

ATTACHMENT 2: CONDITIONS OF APPROVAL
CASE NO. 23CUP-00014

Project Description

1. **Proj Des-01 Project Description:** This Conditional Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked 1-14, dated June 4, 2024, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The Project is a request for a Conditional Use Permit to allow 5.19 acres of outdoor cannabis cultivation under hoop structures. Each year, the operation will involve two grow cycles (one 90-day grow and one 120-day grow) and two harvest periods for a duration of one month per harvest period.

The Project site is bisected by Cat Canyon Creek. The 5.19 acres of outdoor cannabis cultivation is located south of the creek. All outdoor cannabis cultivation will be grown in soilless media pots and under hoop structures setback a minimum of 50 ft. from all property lines, and 100 ft. from the top-of-bank and edge of riparian vegetation of Cat Canyon Creek. Hoop structures will have a maximum height of 12 ft. and will not include any permanent structural elements, utilities, or lighting. The Project also includes a 120 sq. ft. pesticide and agricultural chemical storage shed (“Building B”), a 2,400 sq. ft. water storage and fertigation equipment barn (“Building A”), and a 7,300 sq. ft. road base parking and loading area south of Cat Canyon Creek. Access to the Project area will be provided by a new road base driveway, a minimum of 20-ft. in width, off Cat Canyon Road. The existing driveway (northerly easement) that extends from Long Canyon Road to the northeast corner of the Project site will not be used by the Project.

All harvested cannabis will be transferred offsite for processing the same day it is harvested, and there will be no cannabis processing (i.e., drying, curing, trimming, storing, packaging, or labeling) on the Project site. The operation will require a maximum of 6 regular, full-time employees and 8 seasonal employees who will be employed onsite during the two harvest periods per year (one month each; 2 months total per year). Hours of operation will be limited to the daylight hours that occur between 6 AM and 8 PM Monday through Saturday. Portable restrooms and bottled water will be provided for employee use in compliance with CalOSHA. Irrigation water will be provided by an existing groundwater well located south of Cat Canyon Creek.

[Continued in Condition No. 2]

2. **Proj Des-02 Project Description Continued:** [Continued from Condition No. 1]
The operational area south of Cat Canyon Creek will be secured with 6-ft.-tall wire-mesh security fencing. Access will be controlled with a 6-ft.-tall, 16-ft.-wide wire mesh gate, which will remain locked at all times except during active ingress/egress. Additional security features include pole-mounted security lights at the access gate. All security light fixtures will be fully shielded and directed downward, and installed at a maximum height

of 8 ft. All security light fixtures will be motion activated, and when triggered, will remain on for a maximum of three minutes. Screening will be provided by approximately 15,820 sq. ft. of landscaping planted along the southwestern, southern, and southeastern boundaries of the property.

Fire protection will be provided by the Santa Barbara County Fire Department, law enforcement will be provided by the Santa Barbara County Sheriff's Department, and electricity will be provided by Pacific Gas & Electric Co. No generators will be used onsite.

The Project site is a 40-acre parcel, zoned AG-II-100, and shown as Assessor's Parcel Number 101-070-069, located at 6980 Cat Canyon Road, in the Santa Maria area, 4th Supervisorial District.

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

3. **Proj Des-03 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 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 exhibits and conditions of approval thereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Conditions by Issue Area

4. **Air-01 Dust Control:** The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:
 - a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
 - b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
 - c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
 - d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
 - e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
 - f. Order increased watering as necessary to prevent transport of dust off-site.

- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
 - i. Seed and water to re-vegetate graded areas; and/or
 - ii. Spread soil binders; and/or
 - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

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

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

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

TIMING: The dust monitor shall be designated prior to first Grading or Building Permit. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued.

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

- 5. CulRes-07 Cultural Resources Monitor:** The Owner/Applicant shall have all project implementation work, including earth disturbances, clearing, grubbing, and grading activities, within the project site monitored by a P&D approved archaeologist and a Native American representative from the Santa Ynez Band of Chumash Indians in compliance with the provisions of the County Archaeological Guidelines.

TIMING: Prior to Zoning Clearance issuance, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract.

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

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance

monitoring staff shall confirm monitoring by archaeologist and Native American representative and P&D grading/building inspectors shall spot check field work.

6. **CulRes-09 Stop Work at Encounter:** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.

