

**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: County Planning Commission

FROM: Kathryn Lehr, Supervising Planner, Development Review Division

STAFF CONTACT: Gwen Beyeler, Planner

DATE: November 24, 2020

HEARING DATE: December 2, 2020

RE: Central Coast Agriculture Cannabis Cultivation Project
8701 Santa Rosa Road
Case Nos. 19CUP-00000-00005 and 19DVP-00000-00010

On October 28, 2020, the County Planning Commission (Commission) continued the Central Coast Agriculture Cannabis Cultivation Project to December 2, 2020, directed staff to work with the Applicant to further develop their proposed Odor Abatement Plan, and requested staff to research additional information regarding the undergrounding of existing utilities along Santa Rosa Road. The purpose of this memorandum is to:

1. Summarize the Odor Abatement Plan Addendum dated November 19, 2020;
2. Summarize the history of undergrounding of utilities along Santa Rosa Road and the required findings if this undergrounding is waived; and
3. Update the Air Pollution Control District's Condition Letter.

1. ODOR ABATEMENT PLAN ADDENUM

On October 28, 2020, the Commission directed staff to work with the Applicant to further develop the proposed Odor Abatement Plan (OAP) and include possible strategies for phasing or adaptive management. Staff worked with the Applicant to develop an Addendum to the OAP to address the Commission's feedback, which was submitted on November 19, 2020. Staff reviewed the OAP and found it to be consistent with Section 35.042.075.C.6 of the Land Use and Development Code (LUDC). In summary, the November 19, 2020 OAP Addendum includes the following information:

- The Applicant will install a carbon filtration system inside the processing structure, and will install piping associated with a vapor phase system along the property frontage, eastern boundary and a portion of the northern boundary.
- As part of the proposed baseline Project operations, the carbon filtration system within the processing structure and the vapor phase system will be operational during harvest and processing activities. Harvest activities and processing of product grown on-site and off-site will occur twice per year for approximately three-weeks each. Once harvest has concluded, the vapor phase system will be turned off. The carbon filtration system will remain on until processing activities cease.

- The Applicant will operate the abovementioned odor abatement systems in a phased or adaptive management approach by implementing specific engineering controls and administrative controls. If complaints are received, the Applicant will conduct a compliance assessment, develop a corrective action plan and adjust these controls accordingly as part of a two phase approach.
- If a verified odor complaint is received, the Applicant will review current operations to ensure compliance and will make corrections accordingly. However, if all components are found to operating as specified, Phase 1 will be implemented. Phase 1 includes the preparation of an Odor Investigation Report and the adjustment of engineering controls, including the extended operation of the vapor phase system.
- If a subsequent verified odor complaint is received after the implementation of Phase 1, the Applicant will review current operations to ensure compliance and will make corrections accordingly. If all components are found to be operating as specified in Phase 1, then Phase 2 will be implemented.
- Phase 2 includes the preparation of an Odor Investigation Report and retention of a certified industrial hygienist and/or comprehensive best-available-control-technology (BACT) analysis, as needed. Phase 2 also includes the adjustment of engineering controls, including the extended operation of the vapor phase system during all flowering, harvesting, and processing activities.

As discussed in Findings 2.1.2 and 2.1.5 of Attachment A to the Staff Report dated October 20, 2020, the addendum to the OAP dated November 19, 2020 complies with the County's requirements and will be implemented to prevent cannabis odors from being experienced within residential zones. The revised OAP will continue to mitigate adverse impacts of the Proposed Project to the maximum extent feasible and will not result in detrimental impacts to the health, safety, comfort, convenience and general welfare of the neighborhood. No additional changes to the findings are warranted.

The Conditions of Approval have been updated as follows (deleted text shown in strikethrough font and new text shown in underlined font):

- 11. Odor Abatement Plan.** The Owner/Applicant shall implement the Odor Abatement Plan dated March 26, 2020 and the associated addendum dated November 19, 2020. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director and meet all of the requirements of the Santa Ynez Valley Community Plan DevStd LUG-SYV-8.11.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans. The depicted Odor Abatement system shall conform to the Odor Abatement Plan, as reviewed, and the Santa Ynez Valley Community Plan DevStd LUG-SYV-8.11 and certified by a Professional Engineer or a Certified Industrial Hygienist.

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

MONITORING: P&D compliance staff shall monitor implementation prior to the first final building inspection for electrical upgrades. Permit Compliance staff has the authority to request additional measures necessary for corrective actions, provided at the cost of the Applicant, to verify

compliance with the Odor Abatement Plan. Upon installation of the odor control system and quarterly thereafter for one year, Permit Compliance staff shall conduct an inspection of the odor control system to assess its compliance with the requirements of this condition and the approved Odor Abatement Plan. As part of each inspection, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to certify that the Odor Abatement system, specification, operation and procedures has been installed, operating, and maintained as specified in the approved Odor Abatement Plan.

27. Odor Control Notification. The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

2. UNDERGROUNDING OF UTILITIES

On October 28, 2020, the Commission asked staff for information regarding undergrounding of existing utilities, including how many other projects have been conditioned to underground existing utilities along Santa Rosa Road.

The requirement to underground utilities is based on the Board of Supervisors Resolution Nos. 24419 and 87-344, adopted in the 1960's and 1980's, respectively. The Resolutions (Attachment A), require the undergrounding of utilities for projects needing the approval of a Development Plan and any proposed subdivision of property resulting in five or more new or reconfigured lots. The Resolutions provide that the County representative having final approval authority for the project may grant relief from the requirement to underground utilities under the following provisions:

1. The lot sizes are or will be in excess of 3 acres; and
2. The topography, soil, lot configuration or other special condition will make the installation of utilities underground impractical or unduly burdensome.

In addition to the Board Resolutions the requirement to underground utilities is further addressed in the Visual Element of the County's Comprehensive Plan, which includes the following policy:

Visual Resources Policy 5: *Utilities, including television, shall be placed underground in new developments in accordance with the rules and regulations of the California Public Utilities Commission, except where cost of undergrounding will be so high as to deny service.*

Staff conducted a review of parcels along Santa Rosa Road approximately six miles west of the Proposed Project (5925 Santa Rosa Road) and one mile east of the Proposed Project (9499 Santa Rosa Road). Staff found four parcels with approved Development Plans, dating back to 1996 up to 2013. Staff reviewed these four Development Plans in coordination with the County Department of Public Works, Roads Division, and found that the requirement to underground utilities has been inconsistently implemented for these past projects along Santa Rosa Road.

At this time, Planning & Development and the Public Works, Roads Division consistently require the undergrounding requirement in their Conditions of Approval for all applicable projects, consistent with the Board Resolution Nos. 24419 and 87-344 and the County's Comprehensive Plan.

As discussed in Section 6.2 of the staff report dated October 20, 2020, herein incorporated by reference, the undergrounding of utilities was analyzed and considered as part of the Proposed Project. At the October 28, 2020 Planning Commission hearing, the Applicant requested that the Commission waive the requirement for undergrounding utilities, however, no request or justification for this request demonstrating that it meets the above criteria to grant relief was submitted to the Planning Department or Department of Public Works. Therefore staff recommends that the applicant meet the requirement to underground utilities unless the relief is requested and demonstrated as outlined in the Board resolutions (see Attachment A) and conditions of approval.

3. REVISED AIR POLLUTION CONTROL DISTRICT LETTER

The Air Pollution Control District (APCD) updated their Condition Letter to clarify their conditions and purview on the proposed Project. The APCD letter dated November 20, 2020 will supersede the earlier version dated July 9, 2020. The Conditions of Approval have been updated as follows (deleted text shown in strikethrough font and new text shown in underlined font):

- 39. Rules-29 Other Department Conditions.** Compliance with Departmental/Division letters required as follows:
- a. Air Pollution Control District dated ~~July 9, 2020~~ November 20, 2020;
 - b. Environmental Health Services Division dated June 17, 2020;
 - c. Fire Department dated March 4, 2019;
 - d. Flood Control Water Agency dated June 5, 2020.
 - e. Roads dated October 1, 2020.

No additional changes to the findings are warranted.

RECOMMENDATION

As noted above, staff has found that the OAP addendum complies with the Cannabis Regulations as outlined in Section 35.042.075.C.6 of the Land Use and Development Code. The OAP Addendum provided additional details and clarity to the Proposed Project and the findings, as provided in the staff

report dated October 21, 2020, can be made. Accordingly, staff recommends that on December 2, 2020, the Planning Commission's motion should include the following:

1. Make the required findings for approval of the project specified in Attachment A to the Staff Report dated October 20, 2020, herein incorporated by reference, including California Environmental Quality Act (CEQA) findings.
2. Determine that the previously certified Programmatic Environmental Impact Report (PEIR) (17EIR-00000-00003) is adequate and no subsequent environmental review is required pursuant to CEQA Guidelines §15162 and §15168(c) (Attachments C and D to the Staff Report dated October 20, 2020, herein incorporated by reference).
3. Approve the project, Case Nos. 19CUP-00000-00005 and 19DVP-00000-00010, subject to the revised conditions included as Attachments C-1 and C-2 to this memo dated November 24, 2020.

ATTACHMENTS

- A. BOS Resolutions 24416 and 87-344
- B. OAP Addendum dated November 19, 2020
- C. Conditions of Approval - Revised
 - C-1. Conditions of Approval for Case No. 19CUP-00000-00005 with Department Letters
 - C-2. Conditions of Approval for Case No. 19DVP-00000-00010 with Department Letters

CC: Case File (to Planner)
Hearing Support

ATTACHMENT A: BOS RESOLUTIONS

ATTACHMENT C-1: CONDITIONS OF APPROVAL FOR 19CUP-00000-00005

**CENTRAL COAST AGRICULTURE, LLC, CANNABIS OPERATION
CONDITIONAL USE PERMIT
CASE NO. 19CUP-00000-00005
APN: 083-180-007**

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 A-M, dated October 20, 2020, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The Proposed Project is a request for a Conditional Use Permit, Case No. 19CUP-00000-00005, and Development Plan, Case No. 19DVP-00000-00010, to allow a 32-acre cannabis cultivation operation on a 68.19-acre parcel. The Proposed Project includes growing cannabis on 30 acres, with 22 acres of those acres under existing 12-ft.-tall hoop structures. Approximately 1.85 acres of nursery cultivation will take place outdoors and four acres will take place under existing 12-ft.-tall hoop structures. There will be mixed-light nursery cultivation in an existing, permitted 12-ft.-tall 6,594 square foot (sq. ft.) greenhouse and existing permitted 7,000 sq. ft. agricultural building. A new 3,900 sq. ft. storage addition to the greenhouse will replace an as-built hoop structure that is currently being used for storage in the same location. There is an existing 230 sq. ft. shade structure used to protect an irrigation water recycling system for the nursery hoop structures. There will be a new 10-ft.-tall 480 sq. ft. shade structure constructed to replace the five hoop structures that are currently being used for equipment storage. A 1.78 acre composting area, which includes two mobile dumpsters, is located between the northern and southern cultivation areas.

Processing will occur inside an existing, permitted 3,100 sq. ft. agricultural building All cannabis will be unloaded from harvest trucks outside of the processing building and transported into the building with a forklift prior to being frozen. Up to 80% of the material processed as part of the Proposed Project will be grown off site. All processed cannabis will be transported to an off-site manufacturing facility. Transport-only distribution and Nursery Research and Development, which includes internal quality assurance testing, will occur within an existing, permitted 4,200 sq. ft. commercial building. Pesticides and nutrient storage will be stored in two as-built 160 sq. ft. storage containers, one of which is refrigerated. Seed and pollen storage will take place in three as-built 320 sq. ft. refrigerated storage containers. Harvested product will be stored in 52 as-built 320 sq. ft. refrigerated storage containers. 42 of these harvest storage containers will be removed from the subject parcel within three years. Storage of harvested seed

and frozen product will take place in the remaining 10 refrigerated storage containers between June and November.

The cultivation area is enclosed by a 6-ft.-tall chain link fence that exists around the southern, eastern, northern, and northwestern property boundaries and 6-ft.-tall no climb fence along the western property boundary. A new 6-ft.-tall no climb fence will be erected around the two existing agricultural employee duplexes, and will connect to an existing 6-ft.-tall no climb fence that runs along the cement lined drainage channel and the western property boundary. Existing windscreen material will be removed from the fencing as part of the Proposed Project. Mobile 12-ft.-tall windscreens will be installed temporarily along the hoop structures throughout the growing season and will be moved around depending on wind conditions.

Exterior light fixtures will be fully cut-off, downward facing, and on a motion sensor that would remain illuminated for two minutes after activation. Fixtures will be installed at the entrances to the processing, distribution, and nursery buildings. There will be fixtures installed on two poles near the harvest storage area to provide security lighting for the storage containers. One fixture will be located at the entrance to the parcel. Security cameras will be installed throughout the growing and operation areas. No perimeter security lighting is proposed as cameras have night vision capability. A 200 sq. ft. security building with a maximum height of 11 ft. will be located near the parcel entrance. Security guards will be provided 24 hours per day, seven days per week.

Hours of operation will be 7:00 a.m. to 7:00 p.m. every day. The operation includes up to 20 full-time employees and up to 20 additional employees during harvest season. Harvests will last up to three weeks and occur twice per year. 30 on-site parking stalls are located between the nursery building and greenhouse, five of which are ADA compliant spaces. 24 overflow spaces will be located in the area outside the Distribution Building, south of the outdoor cultivation area, for use during the harvests for visitors and contractors. The Proposed Project includes preferred parking spaces for employees that carpool.

A vapor-phase odor control system will be installed around the north and east perimeter of project site. Screening of the operation will be provided by 24,725 sq. ft. of landscaping planted along portions of the western, eastern and southern property lines. Grading will consist of over-excavation and re-compaction for the new security building, shade structure, and trenching for utilities.

