



Planning and Development

Lisa Plowman, Director
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September 20, 2024

David Swenk
Urban Planning Services
2624 Airpark Drive
Santa Maria, CA 93455

BOARD OF SUPERVISORS
HEARING OF SEPTEMBER 17, 2024

RE: *Board Action Letter*
Arctic Cold Extensive Agricultural Processing use General Plan Amendment, Revised Development Plan, Conditional Use Permit and Tentative Parcel Map Project; Case Nos. 22GPA-00000-00006, 22CUP-00000-00021, 23RVP-00024 and 23TPM-00002, Addendum to EIR No. 21EIR-00000-00001
1750 East Betteravia Road, Santa Maria, APNs 129-097-012 and 129-097-013

Dear Mr. Swenk:

On November 17, 2020, the Board of Supervisors took the following actions on Case Nos. 22GPA-00000-00006, 22CUP-00000-00021, 23RVP-00024 and 23TPM-00002, which was a request for:

- General Plan Amendment (Case No. 22GPA-00000-00006) to amend the Santa Maria Area (Comp-6) Map of the Comprehensive Plan Land Use Element by addition the Agricultural Industry Overlay to Assessor Parcel No. (APN) 128-097-012 in compliance with Land Use Development Code Section 35.104;
- Conditional Use Permit (Case No. 22CUP-00000-00021) to allow extensive processing of agricultural products on APN 128-097-012 in compliance with Land Use Development Code Section 35.82.060;
- Revised Development Plan (Case No. 23RVP-00024) to revise the previously approved 20DVP-00000-00006 and allow extensive processing of agricultural products and construction of a 35-foot flagpole on APN 128-097-012 in compliance with Land Use Development Code Sections 35.42.040.B.2 and 35.84.040.E, and to modify the site plan to include a new 35-foot flag pole; and
- Tentative Parcel Map (Case No. 23TPM-00002) to subdivide a 111.75-acre (gross) property into one 71.10-acre parcel (APN 128-097-013) and one 40.65-acre parcel (APN 128-097-012) in compliance with County Code Chapter 24-18 to create a fee title separation of the existing independent agricultural operations on APN 128-097-013 from

the Arctic Cold Agricultural Processor and Freezer Facility currently under construction on APN 128-097-012.

An EIR Addendum to the previously certified FEIR (21EIR-00000-00001) was prepared for the project, and the proposed project is within the scope of the FEIR for the Arctic Cold Agricultural Processor and Freezer Facility.

Supervisor Nelson moved, seconded by Supervisor Williams and carried by a vote of 5 to 0 to:

1. Make the required findings for approval of the project, consisting of a General Plan Amendment (Case No. 22GPA-00000-00006), Conditional Use Permit (Case No. 22CUP-00000-00021), Revised Development Plan (Case No. 23RVP-00024), and Tentative Parcel Map (Case No. 23TPM-00002), including CEQA findings;
2. Approve the Addendum and determine that the previously certified Final Environmental Impact Report (FEIR) (21EIR-00000-00001) and Addendum are adequate and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to State CEQA Guidelines Sections 15162, 15164, and 15168(c)(2); and
3. Adopt a Resolution (Case No. 22GPA-00000-00006) amending the Santa Maria Area (Comp-6) Map of the Comprehensive Plan Land Use Element, to designate Proposed Lot 1 (Assessor's Parcel No. 128-097-012) with the Agricultural Industry Overlay;
4. Approve a Major Conditional use Permit (Case No. 22CUP-00000-00021), subject to the conditions of approval;
5. Approve a Development Plan Revision (Case No. 23RVP-00024), subject to the conditions of approval;
6. Approve a Tentative Parcel Map (Case No. 23TPM-00002), subject to the conditions of approval.

REVISIONS TO PROJECT DESCRIPTION

The Project Description is revised as follows:

Proposed Project:

The proposed project is a request for a General Plan Amendment, Conditional Use Permit, Revised Development Plan, and Tentative Parcel Map to allow for a new extensive agricultural processing use, and to create two legal parcels to allow for a fee title structure that will allow the applicant to convey one portion of the property to the Arctic Cold Agricultural Processor and Freezer Facility operator. The project descriptions for each entitlement are as follows:

General Plan Amendment (Case No. 22GPA-00000-00006)

The proposed project includes a request by AFP, LLC, for adoption of a General Plan Amendment pursuant to LUDC Section 35.104 to amend the Comprehensive Plan Land Use Element Map for the Santa Maria area (Comp-6) to apply the Agricultural Industry Overlay to the 40.65-acre property shown as Assessor's Parcel Number 128-097-012. The proposed project is located on a 111.75-acre legal lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Numbers 128-097-012 and 128-097-013, and located at 1750 and 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

Conditional Use Permit (Case No. 22CUP-00000-00021)

The proposed project includes a request for a Conditional Use Permit pursuant to LUDC Section 35.82.060 to allow extensive processing (e.g. the refinement or other processing of agricultural products to substantially change them from their raw form, which involves machinery, chemical reactions, and/or hazardous or highly odiferous materials or products.), of agricultural products within the previously permitted 449,248 square foot (sf) dry storage/warehousing Arctic Cold Agricultural Processor and Freezer Facility. The proposed extensive processing use will occur within the northern 120,098 sf fruit processor portion of the Arctic Cold Agricultural Processor and Freezer Facility. The existing operations in other areas of the Arctic Cold Agricultural Processor and Freezer Facility will not be modified as part of the proposed project. The proposed extensive processing uses will take place on the subject 40.65-acre lot in the AG-II-40 (Agriculture II) Zone District on APN 128-097-012.

The Arctic Cold Agricultural Processor and Freezer Facility shall manage employee shift changes to avoid traffic congestion during peak agricultural traffic periods. No shift changes shall occur between the hours of 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. Shift changes will be scheduled exclusively outside these designated peak traffic windows to minimize the facility's impact on local road traffic during high-use agricultural periods. This operational adjustment is intended to ensure smooth traffic flow on surrounding roadways, particularly during peak hours.

The proposed project does not include grading or vegetation removal. Water service for the Arctic Cold Agricultural Processor and Freezer Facility is provided by a permitted public water system supplied by two existing potable wells on site. Wastewater treatment service for the Arctic Cold Agricultural Processor and Freezer Facility is provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Access to the Arctic Cold Agricultural Processor and Freezer Facility is provided by two driveways off East Betteravia Road.

Development Plan Revision (Case No. 23RVP-00024)

The proposed project includes a request for a Revision to Development Plan (Case No. 20DVP-00000-00006) pursuant to LUDC Section 35.42.040.B.2 and 35.84.040.E to designate the Agricultural Industry Overlay upon APN 128-097-012, allow extensive fruit and vegetable

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processing uses within the 120,098 sf northern portion of the Arctic Cold Agricultural Processor and Freezer Facility, and allow construction of a 35-ft.-tall flag pole.

Tentative Parcel Map (Case No. 23TPM-00002)

The proposed project includes a request for a Tentative Parcel Map pursuant to LUDC Section 21-18 to create two legal parcels to allow for a fee title separation of existing independent agricultural operations on APN 128-097-013, including agricultural row crop production and the Mid Coast Cooling processor, from the Arctic Cold Agricultural Processor and Freezer Facility currently under construction on APN 128-097-012. The Tentative Parcel Map will split the legal lot into the two legal lots. Proposed Lot 1 will be a 40.65-acre parcel and proposed Lot 2 will be a 71.10-acre parcel. Existing development on proposed Lot 1 includes the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility and accessory buildings. Existing development on proposed Lot 2 includes the 52,000 sf Mid Coast Cooling facility and 5,600 sf Valley Farm Supply building and row crops.

The proposed project does not include grading or vegetation removal. Water service for proposed Lot 1 is provided by a permitted public water system supplied by two existing potable wells on site. Water service for proposed Lot 2 is provided by one existing potable well and one existing agricultural well on site. Wastewater treatment service for proposed Lot 1 is provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Wastewater treatment service for proposed Lot 2 is provided by an existing septic system. Access to proposed Lot 1 is provided by two driveways off East Betteravia Road. Access to proposed Lot 2 is provided by the existing driveway south of the intersection of Rosemary Lane and East Betteravia Road.

