

**ATTACHMENT 17: REVISED POLICY AND COMPREHENSIVE
PLAN CONSISTENCY ANALYSIS**

REQUIREMENT	DISCUSSION
<i>Land Use Element – Land Use Development Policies</i>	
<p><i>Land Use Development Policy 4: Prior to issuance of a use permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e. water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.</i></p>	<p>Consistent: Adequate services are available to serve the proposed development pursuant to Policy 4. The proposed project is for a cannabis cultivation operation on an approximately 50-acres of a 73-acre parcel. The proposed project includes 46.12-acres of outdoor cultivation and 4-acres of nursery, processing and storage areas. The subject property is served by an existing agricultural well that has historically been used for crop irrigation. The applicant proposes use of the existing onsite well to provide water for both agricultural and domestic (potable) purposes. The Public Health Department, Environmental Health Services (EHS) staff stated that the existing water well was permitted and installed in 2015 and that the well is adequate for use for a single parcel water system that would provide potable water for the proposed development (Johnston, personal communication, July 24, 2019). The Land Use Permit would include a condition of approval to require EHS’ approval of the proposed single parcel water system prior to issuance of the corresponding business license required for the proposed project (Condition 14 of Attachment 4 to the Board Letter dated April 21, 2020).</p> <p>The applicant proposes to install two permanent restrooms within one of the 3,000 square foot structures, and use chemical toilets during harvest season, for sewage disposal services. EHS staff reviewed the proposed project, and stated that: (1) based on the lot size and surrounding properties, the use of an onsite wastewater treatment system should be feasible; and (2) prior to issuance of building permits for the structure that will include the permanent restroom, the applicant must obtain</p>

	<p>approval of the installation and use of an OWTS to serve the permanent restroom (Johnston, personal communication, July 24, 2019). Therefore, the Land Use Permit includes a condition of approval to require EHS approval for the installation and use of an OWTS for the proposed accessory structure, which includes restroom facilities (Condition 13 of Attachment 4 to the Board Letter dated April 21, 2020).</p> <p>Waste generated by cannabis plants (stems, root balls and leaves) will be collected and composted to create fertilizer that will be used later to re-amend the soil during the spring season. All other waste will be collected and stored in a secure area onsite until it is picked up by an outside waste removal vendor. The project site is accessed via an existing driveway that connects to W. Highway 246.</p> <p>Santa Barbara Fire Department will continue to provide services to the subject parcel. Finally, the County Sheriff would continue to provide police services to the subject parcel, and the Sheriff would be involved with reviewing and approving the proposed Security Plan as part of the review of the Business License application that is required for the proposed project.</p>
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Land Use Element – Hillside and Watershed Protection Policies

<p><i>Policy 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p><i>Policy 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to</p>	<p>Consistent: The proposed project does not include any grading. The project site does not contain any known soil, geologic, flooding, erosion, or other hazards. No tree or vegetation removal is being proposed. As stated in this staff report above, the proposed project is located approximately 434 feet at the closest point to the Santa Ynez riparian corridor and is not located within the 100-year floodplain associated with the Santa Ynez river. Therefore, the proposed project is consistent with these policies.</p>
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<p><i>the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</i></p>	
<p>Policy 5: <i>Temporary vegetation, seeding, mulching, or other suitable stabilization method shall be used to protect soils subject to erosion that have been disturbed during grading or development. All cut and fill slopes shall be stabilized as rapidly as possible with planting of native grasses and shrubs, appropriate non-native plants, or with accepted landscaping practices.</i></p>	<p>Consistent: The subject site has no known soils that are subject to substantial or unusual erosion, and has a slope of less than 0.2%. Therefore, the proposed project is consistent with this policy.</p>
<p>Policy 6: <i>Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.</i></p> <p>Policy 7: <i>Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.</i></p>	<p>Consistent: The proposed project which include 46.12-acres of outdoor cultivation and 4 acres of nursery, processing and storage areas will generally remain in the same footprint of the existing, historically farmed area. As noted above, the project includes construction of two, 3,000 square foot agricultural accessory structures that will be utilized for nursery cultivation, processing, and storage. These structures will be placed in a previously disturbed, level area of the property. Because of the topography of the site, grading will not result in movement of more than 50 cubic yards of dirt for construction of these agricultural facilities.</p> <p>Finally, in conformance with Development Standard 35.42.075.D.1.d (Cannabis Regulations; Specific Use Development Standards; Cannabis Waste Discharge Requirements General Order), all cannabis cultivation projects are subject to compliance with the State Water Resources Control Board’s comprehensive Cannabis Cultivation Policy, which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers within the State. The Applicant submitted a letter from the State Regional Water Quality Board, dated April 4, 2019, indicating compliance with the State</p>