Sewage disposal is provided by an existing onsite wastewater treatment system that serves the restroom facilities in the distribution building. Chemical portable toilets will support temporary staff during limited peak harvest time only. Employees will live on site in the two existing employee dwelling duplexes which are served by a separate onsite wastewater treatment system. Water for irrigation will be provided by one on-site agricultural well. Water for the buildings and dwellings will continue to be provided by

one on-site well that is under a single parcel water system permit. There are two existing, permitted 24-ft.-tall 20,000 gallon water tanks and associated pump house and one existing, permitted 5,000 gallon water tank that serve water to the two permitted agricultural employee duplexes and distribution building fire sprinkler system. One existing 1,000 gallon water tank is located near the nursery building and one existing 2,000 gallon water tank is located near the nursery hoop structures.

Access is provided by an existing 30-ft.-wide paved driveway off of Santa Rosa Road. Access to the agricultural employee duplexes is also provided by a separate existing gated driveway. Power will be provided by PG&E and one emergency generator in the event of an emergency. Law enforcement will be provided by the County Sheriff, and fire protection will be provided by the County Fire Department.

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

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Project Specific Conditions

3. **Licenses Required.** The Owner/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.
4. **Transfer of Ownership.** In the event that the Owner/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.

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

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

6. **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:
 1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
 2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of 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.
 3. Participate in Initial Compliance Inspections that may occur:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
 4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the project, or as specific in permit conditions, and
 - c. Other instances as deemed necessary by Planning & Development

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

TIMING: Prior to issuance of Zoning Clearance, 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.

- 7. Fencing and Security Plan.** The Owner/Applicant shall implement the Fencing and Security Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.2), as of the date of permit issuance.

TIMING: The Owner/Applicant shall implement the Fencing and Security Plan prior to the first final building inspection for electrical upgrades. The Owner/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.

- 8. Landscape and Screening Plan.** The Owner/Applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Land Use and Development Code. The Owner/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 Owner/Applicant shall submit one copy of the approved Landscaping and Screening Plan to P&D staff and deposit the performance security prior to issuance of zoning clearance. The applicant shall install all components of the Landscape and Screening Plan prior to the first final building inspection for electrical upgrades. The Owner/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.

9. **Lighting Plan.** The Owner/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 and –D.1.g).

TIMING: All components of the Lighting Plan shall be implemented prior to the first final building inspection for electrical upgrades. The Owner/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.

10. **Noise Plan.** The Owner/Applicant shall implement the Noise Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Noise Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.5).

TIMING: The Owner/Applicant shall implement the Noise Plan prior to issuance of the first final building inspection for electrical upgrades. The Owner/Applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.

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

11. **Odor Abatement Plan.** The Owner/Applicant shall implement the Odor Abatement Plan dated March 26, 2020 and the associated addendum dated November 19, 2020. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director and meet all of the requirements of the Santa Ynez Valley Community Plan DevStd LUG-SYV-8.11.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans. The depicted Odor Abatement system shall conform to the Odor Abatement Plan, as reviewed, and the Santa Ynez Valley Community Plan DevStd LUG-SYV-8.11 and certified by a Professional Engineer or a Certified Industrial Hygienist.

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

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

12. **Site Transportation Demand Management Plan.** The Owner/Applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.D.1.j).

TIMING: The Owner/Applicant shall implement the Site Transportation Demand Management Plan prior to the issuance of the first final building inspection for electrical upgrades. The applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.

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

13. **Cannabis Waste Discharge Requirements.** The Owner/Applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.

14. **Water efficiency for commercial cannabis activities.** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include the following: Evaporative barriers on exposed soils and pots, Rainwater capture and reuse, Reticulated irrigation water (zero waste), Timed drip irrigation, Soil moisture monitors, and Use of recycle water].

DOCUMENTATION: The Owner/Applicant shall document water-conserving features on the Irrigation Diagram stamped "Zoning Approved".

TIMING: The Odor Abatement system shall be installed prior to the first final building inspection for electrical upgrades.

15. **Minimum Cultivation Requirements.** A minimum of 10% of the cannabis product processed at and/or distributed from the project site shall be sourced from cannabis plant material cultivated on the same lot on which the processing and/or distribution activities will occur.

DOCUMENTATION: The Owner/Applicant shall participate in the California Cannabis Track-and-Trace System and prepare documentation from the California Cannabis Track-and-Trace System that identifies the source of cannabis products that are processed on and/or distributed from the lot on which the processing and/or distribution activities will occur.

TIMING: Within three business days of a request from P&D compliance staff, the applicant shall provide the California Cannabis Track-and-Trace System records that identify the source of cannabis products that are processed on and/or distributed from the lot on which the processing and/or distribution activities will occur. Pursuant to Condition No. 5 of this permit. The applicant shall maintain the records for a minimum of five years following the date of preparation of the records.

MONITORING: P&D compliance staff inspects the California Cannabis Track-and-Trace System records to confirm that the cannabis products are sourced from appropriate locations pursuant to the requirements of this condition.

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

17. **Cannabis General Order.** The Cannabis General Order includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers.

The Cannabis General Order requires that cannabis cultivators provide evidence of compliance with the State Water Resources Control Board (SWRCB) Requirements as part of their application for a California Department of Food and Agriculture cannabis cultivation license.

TIMING: The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Zoning Clearance issuance.

MONITORING: P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.

- 18. Biological Resources – Wildlife Movement Plan.** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan as Appendix E to Attachment L to the staff report dated October 20, 2020, incorporated herein by reference, and as summarized below.
- a. **Pets.** No pets should be allowed at the project area during cultivation/staging activities.
 - b. **Secondary Containment.** Pallets or secondary containment areas for chemicals, drums, or bagged materials shall be used. Should material spills occur, materials and/or contaminants shall be cleaned up appropriately.
 - c. **Vehicles and Equipment.** All vehicles and equipment shall be in good working condition and free of leaks.
 - d. **Work Hours.** Cultivation/staging work shall be restricted to daylight hours (7:00 a.m. to 9:00 p.m. to avoid impacts to nocturnal and crepuscular (dawn and dusk activity period) species).
 - e. **Riparian Setbacks.** Sensitive natural communities and jurisdictional drainages shall establish appropriate minimum riparian setbacks based on the SWRCB Cannabis General Order and County requirements.
 - f. **Special Status Wildlife Species.** If any special status wildlife species are observed on site during cultivation/staging activities, the animal shall be allowed to safely leave the site on its own accord.
 - g. **Erosion Control.** Erosion control and landscaping specifications shall allow only natural-fiber, biodegradable meshes and coir rolls (i.e., no plastic-mesh temporary erosion control measures) to prevent impacts to the environment and to fish and terrestrial wildlife.
 - h. **Pest Management.** If rodenticides or other pesticides are used, they shall be wildlife-friendly to the extent feasible to avoid adverse mobilization effects through the food chain. The development and implementation of a Pest Management Plan shall include the techniques, proposed use, storage, and application of pesticides, herbicides, and rodenticides.
 - i. **Trash and Debris.** During project activities, all trash that may attract predators should be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be

removed from work areas.

- j. **Consultation with United States Fish and Wildlife Services (USFWS).** Consult with USFWS to confirm no effect and/or may affect, but not likely to adversely affect determination(s) for California red-legged frog, LBVI, and SWFL. Consultation outcome shall be documented, and recommendations from the USFWS shall be implemented.
- k. **Workers Environmental Awareness Program (WEAP).** All personnel associated with the Project shall attend a WEAP training, conducted by a qualified biologist, to assist workers in recognizing special status biological resources with the potential to occur in the project site. This training shall include information about the California red-legged frog, western spadefoot toad, Northern California legless lizard, western pond turtle, Blainville's horned lizard, protected nesting birds including SWFL and LBVI, special status plans, sensitive habitats, jurisdictional waters, as well as other special status species potentially occurring in the project site.
 - o The WEAP shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts within the site. A fact sheet conveying this information shall be prepared for distribution to all employees and personnel involved with construction. All employees shall sign a form provided by the trainer documenting they attended the WEAP and understand the information. A supervising employee shall ensure crew members adhere to the guidelines and restrictions designed to avoid impacts. If new personnel are added to the project, the supervising employee shall ensure the new personnel receive the WEAP training before starting work. All WEAP materials shall be readily available for reference during work hours.
 - o Any worker who inadvertently injures or kills a special status species or finds one dead, injured, or entrapped shall immediately report the incident to the employee responsible for WEAP trainings. The employee shall immediately notify USFWS and/or CDFW within five working days of the incident.
- l. **Seasonal Aquatic and Semi-Aquatic Species Avoidance.** Maintenance activities, including non-emergency driving along the access road adjacent to the historic side channel of the Santa Ynez River, and vegetation maintenance and debris removal within the jurisdictional detention basins and ditches on the western side of the property shall be minimized five days prior to and five days after rain events, or conducted when ponded or flowing water is absent. If maintenance must occur during the rainy period or when ponded or flowing water is present, a qualified biological monitor familiar with special status aquatic or semi-aquatic wildlife species with potential to occur in the project site shall conduct a clearance survey to ensure special status species are not present. If any California red-legged frog or western pond turtle are observed, work within 100 ft. of the observation shall

stop until USFWS and/or CDFW are contacted and a course of action is determined.

- m. **Seasonal Avian Nesting Avoidance.** During the nesting season (generally February 1 through August 31), changes in routine operations shall not occur within 100 feet of riparian areas. This includes the removal of hoop structure covers, road maintenance, and vegetation or debris clearing in drainages. If changes in routine operations occur during the nesting season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of those activities. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100 foot buffer around the project site, including access roads (300-foot for raptors), and using binoculars to the extent practicable. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California. If nests are found, an avoidance buffer (dependent on the species, proposed work activity, and existing disturbances associated with the land uses outside of the site), shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, or other means to mark the boundary. All personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during nesting season. No changes in routine activities shall occur inside this buffer until a qualified avian biologist has confirmed breeding/nesting is completed, and the young have fledged the nest.
- n. **Buffer Avoidance.** Equipment, materials, machinery, vehicles, storage, and other items shall not be located, stored, parked, or serviced within 100 feet of drainages. At a minimum, a 10-foot visual buffer depicted by four-foot-tall T-posts with an attached cable shall be erected to restrict access.

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

TIMING: The requirements of this condition shall be implemented prior to the commencement of and throughout grading for and construction of new buildings. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable.

MONITORING: P&D permit processing planner shall check plans prior to issuance of Zoning Clearance. P&D compliance monitoring staff, USFWS staff, and/or CDFW staff shall monitor compliance with this condition at the pre-construction meeting, during grading and construction, and throughout the life of the project, as applicable.

- 19. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site. 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 Land Use and Building permits prior to Zoning Clearance issuance.

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.

- 20. 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, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for zoning clearance and building permits prior to Zoning Clearance issuance.

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.

- 21. Emergency Generator.** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. Pursuant to the manufacturer's routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building plans.

TIMING: If required, Permittee shall obtain an APCD Authority to Construct permit prior to engine installation, and an APCD Permit to Operate prior to engine operation. All necessary APCD permits shall be obtained prior to Final Building Inspection Clearance.

- 22. Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

TIMING: The time meter and particulate filter shall be installed prior to Final Building Inspection Clearance.

- 23. 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 and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

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

TIMING: The dust monitor shall be designated prior to first grading 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 inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

- 24. Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

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

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

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

- 25. Storage Container Removal.** As proposed by the Applicant, within three years of the first Zoning Clearance issuance for the Proposed Project, the Owner/Applicant shall remove 42 of the 52 refrigerated storage containers used for harvest storage as shown on the site plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Owner/Applicant shall state this condition on all site plans.

TIMING: By the last day of the three year time period, the 42 containers shall be removed from the subject parcel. *[For example, if the Zoning Clearance was issued on January 1, 2021, then the containers would need to be removed by 5:00 p.m. on December 31, 2023.]*

MONITORING: The P&D processing planner shall ensure this condition is on all site plans. P&D processing planner shall inform P&D compliance staff of the Zoning Clearance issuance date and required container removal date. The Owner/Applicant shall inform the P&D processing planner and P&D compliance staff once the storage containers have

been removed. On the day of the required removal, or as soon as possible thereafter, the P&D processing planner and/or compliance staff shall inspect the subject parcel.

- 26. Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to approval of 20BAR-00000-00057.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

- 27. Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

County Rules and Regulations

- 28. 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]

- 29. 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.
- 30. 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.
- 31. 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 §35.84.030 of the 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 this Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of this Conditional Use Permit. (Land Use and Development Code §35.82.060 and §35.84.060).
- 32. 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.
- 33. Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
- 34. Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
- 35. 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.
- 36. Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

37. DIMF-24d DIMF Fees-Fire. In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

38. Rules-25 Signed Agreement to Comply. Prior to Zoning Clearance issuance, the Owner/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.

39. Rules-29 Other Department Conditions. Compliance with Departmental/Division letters required as follows:

- f. Air Pollution Control District dated November 20, 2020;
- g. Environmental Health Services Division dated June 17, 2020;
- h. Fire Department dated March 4, 2019;
- i. Flood Control Water Agency dated June 5, 2020.
- j. Roads dated October 1, 2020.

40. 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.

41. Rules-26 Performance Security Required. The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & 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.

- 42. 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.
- 43. 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.
- 44. 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.
- 45. 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.
- 46. CUP Revisions.** The approval by the Planning Commission of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised Conditional Use Permit.

ATTACHMENT C-2: CONDITIONS OF APPROVAL FOR 19DVP-00000-00010

**CENTRAL COAST AGRICULTURE, LLC, CANNABIS OPERATION
DEVELOPMENT PLAN
CASE NO. 19DVP-00000-00010
APN: 083-180-007**

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 A-M, dated October 20, 2020, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The Proposed Project is a request for a Conditional Use Permit, Case No. 19CUP-00000-00005, and Development Plan, Case No. 19DVP-00000-00010, to allow a 32-acre cannabis cultivation operation on a 68.19-acre parcel. The Proposed Project includes growing cannabis on 30 acres, with 22 acres of those acres under existing 12-ft.-tall hoop structures. Approximately 1.85 acres of nursery cultivation will take place outdoors and four acres will take place under existing 12-ft.-tall hoop structures. There will be mixed-light nursery cultivation in an existing, permitted 12-ft.-tall 6,594 square foot (sq. ft.) greenhouse and existing permitted 7,000 sq. ft. agricultural building. A new 3,900 sq. ft. storage addition to the greenhouse will replace an as-built hoop structure that is currently being used for storage in the same location. There is an existing 230 sq. ft. shade structure used to protect an irrigation water recycling system for the nursery hoop structures. There will be a new 10-ft.-tall 480 sq. ft. shade structure constructed to replace the five hoop structures that are currently being used for equipment storage. A 1.78 acre composting area, which includes two mobile dumpsters, is located between the northern and southern cultivation areas.

