1.3 Streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Project vehicular access is taken directly from Jonata Park Road, via; 1) direct access from U.S. Highway 101 onto the frontage road (known as Jonata Park Road) which parallels Highway 101; and 2) from Damassa Road to Avenue of the Flags to Jonata Park Road with the project site located approximately 2 1/2 miles north of this intersection. The incremental project increase in traffic is far below the County's threshold and will not result in a degradation of the current Level of Service on surrounding roads or highways.

3.1.4 There will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project.

Domestic water and sewage service will be provided to the project by an existing water well and an existing septic system in compliance with EHS requirements. Adequate fire and police protection are available to serve the project.

3.1.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will not be incompatible with the surrounding area.

The project site is located in an agricultural zone district (AGI Ordinance 661) and will continue to be within an agricultural zone district (AG-II-100, Land Use and Development Code) upon approval of the consistency rezoning. The existing agricultural industry overlay will continue to allow for agricultural support uses as a permitted use. Structural designs, project siting, and appropriate conditions have been incorporated into the project in order to avoid detriment to the surrounding areas and views from U.S. Highway 101.

3.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan.

The project conforms to all applicable requirements of the Comprehensive Plan and is not subject to any community or area plan. The project also conforms to all requirements of the Land Use and Development Code in regards to the both the AG-II

zone district and requirements for agricultural support uses.

3.1.7 Within Rural areas as designated on the Comprehensive Plan maps, the use will be compatible with and subordinate to the agricultural, rural, and scenic character of the rural areas.

As an agriculturally related use, the structural development will be compatible with the immediately surrounding residential ranchettes and grazing on adjacent properties, and with the rural status of the area. When completed the structural development would cover approximately 1 acre of a 32.84-acre parcel and will be adequately screened from public view. As a condition of approval the owner shall submit a landscape plan to ensure compliance with the rural area and public views from U.S. Highway 101.

3.1.8. The project will not conflict with any easements required for public access through, or public use of a portion of the subject property.

The project does not conflict with any public easements and there currently is no public use of the subject property.

B. Additional finding required for Final Development Plans. In compliance with Subsection 35.82.080.E.2 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Final Development Plan the review authority shall first find that the plan is in substantial conformity with any previously approved Preliminary Development Plan except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan. In this case, the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan.

The project consists of a Final Development Plan, and does involve a previously approved Preliminary Development Plan; therefore, this finding is not applicable.

4.0 CONDITIONAL USE PERMIT FINDINGS

4.1 Findings required for all Conditional Use Permits. In compliance with Subsection 35.82.060.E.1 of the County Land Use and Development Code, prior to the approval or conditional approval of an application for a Conditional Use Permit or Minor Conditional Use Permit the review authority shall first make all of the following findings:

4.1.1 The site for the subject project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed

The project is located in a rural area of the County and is surrounded by residential ranchettes and cattle grazing. The western and eastern extents of the project site contain various slopes ranging from 5 to 20 percent. The central portion of the 32.84-acre parcel is relatively level, and currently developed with approximately 26,356 square feet of commercial agricultural related development. The project site parallels Highway 101. Upon completion of development the site will contain approximately 45,042 square feet of total development which represents approximately 3% in total lot coverage.

Approximately 31 acres of the site will remain open area. The physical characteristics, shape and size of the site are adequate to support both the development.

4.1.2 Environmental impacts: Within the Inland area significant environmental impacts will be mitigated to the maximum extent feasible.

The Condition Use Permit applies to existing uses onsite only for the purpose of bringing these uses in to conformance with the new AG-II zoning with a Agricultural Industry Overlay. There is no new development nor environmental impacts.

4.1.3 Streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

Project vehicular access is taken directly from Jonata Park Road, via; 1) direct access from U.S. Highway 101 onto the frontage road (known as Jonata Park Road) which parallels Highway 101; and 2) from Damassa Road to Avenue of the Flags to Jonata Park Road with the project site located approximately 2 1/2 miles north of this intersection. The incremental project increase in traffic is far below the County's threshold and will not result in a degradation of the current Level of Service on surrounding roads or highways.

4.1.4 There will be adequate public services, including fire protection, police protection, sewage disposal, and water supply to serve the proposed project.

Domestic water and sewage service will be provided to the project by an existing water well and an existing septic system in compliance with EHS requirements. Adequate fire and police protection are available to serve the project.

4.1.5 The proposed project will not be detrimental to the comfort, convenience, general welfare, health, and safety of the neighborhood and will be compatible with the surrounding area.

The project site is located in an agricultural zone district (AGI Ordinance 661) and will continue to be within an agricultural zone district (AG-II-100, Land Use and Development Code) upon approval of the consistency rezone. The existing agricultural industry overlay will continue to allow for agricultural support uses as a permitted use. Structural designs, project siting, and appropriate conditions have been incorporated into the project in order to avoid detriment to the surrounding areas and views from U.S. Highway 101.

4.1.6 The proposed project will comply with all applicable requirements of this Development Code and the Comprehensive Plan, including any applicable community or area plan.

The project conforms to all applicable requirements of the Comprehensive Plan and is not subject to any community or area plan. The project also conforms to all requirements of the Land Use and Development Code in regards to the both the AG-II zone district and requirements for agricultural support uses.

4.1.7 Within Rural areas as designated on the Comprehensive Plan maps, the proposed

use will be compatible with and subordinate to the rural and scenic character of the area.

As an agriculturally related use, the structural development will be compatible with the immediately surrounding residential ranchettes and grazing on adjacent properties, and with the rural status of the area. When completed the structural development would cover approximately 1 acre of a 32.84-acre parcel and will be adequately screened from public view. As a condition of approval the owner shall submit a landscape plan to ensure compliance with the rural area and public views from U.S. Highway 101.