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

MONITORING: P&D permit processing planner shall check plans prior to issuance of Grading and Building Permits and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

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

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

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

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

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

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

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

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

Project Specific Conditions

- 9. Road Encroachment Permit:** The Owner/Applicant shall obtain a road encroachment permit from the Roads Division (Public Works) prior to Zoning Clearance issuance.
- 10. Cannabis-01 Licenses Required:** The applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.
- 11. Cannabis-02 Transfer of Ownership:** In the event that the applicant transfers interest in the commercial cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the project.

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

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

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

- 12. Cannabis-03 Records:** The applicant shall maintain clear and adequate records and documentation, in accordance with State law, the California Cannabis Track-and-Trace System, and as required by County Code Chapter 35, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations.

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

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

- 13. Cannabis-04 Permit Compliance:** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, all approved plans, and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:
- a. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
 - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of a Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.
 - c. Participate in Initial Compliance Inspections that may occur:
 - i. Prior to commencement of use and/or issuance of Business License,
 - ii. Within the first year (during the active growing season), and
 - iii. Other instances as deemed necessary by Planning & Development
 - d. Participate in Regular Compliance Inspections that may occur:
 - i. Upon renewal of the County Business License,
 - ii. For the life of the project, or as specific in permit conditions, and
 - iii. Other instances as deemed necessary by Planning & Development

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

TIMING: Prior to Zoning Clearance issuance, an associated Permit Compliance Application and deposit shall be submitted to Planning & Development.

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

- 14. Cannabis-05 Fencing and Security Plan:** The applicant shall implement the Fencing and Security Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Land Use and Development Code (§35.42.075.C.2) as that section reads as of the date of project approval.

TIMING: The applicant shall implement the Fencing and Security Plan prior to commencement of the cannabis activities that are the subject of this permit. The applicant

shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Fencing and Security Plan are installed and maintained pursuant to the requirements of this condition.

- 15. Cannabis-06 Landscape and Screening Plan:** The applicant shall implement the Landscape and Screening Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The applicant shall submit a Final Landscape and Screening Plan to P&D for review and approval prior to Zoning Clearance issuance. The Final Landscape and Screening Plan must comply with the requirements of the Land Use and Development Code (§35.42.075.C.3) as that section reads as of the date of project approval. The applicant shall file a performance security in an amount sufficient to ensure the installation and maintenance of the landscaping for two years, as determined by a landscape architect and approved by P&D compliance staff.

TIMING: The applicant shall submit one copy of the Final Landscaping and Screening Plan to P&D staff and deposit the performance security prior to Zoning Clearance issuance. The applicant shall install all components of the Landscape and Screening Plan prior to commencement of the cannabis activities that are the subject of this permit. The applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition. P&D compliance staff releases said performance security upon a written statement from the Department that the landscaping, in accordance with the approved Landscape and Screening Plan, has been installed and maintained for two years.

- 16. Cannabis-07 Lighting Plan:** The applicant shall implement the Lighting Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.4) as that section reads as of the date of project approval.

TIMING: All components of the Lighting Plan shall be implemented prior to commencement of the cannabis activities that are the subject of this permit. The applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.

MONITORING: P&D compliance staff inspects the project site to confirm that all components of the Lighting Plan are installed, maintained and operated pursuant to the requirements of this condition.

- 17. Cannabis-12 Site Transportation Demand Management Plan:** The applicant shall implement the Site Transportation Demand Management Plan stamped “Zoning Approved”.

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

TIMING: The applicant shall implement the Site Transportation Demand Management Plan prior to the issuance of final building and/or grading inspection and/or commencement of cultivation activities, whichever occurs first. The applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.

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

- 18. Cannabis-13 Compliance with State Water Board Requirements:** The applicant shall demonstrate, to the satisfaction of the State Water Resources Control Board, compliance with the State Water Resources Control Board’s comprehensive Cannabis Cultivation Policy. The Policy includes limitations on the diversion of surface water and certain groundwater diversions, and regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.

TIMING: The applicant shall satisfy this condition prior to Zoning Clearance issuance.

- 19. Cannabis-14 Water Efficiency for Commercial Cannabis Activities:** Water conserving features shall be included in the design of the cannabis cultivation. Water-conserving features include evaporative barriers on exposed soils and pots, timed-drip irrigation, and soil moisture monitors.

PLAN REQUIREMENTS: Water conserving features must comply with the requirements of the Land Use Development Code (§ 35.42.075.D.1.j). The applicant shall document water-conserving features on the Water Efficiency Plan stamped “Zoning Approved”.

TIMING: The applicant shall implement the water conserving measures prior to commence of use. The applicant shall maintain the water conserving measures throughout the life of the project.