Processing will occur inside an existing, permitted 3,100 sq. ft. agricultural building. All cannabis will be unloaded from harvest trucks outside of the processing building and transported into the building with a forklift prior to being frozen. Up to 80% of the material processed as part of the Proposed Project will be grown off site. All processed cannabis will be transported to an off-site manufacturing facility. Transport-only distribution and Nursery Research and Development, which includes internal quality assurance testing, will occur within an existing, permitted 4,200 sq. ft. commercial building. Pesticides and nutrient storage will be stored in two as-built 160 sq. ft. storage containers, one of which is refrigerated. Seed and pollen storage will take place in three as-built 320 sq. ft. refrigerated storage containers. Harvested product will be stored in 52 as-built 320 sq. ft. refrigerated storage containers. 42 of these harvest storage containers will be removed from the subject parcel within three years. Storage of harvested seed

and frozen product will take place in the remaining 10 refrigerated storage containers between June and November.

The cultivation area is enclosed by a 6-ft.-tall chain link fence that exists around the southern, eastern, northern, and northwestern property boundaries and 6-ft.-tall no climb fence along the western property boundary. A new 6-ft.-tall no climb fence will be erected around the two existing agricultural employee duplexes, and will connect to an existing 6-ft.-tall no climb fence that runs along the cement lined drainage channel and the western property boundary. Existing windscreen material will be removed from the fencing as part of the Proposed Project. Mobile 12-ft.-tall windscreens will be installed temporarily along the hoop structures throughout the growing season and will be moved around depending on wind conditions.

Exterior light fixtures will be fully cut-off, downward facing, and on a motion sensor that would remain illuminated for two minutes after activation. Fixtures will be installed at the entrances to the processing, distribution, and nursery buildings. There will be fixtures installed on two poles near the harvest storage area to provide security lighting for the storage containers. One fixture will be located at the entrance to the parcel. Security cameras will be installed throughout the growing and operation areas. No perimeter security lighting is proposed as cameras have night vision capability. A 200 sq. ft. security building with a maximum height of 11 ft. will be located near the parcel entrance. Security guards will be provided 24 hours per day, seven days per week.

Hours of operation will be 7:00 a.m. to 7:00 p.m. every day. The operation includes up to 20 full-time employees and up to 20 additional employees during harvest season. Harvests will last up to three weeks and occur twice per year. 30 on-site parking stalls are located between the nursery building and greenhouse, five of which are ADA compliant spaces. 24 overflow spaces will be located in the area outside the Distribution Building, south of the outdoor cultivation area, for use during the harvests for visitors and contractors. The Proposed Project includes preferred parking spaces for employees that carpool.

A vapor-phase odor control system will be installed around the north and east perimeter of project site. Screening of the operation will be provided by 24,725 sq. ft. of landscaping planted along portions of the western, eastern and southern property lines. Grading will consist of over-excavation and re-compaction for the new security building, shade structure, and trenching for utilities.

Sewage disposal is provided by an existing onsite wastewater treatment system that serves the restroom facilities in the distribution building. Chemical portable toilets will support temporary staff during limited peak harvest time only. Employees will live on site in the two existing employee dwelling duplexes which are served by a separate onsite wastewater treatment system. Water for irrigation will be provided by one on-site agricultural well. Water for the buildings and dwellings will continue to be provided by

one on-site well that is under a single parcel water system permit. There are two existing, permitted 24-ft.-tall 20,000 gallon water tanks and associated pump house and one existing, permitted 5,000 gallon water tank that serve water to the two permitted agricultural employee duplexes and distribution building fire sprinkler system. One existing 1,000 gallon water tank is located near the nursery building and one existing 2,000 gallon water tank is located near the nursery hoop structures.

Access is provided by an existing 30-ft.-wide paved driveway off of Santa Rosa Road. Access to the agricultural employee duplexes is also provided by a separate existing gated driveway. Power will be provided by PG&E and one emergency generator in the event of an emergency. Law enforcement will be provided by the County Sheriff, and fire protection will be provided by the County Fire Department.

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

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Project Specific Conditions

3. **Licenses Required.** The Owner/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.
4. **Transfer of Ownership.** In the event that the Owner/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.

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

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

6. **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:

1. Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.
2. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to approval of 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.
3. Participate in Initial Compliance Inspections that may occur:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the project, or as specific in permit conditions, and
 - c. Other instances as deemed necessary by Planning & Development

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

TIMING: Prior to issuance of Zoning Clearance, 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.

7. **Fencing and Security Plan.** The Owner/Applicant shall implement the Fencing and Security Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.2).

TIMING: The Owner/Applicant shall implement the Fencing and Security Plan prior to the first final building inspection for electrical upgrades. The Owner/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.

8. **Landscape and Screening Plan.** The Owner/Applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Land Use and Development Code. The Owner/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 Owner/Applicant shall submit one copy of the approved Landscaping and Screening Plan to P&D staff and deposit the performance security prior to issuance of the zoning clearance. The applicant shall install all components of the Landscape and Screening Plan prior to the first final building inspection for electrical upgrades. The Owner/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.

9. **Lighting Plan.** The Owner/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 and –D.1.g).

TIMING: All components of the Lighting Plan shall be implemented prior to the first final building inspection for electrical upgrades. The Owner/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.

10. **Noise Plan.** The Owner/Applicant shall implement the Noise Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Noise Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.C.5).

TIMING: The Owner/Applicant shall implement the Noise Plan prior to issuance of the first final building inspection for electrical upgrades. The Owner/Applicant shall maintain the project site in compliance with the Noise Plan throughout the life of the project.

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

11. **Odor Abatement Plan.** The Owner/Applicant shall implement the Odor Abatement Plan dated March 26, 2020 and the associated addendum dated November 19, 2020. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director and meet all of the requirements of the Santa Ynez Valley Community Plan DevStd LUG-SYV-8.11.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans. The depicted Odor Abatement system shall conform to the Odor Abatement Plan, as reviewed, and the Santa Ynez Valley Community Plan DevStd LUG-SYV-8.11 and certified by a Professional Engineer or a Certified Industrial Hygienist.

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

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

12. **Site Transportation Demand Management Plan.** The Owner/Applicant shall implement the Site Transportation Demand Management Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Land Use and Development Code (§ 35.42.075.D.1.j).

TIMING: The Owner/Applicant shall implement the Site Transportation Demand Management Plan prior to the issuance of final building inspection for electrical upgrades. The applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.

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

13. **Cannabis Waste Discharge Requirements.** The Owner/Applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.

14. **Water efficiency for commercial cannabis activities.** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include the following: Evaporative barriers on exposed soils and pots, Rainwater capture and reuse, Reticulated irrigation water (zero waste), Timed drip irrigation, Soil moisture monitors, and Use of recycle water].

DOCUMENTATION: The Owner/Applicant shall document water-conserving features on the Irrigation Diagram stamped "Zoning Approved".

15. **Minimum Cultivation Requirements.** A minimum of 10% of the cannabis product processed at and/or distributed from the project site shall be sourced from cannabis plant material cultivated on the same lot on which the processing and/or distribution activities will occur.

DOCUMENTATION: The Owner/Applicant shall participate in the California Cannabis Track-and-Trace System and prepare documentation from the California Cannabis Track-and-Trace System that identifies the source of cannabis products that are processed on and/or distributed from the lot on which the processing and/or distribution activities will occur.

TIMING: Within three business days of a request from P&D compliance staff, the applicant shall provide the California Cannabis Track-and-Trace System records that identify the source of cannabis products that are processed on and/or distributed from the lot on which the processing and/or distribution activities will occur. Pursuant to Condition No. 5 of this permit. The applicant shall maintain the records for a minimum of five years following the date of preparation of the records.

MONITORING: P&D compliance staff inspects the California Cannabis Track-and-Trace System records to confirm that the cannabis products are sourced from appropriate locations pursuant to the requirements of this condition.

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

17. **Biological Resources – Cannabis General Order.** The Cannabis General Order includes regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers. The Cannabis General Order requires that cannabis cultivators provide evidence of compliance with the State Water Resources Control Board

(SWRCB) Requirements as part of their application for a California Department of Food and Agriculture cannabis cultivation license.

TIMING: The Owner/Applicant shall provide the P&D processing planner with evidence of compliance with the SWRCB Requirements prior to Zoning Clearance issuance.

MONITORING: P&D compliance staff shall ensure compliance through Business License application review and site inspections as needed in compliance with the Cannabis Policy and Cannabis General Order.

18. Biological Resources – Wildlife Movement Plan. The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan as Attachment L to the staff report dated October 20, 2020, incorporated herein by reference, and as summarized below.

- a. **Pets.** No pets should be allowed at the project area during cultivation/staging activities.
- b. **Secondary Containment.** Pallets or secondary containment areas for chemicals, drums, or bagged materials shall be used. Should material spills occur, materials and/or contaminants shall be cleaned up appropriately.
- c. **Vehicles and Equipment.** All vehicles and equipment shall be in good working condition and free of leaks.
- d. **Work Hours.** Cultivation/staging work shall be restricted to daylight hours (7:00 a.m. to 9:00 p.m. to avoid impacts to nocturnal and crepuscular (dawn and dusk activity period) species).
- e. **Riparian Setbacks.** Sensitive natural communities and jurisdictional drainages shall establish appropriate minimum riparian setbacks based on the SWRCB Cannabis General Order and County requirements.
- f. **Special Status Wildlife Species.** If any special status wildlife species are observed on site during cultivation/staging activities, the animal shall be allowed to safely leave the site on its own accord.
- g. **Erosion Control.** Erosion control and landscaping specifications shall allow only natural-fiber, biodegradable meshes and coir rolls (i.e., no plastic-mesh temporary erosion control measures) to prevent impacts to the environment and to fish and terrestrial wildlife.
- h. **Pest Management.** If rodenticides or other pesticides are used, they shall be wildlife-friendly to the extent feasible to avoid adverse mobilization effects through the food chain. The development and implementation of a Pest Management Plan shall include the techniques, proposed use, storage, and application of pesticides, herbicides, and rodenticides.
- i. **Trash and Debris.** During project activities, all trash that may attract predators should be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- j. **Consultation with United States Fish and Wildlife Services (USWFS).** Consult with

USFWS to confirm no effect and/or may affect, but not likely to adversely affect determination(s) for California red-legged frog, LBVI, and SWFL. Consultation outcome shall be documented, and recommendations from the USFWS shall be implemented.

- k. **Workers Environmental Awareness Program (WEAP).** All personnel associated with the Project shall attend a WEAP training, conducted by a qualified biologist, to assist workers in recognizing special status biological resources with the potential to occur in the project site. This training shall include information about the California red-legged frog, western spadefoot toad, Northern California legless lizard, western pond turtle, Blainville's horned lizard, protected nesting birds including SWFL and LBVI, special status plants, sensitive habitats, jurisdictional waters, as well as other special status species potentially occurring in the project site.
 - The WEAP shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts within the site. A fact sheet conveying this information shall be prepared for distribution to all employees and personnel involved with construction. All employees shall sign a form provided by the trainer documenting they attended the WEAP and understand the information. A supervising employee shall ensure crew members adhere to the guidelines and restrictions designed to avoid impacts. If new personnel are added to the project, the supervising employee shall ensure the new personnel receive the WEAP training before starting work. All WEAP materials shall be readily available for reference during work hours.
 - Any worker who inadvertently injures or kills a special status species or finds one dead, injured, or entrapped shall immediately report the incident to the employee responsible for WEAP trainings. The employee shall immediately notify USFWS and/or CDFW within five working days of the incident.
- l. **Seasonal Aquatic and Semi-Aquatic Species Avoidance.** Maintenance activities, including non-emergency driving along the access road adjacent to the historic side channel of the Santa Ynez River, and vegetation maintenance and debris removal within the jurisdictional detention basins and ditches on the western side of the property shall be minimized five days prior to and five days after rain events, or conducted when ponded or flowing water is absent. If maintenance must occur during the rainy period or when ponded or flowing water is present, a qualified biological monitor familiar with special status aquatic or semi-aquatic wildlife species with potential to occur in the project site shall conduct a clearance survey to ensure special status species are not present. If any California red-legged frog or western pond turtle are observed, work within 100 ft. of the observation shall stop until USFWS and/or CDFW are contacted and a course of action is determined.

- m. **Seasonal Avian Nesting Avoidance.** During the nesting season (generally February 1 through August 31), changes in routine operations shall not occur within 100 feet of riparian areas. This includes the removal of hoop structure covers, road maintenance, and vegetation or debris clearing in drainages. If changes in routine operations occur during the nesting season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of those activities. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100 foot buffer around the project site, including access roads (300-foot for raptors), and using binoculars to the extent practicable. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California. If nests are found, an avoidance buffer (dependent on the species, proposed work activity, and existing disturbances associated with the land uses outside of the site), shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, or other means to mark the boundary. All personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during nesting season. No changes in routine activities shall occur inside this buffer until a qualified avian biologist has confirmed breeding/nesting is completed, and the young have fledged the nest.
- n. **Buffer Avoidance.** Equipment, materials, machinery, vehicles, storage, and other items shall not be located, stored, parked, or serviced within 100 feet of drainages. At a minimum, a 10-foot visual buffer depicted by four-foot-tall T-posts with an attached cable shall be erected to restrict access.

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

TIMING: The requirements of this condition shall be implemented prior to the commencement of and throughout grading for and construction of new buildings. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable.