5.0 OVERALL SIGN PLAN FINDINGS

5.1 In compliance with Subsection 35.82.150.F of the County Land Use and Development Code, prior to the approval or conditional approval of an application for an Overall Sign Plan that includes any modifications in compliance with Subsection 35.82.150.C the Planning Commission shall first make all of the following findings (as applicable):

5.1.1 Freestanding signs. The proposed area, height, or number of freestanding signs is architecturally harmonious in relation to the size and location of the agriculture industrial area and have been conceptually reviewed by the Central Board of Architectural review for modification to the signs and height per Section 35.82.150.E.4.b of the Land Use and Development Code.

5.1.2 Under Canopy sign.

The proposed area of the under canopy sign is architecturally harmonious in relation to the size and location of the building area occupied by the enterprise proposing the sign.

5.1.3 Wall sign.

- a. The proposed area of the wall sign is architecturally harmonious in relation to the size and location of the structure on which it will be placed.
- b. The proposed area of the wall sign is architecturally harmonious in relation to the size and location of the area on which the structure is constructed.

The area of the wall signs are architecturally harmonious in relation to the size and location of the area on which the structure is constructed. The Overall Sign Plan is consistent with Section 35.82.150 of the County Land Use and Development Code, Signs Permitted in the AG-II-100 zone district with the Agriculture Industry Overlay, based on the information contained in Section 6 of this staff report and Finding 4, above.

ATTACHMENT D: Draft Ordinance

LAND USE DEVELOPMENT CODE (ZONING MAP AMENDMENT)
DRAFT

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ASSESSOR PARCEL Number 099-640-010

Case No. 09RZN-00000-00010

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1

All zoning maps and zoning designations previously adopted under the provisions of Sections 35.14.020 and 35-516, "Adoption of New Zoning Maps," of Chapter 35, Zoning, of the Code of the County of Santa Barbara, California, are hereby repealed as they related to Assessor's Parcel Number 099-640-010 shown on the map attached hereto as Exhibit A and incorporated by reference.

SECTION 2

Pursuant to the provisions of Section 35.14.020, "Adopting New Zoning Ordinances and Maps," of Land Use Development Code, of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby adopts by reference the Zoning Map identified as Board of Supervisors Exhibit A, dated _____, which redesignates Assessor's Parcel Number 099-640-010, from AGI to AG-II-100, and which is made a part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein, as exhibited in Exhibit A, and which is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Map were specifically and fully set out and described therein.

SECTION 3

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit A to show that said map has been adopted by this Board.

SECTION 4

Except as amended by this Ordinance, Section 35.14.020 of the Land Use Development Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 5

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

, Chair, Board of Supervisors
County of Santa Barbara
State of California

DENNIS A. MARSHALL
County Counsel

By: _____
Deputy County Counsel

ATTACHMENT E: PLANNING COMMISSION RESOLUTION

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING)
TO THE BOARD OF SUPERVISORS THAT)
AN ORDINANCE BE APPROVED AMENDING)
SECTION 35-1, THE SANTA BARBARA)
COUNTY LAND USE AND DEVELOPMENT)
CODE, OF CHAPTER 35 OF THE SANTA)
BARBARA COUNTY CODE, BY AMENDING)
THE COUNTY ZONING MAP BY CHANGING)
THE ZONING OF ASSESSOR'S PARCEL)
NUMBER 099-640-010 FROM AGI to AG-II-100)

RESOLUTION NO.: 11-02

CASE NO.: 09RZN-00000-00010

WITH REFERENCE TO THE FOLLOWING:

- A. On July 13, 1966, pursuant to Ordinance 1766, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Zoning Ordinance, Ordinance 661 of Chapter 35 of the Santa Barbara County Code; and

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The Commission recommends that the Board of Supervisors approve an Ordinance, Exhibit 1, Amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the Santa Barbara County Code, by Amending the County Zoning Map by changing the zoning of Assessor's Parcel Number 099-640-010 from AGI to AG-II-100 based on the findings included as Attachment A of the Planning Commission staff report dated November 24, 2010, as revised in the staff memorandums dated December 8, 2011 and February 1, 2011..

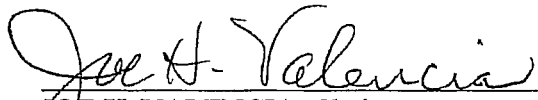
PASSED, APPROVED AND ADOPTED this February 9, 2011 by the following vote:

AYES: Cooney, Brown, Brooks, Valencia, Blough

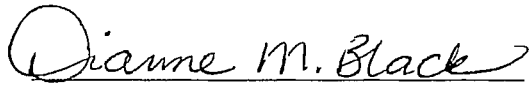
NOES:

ABSTAIN:

ABSENT:


JOE H. VALENCIA, Chair
Santa Barbara County Planning Commission

ATTEST:


Dianne Black
Secretary to the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL
COUNTY COUNSEL

By 
Deputy County Counsel

ATTACHMENT 4.1: CONDITIONS OF APPROVAL

PROJECT SPECIFIC CONDITIONS

Case No.: 07DVP-00000-000281

Project Name: Hollister-Yacono Final Development Plan

Project Address: 2201 Highway 101, Buellton, CA, 93427

APN: 099-640-010

I. PROJECT DESCRIPTION

1. ProjDes-1, Project Description: The project description is as follows:

The Consistency Rezone would change the zone district of an existing parcel (32.84 acres gross/25.41 acres net) from Intensive Agricultural (AGI) under Ordinance 661, to Agriculture, 100 acre minimum parcel size (AG-II-100) under the Land Use and Development Code. The project site would retain its existing Agricultural Industry Overlay.