MONITORING: P&D compliance staff shall inspect the project site to confirm that all water-conserving measures are installed, operated and maintained pursuant to the requirements of this condition.

20. Cannabis-18 Habitat Protection and Wildlife Movement Plan: The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Final Habitat Protection Plan (HPP) and Wildlife Movement Plan (WMP) stamped “Zoning Approved”. The Final HPP/WMP avoidance and minimization measures shall include, but are not be limited to:

- a. Implementation of a 100-ft. setback from the Cat Canyon Creek riparian area and a 50-ft. setback from the top-of-bank of the unnamed ephemeral tributary to Cat Canyon Creek;
- b. Preservation of native habitat within 12.17 acres of the site, shown as Habitat Protection Areas, for the protection of paniculate tarplant;
- c. Completion of “pre-construction” western spadefoot and Blainville’s horned lizard surveys by a department-approved biologist within 24 hours prior to initial clearing and grubbing, grading, installation of hoops, fencing, or support structures, or prior to re-disturbance (if there has been a week or more of no activity at a given work area), and relocation of non-listed species to suitable habitat areas outside of the work area;
- d. Completion of “pre-construction” American badger surveys by a Department-approved biologist, within 7 days prior to initial clearing and grading activities, and implementation of measures to encourage voluntary abandonment of active dens if found;
- e. Completion of nesting bird surveys by a county-approved biologist no more than 10 days prior to any vegetation clearing or initial ground disturbing activities occurring during nesting season and avoidance measures if an active nest(s) are identified;
- f. Preparation of worker environmental awareness training for all employees (including site supervisors, equipment operators, and laborers); and
- g. Demonstration that all necessary resource agency approvals pertaining to California tiger salamander impacts have been obtained and implementation of all additional compensatory mitigation or avoidance and minimization measures prescribed in said approvals.

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

TIMING: The Final HPP/WMP shall be submitted to P&D for review and approval prior to Zoning Clearance issuance. The requirements of this condition shall be implemented prior to the commencement of site preparation activities, installation of project components, grading, and/or construction as prescribed therein. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check building and grading plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff, CDFW staff, and/or RWQCB staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, at the pre-construction meeting, during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above and as detailed in the Final HPP/WMP throughout the life of the project to permit compliance staff.

- 21. Resource Agency Approvals:** The Owner/Applicant shall provide evidence that all necessary approvals have been obtained from the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), including an Incidental Take Permit and Consistency Determination for the California Tiger Salamander, as required, prior to Zoning Clearance issuance.

TIMING: The Owner/Applicant shall provide to P&D copies of approvals obtained from USFWS and CDFW prior to Zoning Clearance issuance.

County Rules and Regulations

- 22. Rules-01 Effective Date-Not Appealable to CCC:** This Conditional Use Permit shall become effective upon the date of the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020].
- 23. Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all applicable conditions. A form for such clearance is available from Planning and Development.
- 24. Rules-05 Acceptance of Conditions:** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
- 25. Rules-08 Sale of Site:** The project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), project description and the conditions of approval including all related covenants and agreements.

26. **Rules-09 Signs:** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with the Land Use and Development Code.
27. **Rules-12 CUP Expiration:** The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code, and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
28. **Rules-17 CUP-Void:** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
29. **Rules-20 Revisions Related to Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
30. **Rules-22 Leased Facilities:** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
31. **Rules-23 Processing Fees Required:** Prior to Zoning Clearance issuance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
32. **Rules-26 Performance Security Required:** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape & irrigation. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The

installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.

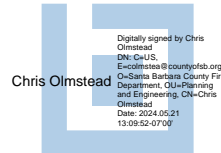
33. **Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters is required as follows:
 - a. County Fire Department Memorandum, dated May 21, 2024
 - b. Public Works Department – Project Clean Water Condition Letter, dated May 20, 2024
 - c. County Flood Control Condition Letter, dated May 20, 2024
 - d. Environmental Health Services Condition Letter, dated May 20, 2024
34. **Rules-30 Plan Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
35. **Rules-32 Contractor and Subcontractor Notification:** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner/Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
36. **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.
37. **Rules-37 Time Extensions-All Projects:** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures, which reflect changed circumstances or additional identified project impacts.