The attached findings and conditions reflect the Board of Supervisors actions of September 17, 2024.

Sincerely,

Lisa Plowman
Planning & Development Director

xc: Case File: 22GPA-00000-00006
Owner/Applicant: Arctic Cold Betteravia LLC, PO Box 6308, Oxnard, CA 93031-6308
Owner: AFP, LLC, PO Box 1862, Santa Maria, CA 93456-1862
Agent: Mark Lloyd, 3 W. Carrillo St. Suite 205, Santa Barbara, CA 93101
County Chief Appraiser: Trevor Lysek tLysek@countyofsb.org
Fire Department: Chris Olmstead colmstea@countyofsb.org
Flood Control: Matt Griffin mgriff@countyofsb.org
Public Works: Chris Sneddon csneddo@countyofsb.org
Transportation: Will Robertson wmrober@countyofsb.org
Environmental Health Services: Jason Johnston JJohnston@sbcphd.org
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District 4 Supervisor: Bob Nelson bnelson@countyofsb.org
Clerk of the Board: sbcob@countyofsb.org

Attachments: **Attachment 1 – Findings**
 Attachment 2 – Conditions of Approval

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ATTACHMENT 1: FINDINGS

1.0 CEQA FINDINGS

Findings pursuant to Public Resources Code Section 21081 and the California Environmental Quality Act Guidelines Sections 15162 and 15164 that a previously-certified environmental impact report applies to proposed changes to the approved project.

1.1 ADDENDA TO THE ENVIRONMENTAL IMPACT REPORT

The Board of Supervisors has considered the Addendum dated September 17, 2024, together with the previously certified EIR (Case No. 21EIR-00000-00001) for the Arctic Cold Agricultural Processor and Freezer Facility. The Addendum reflects the independent judgement of the Board of Supervisors and has been completed in compliance with CEQA. The Addendum, together with the EIR 21EIR-00000-00001, is adequate for this proposal. On the basis of the whole record, including the Addendum, the previously certified CEQA document, and any public comments received, the Board of Supervisors finds that the proposed project changes described in the Addendum will not create any new significant effects or a substantial increase in the severity of previously identified significant effects on the environment nor present new information of substantial importance pursuant to CEQA Guidelines Sections 15162 and 15164.

Please see Attachment C, 21EIR-00000-00001 Addendum, incorporated herein by reference.

1.2 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Clerk of the Board of Supervisors, located at 105 East Anapamu Street, Santa Barbara, CA 93101. The document is also available at:

<https://santabarbara.legistar.com/Calendar.aspx#current>

1.3 ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

1.4 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The Addendum prepared for the project addressed the following issues: air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials, land use compatibility, noise, transportation/circulation and utilities and service systems. All other issue areas were determined to be unaffected by the proposed project. The Addendum dated September 17, 2024, incorporated herein by reference, finds that the previously certified EIR (21EIR-00000-00001), may be used to fulfill the environmental review requirements of the current project. Since none of the following have occurred, as discussed in Section 6.1 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, no subsequent environmental review shall be prepared according to CEQA Guidelines section 15168(c) and 15162: there are no substantial changes proposed in the project which will require major revisions to the EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance showing any new or substantially more severe environmental impacts.

2.0 COMPREHENSIVE PLAN AMENDMENT FINDINGS

2.1 FINDINGS REQUIRED FOR APPROVAL OF AMENDMENTS (§35.104.060).

An application for an Amendment to the Comprehensive Plan, Development Code or Zoning Map may be approved only if the review authority first makes all of the following findings, as applicable to the type of Amendment.

A. Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.

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

The Board of Supervisors find that the request is in the interests of the general community welfare. The Arctic Cold Extensive Agricultural Processing General Plan Amendment will apply the Agricultural Industry Overlay to the Proposed Lot 1 (APN 128-097-012). The Agricultural Element of the Comprehensive Plan encourages the development of agricultural support services within close proximity of existing agricultural operations to provide particular and specific benefits which will advance the purposes and policies of the Agricultural Element. The Santa Maria Rural Region is appropriate for this type of development because it contains some of the most productive agricultural operations in the County. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by

reference, the application of the Agricultural Industry Overlay for the purpose of allowing extensive processing for agricultural products balances the County's goals, policies, and regulations. As such, the request is in the interests of the general community welfare as it will provide a source of agricultural support services, ultimately helping to meet County goals for agricultural production.

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

The Board of Supervisors find that the request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code (LUDC). As discussed in Section 6.2 of the staff report, dated June 4, 2024 and incorporated herein by reference, the proposed development will allow for agricultural support services in an area that contains productive agricultural operations, which aligns with the County's Comprehensive Plan goals and complies with LUDC requirements.

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

The Board of Supervisors find that the request is consistent with good zoning and planning practices. The project is consistent with local and state planning regulations, as discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference. Furthermore, the addition of the Agricultural Industry Overlay to include the 40.6-acre parcel is consistent with the intent of the overlay, which is to provide for agriculturally-related commercial and industrial uses in Rural Areas where appropriate. The approval of this Comprehensive Plan Amendment will result in further development of agricultural support services in a location that contains some of the largest agricultural operations in the County, and therefore is consistent with good zoning and planning practices.

B. Additional finding for Comprehensive Plan Amendments.

1. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.

The Board of Supervisors find the request is deemed to be in the public interest. The Comprehensive Plan Amendment is in the interest of actively promoting and protecting the viability of agricultural operations in the immediate area and within the region. The project contributes to achieving these goals by reducing the costs and impacts of transporting agricultural products to areas outside the immediate area and region.

The Comprehensive Plan Amendment will allow for the use of extensive processing for agricultural products on 40.65 acres of land designated A-II and zoned AG-II-40 in the Rural Area of the Santa Maria Rural Region. As discussed in 21EIR-00000-00001, development of extensive processing for agricultural products would realize beneficial impacts to existing agricultural operations in the area and region. Development standards established in the County Land Use and Development Code, along with a discretionary permit process, are intended to reduce adverse impacts to environmental resources and services for projects such as this in the Santa Maria Rural Region.

3.0 ADMINISTRATIVE FINDINGS

3.1 CONDITIONAL USE PERMIT FINDINGS

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

- 1. That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.**

The Board of Supervisors finds that the project site is adequate in size, shape, location and physical characteristics to accommodate the proposed program and operational use changes. A Conditional Use Permit is required for the proposed extensive agricultural processing use (milling and bottling of products with additives), as specified in Table 2-1 under LUDC Section 35.21.030.E. The subject site is 40 acres in size and located on an agricultural property at 1750 East Betteravia Road. East Betteravia Road, agricultural fields, and the Central City Cooling (agricultural processing) facility border the site to the north; agricultural fields border the site to the east and west; and agricultural fields and the Mid Coast Cooling (agricultural processing) facility border the site to the south. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, no new structural development is included with the proposed CUP. The proposed extensive agricultural processing is consistent with the Land Use Development Code and Comprehensive Plan, which states that agricultural support services are compatible with existing agricultural operations. The proposed project will provide support services to existing onsite and offsite agricultural operations. The structure incorporates styles,

colors, and scale compatible with the character of the surrounding development and no external changes are proposed for the facility.

2. Within the inland area, significant environmental impacts will be mitigated to the maximum extent feasible.

The Board of Supervisors finds that adverse impacts will be mitigated to the maximum extent feasible. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will not cause any new adverse impacts that have not already been mitigated to the maximum extent feasible. Mitigation measures from the prior EIR, 21EIR-00000-00001, that remain applicable have been carried over to the current proposal to ensure that any project-related impacts will be reduced to the maximum extent feasible. In addition, as discussed in the Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the project will apply the Agricultural Industry Overlay on a limited area within the Rural Area as designated on the Land Use Element Maps, allow an extensive agricultural processing use, split the lot into two lots, and construct a flag pole.

3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.