PROPOSED BUILDING SQUARE FOOTAGE

Land Use Description	Proposed	Total Sq. Ft.
P. Residence	2,974	2,974
Q. Horse Barn (Building C relocated and enlarged)	2,026	2,026
R. Agricultural Accessory Building	2,970	2,970
S. Agricultural Storage Building	3,000	3,000
T. Agricultural Storage Building*	Deleted	Deleted
U. Agricultural Storage Building	3,000	3,000
V. Agricultural Storage Building	3,000	3,000
W. Agricultural Storage Building	3,000	3,000
X. Agricultural Storage Building	2,500	2,500
Y. Horse Barn*	Deleted	Deleted
Z. Horse Barn*	Deleted	Deleted

TOTAL PROPOSED BUILDING COVERAGE	22,470 sq. ft.	22,470 sq. ft.
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*Proposed Building T shall be deleted as part of the proposed project due to archaeological issues and proposed Buildings Y and Z shall be deleted as part of the proposed project due to biological issues. The project site would also contain public areas, roadways, parking lots, and landscaped areas totaling 305,250 ft² in area.

The Development Plan proposes 45,042 sq.ft. of structural development consisting of: 1) the construction of a primary residence, six agricultural storage structures and one horse barn for a total of 22,470 square feet; and 2) the inclusion of 22,572 sq.ft. of existing development (following demolition of 3,784 sq.ft. of existing structures). The project proposes approximately 990 cubic yards of cut and 1,955 cubic yards of fill, 600 cubic yards of over-excavation and re-compaction, 1,165 cubic yards of import and 200 cubic yards of export. Grading activities would disturb approximately 3.32 acres of the project site.

The As-Built Conditional Use Permit legalizes the following existing uses currently operating on the project site: 1) Templeton Livestock Sales Yard; 2) D.C Whitford Trucking, Inc.; 3) John Krska Farming; and 4) Pacific Livestock Supplement.

Existing and proposed driveway access to the site is off Jonata Park Road. Domestic freshwater service will be provided by a permitted single-parcel water system utilizing on-site wells. No new creek crossings are proposed as part of this project. Wastewater service will be provided by existing and proposed septic systems utilizing the leachline disposal method.

The Overall Sign Plan entails the approval of existing and proposed signage, and removal of some existing signage as follows: All new signs are proposed to be 16” x 96”, horizontal painted wood. The background colors are proposed to be brown with the lettering and logo to be off-white. The bottom of a canopy signs will be 8’ above finished grade and the top of all wall signs for the new buildings is proposed to be 12’ above top of grade. The existing freestanding sign shall remain with colors to match, as well as the modifications to the sign through the conceptual approval by the Central Board of Architectural Review. The existing sign located on the welding shop is to be removed and will comply with the proposed new signage above. Signage proposed for the Veterinarian Supply Store, Hay and Feed, Trucking Terminal, Two Equipment Storage Shop, Fencing Contractor Shop/Truck Terminal and Trailer Sales shall comply with the proposed overall sign plan.

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.

II. MITIGATION MEASURES from NEGATIVE DECLARATION 10NGD-00000-00003

Aesthetics

2. In order to ensure compatibility with the visual character of the area all elements of the project (e.g., design, scale, character, colors, materials and landscaping) shall conform in all respects to

BAR approval [07BAR-00000-00273 and 08BAR-00000-00166]. **Plan Requirement and Timing:** The applicant shall submit architectural drawings of the project for review and shall obtain final approval by the Board of Architectural Review prior to issuance of Zoning Clearance Permits. Grading plans, if required, shall be submitted to P&D concurrent with or prior to Board of Architectural Review plan filing.

MONITORING: P&D shall review prior to zoning clearance approval.

3. Natural building materials and colors compatible with surrounding terrain (earthtones and non-reflective paints) shall be used on exterior surfaces of all structures, including water tanks and fences. **Plan Requirement:** Materials shall be denoted on building plans. **Timing:** Structures shall be painted prior to occupancy clearance.

MONITORING: P&D shall inspect prior to occupancy clearance.

4. All exterior night lighting, existing and proposed, on the project site shall be of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over onto adjacent parcels. Applicant shall develop a Lighting Plan incorporating these requirements and provisions for dimming lights after 10:00 p.m. **Plan Requirements:** The locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture and the height of the fixtures shall be depicted on a Lighting Plan to be reviewed and approved by P&D and the BAR.

MONITORING: P&D and BAR shall review a Lighting Plan for compliance with this measure prior to approval of a Zoning Clearance Permit for structures. Permit Compliance shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

Air Quality

5. If the construction site is graded and left undeveloped for over four weeks, the applicant shall employ the following methods immediately to inhibit dust generation:
 - a. seeding and watering to revegetate graded areas; and/or
 - b. spreading of soil binders; and/or
 - c. any other methods deemed appropriate by Planning and Development.

Plan Requirements: These requirements shall be noted on all plans. **Timing:** Plans are required prior to approval of a Zoning Clearance Permit.

MONITORING: Grading Inspector shall perform periodic site inspections.

6. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Follow the dust control measures listed below.
 - a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this

would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.

- c. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

Plan Requirements: All requirements shall be shown on grading and building plans. **Timing:** Condition shall be adhered to throughout all grading and construction periods.

MONITORING: P&D shall ensure measures are on plans. P&D Grading and Building inspectors shall spot check; Grading and Building shall ensure compliance on-site. APCD inspectors shall respond to nuisance complaints.

7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. **Plan Requirements:** The name and telephone number of such persons shall be provided to the APCD. **Timing:** The dust monitor shall be designated prior to issuance of a Land Use Permit.

MONITORING: P&D shall contact the designated monitor as necessary to ensure compliance with dust control measures.

Biological Resources

8. An oak tree protection and replacement program, prepared by a P&D-approved arborist/biologist shall be implemented. The program shall include but not be limited to the following components:
 - a. Program elements to be graphically depicted on final grading and building plans:
 - i. The size, species, location, and extent of dripline for all trees and the type and location of any fencing.
 - ii. To avoid disturbance to oak trees, site preparation and construction of building pads shall avoid disturbance to existing oak trees. Construction envelopes shall be located outside the driplines of all oak trees. All ground disturbances including grading for buildings, accessways, easements, subsurface grading, sewage disposal, and well placement shall be prohibited outside construction envelopes.
 - iii. Equipment storage and staging areas shall be designated on approved grading and building plans outside of dripline areas.
 - iv. Paving shall be of pervious material (i.e., gravel, brick without mortar) where access roads or driveways encroach within 25 feet of an oak tree's dripline.
 - v. Permanent tree wells or retaining walls shall be specified on approved plans and shall be installed prior to approval of Zoning Clearance Permits. A P&D-qualified arborist or biologist shall oversee such installation.

