

ATTACHMENT 2a: CONDITIONS OF APPROVAL
OASIS RECORDED MAP MODIFICATION CASE NO. 16RMM-00000-00001
APNs 105-020-063, -064

1. **Proj Des-01 Project Description.** This Recorded Map Modification is based upon and limited to compliance with the project description, the hearing exhibits marked Attachment 9 of the Board Agenda Letter, dated December 15, 2020, A-H, dated September 11, 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:

This Recorded Map Modification modifies two (2) Southpoint Estates subdivision conditions of approval and two (2) Southpoint Estates subdivision recorded final maps.

SOUTHPOINT ESTATES SUBDIVISION CONDITIONS OF APPROVAL:

- **SOUTHPOINT ESTATES SUBDIVISION TM 12,679 Condition No.18/SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Condition No. 21** (identical condition language) is revised to no longer apply to the OASIS property, as follows:

Title to the common Open Space shall be held by a non-profit association of property owners or by any other individual or entity of such reasonable terms and conditions as the Board of Supervisors may prescribe subject to conveying to the County of Santa Barbara the rights to develop such property with anything except Open Space or non-commercial recreation. This condition shall no longer apply to APNs 105-020-063, -064.

- **SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Condition No. 8** is revised to no longer apply to the OASIS property (TM 13,345 Lot 89) as follows:

Lots 87, 88, ~~89~~, 92 and 93 shall be labeled "Open Space Not a Building Site" on the Final Map.

SOUTHPOINT ESTATES SUBDIVISION RECORDED MAPS

1. **The "NOT A BUILDING SITE" OPEN SPACE label** shall be removed from Lot 89 (current APNs 105-020-063, -064) of two recorded maps:
 - a) *SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Final Map for Unit 1 (Book 125, p. 8) and*
 - b) *SOUTHPOINT ESTATES SUBDIVISION TM 13,345 Final Map for Unit 2 (Book 128, p. 93).*

The SOUTHPOINT ESTATES SUBDIVISION conditions, which include land use restrictions and required conveyance of development rights to the County continue to run with the land until the above modifications are effectuated.

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.

3. ***Visual Resources/Aesthetics Mitigation Measures***

Aest-10 Lighting. No lighting is approved as part of this recorded map modification. If lighting is proposed in the future, the Owner/Applicant shall ensure that any future night lighting is of minimum height, low glare design, dark sky compliant, including but not limited to hooded lights to direct light downward and away from open space areas and to prevent spill-over outside of the development area. Special consideration should be given to minimizing lighting that would shine into the area near Orcutt Creek, to avoid wildlife impacts along the environmentally sensitive Orcutt Creek corridor. Lighting shall be the minimum needed (both in lighting locations and lighting intensity) for security. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed at least 50-80% after 10 p.m., subject to all applicable insurance and/or security light requirements for the property.

Plan Requirements and Timing: If lighting is proposed, the Owner/Applicant shall develop a Lighting Plan incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture (photometrics). Any requirements for dimming or turning off lighting by specific hours shall be included in facility close up instructions and shall be provided to OASIS employees/janitorial services/responsible party for rentals to facilitate compliance. Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D shall review a Lighting Plan and ensure NBAR review of Lighting Plan for compliance with this measure prior to approval of Zoning Clearance for structures.

P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan. The Lighting Plan shall be included on the Landscape and Building Plans. Permit Compliance shall respond to any complaints regarding lighting and any lighting installed that is in non-compliance with this condition, including after final inspection, shall be replaced with lighting consistent with this condition. (EIR MM# VIS-3)

4. **Special -Temporary Structures:** Temporary structures/amenities shall be limited to those accessory to the onsite non-profit meeting center or an onsite public park use. (EIR MM# VIS-4)

5. **Landscap-01 Landscape and Irrigation Plan.** As part of new development onsite, the Owner/Applicant shall have a licensed landscape professional prepare a Landscape and Irrigation Plan designed to provide screening for the access road, retaining walls, and retention basin, to screen and break up paved parking areas and the massing of any proposed structures and to provide a visual buffer between development/ trail/bikeway areas and the Orcutt Creek riparian corridor. Native species compatible with the specific areas of the site shall be used (e.g., French drain areas, retention basin, tall tree and shrub species strategically placed to screen structures and parking areas, plantings compatible with adjacent Orcutt Creek between bikeway/trail and riparian corridor, etc.). Drought tolerant, noninvasive non-native species may be planted in proximity to the proposed structures. **Plan Requirements:** The plan shall include the following:
 - a. An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
 - b. An agreement by the Owner to maintain all required/approved landscaping for the life of the project.
 - c. Securities posted by the Owner for installation and three-year maintenance for the development landscape plan (five-year maintenance for restoration plantings near Orcutt Creek) per requirements in the Performance Securities condition. Specify the amount and duration of installation and maintenance securities to ensure successful implementation of this plan by P&D if the Owner fails to do so.
 - d. The landscaping within 100 feet of structures shall take into account County Fire vegetation fuel management requirements and shall be reviewed and approved by County Fire prior to zoning clearance.
 - e. Plants used for restoration along Orcutt Creek north of access road and between the bikeway/trail and Orcutt Creek shall be with compatible native plants from seed stock from locally obtained sources.
 - f. Landscaping shall be with native plants within the parking areas and between the creek and the development. Compatible, non-invasive, drought tolerant species may be used in proximity to proposed structures building.

- g. Compatible native species used in any retention basin shall be approved by Flood Control in addition to P&D.
- h. Project landscaping along the new paved access road shall adequately screen the paved road as viewed from the southbound Foxenwood Lane but shall not reduce visibility for vehicles entering or exiting the OASIS property from/to Foxenwood Lane. (OCP Dev Std KS18-VIS-2).
- i. Project landscaping species, sizes and locations shall be chosen to best screen the access road, parking areas and new buildings from public roads, including Clark Avenue and Foxenwood Lane, and to minimize loss of existing views of natural open space from surrounding land uses. Therefore, plantings shall be located to best provide screening, and plant shapes and sizes (initial and at maturity) shall be considered with regard to ability to screen the improvements and blend the overall site with the surrounding KS 18 natural open space setting.
- j. Project landscaping shall be compatible with the surrounding natural vegetation, including grassland species, oak trees, and riparian habitat along Orcutt Creek).
- k. Plan shall include clinging vines and/or vertical planting on trash enclosure walls and any other masonry walls, as determined by P&D and NBAR, to soften the visual effects of the structures & to discourage graffiti.
- l. The northern side of the bikeway/trail shall be revegetated with appropriate riparian vegetation and the southern side shall be planted with oaks throughout the segment along the length of the OASIS property.
- m. A restoration plan shall be included for the slope north of the access road to mitigate impacts from road improvements, including any vegetation removal along and within the riparian habitat of Orcutt Creek west of Foxenwood Lane and north of the proposed access road. (See separate restoration plan condition requirements).

Timing: The Owner/Applicant shall (1) submit 4 copies of the Plan to P&D processing planner for review & approval prior to zoning clearance for grading and development, (2) enter into an agreement with the County to install required landscaping/restoration plantings & water-conserving irrigation systems and maintain required landscaping for the life of the project. In addition, with regard to initial installation and maintenance, the Owner/Applicant shall successfully maintain landscape plantings for three years and restoration plantings for up to five years unless restoration plantings are established (including successfully weaned from supplemental irrigation for a minimum of two years), (3) Post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years and for five years for restoration plantings that will not receive irrigation over the long-term, (4) Install landscape and irrigation prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance. Compliance staff will release installation security upon satisfactory installation of all items in approved plans. The applicant/owner shall demonstrate to compliance staff that the landscaping and associated irrigation have been established and maintained according to plans and agreements for a period of 3 years and have achieved the original goals of this condition (for a period of 5 years for restoration plantings, including successfully established and weaned from supplemental irrigation for a minimum of 2 years). Compliance staff signature is required to release the 1) installation security upon satisfactory installation of all items in the approved plans and 2) maintenance security upon satisfactory completion of maintenance, including satisfaction of success criteria. If requirements have not been met, the plants or improvements shall be replaced and/or maintained (fed, repaired, trimmed) and the security held for another year. If the applicant/owner fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property per approved plans. (EIR MM# VIS-7).

6. **Aest-07 Understories and Retaining Walls.** Any retaining walls shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Native vegetation to screen retaining walls shall be planted. **Plan Requirements:** The Owner/Applicant shall submit retaining wall plans and vegetation screening plans to P&D and NBAR for review and approval. **Timing:** Plans shall be submitted prior to zoning clearance; vegetation shall be installed prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-8)

7. **Rooftop Equipment.** The Owner/Applicant shall submit final rooftop plans for any proposed structures, which identify mechanical equipment and associated screening, except where screening is not possible (e.g., screening would block sunlight from rooftop solar panels). If solar panels are proposed, the plans shall also identify solar panels with non-reflective materials/finishes. A long-term maintenance agreement shall also be submitted identifying required long-term maintenance of the non-reflective materials/finishes on the solar panels, including replacement as needed to retain the non-reflective characteristic of these materials/finishes. **Plan Requirements:** The Owner/Applicant shall submit to P&D (for P&D and NBAR review and approval) the rooftop plans showing equipment, any screening methods, solar panel locations and materials/finishes proposed to reduce solar panel reflection/glare. **Timing:** Plans shall be submitted prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-9)

8. *Air Quality / Greenhouse Gasses and Climate Change*

Special – Transportation Demand Program (TDM): Given distance to closest bus stops and site topography, development plans shall include a plan to reduce single occupant vehicle trips and related emissions. **Plan Requirements and Timing:** Prior to zoning clearance, the applicant shall submit a plan with the following components for P&D review and approval:

- a. Shuttle service
 - i. At a minimum shuttle service shall provide rides to and from site development daily lunches and shall be available for activities/events involving more than 30 individuals (both OASIS and non-OASIS programs/activities);
 - ii. Proposed shuttle program (vehicle occupant size, typical pick-up/drop-off schedule);
 - iii. Rental agreement language for events/rentals shall identify required use of shuttle service;
 - iv. Proposed method to document use of shuttle program (number of riders, actual schedule, etc.).
- b. Assistance in facilitating carpooling.
- c. Priority parking and/or other opportunities to encourage carpooling;
- d. Installation of bike racks;
- e. Other vehicle trip reduction methods acceptable to County (e.g., agreement with Santa Maria Area Transit to provide shuttle services or other assistance to reduce single occupant vehicle trips). If availability of shuttle service (or other previously approved method acceptable to County) ceases, an alternative TDM plan shall be approved by the Director of Planning and Development.

Applicant shall confirm availability/ability to accommodate shuttle service (e.g., contract(s) for provision of shuttle service, consistent with the TDM requirements).

MONITORING: P&D shall review and approve adequate TDM to reduce single occupant vehicle use and related vehicle miles traveled, prior to zoning clearance, including confirmation of long-term shuttle service. Permit compliance shall receive and review annual monitoring reports to confirm implementation. Permit compliance to confirm TDM ready to implement, including shuttle(s) onsite, etc. prior to occupancy. (EIR MM# AQ-2)

- 9. Special – Gas Fireplace/Fire Pit:** Wood-fired, mobile or permanent fire pits, fireplaces, etc. shall be required to reduce smoke (PM2.5) and odors, and related nuisance complaints. Wood-fire barbeques may be permitted ~~subject to decision maker finding of no significant nuisance or conflict with Clean Air plan.~~ **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall ensure project plans (building plans, landscape plans, and other plans as applicable) identify all fireplace and fire pits and include a note on the plans that these amenities shall not be not wood-fired, with exception noted above. A note shall be included on the cover page of project plans for zoning clearance/building permits identifying this restriction.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. (EIR MM# AQ-1)

- 10. Odor Abatement Plan:** The applicant shall prepare and implement an Odor Abatement Plan to minimize the potential for nuisance complaints related to use of the onsite barbeque, fireplaces, and fire pits. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall submit an Odor Abatement Plan to P&D and Santa Barbara County Air Pollution Control District for review and approval. The plan shall include the following elements:

- a. Description of project design features to reduce potential smoke and odor impacts;
- b. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints (during and after regular OASIS hours of operation);
- c. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- d. Description of potential odor sources at the facility;
- e. Description of potential methods for reducing odors, including process changes, facility modifications and/or feasible add-on air pollution control equipment if other methods do not adequately reduce the nuisance issue (to the satisfaction of Santa Barbara County);
- f. Contingency measures to curtail emissions in the event County determines a complaint qualifies as a public nuisance.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. Permit Compliance will perform site visits, as needed, after project is operational. (EIR MM# AQ-3)

11. *Biological Resources*

Special – General Bio Protection: The following measures shall be implemented to minimize impacts to biological resources during grading and construction for new development. **Plan Requirements and Timing:** These measures shall be adhered to during site preparation and construction activities:

- a. All construction equipment shall be limited to the use of designated access roads, staging areas, and/or previously identified work areas shown on the project plans.
- b. Exclusionary fencing shall be erected at the boundaries of the Project limits of work (all earth disturbance and construction activities) to avoid equipment and human intrusion into adjacent native habitats (i.e., oak trees and the riparian corridor of Orcutt Creek). The fencing shall remain throughout the duration of construction activities.
- c. All motorized equipment used at the Project Area shall be maintained in proper working condition and shall be free of drips and leaks of coolant, hydraulic, and petroleum products. No equipment shall be used in the Project Area unless such equipment is free of leaks and drips.
- d. A spill prevention and clean-up kit (including socks, absorbent pads, kitty litter, broom, dustpan, shovel, and container for dirty absorbent material) shall be available on-site for immediate use in case of an accidental spill. Any equipment or vehicles driven and/or operated adjacent to Orcutt Creek shall be checked and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life. Service and refueling activities shall not occur within 100 feet of Orcutt Creek.
- e. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease unless mandatory drought restrictions limit use of water for this purpose. The construction area shall be wet down after work is completed for the day and whenever wind exceeds 15 mph.
- f. Erosion control measures (e.g., which may include silt fencing, jute netting, straw bales) shall be used throughout all phases of construction where sediment runoff from exposed soils could enter Orcutt Creek.
- g. Construction material shall be stockpiled in upland habitat at least 100 feet from Orcutt Creek. BMPs (e.g., silt fencing, straw wattles) shall be installed between the work area and riparian corridor of Orcutt Creek to ensure sediment runoff from the work area does not enter the creek. Unattended soil stockpiles shall be covered.
- h. Trash and food items shall be kept in closed containers and removed daily.

- i. Open excavations shall be covered at the end of each workday. If this is not feasible, escape ramps shall be installed in the pits to ensure no entrapment of animals occur.

MONITORING: P&D shall site inspect for compliance during the grading and construction period and shall respond to complaints. (EIR MM# BIO-1)

12. **Special- Special Status Species Survey:** A County-qualified biologist shall conduct a pre-construction survey of the Project Area for CRLF, western spadefoot toad, Blainville's horned lizard, and SWPT. **Plan Requirements and Timing:** The survey shall be performed 7-10 days prior to the onset of any grubbing or grading for new development. No state or federally listed species shall be handled without the approval of the USFWS and/or CDFW. Any specimens found (with the exception of CRLF) shall be captured and relocated to suitable habitat within KS18 (per USFWS and/or CDFW direction). If CRLF is present within the work area, (considered highly unlikely) the USFWS and CDFW shall be consulted by the biologist regarding any necessary avoidance measures (e.g. morning inspections of the work area, installation of exclusion barriers around active work zones).

MONITORING: P&D Compliance staff shall ensure proof of pre-construction survey and any actions necessary based on the results of the survey. (EIR MM# BIO-2)

13. **Special – Worker Orientation:** Worker Orientation regarding biological protection measures during site preparation and construction shall be required. **Plan Requirements and Timing:** Prior to the start of work, a County-approved biologist shall oversee worker orientation for all construction contractors (including site supervisors, equipment operators, laborers) which emphasizes the presence of special-status species within/ or adjacent to the Project Area, identification of those species, their habitat requirements, applicable regulatory policies and provisions regarding their protection, measures being implemented to avoid and/or minimize impacts, and penalties for noncompliance shall be conducted. This orientation may be done as part of the standard pre-construction meeting. If members of the crew arrive after the initial orientation meeting or have otherwise not received the orientation, they shall attend a subsequent training prior to working on the job. No staging of equipment or construction supplies shall occur prior to orientation.

MONITORING: P&D Compliance shall confirm with applicant implementation of worker orientation and procedure for all employees to receive the orientation prior to commencement of grading and construction. (EIR MM# BIO-3)

14. **Special- Biological Monitor:** A County-approved biological monitor shall monitor earthwork activities (e.g., grading, trenching) within 100 feet of the outer edge of Orcutt Creek riparian canopy, including but not limited to, any grading on the slope north of the access road, for the trail/bikeway, and for the sewer line extension to the Laguna County

Sanitation District manhole. Work shall be stopped, if necessary, or modified to protect wildlife and other biological resources, or if violations of laws or permit conditions are observed. Duties include the responsibility to ensure all aspects of the approved biological mitigation measures are carried out per County requirements and that USFWS and/or CDFW are notified of the presence of any listed species. To the extent practical, common wildlife species entering the construction zone shall be captured and relocated to suitable habitat. Any special-status wildlife species observed in the Project Area shall not be physically relocated without permission from the CDFW or the USFWS, as appropriate. **Plan Requirements and Timing:** The applicant shall fund the biological monitor prior to zoning clearance. The biological monitor, in consultation with P&D, shall determine necessary frequency and duration of onsite monitoring during earthwork activities and shall periodically inspect the Project site during construction. The County-approved biological monitor shall oversee and survey the work areas prior to activities commencing.

MONITORING: P&D shall confirm applicant funding for biological monitor tasks prior to zoning clearance. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-4)

15. Tree Protection (Bio-01) without a Tree Protection Plan. All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native trees, unless otherwise identified on the approved Development Plan exhibits.