The Board of Supervisors finds that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed Conditional Use Permit. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference; and as discussed in the Traffic, Parking and VMT Analysis (Attachment D of the County Planning Commission staff report), the proposed project will not exceed any County volume/capacity, VMT or LOS thresholds. Additionally, there is no change to the circulation pattern as part of the project and the area roadways will continue to function within acceptable capacities.

4. That there will be adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.

The Board of Supervisors finds that there will be adequate public services available to serve the project. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the project is a request to apply the Agricultural Industry

Overlay on a limited area within the Rural Area as designated on the Land Use Element Maps, allow an extensive agricultural processing use, split the lot into two lots, and construct a flag pole. The previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The project domestic and fire suppression water for Proposed Lot 1 will be served by a well via an approved non-community non-transient public water system. Existing domestic and agricultural wells will continue to serve Proposed Lot 2. The domestic wastewater for Proposed Lot 1 will be served by an onsite wastewater treatment system. An existing onsite wastewater treatment system will continue to serve Proposed Lot 2. The applicant will continue to implement a Solid Waste Management Plan for Arctic Cold Agricultural Processor and Freezer Facility construction and operations on Proposed Lot 2. The process wastewater on Proposed Lot 2 will be served by a process wastewater basin. Both proposed lots on the project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara County Sheriff. Access to the site will be provided via driveways off East Betteravia Road.

- 5. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.**

The Board of Supervisors finds that the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is compatible with the community's agricultural character because the addition of the extensive agricultural processing use (and associated application of the Agricultural Industry Overlay) will provide a support service to the existing agricultural industry in the immediate area. There will be no new environmental impacts and the proposed project is consistent with Comprehensive Plan policy and LUDC regulations.

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

The Board of Supervisors finds that the proposed project complies with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed Conditional Use Permit. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated

June 4, 2024 and incorporated herein by reference, the proposed Conditional Use Permit, as conditioned, is consistent with all applicable requirements of the LUDC and the Comprehensive Plan. Policies and development standards include those related to land use, provision of services, hillside and watershed protection, parks/recreation, visual resources, agricultural land use, circulation, energy, hazardous waste, noise, seismic/geology, and safety. The project conforms to all requirements of the Land Use Development Code, including the AG-II-40 Zone District standards.

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

The Board of Supervisors finds that the proposed project is compatible and subordinate to the character of the project area. As described in Sections 6.2 and 6.3 of this staff report dated June 4, 2024, and incorporated herein by reference, the project site is located in a rural area that supports extensive areas of outdoor and supportive agricultural operations. The proposed extensive agricultural processing is located in an area that currently contains other agricultural processing and freezer operations. Mid Coast Cooling is located on Proposed Lot 2 and Central City Cooling is located on a property located immediately North across East Betteravia Road. The project will therefore not result in new development that will be incompatible with the character of the surrounding environment.

3.2 DEVELOPMENT PLAN FINDINGS

3.2.1 Findings required for a Revision to an Approved Development Plan. An application for an Amendment shall be approved or conditionally approved only if the Review Authority first makes all of the following findings:

- 1. That the findings required for approval of the Final Development Plan, including any environmental review findings made in compliance with the California Environmental Quality Act, that were previously made when the Final Development Plan was initially approved are still applicable to the project with the addition of the development proposed by the application for the Amendment.**

The Board of Supervisors finds that the findings made for approval of 20DVP-00000-00006, including environmental review findings are still applicable to the project with the addition of development proposed. Approval of a Development Plan is required for a facility to be used for extensive agricultural processing, as specified in LUDC Section 35.42.040.B.2. As

described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the approved Development Plan will allow for construction of a flag pole adjacent to an approved structure. The flag pole structure will be a minor revision to the approved site plan and no new findings are required.

- 2. That the environmental impacts related to the development proposed by the application for the Amendment are determined to be substantially the same or less than those identified during the processing of the previously approved Final Development Plan.**

The Board of Supervisors finds that the environmental impacts related to the development proposed by the application for the Amendment are substantially the same or less than those identified during processing of the previously approved 20DVP-00000-00006. As described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the approved Development Plan will allow for construction of a flag pole adjacent to an approved structure. No new environmental impacts have been identified as a result of the addition of a flag pole structure on Proposed Lot 2.

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

- 1. The site of the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed.**

The Board of Supervisors finds that the proposed project is adequate in terms of location, physical characteristics, shape, and size to accommodate the density and intensity of development proposed. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will allow for construction of a flag pole adjacent to an approved structure. The proposed minor development will be within the approved development area on Proposed Lot 2 and will not result in an increase in density or intensity of development.

- 2. Adverse impacts will be mitigated to the maximum extent feasible.**

The Board of Supervisors finds that adverse impacts will be mitigated to the maximum extent feasible. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, revision of the previously approved 20DVP-00000-00006 will not cause any new adverse impacts that have not already been mitigated to the maximum extent feasible.

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

The Board of Supervisors finds that streets and highways will be adequate and properly designed to carry the type and quantity of traffic generated by the proposed use. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, and as discussed in the Traffic, Parking and VMT Analysis (Attachment D of the staff report), the proposed project will not exceed any County volume/capacity, VMT or LOS thresholds. Additionally, there is no change to the circulation pattern as part of the project and the area roadways will continue to function within acceptable capacities.

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

The Board of Supervisors finds that there will be adequate public services, including fire and police protection, sewage disposal, and water supply to serve the proposed project. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The project domestic and fire suppression water for Proposed Lot 1 will be served by a well via an approved non-community non-transient public water system. Existing domestic and agricultural wells will continue to serve Proposed Lot 2. The domestic wastewater for Proposed Lot 1 will be served by an onsite wastewater treatment system. An existing onsite wastewater treatment system will continue to serve Proposed Lot 2. The applicant will continue to implement a Solid Waste Management Plan for Arctic Cold Agricultural Processor and Freezer Facility construction and operations on Proposed Lot 2. The process wastewater on Proposed Lot 2 will be served by a process wastewater basin. Both proposed lots on the project site will continue to be served by the Santa Barbara County Fire Department and the Santa Barbara

County Sheriff. Access to the site will be provided via driveways off East Betteravia Road.

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

The Board of Supervisors finds that the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project will be compatible with the community's agricultural character because the construction of a new flagpole and addition of the extensive agricultural processing use (and associated application of the Agricultural Industry Overlay) will provide a support service to the existing agricultural industry in the immediate area. There will be no new environmental impacts and the proposed project is consistent with Comprehensive Plan policy and LUDC regulations.

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

The Board of Supervisors finds that the proposed project complies with all applicable requirements of this Development Code and the Comprehensive Plan upon approval of the proposed revision to 20DVP-00000-00006. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed revision to 20DVP-00000-00006, as conditioned, is consistent with all applicable requirements of the LUDC and the Comprehensive Plan. Policies and development standards include those related to land use, provision of services, hillside and watershed protection, parks/recreation, visual resources, agricultural land use, circulation, energy, hazardous waste, noise, seismic/geology, and safety. The project conforms to all requirements of the Land Use Development Code, including the AG-II-40 Zone District standards.

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

The Board of Supervisors finds that the proposed project is compatible and subordinate to the character of the project area. As described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024

and incorporated herein by reference, the project site is located in a rural area that supports extensive areas of outdoor and supportive agricultural operations. The proposed extensive agricultural processing is located in an area that currently contains other agricultural processing and freezer operations. Mid Coast Cooling is located on Proposed Lot 2 and Central City Cooling is located on a property located immediately North across East Betteravia Road. The project will not result in new development that will be incompatible with the character of the surrounding environment.

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

The Board of Supervisors finds that the proposed project will not conflict with public access easements. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure. Additionally, Proposed Lots 1 and 2 of the Tentative Parcel Map will be served adequately by existing infrastructure. The Arctic Cold Agricultural Processor and Freezer project was conditioned to maintain public access to existing right-of-ways along East Betteravia Road. The project applicant provided a Preliminary Title Report containing all existing easements, including those granted to the County of Santa Barbara (for road and incidental purposes) and the City of Santa Maria (for water lines and incidental purposes). In addition, the Arctic Cold Agricultural Processor and Freezer project was conditioned to dedicate additional roadway easement along the south side of East Betteravia Road for the purpose of formalizing a half-width right-of-way.