- vi. Drainage plans shall be designed so that oak tree trunk areas are properly drained to avoid ponding. These plans shall be subject to review and approval by P&D or a P&D-qualified biologist/arborist.

b. Program elements to be printed as conditions on final grading and building plans:

- i. No grading or development shall occur within the driplines of oak trees that occur in the construction area.
- ii. All oak trees within 25 feet of proposed ground disturbances shall be temporarily fenced with chain-link or other material satisfactory to P&D throughout all grading and construction activities. The fencing shall be installed six feet outside the dripline of each oak tree, and shall be staked every six feet.
- iii. No construction equipment shall be parked, stored or operated within six feet of the dripline of any oak tree.
- iv. Any roots encountered that are one inch in diameter or greater shall be cleanly cut. This shall be done under the direction of a P&D-approved arborist/biologist.
- v. No permanent irrigation shall occur within the dripline of any existing oak tree.
- vi. Any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand.
- vii. Only designated trees shall be removed.
- viii. Any oak trees which are removed and/or damaged (more than 25% of root zone disturbed) shall be replaced on a 10:1 basis with 10-gallon size saplings grown from locally obtained seed. Where necessary to remove a tree and feasible to replant, trees shall be boxed and replanted. A drip irrigation system with timer shall be installed. Trees shall be planted prior to occupancy clearance and irrigated and maintained until established (five years). The plantings shall be protected from predation by wild and domestic animals, and from human interference by the use of staked, chain link fencing, and gopher fencing during the maintenance period.
- ix. A P&D approved arborist shall be onsite throughout all grading and construction activities which may impact oak trees.

Plan Requirements: Prior to approval of a Zoning Clearance Permit, the applicant shall submit a copy of the grading and/or building plans to P&D for review and approval. All aspects of the plan shall be implemented as approved. Prior to approval of Zoning Clearance, the applicant shall successfully file and submit evidence of posting a performance security which is acceptable to P&D.
Timing: Timing on each measure shall be stated where applicable; where not otherwise stated, all measures must be in place throughout all grading and construction activities.

MONITORING: Permit Compliance personnel shall perform periodic inspections.

Cultural Resources

9. The archaeological site and 100 foot buffer area shall be temporarily fenced with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet of the site and buffer. **Plan Requirements:** The fencing requirement shall be shown on approved grading and building plans. **Timing:** Plans to be approved and fencing to be in place prior to start of construction.

MONITORING: P&D shall verify installation of fencing by reviewing photo documentation or by site inspection prior to approval of Zoning Clearance Permits, Permit for grading, and ensure fencing in place throughout grading and construction through site inspections.

10. All earth disturbances including scarification and placement of fill within 100 ft of the archaeological site area and buffer shall be monitored by a P&D-qualified archaeologist pursuant to County Archaeological Guidelines.

Plan Requirements and Timing: Prior to approval of zoning clearance, a contract or Letter of Commitment between the applicant and the archaeologist, consisting of a project description and scope of work, shall be prepared. The contract must be executed and submitted to P&D for review and approval.

MONITORING: P&D planners shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check field work.

11. In the event archaeological remains are encountered during any grading of the project site, work shall be stopped immediately or redirected until a P&D qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.

Plan Requirements/Timing: This condition shall be printed on all building and grading plans.

MONITORING: P&D shall check plans prior to approval of Zoning Clearance Permit and shall spot check in the field.

12. If archaeological site AE-HDP-1 and its 100-foot buffer cannot be avoided, Phase 2 significance evaluation shall be conducted per County Cultural Resource Guidelines. If the site fails to meet CRHR significance criteria, no further archaeological investigations would be necessary. However, if the site is assessed as significant and it cannot be avoided through project redesign, Phase 3 mitigation of project impacts in conformance with County Cultural Resource Guidelines shall be conducted. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.

MONITORING: P&D planners shall confirm monitoring by archaeologist and P&D grading inspectors shall spot check field work.

Geological Processes

13. A grading and erosion control plan shall be designed to minimize erosion and shall include the following:

- a. Graded areas shall be revegetated within 4 weeks of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- b. Grading on slopes steeper than 5:1 shall be designed to minimize surface water runoff.

Plan Requirements: The grading and erosion control plan(s) shall be submitted for review and approved by P&D prior to approval of Zoning Clearance Permits. The applicant shall notify Permit Compliance prior to commencement of grading. **Timing:** Components of the grading plan shall be implemented prior to occupancy clearance.

MONITORING: Permit Compliance will photo document revegetation and ensure compliance with plan. Grading inspectors shall monitor technical aspects of the grading activities.

14. All runoff water from impervious areas shall be conveyed to prevent erosion from slopes and channels. Prior to exceeding one acre of additional disturbed area constructed onsite, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared). **Plan Requirements and Timing:** A drainage plan which incorporates the above and includes a maintenance and inspection program to ensure proper functioning shall be submitted prior to approval of Zoning Clearance Permits by the applicant to the Flood Control District for review and approval.

MONITORING: Permit Compliance will photo document compliance with the approved plan. Grading inspectors shall monitor technical aspects of the grading activities.

15. The applicant shall limit excavation and grading to the dry season of the year (i.e. April 15 to November 1) unless a Building & Safety approved erosion and sediment control plan is in place and all measures therein are in effect. All exposed graded surfaces shall be reseeded with ground cover vegetation to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be reseeded within 4 weeks of grading completion, with the exception of surfaces graded for the placement of structures. These surfaces shall be reseeded if construction of structures does not commence within 4 weeks of grading completion.