- a) Prior to zoning clearance for all grading or construction, all native trees proposed for retention as shown on the project plans shall be fenced at least six feet beyond the dripline as shown on the approved Development Plan exhibits. If six feet cannot be accommodated the fencing shall be placed as far away as possible from the tree trunk. If earthwork will impact more than 20% of the tree canopy, the restoration/landscape plan shall incorporate 10:1 replacement of the tree. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15-foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.
- b) No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation for P&D approval. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for

installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.

- c) To help ensure the long-term survival of native trees, no permanent irrigation systems are permitted within six feet of the dripline of native trees unless the trees were not naturally occurring (were planted and have been irrigated as landscape trees). Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

Plan Requirements: Fencing shall be graphically depicted on project plans. **Timing:** This condition shall be printed on project plans submitted for zoning approval and installed prior to Grading or Building Permit issuance.

MONITORING: P&D compliance monitoring staff shall review plans and confirm fence installation. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-5)

- 16. Special -Nesting Birds Preconstruction Surveys.** For construction activities occurring during the nesting season (generally February 1 - September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal. The survey area for all nesting bird and raptor species shall include the disturbance footprint plus a 300-foot buffer. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high- visibility flagging or fencing acceptable to P&D, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails. **Plan Requirements and Timing:** The Owner/Applicant shall submit survey(s) and identification of buffer areas, if determined necessary (on plans and marked in field) for P&D review and approval prior to commencement of construction. Any required flagging/fencing shall remain in place until applicable construction activities are complete.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff (and/or County-contracted biological monitor) that any necessary buffer areas are protected (flagging/fencing acceptable to P&D) before initiation of grading/construction through project completion/final sign-off. (EIR MM# BIO-6)

- 17. Tree Planting and Maintenance (Bio-5).** The Owner/Applicant shall plant 10 oak trees obtained from locally occurring saplings or seed stock for any (each) oak tree removed, relocated or damaged. The trees shall be planted, gopher fenced and irrigated (drip

irrigation on a time) as part of the creek riparian area restoration plan for a five-year maintenance period as identified in the related habitat restoration plan condition. **Plan Requirements:** This requirement shall be shown on the creek riparian restoration plan and landscape plan if applicable to be reviewed and approved by P&D. Timing: A performance security shall be required prior to zoning clearance. Prior to final inspection, trees shall be planted, fenced and irrigated.

MONITORING: P&D compliance monitoring staff shall ensure tree installation and maintenance. Performance security release requires P&D staff sign-off. (EIR MM# BIO-7)

18. Habitat Setback (Bio-7). With the exception of Orcutt Creek Trail/Class I Bikeway installation/use and restoration activities, all ground disturbances, vegetation removal, landscaping, parking, development, activities, and other special uses onsite shall be restricted to the areas identified on approved permit exhibits. Grading plans shall minimize grading on the slope north of the access road and any grading approved within 100 feet of Orcutt Creek (e.g., for the trail/bikeway) to the greatest degree feasible. Grading for the access road shall be limited to within the easement area on APNs 105-020-041, the slope north of the driveway on 105-020-53 and the OASIS property (105-020-63, -064). Grading shall not extend onto the adjacent property APN 105-020-018. Restoration plantings shall be required to offset vegetation removal or grading (proposed or unintentional) within 50 feet of the edge of riparian habitat. The exception to this is grading within the graded footprint of the existing dirt access road.

- a) Construction Period Fencing and erosion control materials/methods (type and location acceptable to P&D) shall be shown on grading plans and shall be installed prior to any earth movement to ensure excavation work within or adjacent to sensitive habitats including native trees and riparian habitat shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (as determined by P&D), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible by P&D, excavation work may be authorized by P&D to be completed with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small, tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff.
- b) Long-Term: The boundaries of the development and parking areas shall be visually delineated with a combination of fencing, vegetation, and/or other features (e.g., rock) acceptable to P&D before final sign-off/occupancy clearance to facilitate compliance with this condition.

MONITORING: P&D compliance monitoring staff shall ensure compliance throughout construction and shall respond to any complaints during operational phase. (EIR MM# BIO-8)

19. Storm Water BMPs (Bio-10). To minimize pollutants impacting downstream waterbodies or habitat, parking areas, driveways, trails and paved bikeways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas with compatible native species), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other County approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term maintenance shall be the responsibility of the landowner. A maintenance program shall be specified in a maintenance program submitted by the landowner and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of zoning clearance. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once a year and retain proof of inspections. **Plan Requirements:** The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans. **Timing:** The plans and maintenance program shall be submitted to P&D and Public Works for approval prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction and shall inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D and Public Works upon request. (EIR MM# BIO-9)

20. Habitat Restoration (Bio-12). Proposed development shall include a Creek Riparian Area Buffer Restoration Plan prepared by a P&D-approved biologist and designed to provide a buffer for increased development and activities adjacent to Orcutt Creek, consistent with the Orcutt Community Plan (OCP), including direction regarding creek buffer plantings in the OCP Biological Resources and Parks, Recreation and Trails sections. The restoration plantings shall take into consideration the location of the Orcutt Creek Multi-Use Trail (including Class I bikeway), including future segments of the trail connecting to Broadway and trails on APNs 105-020-052, -053, together one legal parcel. The approved location of the OASIS trail/bikeway easement shall be included on the restoration plans. The applicant may choose to combine Restoration and Landscape Plans. If combined with the Landscape Plan, the installation security shall separately cover the Restoration

component of the plan, with a 3-year maintenance period for the Landscape Plan plantings and 5-year maintenance period for restoration plantings. The Restoration Plan shall include the following components:

- a. Plantings shall be with compatible native riparian species.
- b. Species shall be from locally obtained plants and seed stock.
- c. The new plantings shall be irrigated with drip irrigation on a timer and shall be weaned off of irrigation over a period of not less than two years, sufficient to ensure plantings remain successful a minimum of one year following cessation of supplemental irrigation. Restoration plantings must be established without irrigation for a minimum period of one year. The maintenance period shall be extended beyond the minimum five-year period, if needed, to accommodate this requirement for success of plantings for a minimum period of one year after cessation of supplemental irrigation.
- d. The creek area shall be fenced (or other method acceptable to P&D) at the limits of disturbance during grading and construction activities and shall be protected to the extent necessary (as determined by P&D and the plan biologist during restoration activities to ensure success of the restoration plan).
- e. If it becomes necessary (as authorized by P&D) to disturb or remove any plants w/in the habitat area, a P&D-approved biologist shall monitor and direct the work. Where feasible, specimens shall be boxed and replanted. If a P&D-approved biologist certifies that it is not feasible to replant, plants shall be replaced at a minimum using the standards of P&D's standard Habitat Restoration Plan and under direction of the P&D-approved biologist.
- f. A plan shall be included for removal of non-native invasive species in the buffer area between the project development and the creek.

Plan Requirements: Include applicable components of the plan in the Landscape and Irrigation Plans if not proposed as a combined Landscape/Restoration Plan. Timing: Plans shall be submitted for review and approval by P&D prior to ~~zoning clearance map recordation~~ map recordation and the Owner/Applicant shall post a performance security to ensure installation and maintenance for three (3) years prior to ~~Final Building Inspection Clearance map recordation and maintenance for three years~~. The landowner shall maintain the plants and irrigation for five years following Final Building Inspection Clearance or until successful establishment of restoration plantings for a minimum of one year following cessation of supplemental irrigation, whichever is greater.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance. P&D compliance monitoring staff signature is required to release the installation security for the restoration plantings upon satisfactory installation of all items in approved plans and maintenance security upon successful

implementation of this plan. Successful implementation includes monitoring report confirming successful establishment after cessation of supplemental irrigation. If replanting and/or an extended supplemental irrigation period is necessary to ensure successful establishment, this will extend the minimum maintenance period. Restoration plantings must be established for at least one year after cessation of irrigation because, unlike landscaping near buildings, restoration plants will not have long-term irrigation. (EIR MM# BIO-12)

- 21. Use Natives (Bio-21).** Landscaping between Orcutt Creek and development, parking areas, and along the access road shall be with native plants. Plantings within 100 feet of Orcutt Creek shall be plants or seed stocks from locally obtained sources. Compatible, non-invasive, drought tolerant plant species may be used in proximity to structures. **Plan Requirements:** The Owner/Applicant shall incorporate this requirement into a landscape plan to be prepared by a P&D approved landscape architect or arborist. The landscape plan can be combined with the restoration plan, although the restoration plan is subject to additional requirements. **Timing:** The landscape plan shall be reviewed and approved by P&D prior to zoning clearance. Landscaping shall be installed prior to Final Building Inspection Clearance.

MONITORING: The landscape architect or arborist shall verify to P&D compliance monitoring staff, in writing, using receipts, etc., the use of native seed stock on the property prior to release of performance security. (EIR MM# BIO-13)

- 22. Equipment Washout-Construction (Bio-20a).** The Owner/Applicant shall designate one or more washout areas 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 these areas and removed from the site at intervals sufficient to ensure adequate capacity is maintained onsite. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **Plan Requirements:** The Owner/Applicant shall designate the P&D approved location on all grading and building permits. **Timing:** The Owner/Applicant shall install and sign the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-14)

- 23. Special-Trails.** The Orcutt Creek Trail (including Class I Bikeway) and the Applicant's proposed trail on APNs 105-020-052 and -053 and any other required trails shall be designed to minimize removal of native vegetation and to minimize erosion that could impact Orcutt Creek water quality or the creek banks as well as comply with all mitigation measures. In addition, restoration plantings shall be accommodated between the trails/bikeways and Orcutt Creek consistent with OCP DevStd BIO-O-5.3 and DevStd KS

18-4. Prior to approving the final trail alignment, the proposed trail route shall be surveyed by a qualified botanist. The botanist, in consultation with P&D, shall reroute the trails/bikeway alignment to avoid sensitive species where feasible. The final trails/bikeway alignments shall be approved by P&D and the Community Services Department, Parks Division prior to ~~issuance of map recordation~~ Zoning Clearance. Signage shall be included in the trail design, providing educational and interpretive information. (The trail locations shall also be consistent with the requirements of the project's related trail/bikeway conditions). **Plan Requirements:** The Owner/Applicant shall submit the proposed trail/bikeway plan for County review and approval prior to ~~map recordation zoning clearance for onsite grading or construction~~. The Owner/Applicant shall coordinate with P&D prior to finalizing the proposed trail/bikeway design to ensure coordination with botanist reviewing trail route and other County departments (Flood Control, Public Works, and Parks). The proposed restoration/buffer plantings on both sides of the trail/bikeway shall be included with the proposed trail/bikeway plans. **Timing:** The Owner/Applicant shall install the trails/bikeways and associated restoration/buffer plantings ~~concurrent with development and~~ prior to ~~final occupancy clearance~~ zoning clearance for the meeting facility building. ~~inspection. Financial sureties for installation of the trail/bikeway and restoration plantings and a 2-5-year maintenance period shall be required prior to zoning clearance.~~ (Also see requirements for success of plantings after cessation of supplemental irrigation in Restoration Plan condition. The restoration component may be combined with the landscape plan or other project related restoration plan (e.g., north slope of access road).

24. Fence Design (Bio-3d). Fencing along roads, trails, bikeways, etc. shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:

- a) A minimum 18 inches between the ground and the bottom of the fence to provide clearance for small animals;
- b. A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
- c. If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.

Plan Requirements and Timing. Grading and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of land use clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

MONITORING. P&D shall site inspect upon completion of construction. (EIR MM# BIO-16)

- 25. Lighting Plan (Bio-3e, modification of OCP EIR Mitigation Measure KS3- BIO-6).** Proposed lighting shall be identified in a lighting plan that shall reduce light pollution in open space habitat areas. Any exterior lighting features within 100 feet of open space shall include installation of hoods to prevent “spill-over” into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night-lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek, unless specifically required by County for safety purposes and any required trail/bikeway lighting shall include the minimum number of locations, height, intensity, and extent of illumination deemed necessary by the County for safety purposes. Use of high-intensity lights, including but not limited to floodlights, shall be prohibited onsite and use of dark sky fixtures shall be specified on the lighting plan. **Plan Requirements and Timing.** The applicant shall submit the Lighting Plan to Planning and Development (P&D) for review and approval prior to issuance of Zoning Clearance.

MONITORING: P&D shall site inspect all exterior light fixtures after installation to ensure compliance. (EIR MM# BIO-17)

- 26. Fish and Wildlife (Bio-08)** If any alteration to stream channels or banks occurs, no Zoning Clearance shall be issued until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Wildlife, Regional Water Quality Control Board and/or federal agencies for any planned alteration to stream channels or banks, (e.g., grading on the slope north of the proposed access drive and for the proposed trail/bikeway). (EIR MM# BIO-18)

- 27. Threatened and Endangered Species Approvals (Bio-9a):** The permittee shall obtain all necessary approvals from the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service, including an Incidental Take Permit and/or Habitat Conservation Plan for Cooper’s Hawk, California red-legged frog, western spadefoot toad, southwestern pond turtle, and Blainville’s horned lizard, if required, prior to Zoning Clearance. **Timing** If preconstruction surveys determine that these species are found onsite, the Permittee shall provide to P&D copies of approvals obtained from CDFW, FWS and/or NMFS.

MONITORING: Permittee shall provide to P&D copies of approvals from CDFW, FWS and/or NMFS. P&D staff shall confirm receipt of any necessary approvals prior to issuance of Zoning Clearance. (EIR MM# BIO-19)

- 28. Cultural Resources**

CulRes-09 Stop Work at Encounter. The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event potential archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 and Phase 3 investigations of the County Archaeological Guidelines. All work shall be 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. (EIR MM# CR-1)

29. *Fire/Police Services*

Special- Event Contractor. For any activities involving more than 100 people onsite, the Owner/Applicant shall be responsible for ensuring adequate security and traffic control for all activities onsite. **Plan Requirements and Timing:** For any activities involving more than 100 people onsite, the responsible party shall coordinate with the SBSO to determine whether a Santa Barbara Sheriff's Office permit and private security/traffic control will be needed.

MONITORING: The Owner/Applicant shall provide P&D with sample rental contract wording demonstrating this requirement. P&D compliance monitoring staff will respond to complaints as necessary. In the event, compliance staff is contacted on a regular basis, P&D may require the Owner/Applicant to provide separate funds to allow P&D to contract with a monitor for project specific monitoring. (EIR MM# FP-1).

30. *Geology/Grading*

WatConv-01 Erosion and Sediment Control Plan. As determined by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of any grading and development activities. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping

contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading and Drainage Plan submittal and will be reviewed for its technical merits by P&D, Flood Control District and Project Clean Water as applicable. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>, (refer to California Stormwater Best Management Handbook and Erosion and Sediment Control Plan Requirements); and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **Plan Requirements:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of zoning clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **Timing:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year-round.

MONITORING: P&D shall perform site inspections throughout the construction phase.
(EIR MM# GEO-1)

- 31. Grading plans.** Grading plans shall clearly address slope stability and soil collapse issues in areas with soils constraints, steep slopes or adjacent to steep slopes, including access from Foxenwood Lane. Plan Requirements and Timing: The grading plan for the access road shall be submitted for P&D review and approval. P&D review will require peer review under contract to P&D of the geotechnical analysis (funded by the applicant) to ensure adequate evaluation of geotechnical hazards and methods for addressing hazards which ensure, as proposed by the project engineer, that no grading will occur within the banks of Orcutt Creek. Dependent on the need for/ visibility of/location in relation to riparian habitat, the project landscape and restoration plans shall be supplemented to address the slope north of the access road. The proposed slope stabilization methods shall be documented in a soils report if deemed necessary by P&D, including Building & Safety.

MONITORING: P&D shall perform site inspections throughout the construction phase.
(EIR MM# GEO-2)

- 32. Grading Limits.** Grading for the access road shall be limited to within the easement on APNs 105-020-041, the slope north of the driveway on 105-020-53 and the OASIS property (105-020-63, -064). Grading shall not extend onto the adjacent property APN 105-020-018. Planning and Development shall review final grading plan and confirm prior to zoning clearance that grading is limited to the OASIS property and APNs 105-020-041 and 105-020-053.

- 33. Noise**

Noise-02 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 at least one week 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. (EIR MM# NS-1)

- 34. Noise-04 Equipment Shielding-Construction.** Stationary construction equipment that generates noise which exceeds 65 dBA at the closest residential property line shall be shielded with appropriate acoustic shielding to P&D's satisfaction. **Plan Requirements:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **Timing:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance (EIR MM# NS-2).

- 35. Special Noise Limiters.** Noise limiters shall be used for activities involving indoor and outdoor amplification (recorded music, instruments, voice) and for all outdoor music (acoustic or amplified). The noise limiters shall restrict the sound level of amplified music or voice to the 80.5 dBA level identified in the 45 dB.com Supplemental Noise Assessment. If amplification will be used indoors, the noise limiter may measure noise levels on the exterior of the building, at the location where noise levels would be highest. In order to accommodate this sound level, the applicant may incorporate measures to reduce noise levels (e.g., 8-foot partition walls, noise insulated party tent, etc.). For non-amplified music which exceeds this noise level, the music shall be performed indoors unless measures can be implemented that effectively limit the sound level of the music to no more than 80.5 dBA. **Plan Requirements and Timing:** The requirements of this condition shall be included on the plans prior to zoning clearance. Noise limiters shall be

operational consistent with this condition prior to commencing any activities involving amplification and before commencing activities involving outdoor music. Sign-off by OASIS staff or other personnel with appropriate expertise to setup the noise limiter shall confirm that noise limiters are installed, programmed and functioning to ensure compliance with this condition before use of associated instruments, microphones, etc. and OASIS shall maintain a record of such sign-offs including date and time of sign-off. In addition, this condition language shall be included in all rental agreements for use of any OASIS facilities, including indoor and outdoor areas. In response to comments received from neighbors regarding onsite noise, the applicant shall provide a hand- to the surrounding property owners with the language of this condition and P&D contact information. If noise limiters are not set properly and noise levels exceed 80.5 dBA at the property line, the noise generating activity shall cease. Noncompliance with this measure shall result in limiting these activities to indoor areas away from doors and windows.