MONITORING: P&D permit processing planner shall check plans prior to issuance of Zoning Clearance. P&D compliance monitoring staff, USFWS staff, and/or CDFW staff shall monitor compliance with this condition at the pre-construction meeting, during grading and construction, and throughout the life of the project, as applicable.

- 19. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site. 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 Land Use and Building permits prior to Zoning Clearance issuance.

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.

- 20. 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, water body or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for zoning clearance and building permits prior to Zoning Clearance issuance.

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.

- 21. Emergency Generator.** In the event of a power failure, a generator may be used on the site to provide backup power. A generator is allowed for emergency backup electrical purposes only and shall only be continuously operated during an event of interruption of standard electrical service as provided by the local electrical utility company to the subject parcel. Pursuant to the manufacturer's routine maintenance recommendations, the generator may be exercised on a monthly basis for a period not to exceed 30 minutes. The exercise period shall be limited to the hours between 7:30 a.m. and 4:30 p.m., Monday–Friday only & shall not occur on State holidays (e.g., Thanksgiving, Labor Day, etc.). Non-emergency operation beyond 30 minutes per month shall be prohibited. Additionally, Air Pollution Control District (APCD) permits are required for diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for compliance on all building plans.

TIMING: If required, Permittee shall obtain an APCD Authority to Construct permit prior to engine installation, and an APCD Permit to Operate prior to engine operation. All necessary APCD permits shall be obtained prior to Final Building Inspection Clearance.

- 22. Elapsed Time Meter.** The Owner shall install, operate and properly maintain a dedicated,

non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

TIMING: The time meter and particulate filter shall be installed prior to the first Final Building Inspection Clearance.

- 23. 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 and APCD with the name and contact information for an assigned onsite dust control monitor(s) who has the responsibility to:

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

TIMING: The dust monitor shall be designated prior to first grading 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 inspectors shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

- 24. Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

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

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

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

- 25. Storage Container Removal.** As proposed by the Applicant, within three years of the first Zoning Clearance issuance for the Proposed Project, the Owner/Applicant shall remove 42 of the 52 refrigerated storage containers used for harvest storage as shown on the site plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Owner/Applicant shall state this condition on all site plans.

TIMING: By the last day of the three year time period, the 42 containers shall be removed from the subject parcel. *[For example, if the Zoning Clearance was issued on January 1, 2021, then the containers would need to be removed by 5:00 p.m. on December 31, 2023.]*

MONITORING: The P&D processing planner shall ensure this condition is on all site plans. P&D processing planner shall inform P&D compliance staff of the Zoning Clearance issuance date and required container removal date. The Owner/Applicant shall inform the P&D processing planner and P&D compliance staff once the storage containers have been removed. On the day of the required removal, or as soon as possible thereafter, the P&D processing planner and/or compliance staff shall inspect the subject parcel.

- 26. Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to approval of 20BAR-00000-00057.

TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans shall be submitted to P&D concurrent with or prior to BAR plan filing.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that the project has been built consistent with approved BAR design and landscape plans prior to Final Building Inspection Clearance.

- 27. Odor Control Notification.** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.

TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.

County Rules and Regulations

- 28. 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]
- 29. 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.

30. **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.
31. **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 19DVP-00000-00010.
32. **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.
33. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
34. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
35. **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.
36. **Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
37. **DIMF-24d DIMF Fees-Fire.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. This is based on a project type of cannabis cultivation.

TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building

Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).

- 38. Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, the Owner/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.
- 39. Rules-29 Other Department Conditions.** Compliance with Departmental/Division letters required as follows:

 - a. Air Pollution Control District dated November 20, 2020;
 - b. Environmental Health Services Division dated June 17, 2020;
 - c. Fire Department dated March 4, 2019;
 - d. Flood Control Water Agency dated June 5, 2020.
 - e. Roads dated October 1, 2020.
- 40. 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.
- 41. Rules-26 Performance Security Required.** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & 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.
- 42. 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.

- 43. 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.
- 44. 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.
- 45. Rules-14 Final DVP Expiration.** Final Development Plans shall expire five 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.
- 46. DVP Revisions.** The approval by the Planning Commission of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised Development Plan.

decision had been made as to whether they would go into this type of system or not.

A motion was made by Supervisor Grant, and seconded by Supervisor Bradbury to adopt the resolution as submitted to the Board and read, in part, by Mr. Griffith. Upon the roll being called, the following Supervisors voted Aye, to-wit: C. W. Bradbury and Daniel G. Grant.

NOES: Joe J. Callahan, Veril C. Campbell, and
Curtis Tunnell..

ABSENT: None

The motion failed for lack of a majority.

A motion was made by Supervisor Tunnell, seconded by Supervisor Campbell, and carried, to adopt the resolution including the following amendment, as suggested by Mr. Aiken of Pacific Gas and Electric Company for the streamlined system. (After line 8 on page 2 of the proposed resolution, add the following sentence: "Underground for the purpose of this subsection may, as determined by the Planning Commission, include an electric distribution system consisting of metal poles, supporting two high voltage wires, transformers and street lights with all other facilities and wires used for communications and for the supply and distribution of electric energy placed underground.")

Mr. Griffith objected to the amendment as a member of the Subdivision Committee

Upon the roll being called, the following Supervisors voted Aye, to-wit: C. W. Bradbury, Joe J. Callahan, Veril C. Campbell, and Curtis Tunnell.

NOES: Daniel G. Grant

ABSENT: None

In the Matter of Resolution Relating to Policy on Underground Public Utilities.

RESOLUTION NO. 24416

WHEREAS, it is the finding of the Subdivision Committee that recent advancements in the techniques for providing underground public utilities have substantially reduced the cost for such facilities to the extent that it is now practical to serve all types of residential development in such a manner; and

WHEREAS, the Board of Supervisors agrees that the findings of the Subdivision Committee are correct; and

WHEREAS, damage to or destruction of public utilities during time of fire, flood or other catastrophe directly endangers the public health, safety and welfare and public utilities installed above-ground rather than underground are far more subject to such damage or destruction and, hence, underground rather than above-ground installation of such facilities substantially contributes to the benefit of the public health, safety and welfare; and

WHEREAS, the intrusion of above-ground utility poles and lines into otherwise open airspace areas of subdivided lands is contrary to the endeavors of the County to enhance the present or potential value of urban development abutting or surrounding open airspace areas in new subdivision development, to establish a residential environment conducive to the attraction of new residents who, economically, would become customers of substantial business of the County, and, hence, to contribute to the economic and general welfare of the people of

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the County;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. That all utilities and transmission facilities, except transformers, junction and terminal boxes, meter cabinets, concealed ducts and the like of the type customarily used with underground utility installations, which are installed as part of a division or subdivision of land or in connection with land development requiring a development plan shall be placed underground; provided, that an adjustment may be granted in those cases where the Planning Commission or the Board finds that topography, soil, lot sizes in excess of 1.5 acres, or other special conditions would make underground installations impracticable. Underground for the purpose of this subsection may, as determined by the Planning Commission, include an electric distribution system consisting of metal poles, supporting two high voltage wires, transformers and street lights with all other facilities and wires used for communications and for the supply and distribution of electric energy placed underground.

2. That it shall be the responsibility of the subdivider or developer of the property involved to comply with the requirements of this resolution and he shall make the necessary arrangements for the underground installations with the utility companies.

3. That in said residential developments which abut existing recorded lots which were permitted above-ground utility lines, such lines shall be permitted to serve the tier of new lots immediately abutting such lots carrying such lines; provided, however, the rest of the development shall be served by underground utilities.

4. That the street right-of-way shall be used for the location of such underground utilities whenever practical.

5. That these requirements shall be imposed on all development plans, tentative subdivision maps approved after the effective date of this resolution, and on time extensions of tentative maps, whether or not units of the subdivision have been filed prior to the request for time extension.

6. This resolution shall not apply to the following:

a. Through transmission lines, wires, cables, appurtenances and facilities not serving the development.

b. Commercial and Industrial Developments.

Passed and adopted by the Board of Supervisors of the County of Santa Barbara, State of California, this 7th day of December, 1964, by the following vote:

Ayes: C. W. Bradbury, Joe J. Callahan, Veril C. Campbell,
and Curtis Tunnell

Noes: Daniel G. Grant

Absent: None

The Board recessed until 2 o'clock, p.m.

At 2 o'clock, p.m., the Board reconvened.

Present: Supervisors C. W. Bradbury, Joe J. Callahan,
Veril C. Campbell, and Curtis Tunnell; and J. E. Lewis,
Clerk.

Absent: Supervisor Daniel G. Grant

Supervisor Callahan in the Chair

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In the Matter of Continued Hearing on Abandonment of Portions of County Highways in Goleta Valley, Third Supervisorial District (Hollister Avenue and Kellogg Avenue).

This being the date and time set for a continued hearing on Subject matter;

Upon motion of Supervisor Bradbury, seconded by Supervisor Tunnell, and carried unanimously, it is ordered that the above-entitled matter be, and the same is hereby, removed from the agenda.

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In the Matter of Hearing on Formation and Establishment of Special Lighting Zone No. 1 in County Service Area No. 3, Goleta Valley (El Encanto Heights and El Encanto Heights No. 2).

This being the date and time set for a hearing on the formation and establishment of Special Lighting Zone No. 1 in County Service Area No. 3 in the Goleta Valley (El Encanto Heights and El Encanto Heights No. 2); the Affidavit of Publication being on file with the Clerk; and there being no appearances or written statements submitted for or against subject proposal;

Upon motion of Supervisor Campbell, seconded by Supervisor Bradbury, and carried unanimously, the following resolution was passed and adopted:

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In the Matter of Forming and Establishing Special Lighting Zone No. 1 in County Service Area No. 3 in the Goleta Valley (El Encanto Heights and El Encanto Heights No. 2).

RESOLUTION NO. 24417

WHEREAS, this Board has heretofore, on the 23rd day of November, 1964, adopted a resolution declaring its intention to form the hereinafter named Special Lighting Zone within County Service Area No. 3, and setting a time and place for public hearing thereon; and

WHEREAS, notice of such public hearing was duly published in the manner required by law; and

WHEREAS, a public hearing upon the said resolution and the proposed formation of the hereinafter named Special Lighting Zone has been duly held as required by law, and those persons desiring to be heard upon the matter were given opportunity to be heard at such public hearing; and

WHEREAS, evidence has been presented to this Board that it is in the public interest and in the interest of the hereinafter described territory that the said territory be formed into a Special Lighting Zone for the purpose of providing street lighting with ornamental light standards;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, FOUND AND DECLARED

(OFFICE COPY)

UNDERGROUNDING
Policy -

APPENDIX 9 - EXHIBIT 2

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RESTATING)
THE POLICY TO REQUIRE UTILITY)
SERVICES TO BE PLACED UNDER-)
GROUND ON APPROVAL OF NEW)
DEVELOPMENT)

RESOLUTION NO. 87-344

WHEREAS, advancements in the techniques for providing un-
derground public utilities have substantially reduced the cost
for such facilities to the extent that it is practical to serve
all types of development with underground utilities; and

WHEREAS, damage to or destruction of public utilities dur-
ing time of fire, flood or other catastrophe directly endangers
the public health, safety and welfare; and

WHEREAS, utilities placed underground are far less subject
to damage or destruction than are overhead services, and there-
fore, a requirement to place services underground will contri-
bute substantially to the protection of public health, safety
and welfare; and

WHEREAS, the addition of each new opportunity for devel-
opment provides a direct incremental increase in the utility
services which require attention; and

WHEREAS, the intrusion of overhead utility services into otherwise open air space above land to be subdivided or otherwise developed is contrary to the welfare of residents in or near the new development and of the County generally; and

WHEREAS, Board Resolution No. 24416 adopted December 7, 1964, requires that the utility services for new development, be placed underground but requires interpretation for use; and

WHEREAS, the Board of Supervisors wishes to state this requirement to underground utilities as a clear policy.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED that in allowing real property to be subdivided and in the approval of other new development, this Board and the agencies, agents, officers and employees that are directed by the policy of this Board, shall be guided by the following:

1. Any proposed subdivision of real property which will result in five or more new or reconfigured lots, and any proposed land development which requires the approval of a development plan, shall have all of the utilities and distribution facilities associated with or adjacent to the project placed underground at the expense of the applicant or proponent of the project. Transformers, junction and terminal boxes, meter cabinets, concealed ducts and similar facilities associated with underground installations may be permitted above ground where consistent with the policy that all utility services for such projects be placed underground where reasonably feasible.

Where it appears that lot sizes are or will be in excess of 3 acres or where the topography, soil or lot configuration or other special condition would make the installation of utilities underground impractical or unduly burdensome, the requirement may be modified or excused by the County representative having final approval authority for the project. It is the intent of this policy to protect the safety of areas affected and to relieve the areas affected from any gradually increasing accumulation of overhead utilities by reason of increasing development.

2. Where the real property which is subject to subdivision or development approval is traversed by or includes existing overhead or above ground poles, lines or other conduits which serve real property which is abutting, adjacent to, or contiguous with a public service easement, right of way, or street or highway, this policy shall apply also to those utility lines. Where overhead lines, otherwise subject to being placed underground pursuant to this policy, extend into State right of way, or into other parcels or areas which appear to be restricted from further development by reason of existing law or regulation, and are directly associated with the development proposed, the developer of an adjoining or contiguous parcel may be required to place these lines underground also, if deemed feasible and reasonable by the Director of Public Works.

Where the County Director of Public Works determines that it is not reasonably feasible to require such lines to be placed underground, the requirement may be modified or excused.

3. For the purpose of this policy, all conduits, wires, and other transmission lines for communications, power, cable television and other utilities and services, and their equipment and appurtenances, shall be placed underground by the developer except: through high voltage transmission lines (lines carrying 35,000 volts or greater); transformers; street lights and their associated supports, poles, cables, appurtenances, and facilities for which underground placement is not reasonably feasible.