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

Hazardous Materials/Risk of Upset

16. **HAZARDOUS MATERIALS DISCOVERY:** In the event that visual contamination or chemical odors are detected while implementing the approved work on the project site all work shall cease immediately. The property owner or appointed agent shall Contact the County Fire Department's

Hazardous Materials Unit (HMU); the resumption of work requires the approval of the HMU. **Plan Requirements/Timing:** This requirement shall be noted on all grading and building plans. **MONITORING:** Permit Compliance personnel shall perform periodic inspections.

17. The applicant shall modify the existing Hazardous Materials Business Plan (HMBP) for the proposed project site as required by the Fire Department. **Plan Requirements and Timing:** Prior to occupancy clearance, the applicant shall submit a revised HMBP to Fire Department for review and approval. The plan shall be updated annually and shall include a monitoring section. The components of HMBP shall be implemented as indicated in the approved Business Plan.

MONITORING: Fire Department will monitor as specified in the Business Plan. Annual permits may be required.

Noise

18. Construction activity for site preparation and for future development shall be limited to the hours between **7:00 a.m. and 4:00 p.m.**, Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Plan Requirements:** Two signs stating these restrictions shall be provided by the applicant and posted on site. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

MONITORING: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

Public Facilities

19. The permittee shall develop and implement a Solid Waste Management Program. The program shall identify the amount of waste generation projected during processing of the project. The program shall include, but is not limited to the following measures:

General

- a. Provision of bins for storage of recyclable materials within the project site.

Requirement and Timing: The applicant shall submit a Solid Waste Management Program to P&D for review and approval prior to Zoning Clearance Permit. **Timing:** Program components shall be implemented prior to occupancy clearance and throughout the life of the project.

MONITORING: P&D shall site inspect during construction, prior to occupancy, and after occupancy to ensure solid waste management components are established and implemented.

Water Resources/Flooding

20. No structural development shall be located within a 50-foot development setback from the Flood Control District approved top of bank of Zaca Creek. Access and utility improvements are not

prohibited but shall be designed, to the extent feasible, to avoid and minimize impacts to sensitive biological resources.

Plan Requirements/Timing: Prior to final map recordation the proposed final map, with approved top of bank and 50-foot development setback shown, shall be reviewed and approved by the County's Flood Control District.

MONITORING: P&D staff shall check plans for compliance with this condition prior to map clearance for recordation.

21. During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, waterbody or sensitive biological resources. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs.

Plan Requirements: The applicant shall designate a washout area, acceptable to P&D, and this area shall be shown on the construction and/or grading and building plans. **Timing:** The wash off area shall be designated on all plans prior to approval of Zoning Clearance Permits. The washout area(s) shall be in place and maintained throughout construction.

MONITORING: P&D staff shall check plans prior to approval of Zoning Clearance Permit and compliance staff shall site inspect throughout

PROJECT SPECIFIC CONDITIONS

22. **Bio-22 Fish and Game Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the "County of Santa Barbara" within 10 days of project approval as required by California Fish and Game Code Section 711.4 for that Department's review of the Mitigated Negative Declaration associated with the project.
23. **Special - Aesthetics.** Prior to Land Use Clearance, the Owner/Applicant shall remove all outdoor storage areas and non-Caltrans fencing from the Caltrans access easement to the creek adjacent to US Highway 101.

COUNTY RULES AND REGULATIONS

24. **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.
25. **Rules-04: Additional Permits Required:** Approval of this Development Plan and Overall Sign Plan is subject to the Board of Supervisors approving the required rezoning.

- 26. Rules-05: Additional Permits Required:** 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.
- 27. 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 Owner/Applicant.
- 28. Rules-07: DP Conformance:** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibits A-H, dated December 8, 2010.
- 29. 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.
- 30. Rules-09: Signs: 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 Land Use and Development Code and the approved overall sign plan.
- 31. Rules-14: Final DVP Expiration:** Final Development Plans shall expire ten years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
- 32. Rules-18: DVP Revisions:** The approval by the Planning Commission of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
- 33. Rules-20: Revisions to Related Plans:** The applicant shall request a revision for any proposed changes to approved Development Plan. Substantial conformity shall be determined by the Director of P&D.
- 34. Rules-23: Revisions to Related Plans:** Prior to issuance of Zoning Clearance, the applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 35. Rules-25: Signed Agreement to Comply:** Prior to approval of Zoning Clearance, the applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.
- 36. Rules-29: Other Dept Conditions** Compliance with Departmental/Division letters required as follows:
 - a. Air Pollution Control District letter dated May 4, 2010.
 - b. Environmental Health Services dated April 19, 2010
 - c. Fire Department letter dated March 18, 2008 and October 29, 2007.

- d. Flood Control letter dated October 30, 2007.
 - e. Road Division (Public Works) dated June 7, 2010 (no conditions).
 - f. Parks Department letter dated October 29, 2008 (no conditions).
- 37. Rules-30: Plans Requirements:** The 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.
- 38. Rules-31: Mitigation Monitoring Required:** The 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 applicant shall:
- 1. 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;
 - 2. Pay fees prior to approval of Zoning Clearance as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the 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. Note the following on each page of grading and building plans “This project is subject to Mitigation and/or Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and Mitigation Measures from Negative Declaration 10NGD-00000-00003;
 - 4. 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.
- 39. 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.
- 40. Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period

applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.

- 41. Rules-37 Time Extensions-All Projects.** The 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 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.
- 42. 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.
- 43.** None of the existing legal non-conforming uses in operation on the project site (as indicated in Table 5 of the Staff Report) may be expanded or intensified. Outdoor storage areas currently used for existing legal, non-conforming uses may not be expanded beyond the fenced areas delineated on the project hearing exhibits, dated February 9, 2011.
- 44.** The use of each new structure (i.e., proposed structures P, Q, R, S, U, V, W, and X, as indicated on the approved site plans, dated February 9, 2011) shall be limited to conforming Zoning (AG-II-100) and Comprehensive Plan (Agricultural Industry Overlay) uses, including but not limited to the conforming uses approved under the subject Development Plan, 07DVP-00000-00028, and Conditional Use Permit, 10CUP-00000-00043.