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance (EIR MM# NS-3).

- 36. Special Amplification.** Use of amplification shall be limited. **Plan Requirements and Timing:** Amplification (e.g., voice, music, bullhorns, etc.) and loud acoustic music (e.g., bagpipes, horns, drums, etc.) shall be limited as follows:
- a. Maximum of three hours per day.
 - b. Sunday through Thursday, limited to the hours of 10:00 AM to 7:00 PM.
 - c. Friday and Saturday, limited to the hours of 10:00 AM to 9:00 PM.

These limits shall apply to all amplification and loud acoustic music.

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-outs for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-4)

- 37. Acoustical Leaks.** The following measures are required to maximize noise attenuation in the structures from common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation shall be insulated, sealed and caulked with putty pads and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.

- a) **Windows:** Windows on the north side of any structures shall be of double glazed construction and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory.
- b) **Doors:** Doors shall be solid core with sound dampening and fully gasketed, sealed jambs and grouted frames, with an overall STC rating of 30 or better, as

determined in testing by an accredited acoustical laboratory. Doors meeting “Double Door Construction” criteria, the addition of a laminated glazed second door at least 3 inches from the primary door shall be considered to meet the STC 30 rating.

Plan Requirements and Timing. All construction techniques shall be incorporated and detailed on building plans. Plans shall note all noise-resistant construction measures. An acoustical engineer shall confirm compliance with these requirements and/or shall demonstrate the achievement of equivalent noise reduction construction methods.

MONITORING: Building & Safety shall ensure that all noise control measures have been included according to the approved plans. (EIR MM# NS-5)

- 38. Special Windows/Doors Closed.** Windows and doors shall remain closed, as indicated below, to minimize nuisance noise to residential neighbors. **Plan Requirements and Timing:** Structures with north and west facing windows and doors shall remain closed (except for entering and exiting the buildings) when amplification is used in indoor areas. This requirement shall be posted at all times to facilitate neighborhood compatibility.

MONITORING: P&D shall review signs for posting in buildings prior to zoning clearance and shall respond to complaints, as necessary. (EIR MM# NS-6)

- 39. Noise Contact.** A contact person shall be identified to promptly respond to noise complaints, hours of operation and attendee numbers. **Plan Requirements and Timing:** A designated contact person shall facilitate resolution of potential complaints involving noise levels, number of attendees (larger attendance increases noise levels) and hours of use (if activities extend past dusk outdoors and past 9:00 PM indoors). The noise contact shall be available during noise generating activities to promptly address neighbor complaints and to ensure activities are consistent with identified noise mitigation, including use of noise limiters, door/window closures, hours of operation, etc.

MONITORING: P&D shall confirm a contact to address noise prior to zoning clearance. (EIR MM# NS-7)

- 40. Special Deliveries.** To reduce noise from vehicle back-up beeping before 8:00 AM and after 7:00 PM (e.g., trucks delivering supplies, food for hot lunches, rental supplies pick-up/drop-offs, etc.), vehicles shall avoid backing into loading areas to the maximum extent feasible during these times. **Plan Requirements and Timing:** This requirement shall be included in rental agreements and OASIS shall communicate this requirement to their clients and vendors.

MONITORING: P&D shall confirm this inclusion in sample rental agreement and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-8)

41. Recreation and Open Space

Trail/Bikeway Location, Offer to Dedicate, and Construction Consistent with the Owner/Applicant's proposed trails and bikeways, the Owner/Applicant shall offer to dedicate provide to the County a minimum 25-foot wide public easement for the Orcutt Creek Trail, including the parallel Class I Bikeway and the Owner/Applicant's proposed trail on APNs 105-020-052 and -053 with new development. The trail/bikeway location shall be consistent with the OCP Parks Recreation and Trails Map, OCP Open Space Plan criteria, and Multi-use Trails Plan & Trails Siting Guidelines). The easement shall be sited south of Orcutt Creek in a location that assures the public's ability to access and use the trail over the long-term and that does not negatively affect layout and siting flexibility for future park amenities on adjacent open space parcels (APNs 105-020-052, -053, -060-, 061, -062). The proposed easement shall be shown on the map and shall not conflict with existing recorded easements or other obstructions.

Option 1:

- Recorded access Easements "2" and "4" identified on the OASIS site plan, in favor of APNs 105-020-052, -053, shall be relinquished/terminated and/or shall be relocated to another location that would not conflict with the location of the Orcutt Creek Trail/Class I Bikeway easement (e.g., trail/bikeway must be physically separated from vehicle traffic) or other OCP standards.
- Proposed Easement "H" to APNs 105-020-052 and -053the LeBarb open space parcel should have limited vehicular access to avoid conflicts with the proposed Orcutt Creek Trail/Bikeway.

Option 2:

- The project development, including buildings, parking lot, landscaping, etc. shall be shifted/reoriented within the OASIS property, as necessary, to accommodate the Class I Bikeway/Orcutt Creek Trail in a location acceptable to Public Works, Parks and P&D (e.g., shift development to the west and south to allow the trail/bikeway to be located outside of the recorded access easements and within the OASIS property).

Plan Requirements and Timing: The map Plans identifying the proposed trail/bikeway easement and any associated easement documents shall be submitted for review and approval by P&D, Public Works, Parks and Flood Control prior to issuance of Zoning Clearance prior to map recordation. Prior to map recordation, the Owner/Applicant shall execute and submit to P&D and County Counsel an irrevocable OTD for the trail and bikeway easement areas identified above. The OTD shall be in a form and content acceptable to P&D and County Counsel and shall include a formal legal description of the easements and a graphic depiction prepared by a licensed surveyor. Upon approval of the form and content of the OTD, the Owner/Applicant shall execute the OTD and P&D will present the OTD to the Board of Supervisors to be acknowledged. Within 20 days of acknowledgement of the OTD by the Board of Supervisors, the OTD shall be recorded free of prior liens and encumbrances which the County determines may affect the interest being conveyed and shall run with the land in favor of the County. The OTD shall be binding upon the owners, heirs, assigns, or successors in interest. Construction of Orcutt Creek Trail by the Owner/Applicant, including the Class I bikeway and segments located on adjacent parcels (APNs 105-020-052, -053) improvements shall be completed prior to zoning clearance final occupancy clearance for the meeting facility building. Owner/Applicant shall maintain the trails/bikeways for a minimum of three years after construction.

MONITORING: The easement document shall be reviewed and approved by P&D, General Services, Real Property Division, County Surveyor, Parks and Public Works. P&D and County Surveyor shall review the map to ensure the easement is provided and that all easement documents are included as an exhibit to the map prior to final map recordation. ~~to be recorded prior to zoning clearance issuance for any grading or development associated with the project and prior to initiation of other project related improvements that would conflict with the existing Southpoint Estates land use restrictions and deeded development rights held by the County.~~ P&D, Parks and Public Works shall site inspect in the field to ensure the trail and bikeway is in compliance with approved easement, grading and building plans. ~~P&D and Parks shall site inspect in the field to ensure the trail is in compliance with grading and building plans.~~

42. ~~Deleted. Plans for and Construction of Bikeway/Trail. The Owner/Applicant shall submit plans for review and approval of the Orcutt Creek Trail/Class I Bikeway segments, including planted buffers on both sides of the trail and shall install or submit a bond for the entire value of the bikeway/trails and plantings in the County approved location prior~~

~~to map recordation. All trail improvements shall conform to OCP specifications, including OCP Appendix C, the Multi-use Trails Plan & Trails Siting Guidelines), with additional County Parks Department specifications, as applicable, for the trail and Public Works specifications, as applicable, for the bikeway. The plans shall include specific alignment (subject to prior site visit with P&D, County Parks and a qualified biologist), landscaping/restoration plantings, fencing, signage, and maintenance funding/responsibility. **Plan Requirements:** The applicant shall submit the plans for review and shall receive approval of the plans by County Parks, P&D and Public Works prior to recordation of documents for the recorded map modification. The bikeway/trail improvements must be completed or a bond issued by the applicant/property owner and signed off as complete by Parks, P&D and Public Works, prior to issuance of occupancy clearance on the first structure.~~

~~**MONITORING:** P&D and Public Works shall site inspect in the field to ensure bikeway is in compliance with grading and building plans. P&D and Parks shall site inspect in the field to ensure trail is in compliance with grading and building plans.~~

43. **Financial Surety for Public Bikeway/Trail Improvements.** The Owner/Applicant ~~applicant/property owner~~ shall post a financial surety (e.g. bond) acceptable to P&D, Parks and Public Works for completion and construction and maintenance of the Class I Bikeways/Orcutt Creek Trail segment located on the OASIS APNs (105-020-063 and 105-020-064) as well as APNs 105-020-052, -053. The financial security shall be reviewed and ~~plans~~ approved as adequate by P&D, Parks and Public Works. **Plan Requirements and Timing:** The Owner/Applicant ~~applicant/property owner~~ shall post the surety for construction and 3-year maintenance of the trails/bikeway prior to map recordation. ~~the first zoning clearance for grading or development.~~ The bond security will be in the amount based on the full funding of the County's cost of construction of the trails/bikeway identified above. Installation/construction securities shall be equal to the value of a) all materials necessary at the cost to the County to purchase, and b) labor to successfully install the materials at the County's cost to complete the work. ~~The bond security will be in the amount based on the full funding of the construction cost of a dedicated Class I Bikeway/Orcutt Creek trail.~~ The financial surety for the bikeway/trail construction shall not be released until all required improvements have been completed. ~~The final building and grading plan shall be reviewed and approved by P&D, County Parks and Public Works prior to approval of zoning clearance. If the Owner fails to install or maintain the trails/bikeway, the County may use the security to complete the work.~~

MONITORING: The County of Santa Barbara shall site inspect in the field to ensure compliance with grading and building plans prior to occupancy clearance. (EIR MM# Rec-3)

44. **Traffic**

Traf-06 Traffic Roadway Improvements. The Owner/Applicant shall prepare roadway plans and implement road improvements as required by Public Works. Road improvement plans shall be reviewed by Public Works, County Fire, Parks and P&D. Final plans shall be approved prior to zoning clearance and improvements shall be constructed prior Final Building Inspection Clearance sign-off. The County shall allow concurrent construction of approved development and proposed roadway improvements; however Final Building Inspection shall not be issued until the traffic improvement(s) have been completed. **Plan Requirements and Timing:** The Owner/Applicant shall submit the plans and schedule for improvements, including construction management component for roadway improvements, and must receive approvals prior to the first Zoning Clearance for grading or development of the project. The final plans shall be in compliance with the roadway improvements in the approved plans and shall specifically address pedestrian and bicycle safety.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof that all improvements have been fully completed pursuant to approved plans prior to Final Building Inspection Clearance. (EIR MM# TC-1)

- 45. Transportation/Circulation. Driveway.** The Owner/Applicant shall install all required driveway improvements (e.g., “Keep Clear” pavement markings or other features at Foxenwood Lane/OASIS driveway intersection) and incorporate pedestrian safety measures, as applicable, into the project road improvements plans to improve pedestrian and bicycle safety for schoolchildren at the driveway entrance and the Clark Avenue/Foxenwood Lane intersection. **Plan Requirements:** The Owner/Applicant shall identify all required driveway details (e.g., new striping and pavement markings) on plans for Public Works prior to zoning clearance. Plans shall also be reviewed and approved by Planning, Grading, and Building. **Timing:** The Owner/Applicant shall receive approval of the design exception prior to Planning Commission hearing on the project. The Owner/Applicant shall install all required driveway improvements prior to Final Building Inspection Clearance. Pavement improvements shall be reviewed and approved by Public Works Transportation prior to Zoning Clearance Issuance for grading and site improvements.

MONITORING: P&D permit processing staff shall ensure compliance prior to and throughout construction. (EIR MM# TC-2) Caltrans Park and Ride Lot. Parking demand shall be provided onsite. The Caltrans Park and Ride parking lot across Foxenwood Lane shall not be used to accommodate parking demand for APNs 105-020-063 and -064, unless expressly permitted by Caltrans. **Plan Requirements and Timing:** This parking restriction shall be provided to patrons/attendees/employees and others generated parking demand on these parcels in printed and online information/advertisements for onsite uses as well as rental agreements for use of onsite facilities. Examples of this language from the webpage, rental agreement template, etc. shall be provided to P&D

prior zoning clearance. The exception to the above requirements is documentation of Caltrans agreement to allow parking onsite. (EIR MM# TC-3)

- 46. Caltrans Encroachment Permit.** The owner/applicant shall obtain an encroachment permit from Caltrans for any work within, over or under the State's right of way and shall provide the encroachment permit to Planning and Development prior to zoning clearance for any work done within Caltrans right of way.

47. Water Resources

WatCons-01 Water Conservation-Outdoor. To ensure water conservation, Landscape and Irrigation Plans shall incorporate landscape plants, planting methods, and irrigation which reduce water demand and incorporate permeable hardscapes where feasible.

Plan Requirements: The Owner/Applicant shall submit landscape and irrigation plans to P&D for review and approval prior to zoning clearance for approved development. **Timing:** The Owner/Applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required water conserving landscape and irrigation features are installed prior to Final Building Inspection and that project landscaping and irrigation are maintained per approved landscape plans. Any part of irrigation plan requiring a permit shall be inspected by building inspectors. (EIR MM# W-1)

- 48. Special- Supplemental Water:** The project shall purchase supplemental water from the City of Santa Maria to offset increased demand for water from the Santa Maria Groundwater Basin. **Plan Requirements & Timing:** Prior to zoning clearance, the applicant shall provide proof of purchase of supplemental water from the City of Santa Maria.

MONITORING: P&D shall confirm receipt of agreement from City of Santa Maria for purchase of supplemental water before zoning clearance. (EIR MM# W-2)

- 49. Storm Water Pollution Prevention Plan (SWPPP).** The Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **Plan Requirements and Timing.** Prior to approval of Zoning Clearance for new development, the applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan to P&D's Building & Safety Division. The applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to approval of a Land Use Permit P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP. (EIR MM# W-3).

50. WatServ-01 Can and Will Serve. The Owner/Applicant shall provide a Final Can and Will Serve letter from the Golden State Water Company indicating that adequate water is available to serve the project. **TIMING:** A final can and will serve letter shall be submitted prior to recordation of certificates of correction and other documents effectuating the recorded map modification.

51. Sewer Can and Will Serve. The Owner/Applicant shall provide a Final Can and Will Serve letter from the Laguna County Sanitation District indicating that adequate capacity to transport and treat project wastewater capacity is available to serve the project. **TIMING:** A final can and will serve letter shall be submitted prior to recordation of certificates of correction and other documents effectuating the recorded map modification.

52. Equipment Washout-Construction. The 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. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **Plan Requirements and Timing:** The applicant shall designate the P&D approved location on all grading and building permits. The applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# W-4).

53. Low Impact Development (LID) Measures. To reduce water quality impacts the project design and SWQMP shall include LID measures to the extent feasible.

Plan Requirements and Timing. Plans indicating LID techniques to be used shall be submitted by the applicant for review and approval by the Santa Barbara County Public Works Department prior to land use clearance for grading and utility installations. Installation of structural LID technologies shall be performed by the project applicant per approved plans and completed prior to occupancy.

MONITORING. Public Works and Planning and Development staff shall review plans and monitor compliance. (EIR MM# W-5)

54. Operational Erosion Control Measures. New development shall incorporate and maintain the following operational erosion control measures into final grading and drainage plans.

- a. Erosion control measures, such as plantings or hard surfaces, shall be incorporated into the drainage plan for all project drainages as required by the Flood Control District and P&D.
- b. Development in areas of high erosion potential shall be sited and designed to minimize increased erosion and may be required to have a site-specific evaluation of erosion-control measures. Project approval shall be conditioned to ensure that erosion will be reduced to acceptable levels.
- c. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
- d. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by P&D prior to zoning clearance for grading.

Plan Requirements and Timing. This requirement shall be printed on final grading, drainage, and landscaping plans and submitted to P&D and Flood Control for review and approval prior to approval of Land Use Permits for grading. Compliance with these measures shall be confirmed by P&D prior to Final Building Inspection Clearance.

MONITORING. The applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all components of the required measures are in place. Compliance monitoring staff will verify compliance including on-going requirements. (EIR MM# W-6)

Standard Map Conditions

- 55. Map-01 Maps-Info.** The Owner/Applicant shall submit a certificate of correction for each Final Map to be corrected, which shall include all approved tract map conditions of approval, as modified pursuant to this request:

The certificates of correction shall include the tract conditions of approval, including those conditions modified by Case No. 16RMM-00000-00001. Prior to recordation of documents and maps effectuating the recorded map modifications and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, modified conditions associated with or required by this project approval on a separate informational sheet(s) to be recorded with the certificate of correction. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.

- 56. Map-03 Public Subdivision Report.** Prior to recordation of the recorded map modification documents/exhibits, the Owner/Applicant shall request the State Department of Real Estate to include the following note in its public subdivision report (white sheet):

Use of APN 105-020-063 and 105-020-064, together one legal lot, shall be limited to a public multi-use trail and non-profit meeting facility, consistent with the approved OASIS project (16DVP-00000-00002) site plan and multi-use trail.

- 57. Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the recorded map modification documents/maps, the Owner/Applicant shall submit separate certificates of correction with each Final Map to be modified/corrected (and including all tract conditions, as modified), prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 58. 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.
- 59. Rules-36 Map/LLA Expiration.** This recorded map modification shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
- 60. 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.
- 61.** Prior to map recordation, the Owner/Applicant must enter into an Agreement to Release Open Space/Development Rights with the Board of Supervisors of the County of Santa Barbara. If the Agreement is unable to be executed, the Owner/Applicant is not authorized to record the map modification.