3.3 TENTATIVE MAP FINDINGS

3.3.1 The following, among others, shall be cause for disapproval of a tentative map, including tentative parcel maps, but the tentative map may nevertheless be approved in spite of the existence of such conditions where circumstances warrant:

- 1. Easements or rights-of-way along or across proposed county streets which are not expressly subordinated to street widening, realignment, or change of grade by an instrument in writing recorded, or capable of being recorded, in the office of the county recorder; provided, however, that the director of public works may approve such easements or rights-of-way without such subordinations. Easements or rights-of-way shall not be granted along or across proposed county streets before filing for record of the final subdivision map by the county recorder, unless the director of public works shall approve**

such grants. If the director of public works does not grant such approvals within fourteen days from the date they were requested, they shall be deemed to have been refused. Appeal from refusal of the director of public works to grant such approvals may be made in writing to the board of supervisors, which may overrule the director of public works and grant such requested approvals in whole or in part.

The Board of Supervisors finds that the proposed project does not involve easements or rights-of-way which are not expressly subordinated to street widening, realignment, or change of grade (by an instrument in writing recorded, or capable of being recorded, in the office of the county recorder) along or across proposed County streets. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure, including a right-of-way dedication along the south side of East Betteravia Road. Both parcels created by the proposed project will take access directly off of East Betteravia Road. No easements for access are required. Additionally, the Proposed Project was reviewed by the Public Works – Transportation Division, who confirmed it meets all of their requirements.

2. Lack of adequate width or improvement of access roads to the property; creation of a landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street;

The Board of Supervisors finds that the proposed project does not create a lack of adequate width, improvement of access roads to the property, or landlocked lot or parcel without frontage on a street or other approved ingress and egress from the street. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure.

3. Cuts or fills having such steep slopes or great heights as to be unsafe under the circumstances or unattractive to view;

The Board of Supervisors finds that the proposed project will not involve grading of steep slopes. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure and no grading is proposed as part of the project.

- 4. Grading or construction work on any proposed street or lot. Grading or construction work shall not be commenced prior to recordation of the final or parcel map without specific authority granted by and subject to conditions approved by the Board of Supervisors;**

The Board of Supervisors finds that the proposed project will not require grading or construction prior to recordation. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure and no grading is proposed as part of the project.

- 5. Potential creation of hazard to life or property from floods, fire, or other catastrophe;**

The Board of Supervisors finds that the proposed project will not result in the potential creation of hazard to life or property from floods, fire, or other catastrophe. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, potential hazards were already analyzed as part of the approved Arctic Cold Agricultural Processor and Freezer Facility and the approval of the tentative map to create two legal parcels for conveyance purposes will not create any hazard to life or property.

- 6. Nonconformance with the County's Comprehensive Plan or with any alignment of a state highway officially approved or adopted by the state department of transportation;**

The Board of Supervisors finds that the proposed project is in conformance with the County Comprehensive Plan and with the alignment of existing state highways. As described in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with all applicable polices of the County Comprehensive Plan. The Project does not abut or take access off of any state highway and is not located within one mile of a state highway.

- 7. Creation of a lot or lots which have a ratio of depth to width in excess of 3 to 1;**

The Board of Supervisors finds that the proposed project will not create a lot with a ratio of depth to width in excess of 3 to 1. The proposed parcels will have ratios of approximately 1.2 to 1 and 1.4 to 1.

8. Subdivision designs with lots backing up to watercourses.

The Board of Supervisors finds that the proposed project will not create parcels that back up to water courses because no water courses are present within the area or vicinity of the proposed project. The existing drainage ditch along the northern boundary of both proposed lots and along the eastern boundary of proposed lot 1 is man-made for the purpose of handling agricultural runoff; and does not constitute a natural water course.

3.3.2 A tentative map including tentative parcel map shall not be approved if the decisionmaker finds that the map design or improvement of the proposed subdivision is not consistent with this Chapter, the requirements of the State Subdivision Map Act, California Government Code Section 66410 et seq., the County's Comprehensive Plan, the applicable zoning ordinance, or other applicable County regulations.

The Board of Supervisors finds that the proposed project is consistent with the requirements of the State Subdivision Map Act, the County Comprehensive Plan, County Land Use and Development Code, and Chapter 21 of the County Code. As described in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with County policies and code requirements.

3.3.3 Prior to recordation of the final or parcel map, the subdivider shall furnish the following information to the Public Works Director, Flood Control Engineer, and Building Official:

- 1. Complete plans and specifications, including elevations and grades, for any roads, culverts, drainage ways, bridges, or structures necessary for drainage, erosion control, traffic circulation, or public safety;**
- 2. Any other information required by the conditional approval of the decisionmaker.**

The Board of Supervisors finds that the Applicant for the proposed project has provided all relevant and required information needed for the Board of Supervisors to make an informed decision to approve this map and proceed to recordation, subject to the Conditions of Approval, included as Attachment B to the County Planning Commission staff report dated, June 4, 2024 incorporated herein by

reference. The Applicant furnished all requested information to the Public Works Director, Flood Control Engineer, and Building Official. Condition letters, included as Attachment B3 Condition No. 10 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, were provided by the County departments, acknowledge the project's completeness, and provide all requirements prior to recordation of the map.

3.3.4 When submitting a tentative map for the subdivision of only a portion of a separate legal lot, the subdivider, unless otherwise directed by the Subdivision/Development Review Committee, shall submit a possible future development plan of remaining portions of the lot on a topographic map. This plan shall indicate a general layout of streets in dotted or dashed lines and shall be clearly labeled: "NOT A PART." Approval of the tentative map shall not constitute approval of the possible future development plan.

The Board of Supervisors finds that the proposed Project is not a subdivision of only a portion of a separate legal lot, and therefore this finding does not apply.

3.4 SUBDIVISION MAP ACT FINDINGS

3.4.1 Findings for all Tentative Maps. In compliance with the Subdivision Map Act, the review authority shall make the following findings for the Arctic Cold Tentative Parcel Map TPM 14,880, Case No. 23TPM-00002:

- 1. State Government Code §66473.1. The design of the subdivision for which a tentative map is required pursuant to §66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.**

The Board of Supervisors finds that the design of the Tentative Parcel Map (TPM) 14,880 provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. The setbacks for the AG-II-40 (Agricultural, 40-acre minimum parcel size) Zone District allow for sufficient area for future development to be sited and designed to take advantage of solar exposure for natural heat and light and prevailing winds for natural cooling effects. There is also sufficient northern, southern, eastern, and western exposure to allow for passive heating and cooling systems to be provided on the site.

- 2. State Government Code §66473.5. No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement is consistent with the general plan required by Article 5 (commencing with §65300) of Chapter 3 of Division 1 or any specific plan**

adopted pursuant to Article 8 (commencing with §65450) of Chapter 3 of Division 1.

The Board of Supervisors finds that the proposed project is consistent with the policies of the Santa Barbara County Comprehensive Plan as discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference. The proposed project is consistent with all policies, including those related to land use, services, agriculture, and visual resources.

3. State Government Code §66474. The following findings shall be cause for disapproval of a Tentative Parcel Map/Tract Map:

a. The proposed map is not consistent with applicable general and specific plans as specified in §66451.

The Board of Supervisors finds that the proposed project is consistent with the County Comprehensive Plan. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with the policies of the County Comprehensive Plan, including but not limited to, the Land Use Element, and Agricultural Element.

b. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The Board of Supervisors finds that the design and improvements of the proposed subdivision are consistent with the County Comprehensive Plan. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project is consistent with all applicable policies of the Comprehensive Plan.

c. The site is not physically suitable for the type of development proposed.

The Board of Supervisors finds that the project site is physically suitable for the type of development proposed. The proposed project does not include any structural development, but the project site is suitable for the types of development allowed by the A-II-40 Land Use Designation and AG-II-40 Zone District. The project site is generally level and does not contain any sensitive biological resources, known cultural resources, or other constraints to the development of the two proposed lots. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated

herein by reference, the project site also has access to all required services. The project site is suitable for the proposed subdivision and future development.

d. The site is not physically suited for the proposed density of development.