ATTACHMENT 4.2: CONDITIONS OF APPROVAL

PROJECT SPECIFIC CONDITIONS

Case No.: 10CUP-00000-00043

Project Name: Hollister-Yacono Conditional Use Permit

Project Address: 2201 Highway 101, Buellton, CA, 93427

APN: 099-640-010

A Conditional Use Permit is Hereby Granted:

TO: Charles C. and Mary E. Hollister Trust

APN: 099-640-010

PROJECT ADDRESS: 2201 US Highway 101, Buellton area

ZONE: AG-II-100

AREA/SUPERVISORIAL
DISTRICT: Third

FOR: Hollister-Yacono

I. This permit is subject to compliance with the following condition(s):

1. **This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits, dated February 9, 2011, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the Board of Supervisors for conformity with this approval. Deviations may require modification to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.**

The project description is as follows:

An as-Built Conditional Use Permit to legalize the following existing uses currently operating on the project site as:

1. **Templeton Livestock Sales Yard**
2. **D.C. Whitford Trucking Inc.**
3. **John Krska Farming**
4. **Pacific Livestock Supplement**

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of 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 hereto. 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.

PROJECT SPECIFIC CONDITIONS

2. All conditions of approval under 07DVP-00000-00028 and 08OSP-00000-00001 shall apply to 10CUP-00000-00043.

CONDITIONAL USE PERMIT CONDITIONS

3. Within the 18 months following the effective date of this Conditional Use Permit, the required Zoning Clearance shall be issued. 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 35.84.030.2 of the County Land Use and Development Code, and an application for an extension of the 18 months has not been submitted to the Planning and Development Department, then the Conditional Use Permit shall be considered void and of no further effect. The effective date of this Conditional Use Permit shall be the date of expiration of the appeal period, or, if appealed, the date of action final action by the final review authority including, if the project site is located in the Coastal Zone, the Coastal Commission.
4. Prior to the issuance of the Zoning Clearance, all of the conditions listed in this Conditional Use Permit that are required to be satisfied prior to issuance of the Zoning Clearance, shall be satisfied. Commencement of construction and/or use in reliance on this Conditional Use Permit shall not occur until the Zoning Clearance, has been issued.
5. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this Conditional Use Permit shall be deemed acceptance of all conditions of this Conditional Use Permit by the permittee.
6. If the Zoning Administrator determines at a noticed public hearing that the permittee is not in compliance with any permit conditions, pursuant to the provisions of Section 35.84.060.B of the County Land Use and Development Code of Chapter 35, Zoning, the Santa Barbara County Code, the Zoning Administrator may either revoke the Conditional Use Permit or direct the permittee to apply for an amendment to or revision of the Conditional Use Permit.
7. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit.
8. This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be

authorized in compliance with Section 35.84.030.2 of the County Land Use and Development Code.

9. If the applicant requests a time extension for this permit/project, the permit/project 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. Mitigation fees shall be those in effect at the time of issuance of a Zoning Clearance.

COUNTY RULES & REGULATIONS/LEGAL REQUIREMENTS

10. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement of permit issuance, the applicant shall obtain a Zoning Clearance and Building Permit from Planning and Development. These Permits are required by ordinance and are necessary to ensure implementation of the conditions required by the Planning Commission. Before any Permit will be issued by Planning and Development, the applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
11. Construction activity for site preparation and for future development shall be limited to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions. **Timing:** Signs shall be in place prior to beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

MONITORING: Building Inspectors and Permit Compliance shall spot check and respond to complaints.

12. All applicable final conditions of approval Zoning Administrator shall be 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.
13. **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.

ATTACHMENT 4.3: CONDITIONS OF APPROVAL

PROJECT SPECIFIC CONDITIONS

Case No.: 08OSP-00000-00001

Project Name: Hollister-Yacono Overall Sign Plan

Project Address: 2201 Highway 101, Buellton, CA, 93427

APN: 099-640-010

I. Project Description

1. The Hollister-Yacono Overall Sign Plan is based upon and limited to compliance with the project description, Planning Commission Hearing Exhibits dated February 9, 2011, and conditions of approval set forth below. 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.

The project description is as follows:

Hearing on the request of Rob Alexander, Mosaic Land Planning, agent for the Charles C. and Mary E. Hollister Trust, landowner, to consider Case No. 08OSP-00000-00001 (application filed on October 9, 2007) for approval of an Overall Sign Plan consisting of 19 signs in association with the approved Development Plan (07DVP-00000-00028) for the Hollister-Yacono project site as follows:

Eighteen wall signs, one freestanding sign, and three under-canopy signs in compliance with LUDC Section 35.38.090 - Signs Allowed in Agricultural Zone District with an Agricultural Industrial overlay. One wall sign on each frontage open to the public, not to exceed 1/8 of the square footage of the building façade or a maximum of 100 square feet, canopy signs for each enterprise not exceeding six square feet in sign area, and the lower edge of the sign must be a minimum of eight feet above finished ground level.

Each new sign to have dimensions of 16" x 96" and made from horizontal painted wood. Background colors to be dark brown white with the lettering and logo to be off-white brown. The bottom of all canopy signs to be 8' above finished grade and the top of all wall signs for the new buildings to be 12' above top of grade. The existing sign located on the welding shop is to be removed and replaced in compliance with the new signage criteria above. All Signage to comply with the Overall Sign Plan criteria.

The existing Buellton Ag Center freestanding sign (10' in height by 5' in width) to be relocated outside of the County Right of Way to a location on the project site as approved by P&D with input from the CBAR.

All existing signs to reflect colors and materials as approved by CBAR.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of 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 hereto. All plans (such as landscape and habitat protection plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. PROJECT SPECIFIC CONDITIONS

2. Prior to Sign Certificate of Conformance (SCC) issuance, each proposed sign shall receive Final Board of Architectural Review approval.