4. It shall be, and is the responsibility of the subdivider, developer or other applicant for approval for the real property to comply with the requirement to place utilities underground, and that person shall make all necessary arrangements and coordination for such underground installation with utility or utilities companies.

5. The public right of way, where available, shall be used to locate such underground utilities whenever practical.

6. Requirements to satisfy these policies shall be placed on all development plans, tentative subdivision maps creating five or more lots, and on time extensions of such tentative maps, for all approvals identified in this Resolution.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors
of the County of Santa Barbara, State of California, this 20th
day of July, 1987, by the following vote:

AYES: David M. Yager, Thomas A. Rogers, William B.
Wallace, DeWayne Holmdahl

NOES: None

ABSENT: Toru Miyoshi

WILLIAM B. WALLACE
William B. Wallace
Chairman, Board of Supervisors

ATTEST:
KENNETH A. PETTIT
Clerk of the Board
of Supervisors

By Betsy Seamans
Deputy

APPROVED AS TO FORM
Kenneth L. Nelson
County Counsel

By Robert W. Pike
Robert W. Pike, Deputy

Memorandum



To: Doug Robertson / Permits
From: Brad Probst, Traffic section /
Transportation
Subject: Encroachment Permit # N51348
Date :4-13-2016

Condition of Approval:

Work shall be planned and conducted as to create the least possible inconvenience to the traveling public. Where vehicles must be parked in the County right-of-way, proper signage and flagging must be provided following the Safety guidelines of the State of California. Work areas traffic control shall be in accordance with recognized standards (IE: Caltrans Traffic manual, MUTCD, Watch, etc.)

Sight distance will not be altered by improvements at this location.

Regarding landscape improvements (trees, shrubbery, etc :) that do not impede on sight distance:

If an existing or proposed curb is to be placed behind which new trees or other fixed objects will be installed a minimum horizontal distance of 1.5 ft. from any part of the object to the outward face of the curb is required, linear length of curb to be not less than 25 ft. for each object (12.5' in each direction parallel to centerline of road), curb to meet type "A" AC dike County standards minimum dimensions. No other objects may intrude on the edge of pavement (rocks, protective posts, bollards, etc.) and must otherwise be removed.

If no fending curb is to be in place, the distance from edge of pavement to any part of a fixed object is to be not less than 10 ft. No other objects may intrude on the edge of pavement (rocks, protective posts, bollards, etc.) and must otherwise be removed. Provisions for posted speeds of less than 40 MPH allow for 7 ft. clearance from edge of pavement.

New planned landscape trees / shrubs at this address may be affected by these conditions of approval. If planted at a distance of less than 7 feet from existing edge of road pavement they will require AC dike type "A" (or equivalent dimensions) to be installed.

The Public Works Traffic Section reserves the right to have utility or contractor revise traffic control plans at any time during construction of project if it deems there are safety concerns with submitted traffic control plan.

Working hours will be called out in the encroachment permit, but could also be revised if safety concerns arise during construction.

Cannabis Odor Abatement Plan (Addendum)

November 19, 2020

Prepared for:

Central Coast Agriculture, Inc (CCAg)

Site Address: 8701 Santa Rosa Rd
Buellton, CA

Prepared by:

Nate Seward, PE, CIH

Professional Mechanical Engineer (M31978)
Certified Industrial Hygienist (9582 CP)
Certified Radon Tester #108180RT
EPA & IICRC Instructor (WRT & AMRT)
Licensed Asbestos Abatement Consultant (I-1923)

On behalf of Central Coast Agriculture, Inc. (CCAg), this addendum has been prepared this addendum which also includes Odor Control and Management Standard Operating Procedures (SOP), Attachment 1. This Addendum should be used in conjunction with the most current Cannabis Odor Abatement Plan dated March 26, 2020.

Site Description

The subject site is located at 8701 Santa Rosa Rd, Buellton, CA; APN: 083-180-007; Inland Zone = AG; Zoning = AG-II 40. The subject property will include cultivation of approximately 35 acres with the closest residential property to the north east of the property and approximately 2,239 feet from the property line and 2,500 from the nearest cultivation. To the West, the closest residential zoning is 12.5 miles away.

It is anticipated that the subject property will produce two crops per year. The first crop will get planted into the ground in April with harvesting in the last two weeks of June. The second crop will get planted into the ground in July with harvesting in the last two weeks of October. Each harvest will be flash frozen within about 20 minutes from harvest. The flowers are stored on site in sealed containers at negative 30 degrees.

The applicant will approach the odor mitigation with a phased approach as outlined in the attached SOPs and including the following:

Warehouse – Carbon Filtration

The applicant will be primarily growing varieties of cannabis with sweet and floral terpene profiles – which have less of the typical “skunk” smell of other cannabis varieties. No flower drying or curing will occur within the processing areas eliminating a significant odor emitting process, only freezing of the product will occur and within approximately 20 minutes (maximum of 2 hours) of harvesting inside the cultivation warehouse building. The odors associated at the subject site will be emitted during the flowering stages from mature plants during the growth process. The strongest cannabis odors will be expected during the last few weeks just before harvesting.

The Cultivation Warehouse will be placed under a negative pressure to reduce the escape of unwanted nuisance odors that maybe produced during the freezing process. The warehouse will utilize an exhaust fan that will filter the air thru an activated carbon filter prior to exhausting from the building.

$$\text{Cubic Feet/Min (needed)} = \frac{\text{Room Volume} \times \text{Air Changes/hour}}{60}$$

Air Changes/hour = 4

Dimensions of rooms that will utilize carbon filters:

Cultivation Warehouse – 2,984 sq. ft x 20' height = Volume = 59,680ft³

CFM needed = (59,680 x 4) ÷ 60 = 3,978 cfm

Number of machines = 3,978 ÷ 2,000 = 1.9 or Round up to 2 machines

The Cultivation Warehouse building will include 2 Carbon filtration machines which will be effective in mitigating odors. The warehouse air will be exhausting air within the building out thru the carbon filters creating a negative pressure. This negative pressure will reduce the escape of any nuisance odors.

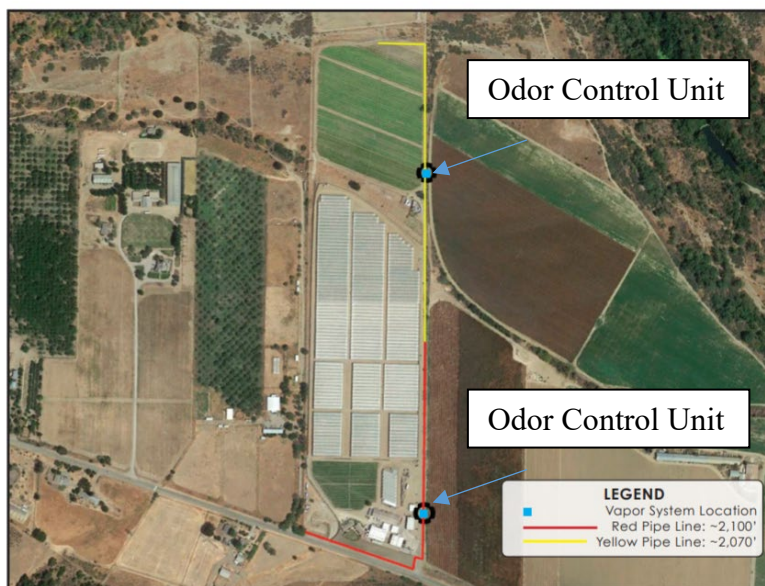
Cultivation & Harvest - Vapor Phase System

For both photoperiods and autoflowers, odors start to form about 4 weeks after flowering has started. The autoflowers usually finish flowering in around 6-7 weeks so the odor period lasts for about 2-3 weeks. The photoperiods generally take about 6-9 weeks to finish flowering and so the odor period would be from 2-5 weeks. The applicant intends to utilize an odor neutralizing, vapor-phase technology currently available to limit these cannabis odors from drifting off-site (details of the vapor phase system are described in the previously submitted odor abatement plan and within the attached SOP).

The neutralizing deodorant, Ecosorb CNB 100, will be delivered thru a piping system as described in the previous odor abatement plan. The product will be delivered at a rate of 3-6 gallons/day, depending on the characteristics of the site, to neutralize the cannabis odors as it mixes within in the air stream around. It is anticipated that some operations being performed may require an increase of deodorant to be delivered to neutralize the cannabis odors and will be monitored using a computer monitoring system which allows the operator to remotely regulate the flow of the odor control system to ensure that the amount of odor neutralizing agent is adjusted to match current odor producing conditions, seasonal weather patterns, and other fluctuating conditions. The system is also capable of notifying the operator if an equipment failure has occurred so that the system can be repaired and returned to service as soon as possible.



PROPOSED 6" PVC D2729 LAYOUT
8701 SANTA ROSA ROAD
BUELLTON, CA 93427



Nursery Odor

The indoor cultivation areas include all vegetative plants (no flower) and therefore will not create odors to warrant odor mitigation. The Biogenic Emission Inventory System (BEIS) model, developed and used by the USEPA and other agencies to estimate biogenic emission estimates for regional air quality modeling, assigns emission factors to the dominant US vegetation species based on reported emission rates measured using enclosure methods. Measurements demonstrate that Cannabis juveniles emit terpenoids at rates similar to what can be found in many natural forested ecosystems while the mature plants emit at rates that is about a factor of ten higher.

Odor Control and Management Standard Operating Procedures (SOP)

Standard operating procedures will be implemented by the applicant and staff with the objective to minimize cannabis related odors. Procedures to control odors will include a combination of engineering controls such as negative pressure, activated carbon and vapor phase technologies specifically engineered to reduce cannabis odors. It is anticipated that adjustments to these engineering controls will be necessary depending on the odor emitting activities. Administrative controls and training will also be required to ensure employees and staff are following best practices to minimize odors (see SOP for details).

If you have any questions, please don't hesitate to contact me.

Respectfully submitted,



Nate Seward, PE, CIH

Professional Mechanical Engineer (M31978)

Certified Industrial Hygienist (9582 CP)

Attachment 1

Odor Control & Management Standard Operating Procedures

<p>CENTRAL COAST AGRICULTURE INC</p> 	Odor Control and Management	
	Implementation Date: January 2020	
Last Reviewed/Update Date	11/16/2020	SOP Owner: Lindsay Cokeley

1. Approval Block

APPROVALS	TITLE	SIGNATURE & DATE
<i>Prepared By:</i>		
<i>Reviewed By:</i>		
<i>Approved By:</i>		
<i>Other:</i>		

2. Purpose

Central Coast Agriculture, Inc., (CCAg) has prepared this Odor Control and Management Plan for its cannabis cultivation, nursery, distribution and processing operations located at 8701 Santa Rosa Rd.

Worksite ventilation and control of airborne contaminants and odors shall be minimized (wherever possible) within the workplace environment through engineering and administrative controls.

3. Scope

This plan applies to the outdoor cannabis cultivation areas and processing building located at 8701 Santa Rosa Rd.

ODOR EMISSIONS

CCAg has identified potential odor sources, the potential timing of odors, and mitigation measures to ensure odors are not detected outside of designated areas.

ODOR SOURCES

CCAg will conduct operations associated with cannabis processing in a way which minimizes odor generation and resultant airborne emissions. Sources of odor are discussed below with references to plan sheets/floor plans.

- **Cannabis Processing Area (SD1.2)** Odors resulting from the processing of raw cannabis can result from the raw cannabis material being exposed to the environment after harvesting and prior to freezing. The emission of odor from the cannabis flowers throughout the freezing will be minimized as the process of freezing the material at harvest and then packaging in vacuum sealed bags while frozen would trap any potential terpenes or other odor emitting substances within the product to maintain maximum freshness.
- **Cultivation Areas (A1.1)** Odors emanating from plants during the flowering stage of the plants are restricted to 2-3 weeks twice a year, just before harvest.
- **Storage Areas (A1.2, D3.1)** Raw cannabis material will be stored in the Secure Storage area inside controlled freezers and/or designated areas at all times. All

cannabis material shall be stored in 4mm vacuum sealed plastic bags to prevent odor emissions within storage areas.

- **Indoor Areas (D1.8, D1.7)** Odors emanating from plants grown indoors are minimized by design. All indoor areas are for immature plants and plant breeding. Due to the fact that immature plants will not be flowering, the odors coming from these plants are much less than those from the other cultivation areas.

ODOR MITIGATION

Central Coast Agriculture has adopted an adaptive management approach to the mitigation of odors from the cannabis processing and cultivation site. The adaptive management will include a tiered system to mitigate odors as outlined in the procedure section of this SOP.

Airborne release of potential cannabis related odors, from any of the three source areas, will be mitigated through the use of engineering and administrative controls, as discussed below.

- **Engineering Controls** CCAg will use best control technology to ensure odors are minimized outside the project site boundaries or in common areas accessible to the public, such as Santa Rosa Rd.
 - CCAg proposes to use a Byers vapor phase odor neutralizing system in order to prevent odors from impacting nearby sensitive receptors.
 - Temperature monitoring of freezers will prevent thawing and escape of cannabis odors.
- **Administrative Controls** Procedures to ensure odors are minimized and/or precluded from being released and/or emitted outside include, but are not limited to, the following:
 - Ensure that authorized personnel work in their designated areas.
 - Establish procedures to manage odor complaints and train employees on odor mitigation.
 - Ensure that received Fresh Frozen material is received in frozen, vacuum sealed bags.
 - Stored Fresh Frozen materials remain sealed and frozen consistently.
 - Regular inspections to ensure odors are contained and properly mitigated to avoid impacts to sensitive receptors.

4. Prerequisites

- SOP: All cannabis processing SOPs
- Odor Abatement Plan and Addendum - Nate Seward, CIH

5. Responsibilities

Employer Responsibilities:

- Update SOP as required.
- Train employees/contractors on this SOP.

Quality Control Manager (QC):

- Ensure this procedure is followed, remains consistent with current practices, and is reviewed and updated as necessary.

- Ensure employees involved have been trained on this SOP. *Date of training shall be documented and tracked on the L & D platform.*
- Follow up with staff as necessary.
- Review documentation and ensure documentation is maintained on site for a minimum of 7 years.