ATTACHMENT 2b: CONDITIONS OF APPROVAL

OASIS LOT LINE ADJUSTMENT

Case No. 16LLA-00000-00004

APNs 105-020-063, -064, -041

1. **Proj Des-01 Project Description.** *This Lot Line Adjustment is based upon and limited to compliance with the project description, the hearing exhibits marked ~~A-H~~, dated ~~September 11, 2020~~, Attachment 3 of the Board Memo, dated December 11, 2020, and all conditions of approval set forth below, including specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:*

The project involves a lot line adjustment between OASIS (APNs 105-020-063 and -064) and Steve LeBard (APN 105-020-041). The project would add approximately 5,200 square feet of commercially zoned land on the OASIS property to the LeBard corner commercial property. The Lot Line Adjustment is limited to adjusting the respective property lines and does not address specific development.

EXISTING		PROPOSED	
APN 105-020-041	1.24 acres gross/net	Parcel 1	1.37 acres gross/net (+9.6%)
APN 105-020-064	1.12 acres gross/not	Parcel 2	5.16 acres gross/net (-2.3%)
APN 105-020-063	4.16 acres gross/net		
Total	6.53 acres gross/net	Total	6.53 acres gross/net

Both sites are currently undeveloped. Any future development on the properties would be serviced by public water (Golden State Water Company) and public sewer (Laguna County Sanitation District) if developed. The properties would be accessed by a shared driveway off of Foxenwood Lane on APN 105-020-041. An access easement is proposed over APN 105-020-041 in favor of APNs 105-020-063, -064.

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.

Lot Line Adjustment Conditions

- 3. Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the documents effectuating the Lot Line Adjustment, the Owner/Applicant shall submit a Record of Survey prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The exhibit shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.
- 4. Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds (and/or other documents) used to finalize the lot line adjustment: "This deed arises from the lot line adjustment Case No. 16LLA-00000-00004 and defines a single parcel within the meaning of California Civil Code Section 1093 among two legal parcels created by Case No. 16LLA-00000-00004." The County Surveyor shall determine the appropriate documents necessary.

County Rules and Regulations

- 5. Rules-04 Additional Approvals Required.** No permits for development for the commercially zoned portion of the current OASIS property shall be issued until the Recorded Map Modifications (Case No. 16RMM-00000-00001) and the action by the Board of Supervisors to vacate, abandon, or release the Development Rights are effectuated.
- 6. 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.
- 7. 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.
- 8. Rules-19 Maps/LLA Revisions.** If the unrecorded Lot Line Adjustment is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved Lot Line Adjustment.
- 9. Rules-23 Processing Fees Required.** Prior to filing of a record of survey, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

- 10. 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.
- 11. Rules-36 Map/LLA Expiration.** This Lot Line Adjustment shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
- 12. 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.

ATTACHMENT 2c: CONDITIONS OF APPROVAL

OASIS DEVELOPMENT PLAN CASE NO. 16DVP-00000-00002 APNs 105-020-063, -064

- 1. Proj Des-01 Project Description.** This Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked A-H, ~~dated September 11, 2020~~ Attachment 2 of the Board Memo, dated December 11, 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:

OASIS proposes to relocate from their existing facility on Orcutt Union School District property on Soares Avenue to the OCP Key Site 18/Southpoint property. The new facility includes 15,661 square feet (SF) of structural development, with a main building of 14,069 sf and an ancillary BBQ/crafts building of 1,592 SF. The meeting facility design is proposed as an "Elegant Barn." The project also includes a related access road, parking, landscaping, trails within the development area, a section of the multi-use Orcutt Creek Trail, and a modification to LUDC parking requirements, which are described in greater detail below and on the project plans.

The companion Conditional Use Permit (CUP) includes conditions focused on long-term use and operation of the proposed OASIS facilities.

~~All existing and proposed easements are identified on the project plans and as depicted in the EIR Revision Letter #2, dated December 1, 2020, . The access/utility easements in favor of the adjacent properties (indicated on the project site plan as "D" and "H") are shown for informational purposes. Future use and/or permitting of development, including driveways, associated with these access easements is not a part of the project.~~

Landscaping is proposed throughout the site, including around the parking lot. Trees would be placed in clusters rather than rows for a more natural appearance. Several project conditions address requirements for use of native species in the project landscaping and restoration plan.

Consistent with the Orcutt Community Plan, the project includes public easements and construction of a segment of the Orcutt Creek Trail. This trail includes a parallel Class I paved bike path, except within the driveway section from Foxenwood Lane to OASIS' eastern property line. Within this driveway section, the bikeway component of the Orcutt Creek Trail will be accommodated as striped bike lanes within the paved width of the driveway in each direction and the pedestrian component will be provided by a separated, parallel pedestrian path. This pedestrian path is designed as an ADA accessible path between Foxenwood Lane and the proposed OASIS buildings. Stairs near

the southeast corner of the OASIS property will connect the pedestrian path with the Orcutt Creek Trail segment at the base of the driveway. Outside of the driveway, a 25-foot public easement is provided for the Orcutt Creek Trail including Class I bike path, generally following the common property line between APNs 105-020-063/-064 (OASIS) and APNs 105-020-052/-053 (LeBard) along a north/south direction and generally following OASIS' northern property line in an east/west direction, and another segment generally located east of the project site on APNs 105-020-052 and -053 outside of the Orcutt Creek riparian area. ~~The proposed public easements to accommodate the trail and bikeway components are included on the project site plan~~ All existing and proposed easements are identified on the project plans and as depicted in the EIR Revision Letter #2, dated December 1, 2020.

STATISTICS

<u>Description</u>	<u>AREA</u>	<u>% OF TOTAL</u>
Senior Center Building	14,069 SF	6.11%
Bar-B-Que / Storage Building	1,592 SF	0.69%
Concrete Hardscape	14,761 SF	6.41%
Concrete Curbs/Retaining Walls	3,267 SF	1.42%
Landscape Area	85,823 SF	37.29%
Dry Creek Area	627 SF	0.27%
Turf Area	<9,759> SF	
Off-Site Landscape Area	2,279 SF	
Paved Area (Parking/Bikepath)	45,323 SF	19.69%
Off-Site Paved Area	7,512 SF	
Class II Based Parking Area	23,967 SF	10.41%
DG Onsite Walking Trail	9,731 SF	4.22%
Undeveloped Area	31,045 SF	13.49%
Total Lot Area 5.28* Acres	230,135.41 SF	100%

*Total lot area assuming approval of the Lot Line Adjustment case = 5.16 acres.

The Preliminary Grading Plan (included with the project site plan) identifies project earthwork involving approximately 4,400 cubic yards (CY) of cut (including for the 3-foot deep retention basin) and approximately 5,202 CY of fill. Earthwork will be balanced onsite by "mining" for the additional 620 CY of fill onsite, within the development/landscape areas of the OASIS property. The OASIS facility and parking areas are located on nearly level topography.

Grading for the access road/bikeway/pedestrian path from Foxenwood Lane will involve earthwork on slopes exceeding 30% to the south of the access road and grading on slopes of exceeding 50%+ to the north of the access road. Retaining walls are identified on the south

side of the access road, extending into the OASIS property. The proposed OASIS driveway on Foxenwood Lane will be shared with the approved (not constructed) commercial project at the corner of Foxenwood Lane/Clark Avenue (APN 105-020-041, owner S. LeBard). The driveway will generally follow the route of the existing dirt driveway from Foxenwood Lane, which is used by Laguna County Sanitation District and County Flood Control for sewer and creek maintenance activities, respectively. However, the driveway entrance will be further north, on steeper terrain. The existing dirt driveway requires widening and improvements to accommodate Fire Department access standards and a four-foot, striped bike lane on each side of the driveway. In addition to grading on APN 105-020-041, grading on the slope north of the access road will extend onto APN 105-020-053 (also owned by S. LeBard) and will abut the southern tip of APN 105-020-018 (not a part of the project requests, owned by V. Lee). Grading on the slope north of the access road will also extend into the riparian canopy and the very steep slopes above the creek; however, no grading is identified within the top of bank of Orcutt Creek. The final grading plan will only include a retaining wall(s) on the north side of the access road, if needed to ensure earthwork will not extend into the banks of Orcutt Creek. (B. Hain, project engineer, Stantec, 08/26/19).

ACCESS

Vehicular and Americans with Disabilities Act (ADA) pedestrian access will be provided from Foxenwood Lane via an access easement across the adjacent commercial parcel (APN 105-020-041), which is located on the northwest corner of the Foxenwood/Clark intersection. A separate Land Use Permit has been issued for a commercial development on this commercial property (LeBard commercial project) and OASIS would share the driveway with the LeBard commercial. Proposed road improvements along Foxenwood Lane and Clark Avenue are identified in Exhibit H. The project includes a ride share/drop off area at the facility, and bicycle racks for alternative transportation. (This permit also includes a condition requiring implementation of a Transportation Demand Management Plan, which is detailed in the CUP condition of approval).

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.

MITIGATION MEASURES FROM EIR

EIR Visual Resources/Aesthetics Mitigation Measures

- 3. Aest-04 BAR Required.** The Owner/Applicant shall obtain North County Board of Architectural Review (NBAR) approval for project grading, building, directional sign, lighting, roadway, public improvement and landscape plans. All project elements (e.g., design, scale, character, colors, materials, lighting, sign, access, other road improvements, and landscaping) shall be in substantial conformance with the approved project, as conditioned. Consistent with required NBAR findings, project design details, including the lighting plan, shall be compatible and avoid conflicts with the surrounding neighborhood. **Plan Requirements and Timing:** The applicant shall install stakes or otherwise delineate the location of the access road in the vicinity of native trees proposed for retention, in a manner acceptable to P&D, prior to NBAR preliminary review to ensure that native trees proposed for retention will not be impacted by project development and that existing trees and proposed landscaping will provide adequate screening and adequately blend the development into the surrounding natural environment. : The Owner/Applicant shall submit grading and drainage, architectural, landscaping, lighting, off-site directional sign, access driveway and road improvements (for Foxenwood Lane and Clark Avenue) for NBAR and P&D approval prior to issuance of Zoning Clearance and shall install/construct improvements consistent with approved plans. The applicant shall submit grading, drainage, landscape and public improvement plans to Flood Control District, Public Works, and County Fire, as applicable, for review and approval prior to zoning clearance.

MONITORING: Permit Compliance shall site inspect to monitor project compliance with approved plans prior to Final Building Inspection Clearance. (EIR MM# VIS-1)

- 4. Aest-10 Lighting.** The Owner/Applicant shall ensure any night lighting installed on the project site is of minimum height, low glare design, dark sky compliant, including but not limited to hooded lights to direct light downward and away from open space areas and to prevent spill-over outside of the development area. Special consideration should be given to minimizing lighting north of the development area and access road, to avoid wildlife impacts along the environmentally sensitive Orcutt Creek corridor. Lighting shall be the minimum needed (in both lighting locations and lighting intensity) for security, parking, trail, and outdoor use areas, including for activities involving use of site facilities by parties other than OASIS Center. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed at least 50-80% after 10 p.m., subject to all applicable insurance and/or security light requirements for the property. **Plan Requirements and Timing:** The Owner/Applicant shall develop a Lighting Plan

incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture (photometrics). Any requirements for dimming or turning off lighting by specific hours shall be included in facility close up instructions and shall be provided to OASIS employees/janitorial services/responsible party for rentals to facilitate compliance. Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D shall review a Lighting Plan and ensure NBAR review of Lighting Plan for compliance with this measure prior to approval of Zoning Clearance for structures. P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan. The Lighting Plan shall be included on the Landscape and Building Plans. Permit Compliance shall respond to any complaints regarding lighting and any lighting installed that is in non-compliance with this condition, including after final inspection, shall be replaced with lighting consistent with this condition. (EIR MM# VIS-3)

5. **KS18-VIS-2 Landscape Access Road Slope:** The area on the slope immediately north of the new paved areas (access road, including bike path) shall be landscaped with native shrubs of sufficient height to block views of new paved area. Given proximity to Orcutt Creek, the plantings shall also be compatible with adjacent riparian habitat. Landscaping shall not reduce visibility for drivers, bicyclists, or pedestrians entering and exiting the site on Foxenwood Lane. **Plan Requirements and Timing:** The applicant shall submit landscape plans consistent with this condition to P&D and NBAR prior to zoning clearance and shall submit same to Public Works, Flood Control District and County Fire for review and approval as part of submittal of access road plans to ensure landscaping does not conflict with line of sight/other roadway access requirements, Flood Control standards or County Fire road or vegetation management requirements.

MONITORING: Planning & Development shall ensure landscaping consistent with this measure is included on project plans for Preliminary and Final NBAR review and prior to zoning clearance. In addition, Planning & Development shall confirm that the applicant has received approval from Public Works, Flood Control, and County Fire that the landscaping along the driveway is acceptable to these agencies prior to zoning clearance. Permit Compliance shall monitor to ensure landscaping is installed and maintained per approved plans prior to release of landscape/restoration plan securities for installation and maintenance. (EIR MM# VIS-5)

6. **Retention Basin:** The landscape plan for the retention basin shall include native species compatible with the retention basin location, use, and physical characteristics, including but not limited to the soil type, frequency and duration of standing water, etc. There shall be adequate landscaping and maintenance of the onsite retention basin, consistent with the retention basin use and location adjacent to protected natural open space. **Plan**

Requirements and Timing: Prior to zoning clearance, the applicant shall revise the landscape plan for the retention basin consistent with comments received from P&D and NBAR and shall also receive final NBAR and P&D approval of the project landscape plan and sign-off from Flood Control District with regard to the long-term maintenance agreement including the retention basin.

MONITORING: P&D shall confirm approval of landscape plan and Flood Control approved long-term maintenance agreement for the retention basin prior to zoning clearance. Permit Compliance shall confirm landscape installation and establishment during the required maintenance period before release of respective landscape securities (e.g., bonds) for landscape installation and maintenance. (EIR MM#VIS-6)

7. **Landscp-01 Landscape and Irrigation Plan.** The Owner/Applicant shall have a licensed landscape professional prepare a final Landscape and Irrigation Plan designed to provide screening for the access road and retaining walls, to screen and break up the massing of the proposed structures and to provide a visual buffer between the OASIS development/trail/bikeway areas and the Orcutt Creek riparian corridor. Native species compatible with the specific areas of the site shall be used (e.g., French drain areas, retention basin, tall tree and shrub species strategically placed to screen structures and parking areas, plantings compatible with adjacent Orcutt Creek between bikeway/trail and riparian corridor, etc.). Drought tolerant, noninvasive non-native species may be planted for the lawn near the BBQ building and in proximity to the proposed structures. **Plan Requirements:** The plan shall include the following:

- a) An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
- b) An agreement by the Owner to maintain all required/approved landscaping for the life of the project.
- c) Securities posted by the Owner for installation and three-year maintenance for the development landscape plan (five-year maintenance for restoration plan near Orcutt Creek) per requirements in the Performance Securities condition. Specify the amount and duration of installation and maintenance securities to ensure successful implementation of this plan by P&D if the Owner fails to do so.
- d) The landscaping within 100 feet of structures shall take into account County Fire vegetation fuel management requirements and shall be reviewed and approved by County Fire prior to zoning clearance.
- e) Plants used for restoration along Orcutt Creek north of access road and between the bikeway/trail and Orcutt Creek shall be with compatible native plants from seed stock from locally obtained sources.
- f) All project landscaping shall consist of native species, except that drought tolerant, non-invasive, non-native species may be used in the proposed lawn area near the BBQ building and in proximity to project structures.

- g) Project landscaping species, sizes and locations shall be chosen to best screen the access road, parking areas and new buildings from public roads, including Clark Avenue and Foxenwood Lane, and to minimize loss of existing views of natural open space from surrounding land uses. Therefore, plantings shall be located to best provide screening, and plant shapes and sizes (initial and at maturity) shall be considered with regard to ability to screen the improvements and blend the overall site with the surrounding KS 18 natural open space setting.
- h) Project landscaping shall be compatible with the surrounding natural vegetation, including grassland species, oak trees, and riparian habitat along Orcutt Creek).
- i) If a permanent noise shielding feature will be included in the lawn area, this feature shall be landscaped with vines (non-invasive) or shrubs to blend it in with the surrounding area. Plan shall include clinging vines and/or vertical planting on trash enclosure walls and any other masonry walls (e.g., retaining walls), as determined by P&D, to soften the visual effects of the structures & to discourage graffiti.
- j) The northern side of the bikeway/trail shall be revegetated with appropriate riparian vegetation and the southern side shall be planted with oaks throughout the segment along the length of the OASIS property.