The Board of Supervisors finds that the project site is physically suited for the proposed density of development. The proposed project does not include any physical development, and as discussed in Finding 3.4.1.3.c. above, the project site is physically suitable for development. Each lot is consistent with the LUDC requirements regarding lot size and will have adequate area for construction of future development.

e. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The Board of Supervisors finds that the design of the subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. As discussed in Attachment C of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, an Addendum to the Arctic Cold Agricultural Processor and Freezer Facility Environmental Impact Report ensures that all environmental impacts will be reduced to the maximum extent feasible. Additionally, the project site is not located in the vicinity of significant biological resources or water bodies.

f. The design of the subdivision or type of improvements is likely to cause serious public health problems.

The Board of Supervisors finds that the design of the subdivision will not cause serious public health problems. The proposed project consists of subdividing one 111.75- acre parcel into one 40.65-acre parcel and one 71.10-acre parcel; and does not include any structural development. As discussed in Section 6.2 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the proposed project meets all requirements of the County Comprehensive Plan. Additionally, the proposed project was reviewed by the County Fire Department, Environmental Health Services, Public Works Department, and Air Pollution Control District, which all confirmed the proposed project meets their requirements. Some of these departments provided condition letters for the proposed project which are included as Condition No. 10 of Attachment B3 to the staff report dated June 4, 2024.

- g. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The Board of Supervisors finds that the design of the subdivision will not conflict with any easements for access through or use of the proposed subdivision. As discussed in Sections 6.2 and 6.3 of the County Planning Commission staff report, dated June 4, 2024 and incorporated herein by reference, the previously approved Arctic Cold Agricultural Processor and Freezer Facility already includes all of the required infrastructure, including a right-of-way dedication along the south side of East Betteravia Road.

- 4. State Government Code §66474.4. The legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it finds that either the resulting parcels following a subdivision of that land would be too small to sustain their agricultural use or the subdivision will result in residential development not incidental to the commercial agricultural use of the land, and if the legislative body finds that the land is subject to any of the following:**
 - a. A contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5), including an easement entered into pursuant to Section 51256.**
 - b. An open-space easement entered into pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).**
 - c. An agricultural conservation easement entered into pursuant to Chapter 4 (commencing with Section 10260) of Division 10.2 of the Public Resources Code.**
 - d. A conservation easement entered into pursuant to Chapter 4 (commencing with Section 815) of Part 2 of Division 2 of the Civil Code.**

The Board of Supervisors finds that the proposed project will not result in detrimental impacts to agricultural uses and that the land is not subject to any of the above-listed conservation or open space easements. The project site is currently used for row crops and an existing agricultural processor (Mid State Cooling), and these uses will continue. The resulting properties will be large enough to sustain the agricultural use, and the subdivision will not result in residential development not incidental to the commercial agricultural use of the land. The project site is not subject to a Williamson Act contract, an open space easement, an agricultural conservation easement, or a conservation easement.

- 5. State Government Code §66474.6. The governing body of any local agency shall determine whether discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with §13000) of the Water Code.**

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The Board of Supervisors finds that the proposed project will not contribute to or result in a violation of existing requirements prescribed by the California Regional Water Quality Control Board. The proposed project consists of a subdivision of one 111.75-acre parcel into one 40.65-acre parcel and one 71.10-acre parcel; and does not include any structural development. Additionally, any future development on the properties will require the use of private septic systems for wastewater rather than a community sewer system.

ATTACHMENT 2-1: CONDITIONS OF APPROVAL

Project Description

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

The proposed project includes a request for a Conditional Use Permit to allow extensive processing (e.g. The refinement or other processing of agricultural products to substantially change them from their raw form, which involves machinery, chemical reactions, and/or hazardous or highly odiferous materials or products.), of agricultural products within the previously permitted 449,248 sf dry storage/warehousing Arctic Cold Agricultural Processor and Freezer Facility. The proposed extensive processing use will occur within the northern 120,098 sf fruit processor portion of the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility. The existing operations in other areas of the Arctic Cold Agricultural Processor and Freezer Facility will not be modified as part of the proposed project. The proposed extensive processing uses will take place on the subject 40.65-acre lot in the AG-II-40 (Agriculture II) Zone District on APN 128-097-012.

The Arctic Cold Agricultural Processor and Freezer Facility shall manage employee shift changes to avoid traffic congestion during peak agricultural traffic periods. No shift changes shall occur between the hours of 6:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m. Shift changes will be scheduled exclusively outside these designated peak traffic windows to minimize the facility's impact on local road traffic during high-use agricultural periods. This operational adjustment is intended to ensure smooth traffic flow on surrounding roadways, particularly during peak hours.

The proposed project does not include grading or vegetation removal. Water service for the Arctic Cold Agricultural Processor and Freezer Facility is provided by a permitted public water system supplied by two existing potable wells on site. Wastewater treatment service for the Arctic Cold Agricultural Processor and Freezer Facility is provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Access to the Arctic Cold Agricultural Processor and Freezer Facility will be provided by two driveways off East Betteravia Road. The proposed project is located on a 40.65-acre lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Number 128-097-012, and located at 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

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

- 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.

Conditions By Issue Area

- 3. Special-Greenhouse Gas 1.1:** The project applicant shall implement the Greenhouse Gas Reduction Program (GHGRP) that includes on-site GHG reduction measures to reduce the project's total remaining GHG emissions to 3.8 MT of CO₂e per service person per year or less. Potential options include, but would not be limited to:
- Supply 100 percent of electricity from renewable energy resources. Options include opting into PG&E's Solar Choice (opting to supply 100 percent of annual energy usage) Program or PG&E's Regional Renewable Choice (opting to supply 100 percent of annual energy usage) Program.
 - Implement a transportation demand program. Program measures may include free transit passes for employees, electric rideshare vehicles for employees, and construction of additional transit infrastructure at the project site.
 - Implement a zero waste program or other feasible waste-reduction measures such as composting waste food scraps from employee activities and food waste processing.
 - After implementation of feasible on-site GHG reduction measures, the project applicant may also implement one of, or a combination of, the following off-site measures to achieve up to 50 percent of the total necessary GHG emission:
 - Directly undertake or fund activities that reduce or sequester GHG emissions ("Direct Reduction Activities") and retire the associated "GHG Mitigation Reduction Credits." A "GHG Mitigation Reduction Credit" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with

the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). An "Approved Registry" is an accredited carbon registry that follows approved CARB Compliance Offset Protocols. As of April 2021, Approved Registries include American Carbon Registry, Climate Action Reserve, and Verra (CARB 2018b). Credits from other sources shall not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CARB standards. If the project applicant chooses to meet some of the GHG reduction requirements through Direct Reduction Activities, the activities shall be implemented as feasible in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing GHG Mitigation Reduction Credits to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring GHG Mitigation Reduction Credits specific to the registry involved and shall undertake additional direct investments to recoup the loss.

List continued in GHG-1.2

4. Special-Greenhouse Gas 1.2: Continued from GHG-1.1.

- Obtain and retire "Carbon Offsets." "Carbon Offset" shall mean an instrument issued by an Approved Registry and shall represent the past reduction or sequestration of 1 MT of CO₂e achieved by a Direct Reduction Activity or any other GHG emission reduction project or activity that is not otherwise required (CEQA Guidelines Section 15126.4[c][3]). A "Carbon Offset" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). If the project applicant chooses to meet some of the GHG reduction requirements by purchasing offsets on an annual and permanent basis, the offsets shall be purchased according to the County of Santa Barbara's preference, which is, in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing offsets to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring offsets specific to the registry involved and shall purchase an equivalent number of credits to recoup the loss.
- No more than 50 percent of the project's total requisite emission reduction over the project's lifetime may be achieved through direct reduction activities and carbon offsets.

PLAN REQUIREMENTS: The GHGRP shall either reduce the project's emissions to 3.8 MT CO₂e per service person per year or shall incorporate all feasible actions to reduce emissions associated with electricity demand, transportation, and waste generation and shall purchase 50 percent carbon offsets. Each emission reduction measure shall include a commitment enforceable by P&D.