	<p>Water Resources Control Board’s Cannabis Cultivation Policy and the proposed project was assigned WDID number 3_42CC410078. As such, the outdoor cultivation on the project site will not result in degradation of water quality of groundwater basins, nearby streams, or wetlands, in conformance with this policy.</p>
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***Land Use Element – Visual Resources Policies
Santa Ynez Valley Community Plan – Visual and Aesthetic Resources***

<p><i>Visual Resources Policy 2:</i> <i>In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</i></p> <p><i>Policy VIS-SYV-1:</i> <i>Development of property should minimize impacts to open space views as seen from public roads and viewpoints and avoid destruction of significant visual resources.</i></p> <p><i>DevStd VIS-SYV-1.2:</i> <i>Development, including houses, roads and driveways, shall be sited and designed to be compatible with and subordinate to significant natural features including prominent slopes, hilltops and ridgelines, mature trees and woodlands, and natural drainage courses.</i></p>	<p>Consistent: The proposed project includes screening of the cultivation areas and agricultural accessory structures by placement of landscaping on the front (north) property line bordering W. Highway 246, as depicted in Attachment 13. Outdoor lighting for the project will be downward facing and full cut-off, limiting any potential lighting spillover onto adjacent properties. Finally, the proposed accessory structures, landscaping, and lighting would be subject to Board of Architectural design review (Condition 8 of Attachment 4 to the Board Letter dated April 21, 2020). Therefore, the proposed project complies with the requirements of these policies and development standards.</p>
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***Land Use Element - Agricultural Element Goals & Policies
Santa Ynez Valley Community Plan – Agriculture and Rural Land Use***

<p><i>Agricultural Element, Goal I:</i> <i>Santa Barbara County shall assure and enhance the</i></p>	<p>Consistent: The cannabis cultivation operation would continue to support and preserve the</p>
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<p><i>continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow, (taking into account environmental impacts) expansion and intensification shall be supported.</i></p> <p>Agricultural Element, Policy II.D: <i>Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.</i></p> <p>Policy LUA-SYV-2: <i>Land designated for agriculture within the Santa Ynez Valley shall be preserved and protected for agricultural use.</i></p>	<p>agricultural use of the property. The two, 3,000 foot agricultural accessory structures would be located in an area of the project site which is not utilized for agricultural operations. Construction of these agricultural facilities in this location will not hinder or diminish the agricultural capabilities or potential of the project site. Therefore, the project is consistent with this goal and policies.</p>
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SYVCP Resources and Constraints Element – Biological Resources