Timing: The Owner/Applicant shall (1) submit 4 copies of the Plan to P&D processing planner for review & approval prior to zoning clearance, (2) enter into an agreement with the County to install required landscaping/restoration plantings & water-conserving irrigation systems and maintain required landscaping for the life of the project. In addition, with regard to initial installation and maintenance, the Owner/Applicant shall successfully maintain landscape plantings for three years and restoration plantings for up to five years unless restoration plantings are established (including successfully weaned from supplemental irrigation for a minimum of two years), (3) Post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years and for five years for restoration plantings that will not receive irrigation over the long-term, (4) Install landscape and irrigation prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance. Compliance staff will release installation security upon satisfactory installation of all items in approved plans. The applicant/owner shall demonstrate to compliance staff that the landscaping and associated irrigation have been established and maintained according to plans and agreements for a period of 3 years and have achieved the original goals of this condition (for a period of 5 years for restoration plantings, including successfully established and weaned from supplemental irrigation

for a minimum of 2 years). Compliance staff signature is required to release the 1) installation security upon satisfactory installation of all items in the approved plans and 2) maintenance security upon satisfactory completion of maintenance, including satisfaction of success criteria. If requirements have not been met, the plants or improvements shall be replaced and/or maintained (fed, repaired, trimmed) and the security held for another year. If the applicant/owner fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property per approved plans. (EIR MM# VIS-7)

8. **Aest-07 Understories and Retaining Walls.** All retaining walls along the pedestrian path and both sides of the access road shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. Native vegetation to screen retaining walls shall be planted. **Plan Requirements:** The Owner/Applicant shall submit retaining wall plans and vegetation screening plans to P&D and NBAR for review and approval. **Timing:** Plans shall be submitted prior to zoning clearance; vegetation shall be installed prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-8)

9. **Rooftop Equipment.** The Owner/Applicant shall submit final rooftop plans, which identify mechanical equipment and associated screening, except where screening is not possible (e.g., screening would block sunlight from rooftop solar panels). The plans shall also identify solar panels with non-reflective materials/finishes. A long-term maintenance agreement shall also be submitted identifying required long-term maintenance of the non-reflective materials/finishes on the solar panels, including replacement as needed to retain the non-reflective characteristic of these materials/finishes. **Plan Requirements:** The Owner/Applicant shall submit to P&D (for P&D and NBAR review and approval) the rooftop plans showing equipment, any screening methods, solar panel locations and materials/finishes proposed to reduce solar panel reflection/glare. **Timing:** Plans shall be submitted prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance. (EIR MM# VIS-9)

Air Quality / Greenhouse Gasses and Climate Change

10. **Special – Gas Fireplace/Fire Pit:** Wood-fired, mobile or permanent fire pits, fireplaces, etc. shall be prohibited, with the exception of the approved barbeque at the Barbeque/Storage Building, to reduce smoke (PM2.5) and odors, and related nuisance complaints. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of

building permits, the applicant shall ensure project plans (building plans, landscape plans, other plans as applicable) identify all fire place and fire pits and include a note on the plans that these amenities shall not be not wood-fired. Agreements for use of the OASIS facilities shall include this restriction. In addition, a note shall be included on the cover page project plans for zoning clearance/building permits identifying this restriction.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. (EIR MM# AQ-1)

11. Odor Abatement Plan: The applicant shall prepare and implement an Odor Abatement Plan to minimize the potential for nuisance complaints related to use of the onsite barbeque, fireplaces, and fire pit. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall submit an Odor Abatement Plan to P&D and Santa Barbara County Air Pollution Control District for review and approval. The plan shall include the following elements:

- a. Description of project design features to reduce potential smoke and odor impacts;
- b. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints (during and after regular OASIS hours of operation);
- c. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- d. Description of potential odor sources at the facility;
- e. Description of potential methods for reducing odors, including process changes, facility modifications and/or feasible add-on air pollution control equipment if other methods do not adequately reduce the nuisance issue (to the satisfaction of Santa Barbara County);
- f. Contingency measures to curtail emissions in the event County determines a complaint qualifies as a public nuisance.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. Permit Compliance will perform site visits, as needed, after project is operational. (EIR MM# AQ-3)

Biological Resources

12. Special – General Bio Protection: The following measures shall be implemented to minimize impacts to biological resources. **Plan Requirements and Timing:** These measures shall be adhered to during site preparation and construction activities:

- a. All construction equipment shall be limited to the use of designated access roads, staging areas, and/or previously identified work areas shown on the project plans.
- b. Exclusionary fencing shall be erected at the boundaries of the Project limits of work (all earth disturbance and construction activities) to avoid equipment and human intrusion into adjacent native habitats (i.e., oak trees and the riparian corridor of Orcutt Creek). The fencing shall remain throughout the duration of construction activities.
- c. All motorized equipment used at the Project Area shall be maintained in proper working condition and shall be free of drips and leaks of coolant, hydraulic, and petroleum products. No equipment shall be used in the Project Area unless such equipment is free of leaks and drips.
- d. A spill prevention and clean-up kit (including socks, absorbent pads, kitty litter, broom, dustpan, shovel, and container for dirty absorbent material) shall be available on-site for immediate use in case of an accidental spill. Any equipment or vehicles driven and/or operated adjacent to Orcutt Creek shall be checked and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life. Service and refueling activities shall not occur within 100 feet of Orcutt Creek.
- e. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site. Water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease unless mandatory drought restrictions limit use of water for this purpose. The construction area shall be wet down after work is completed for the day and whenever wind exceeds 15 mph.
- f. Erosion control measures (e.g., which may include silt fencing, jute netting, straw bales) shall be used throughout all phases of construction where sediment runoff from exposed soils could enter Orcutt Creek
- g. Construction material shall be stockpiled in upland habitat at least 100 feet from Orcutt Creek. BMPs (e.g., silt fencing, straw wattles) shall be installed between the work area and riparian corridor of Orcutt Creek to ensure sediment runoff from the work area does not enter the creek. Unattended soil stockpiles shall be covered.
- h. Trash and food items shall be kept in closed containers and removed daily.
- i. Open excavations shall be covered at the end of each workday. If this is not feasible, escape ramps shall be installed in the pits to ensure no entrapment of animals occur.

MONITORING: P&D shall site inspect for compliance during the grading and construction period and shall respond to complaints. (EIR MM# BIO-1)

- 13. Special- Special Status Species Survey:** A County-qualified biologist shall conduct a pre-construction survey of the Project Area for CRLF, western spadefoot toad, Blainville's horned lizard, and SWPT. **Plan Requirements and Timing:** The survey shall be performed 7-10 days prior to the onset of grubbing and grading. No state or federally listed species shall be handled without the approval of the USFWS and/or CDFW. Any specimens found (with the exception of CRLF) shall be captured and relocated to suitable habitat within KS18 (per USFWS and/or CDFW direction). If CRLF is present within the work area, (considered highly unlikely) the USFWS and CDFW shall be consulted by the biologist regarding any necessary avoidance measures (e.g. morning inspections of the work area, installation of exclusion barriers around active work zones).

MONITORING: P&D Compliance staff shall ensure proof of pre-construction survey and any actions necessary based on the results of the survey. (EIR MM# BIO-2)

- 14. Special – Worker Orientation:** Worker Orientation regarding biological protection measures during site preparation and construction shall be required. **Plan Requirements and Timing:** Prior to the start of work, a County-approved biologist shall oversee worker orientation for all construction contractors (including site supervisors, equipment operators, laborers) which emphasizes the presence of special-status species within/ or adjacent to the Project Area, identification of those species, their habitat requirements, applicable regulatory policies and provisions regarding their protection, measures being implemented to avoid and/or minimize impacts, and penalties for noncompliance shall be conducted. This orientation may be done as part of the standard pre-construction meeting. If members of the crew arrive after the initial orientation meeting or have otherwise not received the orientation, they shall attend a subsequent training prior to working on the job. No staging of equipment or construction supplies shall occur prior to orientation.

MONITORING: P&D Compliance shall confirm with applicant implementation of worker orientation and procedure for all employees to receive the orientation prior to commencement of grading and construction. (EIR MM# BIO-3)

- 15. Special- Biological Monitor:** A County-approved biological monitor shall monitor earthwork activities (e.g., grading, trenching) within 100 feet of the outer edge of Orcutt Creek riparian canopy, including but not limited to, all grading on the slope north of the access road, for the trail/bikeway, and for the sewer line extension to the Laguna County Sanitation District manhole. Work shall be stopped, if necessary, or modified to protect wildlife and other biological resources, or if violations of laws or permit conditions are observed. Duties include the responsibility to ensure all aspects of the approved biological mitigation measures are carried out per County requirements and that USFWS and/or CDFW are

notified of the presence of any listed species. To the extent practical, common wildlife species entering the construction zone shall be captured and relocated to suitable habitat. Any special-status wildlife species observed in the Project Area shall not be physically relocated without permission from the CDFW or the USFWS, as appropriate. **Plan Requirements and Timing:** The applicant shall fund the biological monitor prior to zoning clearance. The biological monitor, in consultation with P&D, shall determine necessary frequency and duration of onsite monitoring during earthwork activities and shall periodically inspect the Project site during construction. The County-approved biological monitor shall oversee and survey the work areas prior to activities commencing.

MONITORING: P&D shall confirm applicant funding for biological monitor tasks prior to zoning clearance. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-4)

16. Tree Protection (Bio-01) without a Tree Protection Plan. All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native trees, unless otherwise identified on the approved Development Plan exhibits.

- a. Prior to zoning clearance for all grading or construction, all native trees proposed for retention as shown on the project plans shall be fenced at least six feet beyond the dripline as shown on the approved Development Plan exhibits. If six feet cannot be accommodated the fencing shall be placed as far away as possible from the tree trunk. If earthwork will impact more than 20% of the tree canopy, the restoration/landscape plan shall incorporate 10:1 replacement of the tree. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15-foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.
- b. No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation for P&D approval. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.
- c. To help ensure the long-term survival of native trees, no permanent irrigation systems are permitted within six feet of the dripline of native trees unless the trees were not naturally occurring (were planted and have been irrigated as landscape trees). Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

Plan Requirements: Fencing shall be graphically depicted on project plans. Timing: This condition shall be printed on project plans submitted for zoning approval and installed prior to Grading or Building Permit issuance.

MONITORING: P&D compliance monitoring staff shall review plans and confirm fence installation. P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-5)

- 17. Special -Nesting Birds Preconstruction Surveys.** For construction activities occurring during the nesting season (generally February 1 - September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 30 days prior to vegetation removal. The survey area for all nesting bird and raptor species shall include the disturbance footprint plus a 300-foot buffer. If active nests (nests with eggs or chicks) are located, the qualified biologist shall establish an appropriate avoidance buffer ranging from 50 to 300 feet based on the species biology and the current and anticipated disturbance levels occurring in vicinity of the nest. The objective of the buffer shall be to reduce disturbance of nesting birds. All buffers shall be marked using high-visibility flagging or fencing acceptable to P&D, and, unless approved by the qualified biologist, no construction activities shall be allowed within the buffers until the young have fledged from the nest or the nest fails. **Plan Requirements and Timing:** The Owner/Applicant shall submit survey(s) and identification of buffer areas, if determined necessary (on plans and marked in field) for P&D review and approval prior to commencement of construction. Any required flagging/fencing shall remain in place until applicable construction activities are complete.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff (and/or County-contracted biological monitor) that any necessary buffer areas are protected (flagging/fencing acceptable to P&D) before initiation of grading/construction through project completion/final sign-off. (EIR MM# BIO-6)

- 18. Tree Planting and Maintenance (Bio-5).** The Owner/Applicant shall plant 10 oak trees obtained from locally occurring saplings or seed stock for every oak tree removed, relocated or damaged. The trees shall be planted, gopher fenced and irrigated (drip irrigation on a time) as part of the creek riparian area restoration plan for a five-year maintenance period as identified in the related habitat restoration plan condition. **Plan Requirements:** This requirement shall be shown on the creek riparian restoration plan and landscape plan if applicable to be reviewed and approved by P&D. Timing: A performance security shall be required prior to zoning clearance. Prior to final inspection, trees shall be planted, fenced and irrigated.

MONITORING: P&D compliance monitoring staff shall ensure tree installation and maintenance. Performance security release requires P&D staff sign-off. (EIR MM# BIO-7)

19. Habitat Setback (Bio-7). With the exception of Orcutt Creek Trail/Class I Bikeway installation/use and restoration activities, all ground disturbances, vegetation removal, landscaping, parking, development, OASIS programs and activities, and rentals/special events shall be restricted to the areas identified on the approved Development Plan exhibits. The final grading plan shall minimize grading on the slope north of the access road and any grading approved within 100 feet of Orcutt Creek (e.g., for the trail/bikeway) to the greatest degree feasible. Earth disturbance associated with the proposed access road improvements shall be restricted to the Foxenwood Lane right of way and APNs 105-020-063, -041, and -053. If grading is proposed to extend onto adjacent APN 105-020-018 (Lee), such change to the grading plan shall require sign off from that property owner and additional environmental review. Restoration plantings shall be required to offset vegetation removal or grading (proposed or unintentional) within 50 feet of the edge of riparian habitat. The exception to this is grading within the graded footprint of the existing dirt access road.

- a. Construction Period Fencing and erosion control materials/methods (type and location acceptable to P&D) shall be shown on grading plans and shall be installed prior to any earth movement to ensure excavation work within or adjacent to sensitive habitats including native trees and riparian habitat shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (as determined by P&D), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible by P&D, excavation work may be authorized by P&D to be completed with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small, tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff.
- b. Long-Term: The boundaries of the OASIS development and parking areas shall be visually delineated with a combination of fencing, vegetation, and/or other features (e.g., rock) acceptable to P&D before final sign-off/occupancy clearance to facilitate compliance with this condition.

MONITORING: P&D compliance monitoring staff shall ensure compliance throughout construction and shall respond to any complaints during operational phase. (EIR MM# BIO-8)

20. Storm Water BMPs (Bio-10). To minimize pollutants impacting downstream waterbodies or habitat, the parking area, driveway, and paved bikeway and parallel trail shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas with compatible native species), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other County approved method shall be

installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term maintenance shall be the responsibility of the landowner. A maintenance program shall be specified in a maintenance program submitted by the landowner and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of zoning clearance. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once a year and retain proof of inspections. **Plan Requirements:** The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans. **Timing:** The plans and maintenance program shall be submitted to P&D and Public Works for approval prior to zoning clearance.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction and shall inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D and Public Works upon request. (EIR MM# BIO-9)

21. Habitat Restoration (Bio-12). The Owner/Applicant shall submit for P&D approval of a Creek Riparian Area Buffer Restoration Plan prepared by a P&D-approved biologist and designed to provide a buffer for increased development and activities adjacent to Orcutt Creek, consistent with the Orcutt Community Plan (OCP), including direction regarding creek buffer plantings in the OCP Biological Resources and Parks, Recreation and Trails sections. The restoration plantings shall take into consideration the location of the segment of Orcutt Creek Multi-Use Trail (including Class I bikeway) proposed as part of the project and future segments of the trail connecting to Broadway. The approved location of the OASIS trail/bikeway easement shall be included on the restoration plans. The applicant may choose to combine the Restoration Plan with the Landscape Plan and/or plans for the portion of the Orcutt Creek Trail that crosses the project parcels. If combined with the Landscape Plan, the installation security shall separately cover the Restoration component of the plan. The Restoration Plan shall include the following components:

- a. Plantings shall be with compatible native riparian species.
- b. Species shall be from locally obtained plants and seed stock.
- c. The new plantings shall be irrigated with drip irrigation on a timer and shall be weaned off of irrigation over a period of not less than two years' time, sufficient to ensure plantings remain successful a minimum of one year following cessation of supplemental irrigation. Restoration plantings must be established without irrigation

- for a minimum period of one year. The maintenance period shall be extended beyond the minimum five-year period to accommodate this requirement for success of plantings for a minimum period of one year after cessation of supplemental irrigation.
- d. The creek area shall be fenced (or other method acceptable to P&D) at the limits of disturbance during grading and construction activities and shall be protected to the extent necessary (as determined by P&D and the plan biologist during restoration activities to ensure success of the restoration plan).
 - e. If it becomes necessary (as authorized by P&D) to disturb or remove any plants w/in the habitat area, a P&D-approved biologist shall monitor and direct the work. Where feasible, specimens shall be boxed and replanted. If a P&D-approved biologist certifies that it is not feasible to replant, plants shall be replaced at a minimum using the standards of P&D's standard Habitat Restoration Plan and under direction of the P&D-approved biologist.
 - f. A plan shall be included for removal of non-native invasive species in the buffer area between the project development and the creek.

Plan Requirements: Include applicable components of the plan in the Landscape and Irrigation Plans if not proposed as a combined Landscape/Restoration Plan. **Timing:** Plans shall be submitted for review and approval by P&D prior to zoning clearance and the Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for three years. The landowner shall maintain the plants and irrigation for five years following Final Building Inspection Clearance or until successful establishment of restoration plantings for a minimum of one year following cessation of supplemental irrigation, whichever is greater.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance. P&D compliance monitoring staff signature is required to release the installation security for the restoration plantings upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan. Successful implementation includes monitoring report confirming successful establishment after cessation of supplemental irrigation. If replanting and/or an extended supplemental irrigation period is necessary to ensure successful establishment, this will extend the minimum maintenance period. Restoration plantings must be established for at least one year after cessation of irrigation because, unlike landscaping near buildings, restoration plants will not have long-term irrigation. (EIR MM# BIO-12)

- 22. Use Natives (Bio-21).** Landscaping between Orcutt Creek and the project development, within the parking areas, and along the access road shall be with native plants. Plantings within 100 feet of Orcutt Creek shall be plants or seed stocks from locally obtained sources. Compatible, non-invasive, drought tolerant plant species may be used in the lawn area to the west of the proposed buildings and adjacent to structures. **Plan Requirements:** The Owner/Applicant shall incorporate this requirement into a landscape plan to be prepared

by a P&D approved landscape architect or arborist. The landscape plan can be combined with the restoration plan, although the restoration plan is subject to additional requirements. **Timing:** The landscape plan shall be reviewed and approved by P&D prior to zoning clearance. Landscaping shall be installed prior to Final Building Inspection Clearance.