TIMING: Prior to April 15 of each calendar year following the issuance of the Zoning Clearance, the applicant shall provide P&D an annual GHG emissions report to verify whether the project has met the 3.8 MT threshold; and if the threshold is not met, the report shall describe the annual 50% offsite reduction obligation. The report shall also describe the necessary annual quantity of verified credits under the GHGRP. Every 5 years, the Applicant shall reevaluate available and feasible GHG reduction measures and update the GHGRP to incorporate newly feasible measures as appropriate to the satisfaction of P&D (in consultation with the SBCAPCD) that will reduce project emissions to 3.8 MT CO₂e per service person per year.

MONITORING: P&D compliance monitoring staff, in consultation with the SBCAPCD, shall confirm inclusion of the required GHG emission reduction measures into the project. Compliance with all components of the GHGRP shall be verified during construction and prior to issuance of a Certificate of Occupancy. The Applicant shall maintain all data and shall provide data to the County upon request. P&D compliance monitoring staff shall confirm inclusion of any new feasible measures whenever the GHGRP is updated, within three months of any updates.

Project Specific Conditions

- 5. Special - Drainage Channel Maintenance and Potential Replacement:** The Owner/Applicant shall maintain the drainage channel, including all culverts, along its frontage and shall inspect the entire drainage channel before and after each storm event to keep the channel free of debris to ensure no up-channel and/or off-site flooding occurs as a result of blockage in the drainage channel, including any culvert, on the subject property (APN 128-097-012). In the event such a blockage occurs, the Owner/Applicant shall clear the drainage channel, including all culverts, as soon as safe conditions allow, to resume free flow.

In the event of significant off-site flooding that results from the Owner/Applicant's failure to maintain the drainage channel on the subject property, including the culverts, as required by this condition, the Owner/Applicant shall install a replacement system consisting of clear span crossings of the channel, or an alternative system as approved by the Flood Control District.

PLAN REQUIREMENTS: If a replacement system is required by the County, the

Owner/Applicant shall submit updated project plans for the replacement system. The replacement system shall be designed by a Registered Civil Engineer and a plan check fee shall be submitted with the plans of the replacement system. These plans shall be submitted to P&D and the Flood Control District for review and approval. Installation and maintenance for five years shall be ensured through a performance security provided by the Owner/Applicant, in a form approved by the County.

TIMING: The Owner/Applicant shall maintain the drainage channel, including the culverts, for the life of the project. If a replacement system is required to be installed due to off-site flooding, as described above, the replacement system shall be installed within 180 days of the flooding, as determined by the P&D Director.

MONITORING: Installation of the replacement system shall be subject to oversight and final approval by P&D and the Flood Control District. The financial security for performance of the construction of the replacement system shall be released upon satisfactory installation of all items in approved plans.

- 6. Traffic Demand Management Plan 1.1:** Traffic Demand Management Plan. The Owner/Applicant shall provide traffic reduction components for employees on site to reduce elective trips during working hours, such as bike racks, motorcycle parking, carpool parking, or similar components. Scheduled traffic count and annual report components shall provide metrics for incoming and outgoing vehicle trips.

I. **TDM Agreement.** Prior to approval of Zoning Clearance the Owner/Applicant shall develop a TDM program for review and approval of County Counsel, P&D, and Public Works. The program agreement shall include project location, peak-hour and non-peak hour traffic goals and shall identify impacted intersections and links, and project peak hours. Timing for individual aspects of the program shall be outlined in the TDM agreement. The program shall include a monitoring plan.

II. **Transportation Coordinator.** The Owner/Applicant shall enter into a written agreement to the satisfaction of County Counsel to ensure the designation of a Transportation Coordinator who will manage transportation programs for the project and serve as the contact person for transportation related issues. Said coordinator shall be available during normal working hours. The Transportation Coordinator's name and telephone number shall be submitted to P&D and Public Works prior to Final Building Inspection Clearance and within one month of a change of Transportation Coordinator.

III. **Employee Orientation.** Owner shall develop a fact sheet that serves as an orientation for new employees by informing them of the traffic mitigation

requirements imposed on the site, and the location and availability of carpool and bike parking, transit service, showers and lockers, and other program components. A copy of the fact sheet shall be submitted to P&D prior to occupancy and annually as it is updated.

IV. Information in the Workplace. Informational posters and promotional materials shall be posted throughout the complex (and changed frequently to keep visibility high) with information regarding available commute alternatives (car/vanpool, bicycle and transit routes), available facilities (car/vanpool parking, bike parking, showers and lockers, bus service, etc.), and available incentives (SuperTicket, extra vacation, discounts, etc.).

V. TDM Components. The TDM program may include, but not be limited to employee input and information, vanpooling, parking management, bicycle facilities and discounts, transit services, lunch time facilities and services, work schedule flexibility, and other incentives for employees and customers.

VI. Traffic Counts. The Owner/Applicant shall pay for a consultant hired by the County to conduct traffic counts three months after Final Building Inspection Clearance, quarterly thereafter for two years, and annually for three years, for a total of five years of monitoring. If the traffic counts show that the project is not in compliance with the following traffic levels stated in the Revised Traffic and Circulation Study dated July 21, 2020 [including a maximum of 454 Average Daily Traffic (ADT) during average periods and maximum of 1,642 ADT during peak harvest season], corrective measures may be required as determined by P&D and Public Works Transportation Division. As part of the corrective measures, P&D and Public Works Transportation Division may require additional traffic counts to confirm current traffic levels, which shall also be funded by the Owner/Applicant.

VII. Quarterly and Annual Report. A report outlining program components, participation rates, and traffic counts shall be submitted to P&D three months after Final Building Inspection Clearance, quarterly thereafter for two years, and annually for three years, for a total of five years of monitoring.

List continued on TDMP 1.2

7. Traffic Demand Management Plan 1.2: Continued from Traffic Demand Management Plan 1.2

PLAN REQUIREMENTS: The Owner/Applicant shall show the location and extent of bike racks, motorcycle parking, carpool and vanpool parking on applicable plans (e.g. building plans, etc.).

TIMING: Bike racks, motorcycle parking, carpool, vanpool parking shall be installed prior to Final Building Inspection Clearance. Traffic County's shall be submitted to P&D two times each year. Initial Annual Report shall be submitted to P&D three months after Final Building Inspection Clearance and annually thereafter.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required physical traffic reduction components have been installed prior to Final Building Inspection Clearance and all informational materials shall be prepared prior to start of operation. P&D compliance monitoring staff shall review reports quarterly and annually and require additional traffic counts and/or corrective measures as determined by P&D and Public Works Transportation Division if the project is found to be in noncompliance with the maximum ADT projections identified in the Traffic Count component above.

County Rules and Regulations

- 8. 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.
- 9. Rules-03 Additional Permits Required:** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained. Before any Permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
- 10. Rules-04 Additional Approvals Required:** Approval of this Conditional Use Permit is subject to the County Board of Supervisors approving the required Comprehensive Plan Amendment.
- 11. 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.
- 12. Rules-06 Recorded Map Required:** Tentative Map 14,880 shall be recorded prior to issuance of any permits for approval of use.
- 13. 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.

- 14. Rules-12 CUP Expiration:** The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the required Zoning Clearance is not issued within the 18 months following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section 35.84.030 of the County Land Use 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.
- 15. 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 35.84.040 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
- 16. Rules-18 CUP and DVP Revisions:** The approval by the Planning Commission of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised permit.
- 17. Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
- 18. 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.
- 19. Rules-22 Leased Facilities:** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
- 20. Rules-23 Processing Fees Required:** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 21. Rules-25 Signed Agreement to Comply:** Prior to issuance of Zoning Clearance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office. Owners of

lots resulting from this land division shall record such agreements prior to Issuance of Zoning Clearance for future development.