Employee/Contractor Responsibilities:

- Must follow procedure exactly as written.
- Discuss issues or needs of updating SOP with upper management.

Odor Control and Management Designee:

- Primary contact for Odor Control and Management topics both inside the company and for third-parties, including regulatory agencies and complainants

6. Procedure

ADAPTIVE MANAGEMENT STRATEGY

CCA will adopt the following procedures to implement the adaptive management approach to mitigating odor from the cannabis activities occurring on site.

Baseline Conditions to be implemented immediately

As recommended by Nate Seward the Byers Scientific Vapor Phase System will be installed to control odors from both the cultivation site and the processing building. In addition, a negative pressure carbon filtration system will be installed within the processing building.

Baseline Engineering Controls - Vapor-phase odor control system + carbon filtration

Step 1: Prepare Byers Vapor Unit and Carbon filtration system for harvesting and processing activities.

Step 2: At the start of harvest activities, both the Byers vapor units and negative pressure carbon filtration within the processing building will be activated. The system will be inspected on a daily basis to ensure it is operating properly. **This system will be activated and run only during harvest**, which occurs for 3 weeks during the spring and fall season.

Step 3: At the completion of harvest activities, the Byers vapor unit will be turned off. The negative pressure carbon filtration unit will remain on until processing activities have ceased.

Baseline Administrative Controls - Harvesting/Processing

Step 1: Ensure all cultivation, warehouse, and processing SOPs are up to date and all employees working in these areas are trained on all processes. The director of cultivation shall maintain training logs on all SOPs.

Step 2: Ensure all windows and man doors to the processing building are closed before moving harvested cannabis from the cultivation area to the warehouse. The only door that is permitted to be open is the large roll up door for movement of

material in and out of the building during harvest.

Step 3: All harvested material is to be frozen within 2 hours, effectively reducing the emission of terpenes and odor.

Phase 1 to be implemented upon receipt of a verified complaint

Phase 1 Engineering Controls - Vapor-phase System Adjustment + Carbon Filtration

Step 1: Ensure the Vapor-phase odor control system and carbon filtration unit were operating at full efficiency. If not operating correctly, ensure systems are maintained and operated correctly moving forward.

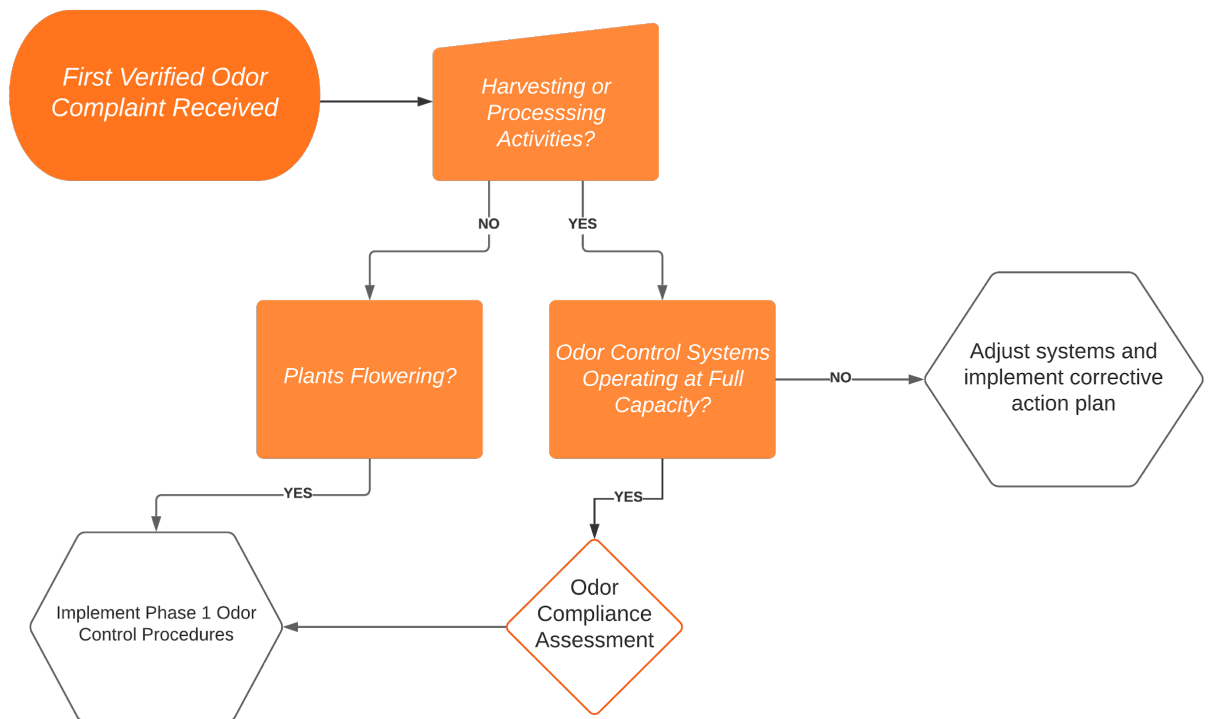
Step 2: If all systems are operating correctly, engineering controls shall be adjusted in order to prevent future odor episodes based on the timing of the complaint as described in the flowchart below.

- If odor complaint is received prior to harvest and plants are flowering - the vapor phase system will be adjusted to operate within 24 hours of receiving the first odor complaint.
- If odor complaint is received after harvest and while processing - the vapor phase system will be turned back on and will remain on until processing activities have been completed.

Phase 1 Administrative Controls - Odor Complaint Corrective Action Plan

Step 1: An internal investigation of odor control technology shall occur to determine whether odors are observed off site, and also to ensure the vapor-phase system was in operation at the time of the complaint. The internal investigation of the complaint shall follow the "Odor Compliance" section of this SOP.

Step 2: An Odor Investigation Report shall be completed by the Compliance Officer and be provided to the County upon request. The Report shall include verification of all baseline conditions, in addition to all information listed in the "Odor Compliance" section below.



Phase 2 to be implemented upon receipt of a 2nd verified complaint

Phase 2 Engineering Controls - Vapor-phase Odor Control System + Carbon Filtration

Step 1: Ensure the Vapor-phase odor control system and carbon filtration unit is operating at full efficiency. If not operating correctly, ensure systems are maintained and operated correctly moving forward.

Step 2: If the system is operating correctly, and the odor complaint was received when all baseline and phase 1 conditions were being followed (upon investigation below), the vapor-phase system shall be adjusted to begin operating **during all flowering, harvesting, and processing activities.**

Administrative Controls - Odor Complaint Corrective Action Plan

Step 1: An internal investigation of odor control technology shall occur to determine whether odors are observed off site, and also to ensure the vapor-phase system was in operation at the time of the complaint. The internal investigation of the complaint shall follow the "Odor Compliance" section of this SOP.

Step 2: An Odor Investigation Report shall be completed by the Compliance Officer and be provided to the County upon request. The Report shall include verification of all baseline and phase 1 conditions, in addition to all information listed in the "Odor Compliance" section below.

Step 3: If the analysis determines that the complaint resulted in a verified odor episode, CCA shall commit to additional effort to eliminate future odor episodes. The

level of effort required includes but is not limited to the following.

- a. Retain a certified industrial hygienist, air pollution control engineer, or other qualified individual to assist in identifying the source of the odor episodes and develop methods to abate such episodes.
- b. Conduct a comprehensive BACT analysis of the systems to determine where odors could be better controlled with available technology.

TRAINING

Staff will be trained on procedures for mitigating odor, as discussed above. Managers will be responsible for training new employees prior to beginning work in areas where there is potential for odor-emitting activities. Staff will be required to go through training on an annual basis to review odor mitigation procedures and best odor management and control practices. CCAg will maintain records of training as part of its record keeping procedures discussed below.

RECORDKEEPING

Records pertaining to this Odor Control and Management Plan will include, but are not limited to, the following:

1. Performed maintenance logs for odor control equipment
2. Timing of maintenance will follow the manufacturer recommendations
3. Documentation and notification of equipment malfunctions
4. Documentation of odor complaints
5. Employee training logs
6. Documentation for review and changes to engineering and administrative controls

Physical and/or electronic training records will be maintained on site for a minimum period of seven years and archived electronically thereafter. Records will be available in either hard copy or electronic format for review by applicable agency personnel upon request.

ODOR COMPLIANCE ASSESSMENTS

In accordance with applicable regulations, there will be a designee responsible for monitoring the odors 24/7 and primary contact person to respond to calls regarding nuisance odor complaints. The name and contact information for this person will be provided for complaints, and should follow the proper procedures. Within 4 business hours of receiving official notice of a complaint, the designee will readily make any adjustments or modifications to the odor abatement system as necessary to mitigate odor. The company will internally track complaints that are received and document the process including the following information:

1. Date & Time of the complaint
2. Name and contact (phone number and/or email) information of the complaining party
3. Date, time, and specific location as where the odor was observed by the complaining party, if

known

4. A description of the odor including an intensity ranking from 1-5 (1 being mild and 5 being extremely strong), if known
5. The atmospheric/weather conditions including wind speed and direction if known at the time of the odor complaint
6. Location of the complaining party when first observed
7. Description of any activities observed by the complainant at or near the activities area during the odor observation (trucks entering or exiting the area, uncovered cannabis wastes near the property line, etc.), if known

Any necessary correction actions as a result from the odor complaint will be implemented to the odor abatement system and/or processes. The company will allow the City access to the facility for the purpose of inspecting the odor control system. If needed, the company will contract the services of a Professional Engineer or Certified Industrial Hygienist as a third party to document the corrective actions in the event of continuous nuisances.

ODOR CONTROL AND MANAGEMENT CONTACTS

Odor Control and Management POC	Main Contact: JD Augustus Alternative: Casey Birthisel	Phone: +1 805 895 2505 Email:jd@ccagriculture.com Phone Email:casey@ccagriculture.com	Oversees all activities relating to the odor control and manages other team members
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7. References

- Odor Abatement Plan and Addendum - Nate Seward, PE/CIH
- ISO 9001 Standard
- CIVIL CODE- CIV DIVISION 4. GENERAL PROVISIONS [32749566] (*Heading of Division 4 amended by Stats. 1988, Ch. 160, Sec. 16. PART 3. NUISANCE [3479- 3508.2] (Part 3 enacted 1872.)TITLE 1. GENERAL PRINCIPLES [34793486.5] (Title 1 enacted 1872.)3479.*)
- County of Santa Barbara Land Use and Development Code Chapter 35 Section 42.075
- <https://www.ourair.org/wp-content/uploads/APCD-Cannabis-Advisory-v2.pdf>

8. Definitions

N/A

9. Forms

N/A

10. *Revision History*

See Google Doc Log for detailed [revision history](#)

November 20, 2020

Gwen Beyeler
Santa Barbara County
Planning and Development
624 W. Foster Road
Santa Maria, CA 93455

Re: Santa Barbara County Air Pollution Control District Suggested Conditions on Central Coast Agriculture LLC, 19CUP-00000-00005, 19DVP-00000-00010

Dear Gwen Beyeler:

The Santa Barbara County Air Pollution Control District (District) has reviewed the referenced project, which consists of cannabis cultivation of approximately 30 acres with 26 acres under existing hoop structures. There would be nursery cultivation activities within an existing 6,594 square foot (SF) greenhouse and 7,000 SF agricultural building. Processing would take place in an existing 3,100 SF warehouse as well as in the area around this building. Approximately 22 farmed acres would be processed from off-site on this farm, comprising up to 50% of the total harvested material processed on site. Harvest material storage would occur in 52 new refrigerated shipping containers and seed storage would take place in three refrigerated shipping containers. An existing 4,200 SF building would be used for transport only distribution, nursery research and development, and internal quality assurance testing. The operation includes up to 15 full-time employees and up to 20 additional employees during harvest season. The project does not propose cannabis manufacturing or the use of any stationary combustion equipment. The Odor Abatement Plan proposes use of the Byers vapor phase technology with Ecosorb® CNB 100. The subject property, a 68.19-acre parcel zoned AG-II-40 and identified in the Assessor Parcel Map Book as APN 083-180-007, is located at 8701 Santa Rosa Road in the unincorporated area of Buellton.

District rules and regulations may apply to various aspects of the cannabis industry. This may include the need to obtain one or more permits or registrations. County staff and the cannabis operator should carefully review the District's *Cannabis Permitting Requirements & Nuisance Enforcement Table* and *Advisory on Air Quality and Cannabis Operations* (available at www.ourair.org/cannabis). These resources provide local agencies and cannabis operators guidance regarding the air quality aspects of this industry. Based on the project description and information that has been provided, the project does not require a District permit. However, if the project description changes, the applicant should refer to the District's cannabis permitting webpage at www.ourair.org/cannabis to determine if any equipment or operations will require District permits.

The proposed project is subject to the following **regulatory requirements** that should be included as conditions of approval in the applicable land use permit:

1. The application of architectural coatings, such as paints, primers, and sealers that are applied to buildings or stationary structures, shall comply with District Rule 323.1, *Architectural Coatings* that places limits on the VOC-content of coating products.

2. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 Btu/hr and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of District Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.
3. Boilers, water heaters, and process heaters (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of District Rule 360. Note: Units fired on fuel(s) other than natural gas still need to be certified under Rule 360. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information.
4. At all times, idling of heavy-duty diesel trucks shall be minimized; auxiliary power units shall be used whenever possible. State law requires that:
 - Drivers of diesel-fueled commercial vehicles shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location.
 - Drivers of diesel-fueled commercial vehicles shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle. Trucks with 2007 or newer model year engines must meet additional requirements (verified clean APS label required).
 - See www.arb.ca.gov/noidle for more information.