III. CONDITIONS UNIQUE TO OVERALL SIGN PLANS

3. Each sign authorized by this Overall Sign Plan shall be permitted through issuance of a Sign Certificate of Conformance (SCC). One SCC may include more than one sign.
4. All future signs proposed for the this subject property shall be found to be in substantial conformity with the approved Overall Sign Plan as determined by Planning and Development and shall obtain a Sign Certificate of Conformance prior to the construction or placement of any new of replaced sign.
5. The applicant shall pay all Planning and Development Department fees attributable to the processing of this Overall Sign Plan prior to issuance of any SCC for any sign authorized by this Overall Sign Plan.

IV. COUNTY RULES AND REGULATIONS

6. **Indemnity and Separation Clauses:** Developer shall defend, indemnify, and hold harmless the County or its agents, 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 the Overall Sign Plan. In the event that the County fails promptly to notify the 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.
7. **Legal Challenge:** In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be

V. ADDITIONAL PROJECT-SPECIFIC CONDITION

8. The existing Buellton Ag Center freestanding sign (10' in height by 5' in width) shall be relocated outside of the County Right of Way to a location on the project site as approved by P&D with input from the Central Board of Architectural Review (CBAR).



Environmental Health Services

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

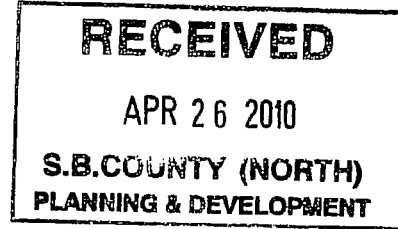
TO: John Karamitsos, Planner
Planning & Development Department
Development Review Division

FROM: Paul Jenzen
Environmental Health Services

DATE: April 19, 2010

SUBJECT: Case No. 07DVP-00000-00028

Buellton Area



Applicant: Charles & Mary Hollister Trust
2201 U.S. Highway 101
Buellton, CA. 93427

Property Location: Assessor's Parcel No. 099-640-010, zoned AGI, located 2201 U.S. Highway 101.

Case No. 07DVP-00000-00028 represents a request to permit approximately 45,000 square feet of existing and proposed development. This would include various businesses and agricultural storage buildings.

Domestic water supply is proposed to be provided by a private water system. Because of the limited number of employees and members of the public that would utilize the proposed water system Environmental Health Services has determined that a Single Parcel Water System is appropriate for this project. If in the future the number of people utilizing the water system increases, a different water system permit may be required.

Sewage disposal is proposed to be provided by Three existing onsite wastewater treatment systems that were installed prior to the requirement for a building permits and four existing onsite wastewater treatment systems which will need to be permitted as new systems. The onsite wastewater treatment systems for the structures that were built prior to the need for a building permit will only need an evaluation to determine if they remain functional. The remaining onsite wastewater treatment systems that were constructed without permits would need to be permitted as new systems.

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

1. Prior to Issuance of Zoning Clearance, an application for a **Single Parcel Water System** Permit shall be reviewed and approved by Environmental Health Services in accordance with Santa Barbara County Code Chapter 34B.
2. Prior to Issuance of Zoning Clearance, construction applications for the previously unpermitted Onsite Wastewater Treatment Systems shall be reviewed and approved by Environmental Health Services.

3. Prior to Issuance of Zoning Clearance, an application for an Onsite Wastewater Treatment System Evaluation Permit shall be reviewed and approved by Environmental Health Services. The application shall be accompanied by:
- (a) A septic tank pumper's report, completed within the last two years, which verifies the capacity of the septic tank and includes a statement regarding the current physical operating condition of the septic system,
 - (b) A detailed plot plan which includes the size and location of all existing septic system components, including the initial disposal area and 100% expansion area,
 - (c) Floor plans of all structures to be served by the system,
 - (d) Documentation of the sources of the disposal field and septic tank information (e.g. previous building permits, construction invoices, pump-out records of past septic system inspections, etc.).



Paul Jenzen, R.E.H.S.
Senior Environmental Health Specialist

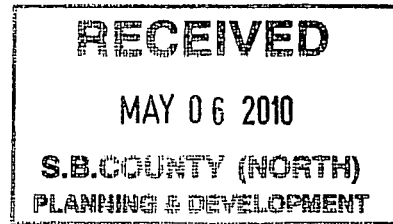
cc: Applicant
Agent, Susan Alexander, Mosaic Planning, LLC, 436 Alisal Road, Suite B, Solvang, CA. 93463
Mark Matson, Planning & Development Dept, Building Div., Santa Maria
James Hamlin, Environmental Health Services



Santa Barbara County
Air Pollution Control District

May 4, 2010

Florence Trotter-Cadena
Santa Barbara County
Planning and Development
624 W. Foster Road, Suite C
Santa Maria, CA 93454



**Re: Hollister/Yacono Development Plan, Consistency Rezone
10NGD-00000-00003, 09RZN-00000-00010, 08OSP-00000-00001, 07DVP-00000-00028**

Dear Ms. Trotter-Cadena:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of demolition and relocation of approximately 3,700 square feet of existing structures. Also proposed are approximately 22,400 square feet of new agricultural storage buildings in addition to the existing 22,572 square feet proposed to remain. The proposed consistency rezone would change the current zoning of Ordinance 661 Intensive Agricultural to AG-II-100. An overall sign plan is also proposed for commercial signs. The subject property, a 32.84-acre parcel identified in the Assessor Parcel Map Book as APN 009-640-010, is located at 2201 Highway 101 in the unincorporated area of Buellton.

The Air Pollution Control District offers the following suggested conditions:

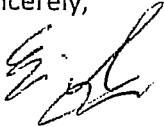
1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
3. Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.
4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
5. Applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at <http://www.sbcapcd.org/eng/dl/dl08.htm>) for each regulated structure to be demolished or renovated. Demolition notifications are required

Terence E. Dressler • Air Pollution Control Officer

regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at <http://www.sbcapcd.org/biz/asbestos.htm> or contact us at (805) 961-8800.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

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

cc: Mosaic Land Planning, LLC
Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Proper implementation of these measures is assumed to fully mitigate fugitive dust emissions.