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

1. Santa Barbara County Air Pollution Control District dated May 31, 2024;
2. Community Services District Parks Division dated May 8, 2024;
3. Public Works Water Resources Division dated May 31, 2023;
4. Public Works Flood Control Division dated November 3, 2022;
5. Public Works Surveyor dated June 8, 2023.

23. 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 updated Agreement to Pay (if applicable due to new owner) for compliance monitoring costs (Case No. 22PMC-00000-00027) prior to issuance 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 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 SCH# 2020100453/Case No. 20EIR-00000-00001;
- d. 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.

24. 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.

25. 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 2-2: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Revision to 20DVP-00000-00006 is based upon and limited to compliance with the project description, the hearing exhibits and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The proposed project includes a request for a Revision to Development Plan (Case No. 20DVP-00000-00006) to designate Agricultural Industry Overlay upon APN 128-097-012, allow extensive fruit and vegetable processing uses within the 120,098 sf northern portion of the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility, revise height of parking lot light fixtures from 16 feet to 30 feet, revise height of exterior security light fixtures from 30 feet to 39 feet, and allow construction of a 35-ft.-tall flag pole. The proposed project does not include grading or vegetation removal. Water service for the Arctic Cold Agricultural Processor and Freezer Facility will be provided by a permitted public water system supplied by two existing potable wells on site. Wastewater treatment service for the Arctic Cold Agricultural Processor and Freezer Facility will be provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Access to the Arctic Cold Agricultural Processor and Freezer Facility will be provided by two driveways off East Betteravia Road. The proposed project is located on a 40.65-acre lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Number 128-097-012, and located at 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

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

- 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.

Conditions By Issue Area

- 3. Special-Greenhouse Gas 1.2:** The project applicant shall implement the Greenhouse Gas Reduction Program (GHGRP) that includes on-site GHG reduction measures to reduce the project's total remaining GHG emissions to 3.8 MT of CO₂e per service person per year or less. Potential options include, but would not be limited to:
- Supply 100 percent of electricity from renewable energy resources. Options include opting into PG&E's Solar Choice (opting to supply 100 percent of annual energy usage) Program or PG&E's Regional Renewable Choice (opting to supply 100 percent of annual energy usage) Program.
 - Implement a transportation demand program. Program measures may include free transit passes for employees, electric rideshare vehicles for employees, and construction of additional transit infrastructure at the project site.
 - Implement a zero waste program or other feasible waste-reduction measures such as composting waste food scraps from employee activities and food waste processing.
 - After implementation of feasible on-site GHG reduction measures, the project applicant may also implement one of, or a combination of, the following off-site measures to achieve up to 50 percent of the total necessary GHG emission:
 - Directly undertake or fund activities that reduce or sequester GHG emissions ("Direct Reduction Activities") and retire the associated "GHG Mitigation Reduction Credits." A "GHG Mitigation Reduction Credit" must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB's most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). An "Approved Registry" is an accredited carbon registry that follows approved CARB Compliance Offset Protocols. As of April 2021, Approved Registries include American Carbon Registry, Climate Action Reserve, and Verra (CARB 2018b). Credits from other sources shall not be allowed unless they are shown to be validated by protocols and methods equivalent to or more stringent than the CARB standards. If the project applicant chooses to meet some of the GHG reduction requirements through Direct Reduction Activities, the activities shall be implemented as feasible in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing GHG Mitigation Reduction Credits to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring GHG Mitigation Reduction Credits specific to the registry involved and shall undertake additional direct investments to recoup the loss.

List continued in GHG-1.2

4. Special-Greenhouse Gas 1.2: Continued from GHG-1.1.

- Obtain and retire “Carbon Offsets.” “Carbon Offset” shall mean an instrument issued by an Approved Registry and shall represent the past reduction or sequestration of 1 MT of CO₂e achieved by a Direct Reduction Activity or any other GHG emission reduction project or activity that is not otherwise required (CEQA Guidelines Section 15126.4[c][3]). A “Carbon Offset” must achieve GHG emission reductions that are real, permanent, quantifiable, verifiable, enforceable, and in addition to any GHG emission reduction required by law or regulation or any other GHG emission reduction that otherwise would occur in accordance with the criteria set forth in the CARB’s most recent Process for the Review and Approval of Compliance Offset Protocols in Support of the Cap-and-Trade Regulation (CARB 2013). If the project applicant chooses to meet some of the GHG reduction requirements by purchasing offsets on an annual and permanent basis, the offsets shall be purchased according to the County of Santa Barbara’s preference, which is, in order of County preference: (1) within the County of Santa Barbara; (2) within the SBCAPCD jurisdictional area; (3) within the State of California; then (4) elsewhere in the United States. In the event that a project or program providing offsets to the project applicant loses its accreditation, the project applicant shall comply with the rules and procedures of retiring offsets specific to the registry involved and shall purchase an equivalent number of credits to recoup the loss.
- No more than 50 percent of the project’s total requisite emission reduction over the project’s lifetime may be achieved through direct reduction activities and carbon offsets.

PLAN REQUIREMENTS: The GHGRP shall either reduce the project’s emissions to 3.8 MT CO₂e per service person per year or shall incorporate all feasible actions to reduce emissions associated with electricity demand, transportation, and waste generation and shall purchase 50 percent carbon offsets. Each emission reduction measure shall include a commitment enforceable by P&D.

TIMING: Every 5 years, the Applicant shall reevaluate available and feasible GHG reduction measures and update the GHGRP to incorporate newly feasible measures as appropriate to the satisfaction of P&D that will reduce project emissions to 3.8 MT CO₂e per service person per year.

MONITORING: P&D compliance monitoring staff shall confirm inclusion of the required GHG emission reduction measures into the project. Compliance with all components of the initial GHGRP shall be verified during construction and prior to issuance of a Certificate of Occupancy. The Applicant shall maintain all data and shall provide data to the County upon request. P&D compliance monitoring staff

shall confirm inclusion of any new feasible measures whenever the GHGRP is updated, within three months of any updates.

Project Specific Conditions

5. Special - Drainage Channel Maintenance and Potential Replacement: T h e

Owner/Applicant shall maintain the drainage channel, including all culverts, along its frontage and shall inspect the entire drainage channel before and after each storm event to keep the channel free of debris to ensure no up-channel and/or off-site flooding occurs as a result of blockage in the drainage channel, including any culvert, on the subject property (APN 128-097-012). In the event such a blockage occurs, the Owner/Applicant shall clear the drainage channel, including all culverts, as soon as safe conditions allow, to resume free flow.

In the event of significant off-site flooding that results from the Owner/Applicant's failure to maintain the drainage channel on the subject property, including the culverts, as required by this condition, the Owner/Applicant shall install a replacement system consisting of clear span crossings of the channel, or an alternative system as approved by the Flood Control District.

PLAN REQUIREMENTS: If a replacement system is required by the County, the Owner/Applicant shall submit updated project plans for the replacement system. The replacement system shall be designed by a Registered Civil Engineer and a plan check fee shall be submitted with the plans of the replacement system. These plans shall be submitted to P&D and the Flood Control District for review and approval. Installation and maintenance for five years shall be ensured through a performance security provided by the Owner/Applicant, in a form approved by the County.

TIMING: The Owner/Applicant shall maintain the drainage channel, including the culverts, for the life of the project. If a replacement system is required to be installed due to off-site flooding, as described above, the replacement system shall be installed within 180 days of the flooding, as determined by the P&D Director.

MONITORING: Installation of the replacement system shall be subject to oversight and final approval by P&D and the Flood Control District. The financial security for performance of the construction of the replacement system shall be released upon satisfactory installation of all items in approved plans.

6. Traffic Demand Management Plan 1.1: Traffic Demand Management Plan. The

Owner/Applicant shall provide traffic reduction components for employees on site to reduce elective trips during working hours, such as bike racks, motorcycle parking, carpool parking, or similar components. Scheduled traffic count and annual report components shall provide metrics for incoming and outgoing vehicle trips.

I. TDM Agreement. Prior to approval of Zoning Clearance the Owner/Applicant shall develop a TDM program for review and approval of County Counsel, P&D, and Public Works. The program agreement shall include project location, peak-hour and non-peak hour traffic goals and shall identify impacted intersections and links, and project peak hours. Timing for individual aspects of the program shall be outlined in the TDM agreement. The program shall include a monitoring plan.