Memorandum

DATE: May 21, 2024

TO: Alia Vosburg
Planning and Development
County of Santa Barbara - Santa Maria
avosburg@countyofsb.org

FROM: Christopher Olmstead, Captain
Fire Department, Count of Santa Barbara
colmstea@countyofsb.org



SUBJECT: APN: 101-070-069 Permit: 23CUP-00014 (formerly 19LUP-00273)
Project: 24FDR-00049
Site: 6980 Cat Canyon Road, Santa Maria
Project: Conditional Use Permit – Outdoor Cannabis Cultivation

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

CONDITIONS FOR CONDITIONAL USE PERMIT

The Fire Prevention Division must be notified of any changes to the project proposal.
A change in the project description may cause conditions to be imposed.

PRIOR TO VERTICAL CONSTRUCTION THE FOLLOWING CONDITIONS SHALL BE MET

FIRE ACCESS INSPECTION SHALL BE SIGNED OFF BY FIRE DEPARTMENT

Fire Department On-Line Inspection Request:

<https://www.sbcfire.com/planning-and-engineering-inspection-request>

1. Create a defensible space of 100 feet (or to the property line, whichever is nearer) around the proposed structures and any existing structures on this property.
 - Removal 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 structure.
 - Reference Santa Barbara County Fire Department Development Standard #6*.

2. Access plan check review shall be required by the fire department.

- Submit access plans at pe.submittals@countyofsb.org and reference planning permit 23CUP-00014.
- Roadway shall have a minimum width of 20 feet.
- Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any building.
- Dead-end access exceeding 150 feet shall terminate with a fire department approved turnaround.
- A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
- Reference Santa Barbara County Fire Department Development Standard #1.*

PRIOR TO OCCUPANCY CLEARANCE

3. Address numbers shall be a minimum height of 6 inches.
4. When access ways are gated, a fire department approved Knox locking system shall be installed. Reference Santa Barbara County Development Standard #7.*
 - To obtain Knox Authorization, use the following link:
<https://sbcfire.com/general-planning-and-engineering-forms/>
 - Please note, an authorized fire agency review is required prior to submission to Knox Company.

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

CO:ps



County of Santa Barbara Public Works Department
Project Clean Water

123 E. Anapamu Street, Suite 27, Santa Barbara, CA 93101
(805) 568-3440 FAX (805) 568-3434
www.sbprojectcleanwater.org



CHRIS SNEDDON
Director

WALTER RUBALCAVA
Deputy Director

May 20, 2024

Alia Vosburg, Planner
County of Santa Barbara
Planning & Development Department
624 W. Foster Rd
Santa Maria, CA 93455

Re: 23CUP-00014; Moriarty Holdings Outdoor Cannabis Cultivation
APN: 101-070-069; Los Alamos
Previous Permit: 19LUP-00000-00273

Dear Ms. Vosburg:

This project will not be subject to the County's Post-Construction Stormwater Requirements for treating storm water quality. The development's rural location and proposed hardscape surface type were taken into consideration.

Project Description: Conditional Use Permit to allow 5.19 acres of outdoor cannabis cultivation under hoop structures. The operation will involve two grow cycles per year (one 90-day grow and one 120-day grow) and two harvest periods per year for a duration of one month per harvest period.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT ON BEHALF
OF PROJECT CLEAN WATER

By: *A. Zemjanis*

Aurora Zemjanis | azemjan@countyofsb.org

CC: Thomas Gocha | tcg_@gotchadesign.net



Santa Barbara County Flood Control and Water Conservation District

130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101

PH (805) 568-3440 FAX (805) 568-3434

<https://www.countyofsb.org/2155/Flood-Control>

CHRIS SNEDDON

Public Works Director

WALTER RUBALCAVA

Deputy Director – Flood Control

May 20, 2024

Alia Vosburg, Planner
County of Santa Barbara
Planning & Development Department
624 W. Foster Rd
Santa Maria, CA 93455

Re: 23CUP-00014; Moriarty Holdings Outdoor Cannabis Cultivation
APN: 101-070-069; Los Alamos
Previous Permit: 19LUP-00000-00273

Dear Ms. Vosburg:

The Flood Control and Water Conservation District has the following conditions for the proposed Conditional Use Permit to allow 5.19 acres of outdoor cannabis cultivation under hoop structures. The operation will involve two grow cycles per year (one 90-day grow and one 120-day grow) and two harvest periods per year for a duration of one month per harvest period.