In addition, the District recommends that the following **best practice** be considered for inclusion as conditions of approval:

1. The project proposes the use of Ecosorb® CNB 100 by OMI Industries for vapor phase odor mitigation. Any chemical used for deodorizing systems should not cause adverse impacts to the community. Low-VOC (volatile organic compound) or no-VOC compounds are recommended, as well as compounds that do not contain toxic air contaminants (TACs) as identified by the State of California. The District has confirmed that Ecosorb® CNB 100 does not contain TACs. If the odor control system(s) change to a system(s) that use chemicals that contain TACs, the County should assess the potential for health risk by performing a refined Health Risk Assessment. The comprehensive list of TACs can be found at www.arb.ca.gov/toxics/healthval/contable.pdf.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8878 or via email at WaddingtonE@sbcapcd.org.

Sincerely,



Emily Waddington
Air Quality Specialist
Planning Division

cc: Lindsay Cokeley, CCA Agriculture [email only]
Matthew Allen, CCA Agriculture [email only]
David Harris, Manager, District Engineering Division [email only]
William Sarraf, Supervisor, District Engineering Division [email only]
Planning Chron File



Environmental Health Services

225 Camino del Remedio ♦ Santa Barbara, CA 93110
805/681-4900 ♦ FAX 805/681-4901

Van Do-Reynoso, MPH, PhD Director
Suzanne Jacobson, CPA Chief Financial Officer
Palge Batson, MA, PHN, RN Interim Deputy Director
Douglas Metz, DPM, MPH Deputy Director
Polly Baldwin, MD, MPH Medical Director
Polly Baldwin, MD, MPH Interim Health Officer

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

Lawrence Fay Director of Environmental Health

TO: Gwen Beyeler, Planner
Planning & Development Department
Development Review Division

FROM: Deanna Talerico
Environmental Health Services

DATE: June 17, 2020

SUBJECT: Case No. 19CUP-00000-00005 & 19DVP-00000-00010

Applicant: Blue Ribbon Farms LLC / Central Coast Agriculture LLC

Agent: Matt Allen

Assessor's Parcel No. 083-180-007

Located at: 8701 Santa Rosa Road, in the Buellton, CA

19CUP-00000-00005 & 19DVP-00000-00010 represents a request of approval for an approximately 35-acre cannabis cultivation operation on a 68.19-acre parcel. The Proposed Project includes cannabis cultivation of approximately 30 acres with 26 acres under existing 11 foot tall hoop structures. There would be nursery cultivation activities within an existing 6,594 square foot (sq. ft.) greenhouse and 7,000 sq. ft. agricultural building located in the southern portion of the parcel. Processing would take place in an existing 3,100 sq. ft. warehouse as well as in the area around such building. Harvest material storage would occur in 52 new refrigerated shipping containers with a maximum height of 9 feet 6 inches located in the southeast portion of the parcel, and seed storage would take place in three refrigerated shipping containers located in the southeast portion of the parcel. There would be transport only distribution, Nursery Research and Development, and internal quality assurance testing in an existing 4,200 sq. ft. building located in the southern portion of the parcel. Law enforcement would be provided by the County Sheriff and fire protection would be provided by the County Fire Department. The project would be located in the Santa Ynez Valley Community Plan Area in Buellton, third supervisorial district.

The operation includes up to 15 full-time employees and up to 20 additional employees during harvest season, which would take place twice once in June and once in November and last up to three weeks each time. On site security guards would be provided 24 hours per day, seven days per week. During the harvest season, the hours of operation would be 7:00 a.m. to 7:00 p.m. seven days per week. During the off-season, hours of operation would be between 7:00 a.m. and 7:00 p.m. seven days per week. Approximately 22 farmed acres would be processed from off-site on this farm, which would comprise up

to 50% of the total harvested material processed on site. All processed cannabis would be transported to an off-site manufacturing facility located in Lompoc.

The distribution building has existing permanent restrooms, which are supplemented with portable toilets during limited peak harvest time only. Sewage disposal is provided by an existing onsite wastewater treatment system to serve the distribution building restroom facilities, previously approved by Environmental Health Services under permit ON0018439 in 2007. Several employees would live on site in the existing four-unit employee dwelling. The employee dwelling is served by a separate existing onsite wastewater treatment system, previously approved by Environmental Health Services under permit ON0018438 also in 2007. Environmental Health Services has also received and reviewed recent septic pumper inspection reports of both septic systems, dated January 2020. The reports verify the systems are in good functioning condition. Environmental Health Services has determined the existing septic systems have sufficient capacity to serve the wastewater flow demand of the project as proposed and described herein.

Domestic and irrigation water would be provided by two existing on-site wells. One of which is permitted with County Environmental Health Services under a domestic single parcel water system permit for usage in the agricultural employee dwellings and the distribution building (under permit SR0108639). No changes to the permitted water system are proposed. The second well serves irrigation only, and is completely separate from the domestic water system.

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 Zoning Clearance, the applicant shall submit a **solid waste management plan** to County Environmental Health Services for review and approval. The plan shall include but not be limited to the following:
 - (a) planned on-site composting details,
 - (b) means of waste transport,
 - (c) description of short-term storage facilities, if any
 - (d) method and area of waste disposal,
 - (e) any equipment necessary to implement the plan.
2. Prior to Zoning Clearance, the applicant shall submit verification of exemption and/or enrollment with the Regional Water Quality Control Board waste discharge requirements.
3. Prior to Occupancy, the applicant shall contact Environmental Health Services Hazardous Materials Program (CUPA) staff to evaluate possible permitting requirements.



Deanna Talerico, REHS
Senior Environmental Health Specialist

Memorandum

DATE: March 4, 2019
TO: Kimberley McCarthy
Planning and Development
County of Santa Barbara - Santa Maria



FROM: Glenn Fidler, Captain
Fire Department

A handwritten signature in black ink, appearing to be "GF", enclosed in a circular scribble.

SUBJECT: APN: 083-180-007; Permit: 19CUP-00005 and 19DVP-00010
Site: 8701 Santa Rosa Road, Buellton
Project: Conditional Use Permit and Development Plan – Cannabis Cultivation

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

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

THE FOLLOWING CONDITIONS ARE FOR THE CONDITIONAL USE PERMIT

1. A Fire Protection Plan written by a Fire Protection Engineer who specialized in hazardous materials shall be required for any volatile manufacturing.

PRIOR TO OPERATION OF MANUFACTURING PROCESSES

2. All fire protection measures shall be installed and inspected.

THE FOLLOWING CONDITIONS ARE FOR THE DEVELOPMENT PLAN

3. An access plan shall be required for any greenhouse structure to be legalized or any change of use from Agricultural Exempt to non-agricultural exempt status.
4. A Fire Protection Certificate shall be required for any structure to be legalized or change of use from Agricultural Exempt status at time of development.

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

GF:mkb



**Santa Barbara County Public Works Department
Water Resources Division**

Flood Control ♦ Water Agency ♦ Project Clean Water
130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101
PH (805) 568-3440 FAX (805) 568-3434
<http://cosb.countyofsb.org/pwd/pwwater.aspx?id=2956>

SCOTT D. MCGOLPIN
Director Public Works

THOMAS D. FAYRAM
Deputy Director Water Resources

June 5, 2020

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

**Re: 19DVP-00000-00010, 19CUP-00000-00005; Central Coast Agriculture LLC – Outdoor Cannabis
APN: 083-180-007; Buellton**

This condition letter supersedes the previous letter dated February 27, 2019

Dear Ms. Beyeler:

The Public Works Department, Water Resources Division has conditions for Conditional Use Permit (and Development Plan) to allow an approximately 35-acre cannabis cultivation operation on a 68.19-acre parcel. The Proposed Project includes cannabis cultivation of approximately 30 acres with 26 acres under existing 11 foot tall hoop structures. There would be nursery cultivation activities within an existing 6,594 square foot (sq. ft.) greenhouse and 7,000 sq. ft. agricultural building located in the southern portion of the parcel. Processing would take place in an existing 3,100 sq. ft. warehouse as well as in the area around such building. Harvest material storage would occur in 52 new refrigerated shipping containers with a maximum height of 9 feet 6 inches located in the southeast portion of the parcel, and seed storage would take place in three refrigerated shipping containers located in the southeast portion of the parcel. There would be transport only distribution, Nursery Research and Development, and internal quality assurance testing in an existing 4,200 sq. ft. building located in the southern portion of the parcel.

A. Flood Control & Water Conservation District

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General
 - a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Project Plan Approval dated January 2011

(<http://www.countyofsb.org/uploadedFiles/pwd/Content/Water/Documents/StdConditionsJan2011.pdf>)

- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions for Project Plan Approval.

2. Design/ Prior to Permit Issuance

- a. Projects located in a FEMA designated Special Flood Hazard Area shall be designed in compliance with Floodplain Management Ordinance Chapter 15A of the Santa Barbara County Code.
- b. Site Plans to show effective FEMA Special Flood Hazard Area boundaries including Floodway.
- c. The applicant shall submit all improvement plans, grading plans, drainage plans, drainage studies, and landscape plans to the District for review and approval.
- d. The applicant shall submit all drainage studies to the District for review and approval.
- e. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- f. Development in the Floodway will require a no-rise certificate and supporting narrative from the engineer of record.
- g. Detention basins shall provide detention such that the post-development peak storm runoff rate shall not exceed the pre-development runoff for 2-year through 100-year 24-hr storm events. For any greenhouses, maximum outflow discharge rates of the post-development condition shall not exceed 75% of the calculated pre-development amounts.
- h. All other new structures, including storage containers, will need to meet the pre vs post-development runoff requirements with the exception of Hoop Structures.
- i. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies. Please make the check payable to: *Santa Barbara County Flood Control & Water Conservation District*.

3. Prior to Permit Issuance/Zoning Clearance

- a. The applicant shall sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement) for drainage improvements.
- b. The applicant shall post surety bonds for drainage improvements in amounts approved by the Public Works Director.
- c. The applicant shall submit to the District electronic drawings in PDF format of the approved grading plans, improvement plans, drainage plans, drainage studies and landscape plans on a compact disc.

4. Prior to Occupancy Clearance

- a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
- b. In the event that the grading and drainage plans are revised during the construction process the applicant shall update the drainage report & plans and submit to the District for review and approval.

Gwen Beyeler
June 5, 2020
Page 3 of 3

B. Project Clean Water

This project is located outside the NPDES permitting area and has less than 0.5 acre of disturbance; therefore Project Clean Water has no conditions on the above referenced case.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: *Hansel Corsa*
Hansel Corsa, CFM, EIT
Civil Engineering Associate

Cc: Matthew Allen- Central Coast Agriculture, LLC, PO Box 339, Los Olivos, CA 93441
Blue Ribbons Farms, LLC, PO Box 549, Santa Maria, CA 93456

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, California 93101
805/568-3232 FAX 805/568-3222



October 1, 2020

TO: Gwen Beyeler, Planner
Development Review

FROM: William Robertson, Transportation Planner
Public Works, Transportation Division

SUBJECT: **Central Coast Ag Cannabis Cultivation
Conditions of Approval (4 pages)
Standard Conditions of Approval (5 pages)
19DVP-00000-00010, 29CUP-00000-00005
APN: 083-180-007, Buellton**

Traffic Mitigation Fees

1. Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip, for the purpose of funding transportation facilities within the Unincorporated Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is **\$2,516 (17.76 ksf warehousing x .19 PHT/ksf = 4 PHT (rounded upward) x \$629/PHT)**. Fees are due prior to occupancy clearance and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2nd Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

A protest of mitigation fees imposed may be filed pursuant to Government Code Section 66020(a). The protest shall be filed at the time of approval or conditional approval of the development or within 90 days after the date of the imposition of the fees, dedications, reservations, or other exactions to be imposed on a development project. The Applicant is hereby notified that the 90-day approval period in which the Applicant may protest has begun.

Undergrounding of Utilities

2. **Prior to zoning clearance**, the applicant shall engineer and post a surety, acceptable to County Counsel, for the undergrounding installation of all fronting overhead utilities and services, both existing and proposed, pursuant to Resolution No. 87-344 and Resolution No. 24416.
3. **Prior to occupancy clearance**, the following utilities and services, both existing and proposed, shall be installed underground along Santa Rosa Road, pursuant to Resolution No. 87-344 and Resolution No. 24416. All services shall be connected to each commercial building or stubbed out to each legal lot where lots are created/sold: Gas, Water, Cable Television/Internet, Fiber Optic Cables, Telephone, Sanitary Sewer and Electrical Power.

Sight Distance

4. **Prior to zoning clearance**, the developer shall design, and prior to occupancy, the developer shall provide intersection/driveway sight distance in a manner acceptable to the Department of Public Works Traffic Section.

When the criteria for sight distances cannot be met, the County may prohibit vehicle turning movements, require vegetation removal, require speed change lanes or require additional speed change lane lengths.

Access

5. **Prior to occupancy clearance**, the developer shall construct all site ingress and egress points in a manner acceptable to the Department of Public Works Traffic Section in conformance with the County of Santa Barbara Engineering Design Standards, September 2011 or as otherwise approved through a design exception. All driveway accesses shall be improved to include a minimum 25 foot wide commercial driveway with 15' radius flares unless otherwise approved by Public Works. The combined total width of all site driveways shall not exceed 40 feet unless otherwise approved by a design exception. All necessary pavement or cross gutters shall match adjacent improvements as required by the Department of Public Works Permit and Traffic Sections.

Frontage Improvements

9. **Prior to zoning clearance**, the developer shall design, and **prior to occupancy clearance**, the developer shall install, all frontage improvements consistent with County Standard detail 6-030, rural road without sidewalk or dike (12 foot lane plus 6 foot shoulder), unless otherwise approved by the County Traffic Engineer through a design exception. Improvements shall include required half width improvements (travel lane, curb, gutter and sidewalk) and up to 18 feet of matching asphalt pavement opposite the roadway centerline.

Street Sections/Pavement Traffic Index

11. **Prior to zoning clearance**, the developer shall design, and **prior to occupancy clearance**, the developer shall construct pavement for all roadwork based on the appropriate road detail provided in the Santa Barbara County Engineering Design Standards (6-030, Rural Road). All designs and/or modifications shall be reviewed and approved, in writing, by the Department of Public Works Traffic and Permit Sections.