II. Transportation Coordinator. The Owner/Applicant shall enter into a written agreement to the satisfaction of County Counsel to ensure the designation of a Transportation Coordinator who will manage transportation programs for the project and serve as the contact person for transportation related issues. Said coordinator shall be available during normal working hours. The Transportation Coordinator's name and telephone number shall be submitted to P&D and Public Works prior to Final Building Inspection Clearance and within one month of a change of Transportation Coordinator.

III. Employee Orientation. Owner shall develop a fact sheet that serves as an orientation for new employees by informing them of the traffic mitigation requirements imposed on the site, and the location and availability of carpool and bike parking, transit service, showers and lockers, and other program components. A copy of the fact sheet shall be submitted to P&D prior to occupancy and annually as it is updated.

IV. Information in the Workplace. Informational posters and promotional materials shall be posted throughout the complex (and changed frequently to keep visibility high) with information regarding available commute alternatives (car/vanpool, bicycle and transit routes), available facilities (car/vanpool parking, bike parking, showers and lockers, bus service, etc.), and available incentives (SuperTicket, extra vacation, discounts, etc.).

V. TDM Components. The TDM program may include, but not be limited to employee input and information, vanpooling, parking management, bicycle facilities and discounts, transit services, lunch time facilities and services, work schedule flexibility, and other incentives for employees and customers.

VI. Traffic Counts. The Owner/Applicant shall pay for a consultant hired by the County to conduct traffic counts three months after Final Building Inspection Clearance, quarterly thereafter for two years, and annually for three years, for a total of five years of monitoring. If the traffic counts show that the project is not in compliance with the following traffic levels stated in the Revised Traffic and Circulation Study dated July 21, 2020 [including a maximum of 454 Average Daily Traffic (ADT) during average periods and maximum of 1,642 ADT during peak

harvest season], corrective measures may be required as determined by P&D and Public Works Transportation Division. As part of the corrective measures, P&D and Public Works Transportation Division may require additional traffic counts to confirm current traffic levels, which shall also be funded by the Owner/Applicant.

VII. Quarterly and Annual Report. A report outlining program components, participation rates, and traffic counts shall be submitted to P&D three months after Final Building Inspection Clearance, quarterly thereafter for two years, and annually for three years, for a total of five years of monitoring.

List continued on TDMP 1.2

7. Traffic Demand Management Plan 1.2: Continued from Traffic Demand Management Plan 1.2

PLAN REQUIREMENTS: The Owner/Applicant shall show the location and extent of bike racks, motorcycle parking, carpool and vanpool parking on applicable plans (e.g. building plans, etc.).

TIMING: Bike racks, motorcycle parking, carpool, vanpool parking shall be installed prior to Final Building Inspection Clearance. Traffic County's shall be submitted to P&D two times each year. Initial Annual Report shall be submitted to P&D three months after Final Building Inspection Clearance and annually thereafter.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required physical traffic reduction components have been installed prior to Final Building Inspection Clearance and all informational materials shall be prepared prior to start of operation. P&D compliance monitoring staff shall review reports quarterly and annually and require additional traffic counts and/or corrective measures as determined by P&D and Public Works Transportation Division if the project is found to be in noncompliance with the maximum ADT projections identified in the Traffic Count component above.

Permit Specific Conditions

8. DVP Revision - Original Conditions Apply: All original conditions of approval of the Development Plan (20DVP-00000-00006) still apply unless explicitly modified by this Revised Development Plan.

County Rules and Regulations

9. Rules-01 Effective Date-Not Appealable to CCC: This Revision to 20DVP-00000-00006 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.

- 10. Rules-04 Additional Approvals Required:** Approval of this Revision to 20DVP-00000-00006 is subject to the County Board of Supervisors approving the required Comprehensive Plan Amendment.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. 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.
- 15. Rules-18 CUP and DVP Revisions:** The approval by the County Planning Commission of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
- 16. Rules-20 Revisions to Related Plans:** The Owner/Applicant shall request a revision for any proposed changes to approved plans. Substantial conformity shall be determined by the Director of P&D.
- 17. Rules-23 Processing Fees Required:** Prior to issuance of Zoning Clearance, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 18. Rules-25 Signed Agreement to Comply:** Prior to issuance of Zoning Clearance, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office. Owners of lots resulting from this land division shall record such agreements prior to issuance of Zoning Clearance for future development.
- 19. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters

required as follows:

1. Santa Barbara County Air Pollution Control District dated May 31, 2024;
2. Community Services District Parks Division dated May 8, 2024;
3. Public Works Water Resources Division dated May 31, 2023;
4. Public Works Flood Control Division dated November 3, 2022;
5. Public Works Surveyor dated June 8, 2023.

20. 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 comply with all components of the Greenhouse Gas Reduction Program (included as Attachment B-1-1) during construction and for the life of the project.

21. 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.

22. 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 2-3: CONDITIONS OF APPROVAL

Project Description

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

The proposed project includes a request for a Tentative Parcel Map to create two legal parcels to allow for a fee title separation of existing independent agricultural operations on APN 128-097-013, including agricultural row crop production and the Mid Coast Cooling processor, from the Arctic Cold Agricultural Processor and Freezer Facility currently under construction on APN 128-097-012. The Tentative Parcel Map will split the legal lot into the two legal lots. Proposed Lot 1 will be a 40.65-acre parcel and proposed Lot 2 will be a 71.10-acre parcel. Existing development on proposed Lot 1 includes the 449,248 sf Arctic Cold Agricultural Processor and Freezer Facility and accessory buildings. Existing development on proposed Lot 2 includes the 52,000 sf Mid Coast Cooling facility and 5,600 sf Valley Farm Supply building.

The proposed project does not include grading or vegetation removal. Water service for proposed Lot 1 will be provided by a permitted public water system supplied by two existing potable wells on site. Water service for proposed Lot 2 will be provided by one existing potable well and one existing agricultural well on site. Wastewater treatment service for proposed Lot 1 will be provided by an onsite wastewater treatment system and an onsite processing wastewater basin system. Wastewater treatment service for proposed Lot 2 will be provided by an existing septic system. Access to proposed Lot 1 will be provided by two driveways off East Betteravia Road. Access to proposed Lot 2 is provided by the existing driveway south of the intersection of Rosemary Lane and East Betteravia Road. The proposed project is located on a 111.75-acre lot, in the AG-II-40 Zone District, identified by Assessor's Parcel Numbers 128-097-012 and 128-097-013, and located at 1750 and 1780 East Betteravia Road in the Santa Maria area, Fourth Supervisorial District.

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

- 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.

Permit Specific Conditions

- 3. Map-01 Maps-Info:** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the Parcel Map. 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.
- 4. Map-01a Maps-Future Lots:** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.
- 5. Map-01b Maps-Not Retroactive:** If Zoning Clearance is obtained prior to recordation, Tentative Map conditions will not apply retroactively to the previously issued permit.
- 6. Map-04 Parcel Map and Tract Map Submittals:** The Owner/Applicant shall submit a Parcel Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, project description, conditions of approval, and applicable Chapter 21 Land Division requirements, as well as applicable project components required as part of recorded project conditions.

County Rules and Regulations

- 7. 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 \$1,548 (June 12, 2024).

This is based on a project type of Commercial and a project size of 449,248 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).

- 8. Rules-01 Effective Date-Not Appealable to CCC:** This Tentative Parcel Map 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
- 9. Rules-19 Maps/LLA Revisions:** If the unrecorded Tentative Map 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 Tentative Map.
- 10. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:

 1. Santa Barbara County Air Pollution Control District dated May 31, 2024;
 2. Community Services District Parks Division dated May 8, 2024;
 3. Public Works Water Resources Division dated May 31, 2023;
 4. Public Works Flood Control Division dated November 3, 2022;
 5. Public Works Surveyor dated June 8, 2023.
- 11. 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.
- 12. Rules-36 Map/LLA Expiration:** This Tentative Map 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.
- 13. 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.