1. Prior to Permit Issuance/Zoning Clearance:

- a. Proposed accessory structures must conform with the following requirements:
 - i. Structure must be located outside of the 50FT setback from top of bank.
- b. If accessory structures are proposed outside the 50FT setback, but within the Zone A Flood Zone the structures:
 - i. Must be elevated with the finished floor situated at least 2 feet above the Base Flood Elevation (as determined by a registered professional), or
 - ii. May have the finished floor elevation below BFE+2 feet, but shall have a minimum of two flood vents according to 15A standards at one square inch of opening per one square foot of enclosed space subject to flooding. The openings shall be installed on at least two walls and bottom of openings shall be no higher than one foot above highest adjacent grade, interior or exterior (whichever is higher), and
 - iii. Shall be used only for limited storage,
 - iv. Flood-resistant materials must be used below BFE + 2 feet
 - v. All equipment must be elevated to at least BFE +2 feet
 - vi. Building corners and interior finished floor must be surveyed by a licensed professional surveyor in NAVD '88 datum to identify ground elevation, existing finished floor elevations, and BFE on plans.

2. Prior to Occupancy Clearance

- a. The applicant shall submit record drawings to the District's Floodplain Manager in electronic format.

- b. Prior to vertical construction, the applicant shall submit an Elevation Certificate (FEMA Form 086-0-33) to the District's Floodplain Manager for all structures located within a Special Flood Hazard Area.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT ON BEHALF
OF PROJECT CLEAN WATER

By: *A. Zemjanis*

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Lars Selfert Director of Environmental Health

TO: Alia Vosburg, Planner
Planning & Development Department

FROM: Jason Johnston
Environmental Health Services

DATE: May 20, 2024

SUBJECT: Case No. 23CUP-00000-00014

Project: Moriarty Holdings Cannabis Cultivation Project

Assessor's Parcel No. 101-070-069

Located at: 6980 Cat Canyon Road, Santa Maria area zoned AG-II-100

The Project is a request for a Conditional Use Permit to allow 5.19 acres of outdoor cannabis cultivation under hoop structures. The operation will involve two grow cycles per year (one 90-day grow and one 120-day grow) and two harvest periods per year for a duration of one month per harvest period.

The Project site is bisected by Cat Canyon Creek. The 5.19 acres of outdoor cannabis cultivation is located south of the creek. All outdoor cannabis cultivation will be grown in soilless media pots and under hoop structures setback a minimum of 50 ft. from all property lines and 100 ft. from the top-of-bank and edge of riparian vegetation of Cat Canyon Creek. Hoop structures will have a maximum height of 12 ft. and will not include any permanent structural elements, utilities, or lighting. The Project also includes a 120 sq. ft. pesticide and agricultural chemical storage shed ("Building B"), a 2,400 sq. ft. water storage and fertigation equipment barn ("Building A"), and a 7,300 sq. ft. road base parking and loading area south of Cat Canyon Creek. Access to the proposed operational area south of Cat Canyon Creek will include construction of a new road base driveway, a minimum of 20-ft. in width, off of Cat Canyon Road.

All harvested cannabis will be transferred offsite for processing the same day it is harvested and there will be no cannabis processing (i.e., drying, curing, trimming, storing, packaging, or labeling) on the Project site. The operation will require a maximum of 3 regular, full-time, employees and 6 seasonal employees who will be employed onsite during the two harvest periods per year (one

month each; 2 months total per year). Hours of operation will be limited to the daylight hours that occur between 6 AM and 8 PM Monday through Saturday. Portable restrooms and bottled water will be provided for employee use in compliance with Cal/OSHA Field Sanitation regulations. Irrigation water will be provided by an existing groundwater well located south of Cat Canyon Creek.

The operational area south of Cat Canyon Creek will be secured with 6-ft.-tall wire mesh security fencing. Access will be controlled with a 6-ft.-tall, 16-ft.-wide wire mesh gate, which will remain locked at all times except during active ingress/egress. Additional security features include pole-mounted security lights at the access gate. All security light fixtures will be fully shielded and directed downward, and installed at a maximum height of 8 ft. All security light fixtures will be motion activated, and when triggered, will remain on for a maximum of three minutes. Screening will be provided by approximately 15,820 sq. ft. of landscaping planted along the southwestern, southern, and southeastern boundaries of the property.

Fire protection will be provided by the Santa Barbara County Fire Department, law enforcement will be provided by the Santa Barbara County Sheriff's Department, and electricity will be provided by Pacific Gas & Electric Co. No generators will be used onsite.

The Project site is a 40-acre parcel, zoned AG-II-100, and shown as Assessor's Parcel Number 101-070-069, located at 6980 Cat Canyon Road, in the Santa Maria area, 4th Supervisorial District.

Providing the Board of Supervisors grants approval of the applicant's request, Environmental Health Services has no recommended conditions for this proposed project.



Jason Johnston, REHS

Supervising Environmental Health Specialist