<p>Policy BIO-SYV-1: <i>Environmentally Sensitive biological resources and habitat areas shall be protected and, where appropriate, enhanced.</i></p> <p>DevStd BIO-SYV-4.1: <i>Development shall include a minimum setback of... 200 feet from the Santa Ynez River, from the edge of riparian vegetation or the top of bank, whichever is more protective. The setbacks may be adjusted upward or downward on a case-by-case basis depending upon site specific conditions such as slopes, biological resources and erosion potential.</i></p> <p>DevStd BIO-SYV-4.3: <i>Only fully shielded (full cutoff) night lighting shall be used near stream corridors. Light fixtures shall be directed away from the stream channel.</i></p> <p>Policy BIO-SYV-13: <i>The use of native landscaping shall be encouraged, especially in</i></p>	<p>Consistent: The Applicant submitted a Biological Resources Report prepared by Dwayne Oberhoff, dated March 27, 2019. As detailed in Attachment 6 of the Board Letter dated April 21, 2020, the report concluded that, because the project will continue to use the active farmland, roadways, and disturbed areas on the project site, it is unlikely that the proposed project will negatively impact sensitive plant communities or animal species. The proposed project site is located (at the closest point) more than 500 feet from the top of bank of the Santa Ynez River. In addition, the report states that it is unlikely that sensitive animal or plant species inhabit the proposed project site. Finally, USFWS reviewed the Biological Resources Report and sent correspondence stating their determination that the cannabis operation would not result in any biological impacts to CTS (see Attachment K to Attachment 6 of the Board Letter dated April 21, 2020), e-mail from Rachel Henry, biologist with USFWS). Therefore, the proposed project is consistent with these goals and policies.</p>
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<p><i>parks, buffers adjacent to native habitats, and designated open space.</i></p> <p>DevStd BIO-SYV-13.1: <i>For development requiring a landscape plan, the use of non-invasive plant species should be used to the maximum extent feasible. Plants listed on the CalEPPC Exotic Pest Plants of Greatest Ecological concern in California should not be used.</i></p>	
<p><i>SYVCP Land Use Element General – Goals, Policies, Actions and Development Standards</i></p>	
<p>DevStd LUG-SYV-8.II: <i>Future applicants for wineries or other odor generators, based on the nature of the operations, shall develop and implement an Odor Abatement Plan (OAP). The OAP shall include the following:</i></p> <ul style="list-style-type: none"> • <i>Name and telephone number of contact person(s) responsible for logging and responding to odor complaints;</i> • <i>Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint;</i> • <i>Description of potential odor sources;</i> • <i>Description of potential methods for reducing odors, including minimizing potential add-on air pollution control equipment; and</i> • <i>Contingency measures to curtail emissions in the event of a continuous public nuisance.</i> 	<p>Consistent: The Applicant prepared an Odor Abatement Plan (OAP) that addresses the development standard requirements, including: contact information of a person responsible for logging and responding to odor complaints; Policy and procedure describing the actions to be taken when an odor complaint is received; a description of potential odor sources; a description of potential methods for reducing odors, including minimizing potential add-on air pollution control equipment; and contingency measures to curtail emissions in the event of a continuous public nuisance. As part of the proposed project, the Applicant has incorporated the installation and use of an odor mitigation system designed by Byers Scientific and Manufacturing Industrial Odor Management (Attachment 15 to the Board Letter dated April 21, 2020). This odor mitigation system will be installed along the eastern boundary of the site and along the northern portion of the site south of the drainage. This system will be installed with a Supervisory Control and Data Acquisition (SCADA) system that includes programmed logic controllers (PLC) for dosing rate and time-of-day application (Attachments 15 and 16 to the Board Letter dated April 21, 2020).</p>

1.1 Zoning: Land Use & Development Code Compliance

The approved cannabis cultivation operation is consistent with the LUDC

requirements for the AG-II-100 zone district as they relate to permitted uses, building height, setbacks, and parking, as discussed below.

1.1.1 Intent of AG-II-100 Zone

Section 35.21.020 of the LUDC states that the AG-II zone is applied to areas appropriate for agricultural land uses on prime and non-prime agricultural lands located within the Rural Area as shown on the Comprehensive Plan maps. It further provides that the intent of the AG-II zone district is to preserve these lands for long-term agricultural use. Although the proposed project involves a change in crop types on the subject property, the proposed project would result in the continued agricultural use of the subject property, consistent with the intent of the AG-II zone. The proposed commercial cannabis activities are consistent with the Land Use and Development Code's requirements for the AG-II-100 zone district, as they relate to permitted uses, building heights, setbacks, and parking, as discussed further below.