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Plan Requirements: All requirements shall be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. **Timing:** Requirements shall be shown on plans or maps prior to land use clearance or map recordation. Condition shall be adhered to throughout all grading and construction periods.

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

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

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

RECEIVED

MAR 19 2008

S.B.COUNTY (NORTH)
PLANNING & DEVELOPMENT

Memorandum



Date: March 18, 2008

To: Brian Tetley
Planning & Development
Santa Maria

From: Dwight Pepin, Captain
Fire Department

A handwritten signature in black ink, appearing to be "D. Pepin", is written over the "From:" line.

Subject: APN: 099-640-010; Case #: 07DVP-00028
Site: 2201 HWY 101, Buellton
Project Description: Development Plan

***This Memorandum Supersedes the Previous Memorandum Dated October 29, 2007
Change in Stored Water Requirement Only – All Other Conditions Remain the Same***

The above project is located within the jurisdiction of the Santa Barbara County Fire Department. To comply with the established standards, we submit the following with the understanding that the Fire Protection Certificate application may involve modifications, which may determine additional conditions.

GENERAL NOTICE

1. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit (HMU) at 686-8170 if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU.

PRIOR TO OCCUPANCY CLEARANCE THE FOLLOWING CONDITIONS MUST BE MET

2. All access ways (public or private) shall be installed and made serviceable. Roadway plans, acceptable to the fire department, shall be submitted for approval prior to any work being undertaken.

Access to this project shall conform to Santa Barbara County Private Road and Driveway Standard #1. Dead end access roads shall terminate with a fire department approved turnaround.

Access ways shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building.

A minimum of 13 feet 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.

Driveways serving one residential dwelling are required to have a minimum width of **12** feet. Driveways serving two residential dwellings are required to have a minimum width of **16** feet. Driveways serving three to nine residential dwellings are required to have a minimum width of **20** feet. If any future development is planned for this parcel or will be served by this driveway, the applicant is encouraged to coordinate these standards into their plans and with other interested parties.

Any portion of the driveway exceeding 10 percent in slope shall be paved.

3. Because the proposed project is located within the mapped boundaries of the High Fire Hazard Zone of Santa Barbara County, special provisions of the Building Code will apply. These provisions will influence both the design of the project and the type of building materials that may be utilized. Please refer to the Santa Barbara County Building and Safety Division for details.

Note: Owners of property located within a designated "Very High Fire Hazard Severity Zone" are required by state law (Government Code Section 51182) to create a firebreak of 100 feet (or to the property line, whichever is nearer) around any structures on their property. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants that are used as ground cover if they do not form a means of rapidly transmitting fire from the native growth to any dwelling or structure.

4. Plans for a stored water fire protection system shall be submitted and approved by the fire department. Water storage shall be **2,500** gallons above the amount required for domestic usage for the proposed new residence and shall be reserved for fire protection purposes exclusively.
 - A **5,000** gallon water tank elevated a minimum of two (2) feet above grade shall be required for fire protection at the southern end of the site and reserved

exclusively for this purpose. Exact location to be determined by the fire department and applicant.

5. Santa Barbara County Fire Department fire sprinkler system requirements shall be met. Fire sprinkler system plans shall be approved prior to installation. Location of any fire department connection shall be determined by the fire department.
6. Propane tanks shall be installed per Article 82 of the California Fire Code.
7. Building address numbers shall be posted in conformance with fire department standards.
8. Payment of development impact fees is required. The fees shall be computed on each new building, including non-habitable spaces.

Fees will be calculated as follows:

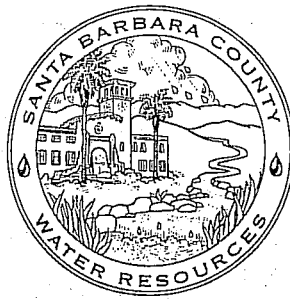
Mitigation Fee at \$.10 per square foot for structures with fire sprinkler systems

These conditions apply to the project as currently described. Future changes, including but not limited to further division, change of occupancy, intensification of use, or increase in hazard classification, may require additional mitigation to comply with applicable development standards in effect at the time of change.

As always, if you have any questions or require further information please call 681-5500.

MJ:jmd

c: Mary Hollister Yacono, c/o Kenny Hollister, 2201 US HWY 101, Buellton, CA 93427
Mosaic Land Use Planning, LLC, 436 Alisal Road, Suite E, Solvang, CA 93463
California Homes, Inc., PO Box 1064, Solvang, CA 93464
APN



RECEIVED

OCT 31 2007

S.B. COUNTY
PLANNING & DEVELOPMENT

Santa Barbara County Public Works Department
Flood Control & Water Agency

October 30, 2007

Planning Commission
County of Santa Barbara
Planning & Development Department
123 East Anapamu Street
Santa Barbara, CA 93101

Dear Commissioners:

**Reference: 07DVP-00000-00028; Hollister Yacono Development Plan
APN: 099-640-010; Buellton**

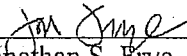
Dear Commissioners:

This District recommends that approval of the above referenced project be subject to the following conditions.

1. Prior to issuance of Development Permits, the applicant shall submit a grading and drainage plans to the District for review and approval. Runoff shall be conveyed to prevent erosion from slopes and channels.
2. The applicant will be required to pay the current plan check fee deposit at the time the plans are submitted for District review and approval.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL WATER CONSERVATION DISTRICT

By: 
Jonathan S. Frye, P.E.
Engineering Manager

Cc: Brian Tetley, Planning & Development
Mark Matson, Building & Safety
Charles & Mary Hollister, 48-365 Calle del Sol Ave., Indio, CA 92201
Susan Alexander, 435 Alisal Rd. Ste. E, Solvang, CA 93463
MNS Engineers, Inc., 201 Industrial Wy., Buellton, CA 93427
California Homes, Inc., P.O. Box 1064, Solvang, CA 93463