MONITORING: The landscape architect or arborist shall verify to P&D compliance monitoring staff, in writing, using receipts, etc., the use of native seed stock on the property prior to release of performance security. (EIR MM# BIO-13)

- 23. Equipment Washout-Construction (Bio-20a).** The Owner/Applicant shall designate one or more washout areas 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 these areas and removed from the site at intervals sufficient to ensure adequate capacity is maintained onsite. The areas shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources. **Plan Requirements:** The Owner/Applicant shall designate the P&D approved location on all grading and building permits. **Timing:** The Owner/Applicant shall install and sign the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# BIO-14)

- 24. Special- Trails.** Design of the Orcutt Creek Trail (including Class I Bikeway) shall be designed to minimize removal of native vegetation and to minimize erosion that could impact Orcutt Creek water quality or the creek banks. In addition, either the trail or the project layout shall be revised to accommodate restoration plantings between the trail/bikeway and Orcutt Creek consistent with OCP DevStd BIO-O-5.3 and DevStd KS 18-4. Prior to approving the final trail alignment, the proposed trail route shall be surveyed by a qualified botanist. The botanist, in consultation with P&D, shall reroute the trail/bikeway alignment to avoid sensitive species where feasible. The final trail/bikeway alignment shall be approved by P&D and the Community Services Department, Parks Division prior to final map recordation ~~issuance of Zoning Clearance~~. Signage shall be included in the trail design, providing educational and interpretive information. (The trail location shall also be consistent with the requirements of Mitigation Measure Rec-1 in Section 4.11.5). **Plan Requirements:** The Owner/Applicant shall submit the proposed trail/bikeway plan for County review and approval prior to final map recordation ~~zoning clearance~~. The Owner/Applicant shall coordinate with P&D prior to finalizing the proposed trail/bikeway design to ensure coordination with botanist reviewing trail route and other County departments (Flood Control, Public Works, Parks). The proposed restoration/buffer plantings on both sides of the trail/bikeway shall be included with the proposed trail/bikeway plans. **Timing:** The Owner/Applicant shall install the trail/bikeway and associated restoration/buffer plantings or submit a bond for the entire value of the trail/bikeway and associated restoration/buffer plantings in the County approved location

~~prior to map recordation.~~ concurrent with development and prior to final occupancy clearance inspection. Financial sureties for installation of the trail/bikeway and restoration plantings and a 3 ~~5~~-year maintenance period shall be required prior to map recordation.~~zoning clearance.~~ (Also see requirements for success of plantings after cessation of supplemental irrigation in Restoration Plan condition. The restoration component may be combined with the landscape plan or other project related restoration plan (e.g., north slope of access road).

MONITORING: P&D compliance staff shall ensure compliance prior to and throughout construction and trail installation. (EIR MM# BIO-15)

- 25. Fence Design (Bio-3d).** Project fencing for accessory components (i.e. roads, trail, etc.) shall be designed to minimize impacts to wildlife. Fencing shall not block wildlife movement. Where fencing is required for public safety concerns, the fence shall be designed to permit wildlife movement by incorporating design features such as:
- a. A minimum 18 inches between the ground and the bottom of the fence to provide clearance for small animals;
 - b. A minimum 12 inches between the top two wires, or top the fence with a wooden rail, mesh, or chain link instead of wire to prevent animals from becoming entangled; and
 - c. If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.

Plan Requirements and Timing. Grading and building plans shall include the above measures and shall be submitted to P&D for review and approval prior to issuance of land use clearance for grading and subdivision improvements. The information brochure shall be submitted to P&D for review and approval prior to zoning clearance for the first residence.

MONITORING. P&D shall site inspect upon completion of construction. (EIR MM# BIO-16)

- 26. Lighting Plan (Bio-3e, modification of OCP EIR Mitigation Measure KS3- BIO-6).** The applicant shall develop a lighting plan for the entire development that shall reduce light pollution in open space habitat areas except as provided below for safety. All exterior lighting features within 100 feet of open space shall include installation of hoods to prevent "spill-over" into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night-lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek, unless specifically required by County for safety purposes and any required trail/bikeway lighting shall include the minimum number of locations, height, intensity, and extent of illumination deemed necessary by the County for safety purposes. Use of high-intensity lights, including but not limited to floodlights, shall be prohibited onsite and use of dark sky fixtures shall be specified on the lighting plan. Plan Requirements and Timing.

The applicant shall submit the Lighting Plan to Planning and Development (P&D) for review and approval prior to issuance of Land Use Permits.

MONITORING: P&D shall site inspect all exterior light fixtures after installation to ensure compliance. (EIR MM# BIO-17)

27. Fish and Wildlife (Bio-08): If any alteration to stream channels or banks occurs no Zoning Clearance shall be issued until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Wildlife, Regional Water Quality Control Board and/or federal agencies for any planned alteration to stream channels or banks, (e.g., grading on the slope north of the proposed access drive and for the proposed trail/bikeway). (EIR MM# BIO-18)

28. Threatened and Endangered Species Approvals (Bio-9a): The permittee shall obtain all necessary approvals from the California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service, including an Incidental Take Permit and/or Habitat Conservation Plan for Cooper's Hawk, California red-legged frog, western spadefoot toad, southwestern pond turtle, and Blainville's horned lizard, if required, prior to Zoning Clearance. **Timing** If preconstruction surveys determine that these species are found onsite, the Permittee shall provide to P&D copies of approvals obtained from CDFW, FWS and/or NMFS.

MONITORING: Permittee shall provide to P&D copies of approvals from CDFW, FWS and/or NMFS. P&D staff shall confirm receipt of any necessary approvals prior to issuance of Zoning Clearance. (EIR MM# BIO-19)

Cultural Resources

29. CulRes-09 Stop Work at Encounter. The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event potential archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. Cultural resource remains may include artifacts, shell, bone, features, foundations, and trash pits, etc. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 and Phase 3 investigations of the County Archaeological Guidelines. All work shall be 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. (EIR MM# CR-1)

- 30. Special- Event Contractor.** The Owner/Applicant shall be responsible for ensuring adequate security and traffic control for all activities onsite, including regular OASIS activities/programs and rentals involving non-OASIS activities/events. A contract for private security/traffic control shall be required for non-OASIS activities involving more than 100 people onsite. For OASIS activities, OASIS shall provide adequate security/traffic control themselves or may contract for this service. **Plan Requirements And Timing:** At least one week prior to the date of non-OASIS program events/activities involving more than 100 people onsite at any given time, the party legally and financially responsible for the event/activities shall submit a copy of a contract for security/traffic control to the Santa Barbara County Sheriff's Office (SBSO) at 812-A West Foster Road for review and approval. SBSO may also require a permit for the day's activity. This requirement shall be included all facility rental agreements. For OASIS activities involving more than 100 people onsite, OASIS shall coordinate with the SBSO to determine whether a SBSO permit and private security/traffic control will be needed. **MONITORING:** The Owner/Applicant shall provide P&D with sample rental contract wording. P&D compliance monitoring staff will respond to complaints as necessary. In the event, compliance staff is contacted on a regular basis, P&D may require the applicant to provide separate funds to allow P&D to contract with a monitor for project specific monitoring. (EIR MM# FP-1)
- 31. WatConv-01 Erosion and Sediment Control Plan.** As determined by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading and Drainage Plan submittal and will be reviewed for its technical merits by P&D, Flood Control District and Project Clean Water as applicable. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>, (refer to California Stormwater Best Management Handbook and Erosion and Sediment Control Plan Requirements); and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements. **Plan Requirements:** The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of zoning clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized. **Timing:** The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented

between November 1st and April 15th of each year, except pollution control measures shall be implemented year-round.

MONITORING: P&D shall perform site inspections throughout the construction phase. (EIR MM# GEO-1)

- 32. Special: Slope Stability.** Grading plans shall clearly address slope stability and soil collapse issues for the access road, pedestrian path, bikeway, and buildings, including the use of retaining walls or other slope stabilization methods. **Plan Requirements and Timing:** The grading plan shall be submitted for P&D review and approval. P&D review will require peer review under contract to P&D of the geotechnical analysis (funded by the applicant) to ensure adequate evaluation of geotechnical hazards and methods for addressing hazards which ensure, as proposed by the project engineer, that no grading will occur within the banks of Orcutt Creek. Dependent on the need for/ visibility of/location in relation to riparian habitat, the project landscape and restoration plans shall be supplemented to address the slope north of the access road. The proposed slope stabilization methods shall be documented in a soils report if deemed necessary by P&D, including Building & Safety.

MONITORING: P&D shall perform site inspections throughout the construction phase. (EIR MM# GEO-2)

Noise

- 33. Noise-02 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 at least one week 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. (EIR MM# NS-1)

- 34. Noise-04 Equipment Shielding-Construction.** Stationary construction equipment that generates noise which exceeds 65 dBA at the closest residential property line shall be

shielded with appropriate acoustic shielding to P&D's satisfaction. **Plan Requirements:** The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans. **Timing:** Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance. (EIR MM3 NS-2)

35. Acoustical Leaks: The following measures are required to maximize noise attenuation in the proposed main building from common acoustic leaks, such as electrical outlets, pipes, vents, ducts, flues and other breaks in the integrity of the wall, ceiling or roof insulation shall be insulated, sealed and caulked with putty pads and a resilient, non-hardening caulking material, as appropriate. All such openings and joints shall be airtight to maintain sound isolation.

a) **Windows:** Windows on the north side of the buildings shall be of double-glazed construction and installed in accordance with the recommendations of the manufacturer. The windows shall be fully gasketed, with an STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory.

b) **Doors:** Doors shall be solid core with sound dampening and fully gasketed, sealed jams and grouted frames, with an overall STC rating of 30 or better, as determined in testing by an accredited acoustical laboratory. Doors meeting "Double Door Construction" criteria, the addition of a laminated glazed second door at least 3 inches from the primary door shall be considered to meet the STC 30 rating.

Plan Requirements and Timing. All construction techniques shall be incorporated and detailed on building plans. Plans shall note all noise-resistant construction measures. An acoustical engineer shall confirm compliance with these requirements and/or shall demonstrate the achievement of equivalent noise reduction construction methods.

MONITORING: Building & Safety shall ensure that all noise control measures have been included according to the approved plans. (EIR MM# NS-5)

Recreation and Open Space

36. Deleted. Trail/Bikeway Location: The Owner/Applicant shall provide a minimum 25-foot public easement for the Orcutt Creek Trail, including parallel Class I Bikeway (consistent with the OCP Parks Recreation and Trails Map, OCP Open Space Plan criteria, and Multi-use Trails Plan & Trails Siting Guidelines). The easement shall be sited south of Orcutt Creek in a location that assures the public's ability to access and use the trail over the long term

~~and that does not negatively affect layout and siting flexibility for future park amenities on adjacent open space parcels (APNs 105 020 052, 053, 060, 061, 062).~~

Option 1:

- ~~• Recorded access Easements “2” and “4” identified on the OASIS site plan, in favor of APNs 105 020 052, 053, shall be relinquished/terminated and/or shall be relocated to another location that would not conflict with the location of the Orcutt Creek Trail/Class I Bikeway easement (e.g., trail/bikeway must be physically separated from vehicle traffic) or other OCP standards.~~
- ~~• Proposed Easement “H” to the LeBard open space parcel should have limited vehicular access to avoid conflicts with the proposed Orcutt Creek Trail/Bikeway.~~

Option 2:

- ~~• The project development, including buildings, parking lot, landscaping, etc. shall be shifted/reoriented within the OASIS property, as necessary, to accommodate the Class I Bikeway/Orcutt Creek Trail in a location acceptable to Public Works, Parks and P&D (e.g., shift development to the west and south to allow the trail/bikeway to be located outside of the recorded access easements and within the OASIS property).~~

Plan Requirements: ~~Prior to recordation of the documents effectuating the recorded map modifications to the Southpoint Estates conditions of approval/recorded maps and prior to relinquishment of the County held development rights to the OASIS property, the applicant shall identify how a minimum 25-foot trail/bikeway easement will be accommodated based on the above requirements. Prior to recordation of documents for the recorded map modification¹, the applicant shall submit documentation that there are no longer conflicting easements in the location of the minimum 25-foot Orcutt Creek Trail/Class I Bikeway easement location and the easement document for the Orcutt Creek Multi Use Trail shall be submitted for review and approval by County Parks, P&D, Public Works and County Counsel. In addition, no zoning clearance for grading, development or other improvements that would conflict with the existing SOUTHPPOINT ESTATES SUBDIVISION land use restrictions or deed of development rights shall be permitted prior to recordation of the Orcutt Creek Multi use Trail easement. Prior discussion with the above department representatives regarding the easement location is recommended before completing final bikeway/trail plans for formal submittal/review. The public trail/bikeway improvements must be completed by the applicant/property owner and signed off as complete by Parks, P&D and Public Works, prior to issuance of occupancy clearance on the first structure.~~

¹ Zoning Clearance cannot occur until after the recordation of the recorded map modifications as the property is otherwise “NOT A BUILDING SITE OPEN SPACE” and restricted to open space and noncommercial recreation uses until the Southpoint Estates conditions that restrict development are effectuated.

MONITORING: ~~The easement document shall be approved by P&D, County Counsel, County Surveyor, Parks and Public Works. P&D and County Surveyor shall ensure the easement is included as an exhibit to be recorded prior to zoning clearance for any grading or development associated with the project and prior to initiation of other project related improvements that would conflict with the existing Southpoint Estates land use restrictions and deeded development rights held by the County. P&D and Public Works shall site inspect in the field to ensure bikeway is in compliance with approved easement, grading and building plans. P&D and Parks shall site inspect in the field to ensure trail is in compliance with grading and building plans.~~

- 37. Deleted. Plans for Bikeway/Trail:** ~~The Owner/Applicant shall submit plans for review and approval of the Orcutt Creek Trail/Class I Bikeway segment, including planted buffers on both sides of the trail and shall install or submit a bond for the entire value of the bikeway/trail and plantings in the County approved location prior to map recordation. All trail improvements shall conform to OCP specifications, including OCP Appendix C, the Multi-use Trails Plan & Trails Siting Guidelines), with additional County Parks Department specifications, as applicable, for the trail and Public Works specifications, as applicable, for the bikeway. The plans shall include specific alignment (subject to prior site visit with P&D, County Parks and a qualified biologist), landscaping/restoration plantings, fencing, signage, and maintenance funding/responsibility. **Plan Requirements:** The applicant shall submit the plans for review and shall receive approval of the plans by County Parks, P&D and Public Works prior to recordation of documents for the recorded map modification. The bikeway/trail improvements must be completed or a bond issued by the applicant/property owner and signed off as complete by Parks, P&D and Public Works, prior to issuance of occupancy clearance on the first structure.~~

MONITORING: ~~P&D and Public Works shall site inspect in the field to ensure bikeway is in compliance with grading and building plans. P&D and Parks shall site inspect in the field to ensure trail is in compliance with grading and building plans. (EIR MM# Rec-2)~~

- 38. Deleted. Financial Surety for Public Bikeway/Trail Improvements:** ~~The applicant/property owner shall post a financial surety (e.g. bond) acceptable to P&D, Parks and Public Works for completion of the Class I Bikeway/Orcutt Creek Trail segment located on the OASIS APNs (105-020-063 and 105-020-064) as well as APNs 105-052, 053). The financial security shall be reviewed and plans approved by P&D, Parks and Public Works. **Plan Requirements and Timing:** The applicant/property owner shall post the surety for construction and 3-year maintenance of the trails prior to the County's release of development rights. The bond security will be in the amount based on the full funding of the construction cost of a dedicated Class I Bikeway/Orcutt Creek trail. the first zoning clearance for grading or development. The financial surety for the bikeway/trail construction shall not be released until all required improvements have been completed. The final building and grading plan shall be reviewed and approved by P&D, County Parks and Public Works prior to approval of zoning clearance.~~

~~**MONITORING:** The County of Santa Barbara shall site inspect in the field to ensure compliance with grading and building plans prior to occupancy clearance. (EIR MM# Rec 3)~~

Traffic

- 39. Traf-06 Traffic Roadway Improvements.** The Owner/Applicant shall submit final roadway improvement plans for review and approval by Public Works, County Fire, Parks and P&D for the proposed improvements identified on EIR Figure 4.12-2 (which shows the preliminary improvement designs). The County shall allow concurrent construction of the project and proposed roadway improvements; however Zoning Clearance will not be issued until the traffic improvement(s) have commenced. **Plan Requirements and Timing:** The Owner/Applicant shall submit the plans and schedule for roadway, median, intersection, and related trail/bikeway components, including construction management component for roadway improvements, and must receive approvals prior to the first Zoning Clearance for grading or development of the project. The final plans shall be in compliance with the roadway improvements in the approved plans and shall specifically address pedestrian and bicycle safety.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof that all improvements have been fully completed pursuant to approved plans prior to Final Building Inspection Clearance. (EIR MM# TC-1)

- 40. Transportation/Circulation. Driveway.** The Owner/Applicant shall receive approval of exception from design standards for the proposed driveway. In addition, the Owner/Applicant shall install all required driveway improvements (e.g., "Keep Clear" pavement markings or other features at Foxenwood Lane/OASIS driveway intersection) and incorporate pedestrian safety measures, as applicable, into the project road improvements plans to improve pedestrian and bicycle safety for school children at the driveway entrance and the Clark Avenue/Foxenwood Lane intersection. **Plan Requirements:** The Owner/Applicant shall identify all required driveway details (e.g., new striping and pavement markings) on plans for Public Works prior to zoning clearance. Plans shall also be reviewed and approved by Planning, Grading, and Building. **Timing:** The Owner/Applicant shall receive approval of the design exception prior to Planning Commission hearing on the project. The Owner/Applicant shall install all required driveway improvements prior to Final Building Inspection Clearance. Pavement improvements shall be reviewed and approved by Public Works Transportation prior to Zoning Clearance Issuance for grading and site improvements.

MONITORING: P&D permit processing staff shall ensure compliance prior to and throughout construction (EIR MM# TC-2).

41. Caltrans Park and Ride Lot. Parking for the OASIS project shall be provided on the OASIS property and the Caltrans Park and Ride parking lot across Foxenwood Lane shall not be used for regular or overflow OASIS parking demand, including special events. **Plan Requirements and Timing:** OASIS shall include this parking restriction in printed and online information/brochures/schedules for classes, programs, activities, hot lunches, special events, etc. and all rental agreements for use of the OASIS facilities/property shall include this parking restriction. Examples of this language from the webpage, rental agreement template, etc. shall be provided to and accepted by P&D prior zoning clearance.

MONITORING: P&D compliance monitoring staff will confirm inclusion in online and hard copy documents prior to Final Building Inspection Clearance and respond, if necessary, after clearance if OASIS related parking is occurring in this parking lot. (EIR MM# TC-3)

42. Caltrans Encroachment Permit: The owner/applicant shall obtain an encroachment permit from Caltrans for any work within, over or under the State's right of way and shall provide the encroachment permit to Planning and Development prior to zoning clearance for any work done within Caltrans right of way.