All proposed improvements shall transition in existing improvements in a manner acceptable to the Public Works Traffic and Permit Sections.

Encroachment/Excavation Permit

11. **Prior to zoning clearance**, an Excavation or Encroachment Permit shall be required for any work performed in the County right of way, including road construction, driveways, utilities, and connections.

The developer shall comply will all applicable Engineering Design Standards, as determined by the Public Works Traffic or Permit Sections, prior to issuance of an Encroachment Permit.

Encroachment Permits and/or Santa Barbara Engineering Design Standards and Pubic Works Standard Conditions of Approval can be obtained at the following locations:

North County Permits Section
620 West Foster Road
Santa Maria, CA 93455
805-739-8788

South County Permits Section
4417 Cathedral Oaks Road
Santa Barbara, CA 93110
805-681-4967

Traffic Controls

12. **Prior to zoning clearance**, traffic circulation and control on adjacent streets shall be designed as required by the Department of Public Works Traffic Section. This shall include, but is not limited to, curb openings, turn lanes and control signs for regulation, warning, and guidance of traffic.
13. **Prior to zoning clearance**, traffic circulation and control onsite shall meet the approval of the Department of Public Works Traffic Section.
14. **Prior to occupancy clearance**, all signs shall be installed, and **prior to final building clearance**, the County may require the developer to add traffic safety devices, such as signing and striping, the need for which are not apparent at time of plan approval but which are warranted due to actual field conditions. The developer shall install the traffic safety devices prior to final clearance.

Off-site Road Improvements

18. Where off-site road improvements or a dedication of right of way for off-site improvements is required for which a need cannot be attributed to the project, the County shall deduct the value of construction or dedication from the payment that would otherwise be collected for Traffic Mitigation Fees.

Improvements and dedication that are necessary to mitigate the specific impacts of a project on area roads are considered on-site and are not to be deducted from the Traffic Mitigation Fee's. If the value of the off-site road improvements or dedication exceeds the payment required, the County may:

1. Reimburse the applicant the difference between the amount of the payment and the value of the additional improvements and dedication, or
2. Enter into an agreement with the applicant to establish a credit for the additional improvements and dedications.

If you have any questions, please contact me at 739-8785.

Sincerely,



10/01/2020

William T. Robertson

Date

cc: APN: 083-180-007

19DVP-00000-00010, 19CUP-00000-00005

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Gary Smart, Transportation, Traffic Section Manager, County of Santa Barbara, Public Works Department

COUNTY OF SANTA BARBARA



DEPARTMENT OF PUBLIC WORKS

Standard Conditions of Approval

4. Construction of all improvements required by the Public Works Department in the approval of the Tentative Map shall be in accordance with County Subdivision Ordinance No. 1722, the Geometric Design Standards contained in the Engineering Design Standards Manual, the applicable portions of the California Department of Transportation Standard Specifications of current date and the Standard Detail contained in Appendix 4 of the Engineering Design Standards Manual.
5. Design of all improvements to be constructed as part of this development shall be performed by a Civil Engineer registered in the State of California. Specifications and plan and profile drawings, completed in accordance with Department of Public Works Standards shall be submitted to the Public Works Department and appropriate officials of other departments for their approval, and all bonds and fees shall be posted prior to recordation of the final development map.
6. Prior to recordation of the Final Map and start of any construction, the Developer shall designate to the Department of Public Works the road or roads he intends for construction access to the development to the extent to which subject roads will be used as haul roads. The Public Works Department may, at its option, designate an alternate off-site access or may require a security for the repair or reconstruction in the event subject road is damaged by construction traffic.
7. The Structural road section for all proposed public roads shall consist of the following:

Aggregate Base conforming to the provisions in Section 26, "Aggregate Bases", of the Standard Specifications shall be placed with a minimum thickness of 0.50 feet on all public roads. The actual thickness of the aggregate base shall be determined by "R" Values from Test Method 301- F, California Department of Transportation Specifications. When the Traffic Index is less than 5.5 the minimum section will be 0.2 feet of A.C. and 0.5 feet of A.B. When the Traffic Index is 5.5 or greater, the minimum section will be 0.3 feet A.C. and 0.5 feet Class II Base.
8. All underground utilities shall be extended to development boundaries and laterals stubbed out to the property lines clear of zone at each lot before the placement of concrete surfacing. Prior to release of the Road Improvement Security and acceptance of the roads within the development, it will be necessary for the Developer to have each utility company certify in writing that the above has been accomplished.
9. Prior to release of the Road Improvement Security, the Registered Civil Engineer or Licensed Land Surveyor who performed the construction staking for the development shall certify in writing, that all curbs, gutters, storm drains, and other related street work have been staked in the field accordance with the plan and profile drawings by the Director of Public Works.
10. Prior to approval of plan and profile drawings by the Department of Public Works, the Developer shall post Sureties and provide inspection fees in amounts to be determined by the Department of Public Works to insure required improvements within the road right of way

11. Hydraulic studies indicating drainage flows to be anticipated from the entire watershed within which the development is located shall be submitted to the Public Works Department and Flood Control Engineer for review and approval. Detailed hydraulic studies of storm water run-off to be carried in each gutter of each street shall be submitted by the Developer's Engineer for approval by the Public Works Department. The amount of storm water runoff to be carried in a street section shall be computed on the basis of a 10 year frequency storm. Special drainage facilities will be required when the capacity of the street section has been reached. The drainage facility design shall be prepared in conformance with Section 13 and Appendix 12 of the Engineering Design Standards Manual, and submitted for approval by the Department of Public Works and Flood Control Engineer. Design criteria for underground drainage facilities will be based on a minimum storm frequency of 25 years. Actual design frequency will be determined by the Department of Public Works or the Flood Control Engineer.
12. Developer shall furnish and install any required road name signs, traffic control signs. *And striping* to County standards. *All traffic control signs shall be installed after roads are paved and prior to being opened up to traffic, including construction traffic.*
13. All off-tract drainage and flood control facilities and installations shall be installed and completed prior to grading of subject development.
14. Developer shall offer for dedication as easement to the County, at no cost to the County, all road rights of way shown within the boundaries of subject development map, except roads proposed to be private roads. All road rights of way offered for dedication to the County shall be free and clear of any easements prior to recordation of the Final Map, unless approved otherwise by the Department of Public Works.
15. A denied access strip one foot wide shall be offered for dedication in fee to the County as a separate parcel of land, not part of the road right of way, and standard Public Works Department road barricades constructed across the end of all public roads extending to the tract boundaries of any unit of the tract, except where they are extensions of existing improved public roads.
16. Prior to approval of plan and profile drawings by the Public Works Department, the following utilities shall be shown on the plans and approved by an authorized representative of the utility:
 1. Sewer System
 2. Water Distribution System
 3. Gas Distribution System
 4. Storm Drains required by Flood Control

Additionally, a preliminary plan showing underground electrical, telephone and Cable T.V. service shall be submitted by each agency.

17. All plan and profile drawings presented to the Public Works Department for approval shall be in conformance with the requirements of the Engineering Design Standards Manual. All road widths shall be as specified in this Manual. Roadway classifications are as specified in the Circulation Element of the General Plan.
18. Water for compaction and dust control shall be made available within the boundaries of the development prior to starting any earth moving operations other than necessary for the installation of subject water source. Applicant shall provide a water availability letter from the appropriate water supply agency.
19. Prior to start of any earth moving or improvements within the development the Developer shall obtain a Road Excavation and Encroachment Permit from the Public Works Department as required by Board of Supervisors Ordinance No. 1491, dated November 26, 1963, and/or shall obtain a County Grading Permit per Santa Barbara County Ordinance No. 1795 dated May 20, 1967.
20. The program for reconstruction of any existing County road being used by public traffic shall be presented in writing to the Public Works Department a minimum of 4 working days ahead of the proposed starting date.

The Progress Schedule of proposed work shall be approved prior to start of construction. After construction on any existing County road commences, the project shall be pursued continuously to completion. Any delay will provide good cause for issuance of a stop order on all other portions of the development.

21. The following utilities and services, both existing and proposed, shall be installed underground in the roads pursuant to Resolution No. 24416 and connected to each dwelling unit where housed are built, or stubbed out to each lot where lots only are sold: Gas, Water, Cable T.V., Telephone, Sanitary Sewer and Electrical Power.
22. After Sign-off by the Public Works Department Inspector, and prior to release of final security, the Developer's Engineer shall add "Record Drawing" information to the original tracings in red or orange ink and sign them as "RECORD DRAWING".
23. *On any proposed streets where curbs, gutters and sidewalks are required, the sidewalks shall have a total distance from curb face to back of sidewalk as prescribed in the Standard Details contained in Appendix 3 and 4 of the Engineering Design Standards Manual. Existing streetlights or fire hydrants within the sidewalk area shall be relocated behind the sidewalk, and any proposed streetlights or fire hydrants placed behind the sidewalk.*
24. Any double frontage lot (lots having a street both front and rear) shall have denied access to the rear street.
25. Concrete masonry block walls, if required by the Resource Management Department shall be constructed to the design and standards of the Building and Safety Division of the Public Works Department. Walls adjacent to road rights of way shall be shown on the Department of Public Works plan and profile drawings. A Building Permit may be required for such walls.
26. Developer shall comply with the Department of Public Works policy relating to Subdivision Street Trees and Utility Service Laterals on all subdivision streets.
27. Chain link fences, if required by the Resource Management Department of Flood Control, shall be constructed to Cal Trans Standard Plans. Subject fences shall be shown on the Department of Public Works plan and profile drawings if adjacent to County road rights of way.
28. Developer shall post Security and provide plan-checking fees in amounts to be determined by the Public Works Department to insure proper construction of all private streets within the development. Security will be released upon certification of a Civil Engineer registered in the State of California that subject streets have been constructed to approved standards.
29. Occupancy of any building within the development will be denied until all street improvements and drainage facilities are completed.
30. The developer's engineer of record, as specified in these conditions, shall certify to the Public Works Department *prior to release of any securities* that all private streets within the subject development are constructed according to approved plans prior to occupancy of any dwelling unit within the tract, *and that all rough grading has been completed in substantial conformance with the tract grading plan.*
31. Upon completion of construction and prior to occupancy, the entire road right of way abutting this project will be cleaned to allow Public Works Department Inspectors to check for damage to curbs, gutters, or sidewalks caused by construction traffic. Any damage will be repaired by the Developer prior to occupancy.
32. The Developer shall comply with the current Bikeway Element of the General Plan as to the dedication and construction of bikeways.
33. All roads shall be kept clear of mud *and/or other construction debris* during construction.
34. The Developer will be responsible for and fees required for materials retesting.

35. The Developer may be required by the Public Works Department to overlay *or chip seal a road, as determined by the Public Works Department*, after construction work has been completed if it is determined by the County that local patching is insufficient to mitigate project related construction and utility trenching damage.
36. Subdivider shall submit a Grading Plan acceptable to the Public Works Department for all streets and building pads prior to submitting the Final Map for approval. The Grading Plan shall show all lots draining to the street on which they front unless otherwise approved by the Public Works Department. The Grading Plan shall also show method and degree of compaction and proposed method of stabilizing exposed slopes. Subdivider shall plant and maintain all cut and fill slopes and maintenance shall be continued until the lot is occupied.
37. A preliminary Soils Report of the area, prepared by a Civil Engineer experienced in soil mechanics and slope stability, and registered in the State of California, will be required prior to the issuance of Grading Permits. The report shall include data regarding the distribution, stability and expansive nature of existing soils and conclusions and recommendations from grading procedures and design criteria for corrective measures.
38. All grading shall comply with the provisions of County Grading Ordinance No. 1795, and to Public Works Department standards.
39. Grading shall be designed so that natural drainage from off-tract property is not obstructed.
40. Provision shall be made to prevent off-tract drainage from being received by lots. Tract drainage shall not be drained to a public street gutter that does not have storm drainage inlets and where the tract drainage could, after being carried along the road gutter for some distance, be dumped into another tract.
41. No grading can be done prior to Final Map recordation except in compliance with County Code Chapter 21-8-C4.
42. All underground utility trench backfills on private property and in private roads shall be compacted and tested to a minimum of 90%, or to the satisfaction of the Public Works Director. Compaction test reports shall be submitted before and grading is finalized.
43. The Subdivider shall furnish one copy of the Final Tract Map to the Public Works Department prior to approval.
44. All debris, litter, and other construction waste generated by this development shall be removed from the site or adjacent property. Occupancy clearance of any building will be denied until debris removal is acceptable to the Public Works
45. Since certain areas of Santa Barbara County are prone to accelerated seasonal erosion by either wind or water, and acceptable Erosion Control Plan, with timing, may be required with the project Grading Plan.
46. Any tract which is to be graded out (mass graded) and developed as a Phased Build-Out will require a detailed engineered Erosion Control Plan which will apply to all graded areas which are not built out. This plan shall be maintained until the respective tract phases are built out. *This condition shall also apply to Lot Sale Subdivisions.*
47. *On lot sale subdivisions, no building permits shall be issued for any lot until all required utilities, rough grading, drainage facilities, and street improvements have been completed, unless otherwise approved by the Director of Public Works. This condition must be shown on the Final Map, along with the time allowed by the Subdividers Contract for the developer to complete said improvements.*
48. *Prior to issuance of any road construction and/or grading permits, the applicant shall verify to the Department of Public Works, in writing, that a registered civil engineer has been retained to act as the Engineer of Record during construction and testing operations. This engineer shall be responsible for any and all observation during construction, which he deems necessary to certify those aspects of construction*

requiring certification pursuant to these conditions. Where possible, the engineer whose signature and stamp appear on the tract plans should be retained as the Engineer of Record.

49. *Regardless of all review and/or acceptance of tract plans, specifications, calculations, and reports by Public Works or other County departments, the registered civil engineer whose signature and stamp appear on the tract grading and road improvement plans is responsible for the accuracy and integrity of the design and base information relating to the plans and calculations. Design conflicts which arise during construction may result in work being stopped until discrepancies are resolved.*