Water Resources

43. WatCons-01 Water Conservation-Outdoor. To ensure water conservation consistent with the project description and water demand assumptions, the Owner/Applicant shall include the following in Landscape and Irrigation Plans to be approved by P&D:

- a. Landscaping that reduces water use:
 - i. Except in areas specifically approved for lawn, plant species shall be drought tolerant
 - ii. Group plant material by water needs.
 - iii. Extensive mulching (2" minimum) shall be used in all landscaped areas to reduce evaporation.
- b. Irrigation that reduces water use:
- c. Install drip irrigation or other water-conserving irrigation.
- d. Permeable surfaces such as shall be used for hardscape areas wherever feasible.

Plan Requirements: The Owner/Applicant shall submit a landscape and irrigation plan to P&D for review and approval prior to zoning clearance. **Timing:** The Owner/Applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required water conserving landscape and irrigation features are installed prior to Final Building Inspection Clearance and that project landscaping and irrigation are

maintained per approved landscape plans. Any part of irrigation plan requiring a permit shall be inspected by building inspectors. (EIR MM# W-1)

- 44. Special- Supplemental Water:** The project shall purchase supplemental water from the City of Santa Maria to offset increased demand for water from the Santa Maria Groundwater Basin. **Plan Requirements & Timing:** Prior to zoning clearance, the applicant shall provide proof of purchase of ~~1.32 AFY~~ of supplemental water from the City of Santa Maria.

MONITORING: P&D shall confirm receipt of agreement from City of Santa Maria for ~~1-acre~~ feet purchase of supplemental water before zoning clearance. (EIR MM# W-2)

- 45. Storm Water Pollution Prevention Plan (SWPPP).** The Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board. **Plan Requirements and Timing.** Prior to approval of Zoning Clearance, the applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan to P&D's Building & Safety Division. The applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to approval of a Land Use Permit P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP. (EIR MM# W-3)

- 46. Equipment Washout-Construction.** The 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. The area shall be located at least 100 feet from any storm drain, water body or sensitive biological resources. **Plan Requirements and Timing:** The applicant shall designate the P&D approved location on all grading and building permits. The applicant shall install the area prior to commencement of construction.

MONITORING: P&D compliance monitoring staff shall ensure compliance prior to and throughout construction. (EIR MM# W-4)

- 47. Low Impact Development (LID) Measures.** To reduce water quality impacts the project design and SWQMP shall include LID measures to the extent feasible.

Plan Requirements and Timing. Plans indicating LID techniques to be used shall be submitted by the applicant for review and approval by the Santa Barbara County Public Works Department prior to land use clearance for grading and subdivision improvements. Installation of structural LID technologies shall be performed by the project applicant per approved plans and completed prior to occupancy clearance of the first home.

MONITORING. Public Works and Planning and Development staff shall review plans and monitor compliance. (EIR MM# W-5)

- 48. Operational Erosion Control Measures.** The development shall incorporate and maintain the following operational erosion control measures into final grading and drainage plans.
- a. Erosion control measures, such as plantings or hard surfaces, shall be incorporated into the drainage plan for all project drainages as required by the Flood Control District and P&D.
 - b. Development in areas of high erosion potential shall be sited and designed to minimize increased erosion and may be required to have a site-specific evaluation of erosion-control measures. Project approval shall be conditioned to ensure that erosion will be reduced to acceptable levels.
 - c. Landscaped areas adjacent to structures shall be graded so that drainage is away from structures.
 - d. Irrigation shall be controlled so that overwatering does not occur. An irrigation schedule shall be reviewed and approved by P&D prior to zoning clearance for grading.

Plan Requirements and Timing. This requirement shall be printed on final grading, drainage, and landscaping plans and submitted to P&D and Flood Control for review and approval prior to approval of Land Use Permits for grading. Compliance with these measures shall be confirmed by P&D prior to Final Building Inspection Clearance.

MONITORING. The applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all components of the required measures are in place. Compliance monitoring staff will verify compliance including on-going requirements. (EIR MM# W-6)

- 49. 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 Orcutt Creek Trail components (~~including trail, bikeway,~~ plantings) and landscape plan and restoration plan plantings and irrigation ~~prior to final map recordation. 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 three years for landscaping that will be irrigated over the long-term and five years for plantings that will not be on long-term irrigation (restoration and trail buffer plantings), which must be successfully weaned off of supplemental irrigation prior to release of the five year maintenance security for maintenance of the items. The installation security shall

be released when P&D determines that the Owner/Applicant has satisfactorily completed ~~Orcutt Creek Trail improvements and~~ plantings associated with the trail/bikeway, landscape plan and restoration plan and & irrigation required by the approved plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape and restoration plantings & irrigation required by the approved plans 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 restoration plantings and irrigation, P&D may use the security to complete the work.

50. Solid Waste-SRSWMP. The Owner/Applicant/Permittee shall] develop and implement a Source Reduction and Solid Waste Management Plan (SRSWMP) describing proposals to reduce the amount of waste generated during construction and throughout the life of the project. **PLAN REQUIREMENTS:** The plan shall include but not limited to

- a. Construction Source Reduction:
 - i. A description of how fill will be used on the construction site, instead of landfilling,
 - ii. A program to purchase materials that have recycled content for project construction.
- b. Construction Solid Waste Reduction:
 - i. Recycling and composting programs including separating excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provide separate onsite bins as needed for recycling.
- c. Operation Source Reduction:
 - i. Examples of office procedures such as purchase of office supplies with recycled content.
 - ii. A program to purchase materials that have recycled content for operation (e.g., office supplies, etc.).
- d. Operation Solid Waste Reduction Examples:
 - i. Establish a recyclable material pickup area.
 - ii. A green waste source reduction program, including the creation of composting area(s), and the use of mulching mowers, if practical.

TIMING: The Owner/Applicant shall (1) submit a SRSWMP to P&D permit processing staff for review and approval prior to zoning clearance, (2) include the program measures on building plans. Program components shall be maintained throughout the life of the project.

MONITORING: During operation, the Owner/Applicant/Permittee shall demonstrate to P&D compliance staff as required that solid waste management components are established and implemented.

- 51. Special Annex to Community Facilities District.** Consistent with the project description and to provide consistency with Orcutt Community Plan Fiscal Policy FSCL-O-2 and Development Standards DevStd FSCL-O-2.2 (new development is required to pay its fair share of the cost of operation and maintenance of public facilities), DevStd OS-O-7.3 (recreation facilities, landscape medians, open space, trails), and DevStd LIB-O-1.4 (library), and to provide revenue for operations and maintenance of such regional public facilities shown in the Orcutt Community Plan Public Infrastructure Finance Program, prior to recordation and/or land use clearance the permittee shall complete annexation to the existing Community Facilities District. If this timing is found to be infeasible by the County Executive Officer and the office of county counsel, the permittee shall provide an alternative funding mechanism.
- 52. 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].
- 53. Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit would 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.
- 54. Rules-04 Additional Approvals Required.** Approval of this Development Plan is subject to the Board of Supervisors approving the required General Plan Amendment (Case No. 14GPA-00000-00020), Recorded Map Modification (Case No. 16RMM-00000-00001), and the Board of Supervisors vacating, abandoning, or releasing the Development Rights (Case No. 18GOV-00000-00005).
- 55. 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.
- 56. Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit H, dated September 11, 2020.

- 57. 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.
- 58. Rules-09 Signs.** One off-site directional sign is associated with the project. Refer to 17CUP-00000-00017 for conditions of approval related to this off-site sign. No other signs are approved with this action. All signs shall be permitted in compliance with CLUDC.
- 59. 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.
- 60. Rules-18 CUP and DVP Revisions.** The approval by County decision-makers of a revised Development Plan shall automatically supersede any previously approved Development Plan upon the effective date of the revised permit.
- 61. Rules-23. Processing Fees Required.** Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 62. DIMF-24a DIMF Fees-Library.** 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 libraries. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Library DIMF amount is currently estimated to be \$12,420.00 (9/11/2020). This is based on a project type of non-retail commercial land a project size of 15,661 square feet. **TIMING:** Library DIMFs shall be paid to Planning & Development 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).
- 63. DIMF-24b DIMF Fees-Public Administration.** 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 public administration. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030]. The total Public Administration DIMF amount is currently estimated to be \$6,938.00 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet square feet. **TIMING:** Public Administration DIMFs shall be paid to Planning & Development 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).

64. DIMF-24c DIMF Fees-Sheriff. 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 County Sheriff. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. [LUDC §35.84.030] The total County Sheriff DIMF amount is currently estimated to be \$5,028.00 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet. **TIMING:** County Sheriff DIMFs shall be paid to Planning & Development 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).

65. 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. The total Fire DIMF amount is currently estimated to be \$12,059 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet. **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).

66. DIMF-24e DIMF Fees-Parks. 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 Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid. The total Parks DIMF amount is currently estimated to be \$21,863 (9/11/2020). This is based on a project type of non-retail commercial and a project size of 15,661 square feet. **TIMING:** Parks DIMFs shall be paid to the County Parks 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).

67. Rules-29 Other Dept and Agency Conditions. Compliance with Departmental/Division/Agency letters required as follows:

- a. Air Pollution Control District dated 5/26/20;
- b. Environmental Health Services Division dated 5/27/20;
- c. Fire Department dated 3/22/16;
- d. Flood Control Water Agency dated 5/4/16;
- e. General Services, County Parks dated 8/4/20;
- f. Project Clean Water dated 3/24/16;

- g. Public Works, Transportation Division dated 8/12/20;
- h. Laguna County Sanitation District Availability letter dated 6/2/20; and
- i. Golden State Water Company Preliminary Can and Will Serve letter dated 6/2/20;

68. Rules-30 Plans Requirements. The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.

69. Rules-31 Mitigation Monitoring Required. The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:

- a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
- b. 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 P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the 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. Monthly invoices shall be paid by the due date noted on the invoice;
- c. Note the following on each page of grading and building plans "This project is subject to Mitigation and Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, and mitigation measures from Environmental Impact Report 19EIR-00000-00003"; Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

70. 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.

- 71. 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.

- 72. 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.

ATTACHMENT 2d: CONDITIONS OF APPROVAL
OASIS CONDITIONAL USE PERMIT CASE NO. 16CUP-00000-00006

- 1. Proj Des-01 Project Description.** This Conditional Use Permit Plan is based upon and limited to compliance with the project description, the hearing exhibits marked ~~A-H, dated September 11, 2020~~ Attachment 2 of the Board Memo, dated December 11, 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. Additional requirements include but are not limited to the companion OASIS Development Plan conditions that address approved development for the OASIS project and Orcutt Community Plan (OCP) Key Site 18 development standards.

PROGRAMS AND OPERATIONS

Existing Operations

There are currently approximately 1,500 adult (senior) memberships, although OASIS serves over 5,000 local individuals and families on an ongoing basis (<https://oasisorcutt.org/about/>). Based on monthly tracking, most members attend a class, lunch, or health service once a week, with about 300 members currently using the facility throughout each day, mainly during the midday hours for lunch and related services. It is anticipated that membership will continue to grow as the Orcutt community grows and ages. The existing OASIS center is operating out of sub-standard mobile structures and OASIS has been looking for a permanent home to continue their services in the Old Town Orcutt community.

Summary of Proposed Uses

In addition to continuing existing programs, the OASIS Center also proposes allowance for weekend programs from 9:00 A.M. to 9:30 P.M. The OASIS Center is proposing to allow Special Events for members and non-members up 12 times a year. OASIS member events would occur up to 5 times a year. Non-OASIS member events would occur up to 7 times a year. The maximum attendance would be 200 persons, with up to 15 OASIS or catering staff included as part of this maximum.

OASIS estimates that attendance for programs and activities will increase by approximately 30% over existing levels at the new facility. However, to provide flexibility, OASIS proposes that the 200-person maximum attendance restriction that is identified for special events also apply to regular activities onsite.

HOURS OF OPERATION

7:30 AM Open for Staff

8:30 AM Open for Program/Use

Dusk Outdoor Uses Close at Dusk (Hours vary depending on time of year)

9:00 PM Closed for Indoor Program/Use

9:30 PM Close Up After Cleaning

The OASIS Center proposes to continue to be predominately in use on weekdays (Monday – Friday). Staff arrives at 7:30 AM and the first programs start at 8:30 A.M. The peak period of the day is expected to continue to be from 11:00 A.M. to 2:00 P.M., before and after the lunch service is provided. Currently, the lunch service normally has approximately 100 people at any one time. The primary OASIS services and classes directed to senior members of the community would be completed by 4:00 P.M.

OASIS has historically made the existing buildings available for rental by community groups. Use of the new OASIS Meeting Center for non-OASIS programs/uses is proposed to continue, outside of regular OASIS weekday program hours and outside of the evening peak commute period (4:00-6:00 P.M.). Therefore, Monday through Friday, the proposed OASIS Meeting Center could be used from 6:30 P.M. to 9:00 P.M., with the facility closed by 9:30 P.M. after cleanup. Weekends, OASIS proposes that the facility could be used/rented from 9:00 A.M. to dusk for any outdoor use and from 9:00 A.M. to 9:00 P.M. for indoor use, with the building closed at 9:30 P.M. to allow for cleanup.

ALCOHOL

If alcohol is served, OASIS will verify all California ABC regulations are being followed and will notify the Santa Barbara Sheriff and Highway Patrol. In addition, OASIS will ensure a certified security firm will be used during such facility usage. (This permit includes additional conditions that address requirements of the Santa Barbara County Sheriff's Office).

NOISE

All OASIS programs would comply with Santa Barbara County regulations, including the requirement that noise (from indoor or outdoor activities) would not result in noise levels of 60 dBA at the OASIS property line. (This permit includes additional conditions that address noise limitations/requirements).

Amplification

OASIS: Amplification (e.g., for spoken voice, music) would be permitted for both indoor and outdoor OASIS activities.

Non-OASIS: Amplified music and amplification/sound equipment (including for the spoken voice) for Non-OASIS activities would be restricted to use inside the building.

(This permit includes additional conditions that address use of amplification).

OASIS WEEK-DAY SERVICES AND PROGRAMS

OASIS Senior Services/Programs

- *Daily lunch service from 11:00 to 1:30*
- *Meals on Wheels prepared in the kitchen*
- *Library and Computer Room open daily*
- *Classes with average attendance of 30 members*
- *Arts and Craft*
- *Computers*
- *Photography*
- *Grief/Counseling Services*
- *Financial Planning*
- *Insurance Educational Classes*
- *Medical Services (Flu shots/Screenings/Classes)*
- *Exercise, yoga, aerobics (indoor and outdoor)*
- *Travel Planning and Group Excursions*
- *Celebration of life (average once a week)*
- *Holiday programs for the senior members-Easter, Thanksgiving, Christmas, New Years*

OASIS EVENING/WEEKEND USES

OASIS Members Only Events - 5 Times per Year:

OASIS anticipates that five times per year an activity may be scheduled for a weekend or holiday use with the following limitations:

- *OASIS members only*
- *Maximum of 200 attendees (includes ~15 service staff)²*
- *Parking limited to onsite parking*

NON-OASIS ACTIVITIES AND EVENTS – if consistent with 200-person any given time cap and other project conditions.

² This is also an “anytime” maximum population onsite for the OASIS facilities.

- Youth groups-
- Boys Scouts/Girls Scouts/Cubs Scouts
- Diet programs-Weightwatchers
- TOPS
- Allan Hancock College Adult Classes:
 - Art
 - Photography
 - Gardening
- Other Adult Classes
- Celebration of life (Evening and weekends)
- Community Holiday Activities- Easter, Thanksgiving Christmas, etc.
- Community Activities (Limited to building or yard areas):
 - Art shows/Craft fairs
 - Farmers Market
 - Dinners
 - Church services on Sunday
 - County Voting Location

Non-OASIS Events

Non-OASIS Events 7 Times per Year: Seven times a year the facility is proposed to be scheduled for Non- OASIS user events with the following limitations:

- Maximum of 200 attendees (includes ~15 service staff)
- Parking limited to onsite parking.

ACCESS

Vehicular access will be provided by an access easement over the adjacent corner commercial property (APN 105-020-041). A shared driveway will serve both properties. The driveway includes striped bike lanes in each direction within its paved width. These bike lanes will serve as the bikeway component of the public Orcutt Creek Trail between Foxenwood Lane and OASIS' eastern property line. A separated, parallel pedestrian path will be located just south of the driveway. This pedestrian path will provide ADA accessible access from Foxenwood Lane to the OASIS buildings. In addition, the path will provide a pedestrian connection between Foxenwood Lane and OASIS eastern property line. Stairs are identified at the base of the driveway hill for pedestrians connecting between the pedestrian path and the main, multi-use Orcutt Creek Trail segment that will generally follow OASIS' east and northern property lines. OASIS activities and improvements shall not inhibit use of the Orcutt Creek Trail/Bikeway easement(s). All existing and proposed easements are identified on the project plans and as depicted in the EIR Revision Letter #2, dated December 1, 2020. The Owner/Applicant shall post a financial surety (e.g. bond)

acceptable to P&D, Parks and Public Works for completion and construction and maintenance of the Class I Bikeways/Orcutt Creek Trail segment located on the OASIS APNs (105-020-063 and 105-020-064) as well as APNs 105-020-052, -053.

The project includes a ride share/drop off area at the facility, and bicycle racks for alternative transportation. (This permit also includes a condition requiring implementation of a Transportation Demand Management Plan).

PARKING

In addition to the 200-person maximum attendance limit identified in discussion of OASIS operations, OASIS proposes to limit the use of the facility, including indoor and outdoor spaces, based on the available onsite parking (to avoid spillover effects on the surrounding neighborhood). OASIS also proposes that use of the parking areas will be limited to use for parking. The project includes a modification to allow the project to provide 143 instead of the required 229 parking spaces (229) otherwise required by the County's Land Use and Development Code (LUDC). Uses which generate additional parking demand are not addressed in this Conditional Use Permit, given parking limitations. Peak parking demand is projected to be 139 spaces. This estimate is based on a 200-person maximum onsite. The project includes 143 spaces. However, parking for trail and bikeway users is also proposed to be accommodated onsite, but the peak parking demand did not account for trail user parking demand. Therefore, there would be approximately four spaces available for trail users when there is maximum attendance onsite. In addition, if the 20-foot access easement to the adjacent open space parcel is ever utilized, this would potentially result in the loss of three parking spaces.

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.

MITIGATION MEASURES FROM EIR

- 3. Aest-10 Lighting.** The Owner/Applicant shall ensure any night lighting installed on the project site remains of minimum height, low glare design, dark sky compliant, including but not limited to hooded lights to direct light downward and away from open space areas and to prevent spill-over outside of the development area. Special consideration should be given to minimizing lighting north of the development area and access road, to avoid wildlife impacts along the environmentally sensitive Orcutt Creek corridor. Lighting shall be the minimum needed (both in lighting locations and lighting intensity) for security, parking, trail, and outdoor use areas, including for activities involving use of site facilities by parties other than OASIS Center. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. **Plan Requirements and Timing:** OASIS shall be responsible for any requirements for dimming or turning off lighting by specific hours. The requirements shall be included in facility close up instructions and shall be provided to OASIS employees/janitorial services/responsible party for rentals to facilitate compliance. Criteria required prior to zoning clearance and Final Building Inspection Clearance are included in the Development Plan conditions.

MONITORING: Permit Compliance shall respond to any complaints regarding lighting and any lighting installed that is in non-compliance with this condition, including after final inspection, shall be replaced with lighting consistent with this condition. (EIR MM# VIS-3)

- 4. Special -Temporary Structures:** Temporary structures/amenities (structures not included on the approved plans for zoning clearance), including party tents, bouncy houses, “portapotties” etc., shall be promptly removed after completion of events. **Plan Requirements and Timing:** This requirement shall be identified on project plans and rental agreements. Temporary structures/amenities shall be removed from the site as part of outdoor gathering/event/rental activity clean up (same day or next morning for evening events). Applicant shall submit a sample rental agreement to Permit Compliance staff prior to zoning clearance, which shows this requirement, including charge of additional fees if structures are not promptly removed during clean-up activities.

MONITORING: Permit Compliance staff shall confirm submittal of rental agreement with above requirements before zoning clearance. (EIR MM# VIS-4)

Air Quality / Greenhouse Gasses and Climate Change

- 5. Special – Transportation Demand Program (TDM):** The applicant shall develop a plan to reduce single occupant vehicle trips and related emissions. **Plan Requirements and Timing:** Prior to zoning clearance, the applicant shall submit a plan with the following components:
- a. Shuttle service
 - i. At a minimum shuttle service shall provide rides to and from the OASIS facility for area seniors attending daily lunches and shall be available for other activities/events involving more than 30 individuals (both OASIS and non-

- OASIS programs/activities);
- ii. Proposed shuttle program (vehicle occupant size, typical pick-up/drop-off schedule);
- iii. Rental agreement language for events/rentals shall identify required use of shuttle service;
- iv. Proposed method to document use of shuttle program (number of riders, actual schedule, etc.).
- b. Assistance to members wishing to carpool – OASIS shall facilitate member carpools by gathering and providing member information (contact information provided by members on a voluntary basis only), OASIS programs regularly attending, etc.
- c. Priority parking and/or other opportunities to encourage members to carpool;
- d. Installation of bike racks;
- e. Other vehicle trip reduction methods acceptable to County (e.g., agreement with Santa Maria Area Transit to provide shuttle services or other assistance to reduce single occupant vehicle trips). If availability of shuttle service (or other previously approved method acceptable to County) ceases, an alternative TDM plan shall be approved by the Director of Planning and Development.

OASIS shall provide confirmation of shuttle service available to implement the TDM, but OASIS is not required to own shuttle vehicles (e.g., contract(s) for provision of shuttle service, consistent with the TDM requirements).

MONITORING: P&D shall review and approve adequate TDM to reduce single occupant vehicle use and related vehicle miles traveled, prior to zoning clearance, including confirmation of long-term shuttle service. Permit compliance shall receive and review annual monitoring reports to confirm implementation. Permit compliance to confirm TDM ready to implement, including shuttle(s) onsite, etc. prior to occupancy. (EIR MM# AQ-2)

6. **Special – Gas Fireplace/Fire Pit:** Wood-fired, mobile or permanent fire pits, fireplaces, etc. shall be prohibited, with the exception of the approved barbeque at the Barbeque/Storage Building, to reduce smoke (PM2.5) and odors, and related nuisance complaints. To facilitate compliance, agreements for use of the OASIS facilities shall include this restriction. Building plans shall be consistent with this condition.
7. **Odor Abatement Plan:** The applicant shall prepare and implement an Odor Abatement Plan to minimize the potential for nuisance complaints related to use of the onsite barbeque, fireplaces, and fire pit. **Plan Requirements and Timing:** Prior to zoning clearance/issuance of building permits, the applicant shall submit an Odor Abatement Plan to P&D and Santa Barbara County Air Pollution Control District for review and approval. The plan shall include the following elements:
 - a. Description of project design features to reduce potential smoke and odor impacts;

- b. Name and telephone number of contact person(s) at the facility responsible for logging in and responding to odor complaints (during and after regular OASIS hours of operation);
- c. Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the staff on how to respond.
- d. Description of potential odor sources at the facility;
- e. Description of potential methods for reducing odors, including process changes, facility modifications and/or feasible add-on air pollution control equipment if other methods do not adequately reduce the nuisance issue (to the satisfaction of Santa Barbara County);
- f. Contingency measures to curtail emissions in the event County determines a complaint qualifies as a public nuisance.

MONITORING: P&D shall confirm compliance with this measure prior to zoning clearance and prior to stamping building permits. Building and Safety and Permit Compliance shall confirm compliance with approved plans in the field and prior to occupancy. Permit Compliance will perform site visits, as needed, after project is operational. (EIR MM# AQ-3)

8. **Lighting (Bio-3e, modification of OCP EIR Mitigation Measure KS3- BIO-6).** All project lighting shall reduce light pollution in and near open space habitat areas. All exterior lighting features within 100 feet of open space shall include installation of hoods to prevent “spill-over” into adjacent habitat. Night lighting of public areas shall be kept at the minimum necessary for safety purposes. Excessive night lighting shall not be permitted within 100 feet of open space areas. No lighting shall be permitted along the multi-use trail along Orcutt Creek, unless specifically required by County for safety purposes and any required trail/bikeway lighting shall include the minimum number of locations, height, intensity, and extent of illumination deemed necessary by the County for safety purposes. Use of high-intensity lights, including but not limited to floodlights, shall be prohibited onsite and use of dark sky fixtures shall be specified on the lighting plan. **Plan Requirements and Timing.** Development Plan conditions address timing for submittal and review of a Lighting Plan. This Conditional Use Permit condition is included to facilitate compliance for ongoing operations.

MONITORING: Compliance shall respond to complaints if lights are changed in the future in manner which is inconsistent with this condition. (EIR MM# BIO-17)

9. **Special-Food Cleanup:** In order to minimize wildlife scavenging and interactions in the development area, activities involving food preparation, meals, etc. shall ensure that outdoor eating and food preparation areas are maintained and trash disposed of on a daily basis to avoid nuisance complaints/conflicts with wildlife scavenging for food.
10. **Special- Activity/Event Contractor.** The Owner/Applicant shall be responsible for ensuring adequate security and traffic control for all activities onsite, including regular OASIS

activities/programs and rentals involving non-OASIS activities/events. A contract for private security/traffic control shall be required for non-OASIS activities involving more than 100 people onsite. For OASIS activities, OASIS shall provide adequate security/traffic control themselves or may contract for this service. **Plan Requirements And Timing:** At least one week prior to the date of non-OASIS program events/activities involving more than 100 people onsite at any given time, the party legally and financially responsible for the event/activities shall submit a copy of a contract for security/traffic control to the Santa Barbara County Sheriff's Office (SBSO) at 812-A West Foster Road for review and approval. SBSO may also require a permit for the day's activity. This requirement shall be included all facility rental agreements. For OASIS activities involving more than 100 people onsite, OASIS shall coordinate with the SBSO to determine whether a SBSO permit and private security/traffic control will be needed. **MONITORING:** The Owner/Applicant shall provide P&D with sample rental contract wording. P&D compliance monitoring staff will respond to complaints as necessary. In the event, compliance staff is contacted on a regular basis, P&D may require the applicant to provide separate funds to allow P&D to contract with a monitor for project specific monitoring. (EIR MM# FP-1)

Noise

11. **Special-Noise Limiters:** Noise limiters shall be used for activities involving indoor and outdoor amplification (recorded music, instruments, voice) and for all outdoor music (acoustic or amplified). The noise limiters shall restrict the sound level of amplified music or voice to the 80.5 dBA level identified in the 45 dB.com Supplemental Noise Assessment. If amplification will be used indoors, the noise limiter may measure noise levels on the exterior of the building, at the location where noise levels would be highest. In order to accommodate this sound level, the applicant may incorporate measures to reduce noise levels (e.g., 8-foot partition walls, noise insulated party tent, etc.). This requirement shall apply to all OASIS and non-OASIS activities, events, and programs onsite. For non-amplified music which exceeds this noise level, the music shall be performed indoors unless measures can be implemented that effectively limit the sound level of the music to no more than 80.5 dBA. **Plan Requirements and Timing:** The requirements of this condition shall be included on the plans prior to zoning clearance. Noise limiters shall be operational consistent with this condition prior to commencing any activities involving amplification and before commencing activities involving outdoor music. Sign-off by OASIS staff or other personnel with appropriate expertise to setup the noise limiter shall confirm that noise limiters are installed, programmed and functioning to ensure compliance with this condition before use of associated instruments, microphones, etc. and OASIS shall maintain a record of such sign-offs including date and time of sign-off. In addition, this condition language shall be included in all rental agreements for use of any OASIS facilities, including indoor and outdoor areas. In response to comments received from neighbors regarding onsite noise, the applicant shall provide a hand-out with the language of this condition and P&D contact information. If noise limiters are not set properly and noise levels exceed 80.5 dBA, the noise generating activity shall cease.

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-3)

- 12. Special-Amplification:** Use of amplification shall be limited. **Plan Requirements and Timing:** Amplification (e.g., voice, music, bullhorns, etc.) and loud acoustic music (e.g., bagpipes, horns, drums, etc.) shall be limited as follows:
- a. Maximum of three hours per day.
 - b. Sunday through Thursday limited to the hours of 10:00 AM to 7:00 PM.
 - c. Friday and Saturday limited to the hours of 10:00 AM to 9:00 PM.

These limits shall be included on all rental agreements but shall apply to all amplification and loud acoustic music (OASIS and Non-OASIS).

MONITORING: P&D shall confirm condition language on plans, condition language in a sample rental agreement, and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-4)

- 13. Special-Windows/Doors Closed:** Windows and doors shall remain closed, as indicated below, to minimize nuisance noise to residential neighbors. **Plan Requirements and Timing:** The north and west facing windows and doors shall remain closed (except for entering and exiting the buildings) when the indoor areas of the facility are rented and when indoor OASIS activities involve music or amplification (voice or instruments). This requirement shall be included on all rental agreements and shall be posted at all times to facilitate neighborhood compatibility.

MONITORING: P&D shall review example rental agreement language and signs for posting in buildings prior to zoning clearance and shall respond to complaints as necessary. (EIR MM# NS-6)

- 14. Noise Contact:** OASIS shall identify a contact person to promptly respond to noise complaints, hours of operation and attendee numbers. **Plan Requirements and Timing:** OASIS shall designate a contact person to facilitate resolution of potential complaints involving noise levels, number of attendees (larger attendance increases noise levels) and hours of use (if activities extend past dusk outdoors and past 9:00 PM indoors). The contact information shall be listed in a prominent location on the OASIS website. The OASIS noise contact shall be available during rental activities to promptly address neighbor complaints and to ensure activities are consistent with identified noise mitigation, including use of noise limiters, door/window closures, hours of operation, etc.

MONITORING: P&D shall confirm a contact to address noise issues is included on the OASIS website and in a hand-out prior to zoning clearance. The hand-out shall be made available upon request to interested members of the public with noise concerns. (EIR MM# NS-7)

15. **Special-Deliveries:** To reduce noise from vehicle back-up beeping before 8:00 AM and after 7:00 PM (e.g., trucks delivering supplies, food for hot lunches, rental supplies pick-up/drop-offs, etc.), vehicles shall avoid backing into loading areas to the maximum extent feasible during these times. **Plan Requirements and Timing:** This requirement shall be included in rental agreements and OASIS shall communicate this requirement to their clients and vendors.

MONITORING: P&D shall confirm this inclusion in sample rental agreement and in hand-out for interested members of the public with noise concerns prior to zoning clearance. (EIR MM# NS-8)

16. **Special-Activity Records:** OASIS shall keep records for use of the facilities outside of regular OASIS operating hours and regular OASIS programs/activities, including type of event, number of people onsite, parking, permit obtained from County Sheriff's Office, complaints (number, type, name and contact for person with complaint) and records shall be available for P&D review upon request. Records shall be submitted annually to Permit Compliance beginning one year after final inspection.

17. **Caltrans Park and Ride Lot.** Parking for the OASIS project shall be provided on the OASIS property. The Caltrans Park and Ride parking lot across Foxenwood Lane shall not be used for OASIS parking demand (regular or overflow), including special events. **Plan Requirements and Timing:** OASIS shall include this parking restriction in printed and online information/brochures/schedules for classes, programs, activities, hot lunches, special events, etc. and all rental agreements for use of the OASIS facilities/property shall include this parking restriction. Examples of this language from the webpage, rental agreement template, etc. shall be provided to and accepted by P&D prior zoning clearance.

MONITORING: P&D compliance monitoring staff will confirm inclusion in online and hard copy documents prior to Final Building Inspection Clearance and respond, if necessary, after clearance if OASIS related parking is occurring in this parking lot. (EIR MM# TC-3)

COUNTY RULES AND REGULATIONS

18. **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].

19. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit would 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.
20. **Rules-04 Additional Approvals Required.** Approval of this Conditional Use Permit is subject to the Board of Supervisors approving the required General Plan Amendment (Case No. 14GPA-00000-00020), Recorded Map Modification (Case No. 16RMM-00000-00001), and Vacating, Abandoning, or Releasing of Development Rights (Case No. 18GOV-00000-00005).
21. **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.
22. **Rules-06 Recorded Map Required.** The documents effectuating the Recorded Map Modification (Case No. 16RMM-00000-00001) to modify TM 12,679 condition no. 18, TM 13,345 condition Nos. 8 and 21, the recorded final map for TM 13,345 Unit 1, and the recorded final map for TM 13,345 Unit 2 shall be recorded prior to issuance of Zoning Clearance.
23. **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.
24. **Rules-09 Signs.** One off-site directional sign is associated with the project. Refer to 17CUP-00000-00017 for conditions of approval related to this off-site sign. No other signs are approved with this action. All signs shall be permitted in compliance with CLUDC.
25. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the five (5) years following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within five (5) years following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 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.

- 26. Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
- 27. Rules-18 CUP and DVP Revisions.** The approval by County decision-makers of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
- 28. Rules-21 CUP Revisions-Change of Use.** Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.
- 29. Rules-23 Processing Fees Required.** Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 30. Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 31. 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.
- 32. 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.

33. Rules-29 Other Dept and Agency Conditions. Compliance with Departmental/Division/Agency letters required as follows:

- a. Air Pollution Control District dated 5/26/20;
- b. Environmental Health Services Division dated 5/27/20;
- c. Fire Department dated 3/22/16;
- d. Flood Control Water Agency dated 5/4/16;
- e. General Services, County Parks dated 8/4/20;
- f. Project Clean Water dated 3/24/16;
- g. Public Works, Transportation Division dated 8/12/20;
- h. Laguna County Sanitation District Availability letter dated 6/2/20; and
- i. Golden State Water Company Preliminary Can and Will Serve letter dated 6/2/20

ATTACHMENT 2e: CONDITIONS OF APPROVAL
OASIS OFF-SITE SIGN CONDITIONAL USE PERMIT
Case No. 17CUP-00000-00013 APN 105-020-041

- 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 ~~B5-1, dated September 11, 2020~~, Attachment 2 of the Board Memo dated December 11, 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:

This Conditional Use Permit is for an off-site directional sign. The sign will be located on APN 105-020-041, near the proposed OASIS driveway on Foxenwood Lane and outside of the road right-of-way. The sign is proposed to identify the OASIS driveway and proposed new OASIS facility, which will be located on APNs 105-020-063, and -064. The proposed sign received conceptual review by the North Board of Architectural Review (NBAR) on December 15, 2017.

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 would 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.
- 3. Directional Sign.** The Owner/Applicant shall submit a Sign Plan to P&D and Public Works with details including dimensions, colors, materials, lighting, and location. Photos from Foxenwood Lane and east and westbound Clark Avenue shall be included showing view of poles or other material representing the sign location and parameters and views into KS18. **Plan Requirements and Timing:** The Sign Plan shall be submitted to P&D for P&D and NBAR review and approval prior to zoning clearance and shall submit same to Public Works, included on the road improvement plans to ensure the sign does not impact line of sight or safety issues for vehicles, bicycles or pedestrians along Foxenwood Lane and the project driveway. The sign shall receive P&D and Public Works sign-off prior to zoning clearance.

COUNTY RULES AND REGULATIONS

4. **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, and materials shall be compatible with vicinity development and shall conform in all respects to BAR approval. **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.

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

5. **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].
6. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until all necessary planning and building permits are obtained. Before any Permit would 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.
7. **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.
8. **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.
9. **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the five (5) years following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the five (5) years following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 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.

- 10. Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use and Development Code. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Zoning Clearance approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit. [LUDC §35.82.060 & §35.84.060].
- 11. Rules-18 CUP and DVP Revisions.** The approval by the Zoning Administrator of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
- 12. Rules-23 Processing Fees Required.** Prior to issuance of a Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 13. Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 14. 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.
- 15. 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.

ATTACHMENT 2f

DEPARTMENT AND AGENCY CONDITION LETTERS