1.1.2 Setbacks

Section 35.21.050(A) of the LUDC sets forth the following structural setbacks for the AG-II zone:

- Front: 50 feet from road centerline and 20 feet from edge of right-of-way
- Side: No setback required
- Rear: No setback required
- Building Separation: None, except as required by Building Code
- Height: 35 feet for a residential structure, no limit otherwise

The proposed project includes the construction of two 3,000 square foot agricultural accessory structures that will be used for cannabis processing, and storage, as well as an offices and restrooms. The structures will meet all AG-II zone district setbacks and will be located further over 50 feet from the centerline of Highway 246 and 20 feet from the edge of the right-of-way.

1.1.3 Cannabis Regulations

Section 35.42.075 of the LUDC establishes standards that are designed to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls as a result of and in compliance with State law, protect neighborhood character, and minimize the potential for negative impacts on people, communities, and the environment by establishing minimum land use requirements for medicinal and adult use cannabis activities including cultivation, processing, distribution, manufacturing, testing, and sales. As part of the LUP application, the Applicant submitted all of the required information to show that the proposed cannabis

operation would be in compliance with all of the applicable standards in Section 35.42.075 of the Land Use and Development Code, as discussed below.

Development Standards from Section 35.42.075.C of the LUDC

1. *Archaeological and paleontological surveys. When commercial cannabis activities are proposed for lots that have not been subject to prior archaeological or paleontological surveys in accordance with the County's current Cultural Resource Guidelines, the applicant shall provide a Phase 1 cultural resource study documenting the absence or presence of cultural resources in the project area. If current or previously conducted Phase 1 studies indicate that archaeological or other cultural sites are located in the project area, the applicant shall prepare and submit to the Department for review and approval documentation demonstrating that the resources shall be protected in accordance with applicable cultural resource protection policies. All required studies shall be prepared in accordance with the requirements of the most current County of Santa Barbara Cultural Resources Thresholds and Guidelines, and shall be submitted to the Department for review and approval. Impacts to significant cultural resources shall be mitigated to the maximum extent feasible, including the following measures:*
 - a. *In accordance with applicable cultural resource protection policies, cannabis development (e.g., buildings, grading, and trenching for utilities) shall be located in areas on a lot that would avoid impacts to significant archaeological and historic resources to the maximum extent feasible.*
 - b. *As necessary, additional studies (i.e., Phase 1 inventory, Phase 2 significance and impact assessment, and Phase 3 mitigation) shall be conducted at the expense of the applicant.*
 - c. *If significant cultural resources are located within 60 meters (200 feet) of ground disturbing activities, the resource shall be fenced and appropriately protected during grading and construction. For any work conducted within a prehistoric or ethno-historic period archaeological site, the County shall require monitoring of the site during grading and construction (including abandonment) by an approved archaeologist and Native American observer as applicable.*
 - d. *An educational workshop shall be conducted for construction workers prior to and during construction as the County deems necessary for specific projects.*

The Applicant submitted a Phase I Negative Archaeological Survey Report that was prepared in March 2019 by Allison Jaqua and Brent Leftwich with A. Jaqua Consultants in accordance with the County of Santa Barbara Cultural Resources Threshold and Guidelines. No cultural resources were observed during the Phase I field survey, and the report concluded that the likelihood of undiscovered, significant cultural resources existing in the project area is very low. The study documented the absence of presence of cultural resources.

2. ***Fencing and Security Plan.*** *The applicant for a permit to allow outdoor, mixed-light, or*

nursery cannabis cultivation development shall prepare and submit to the Department for review and approval a Fencing and Security Plan demonstrating ample security and screening of the commercial cannabis activity. The standards of this Section shall be in addition to Section 35.30.070 (Fences and Walls). Where there are conflicts between the standards in this Section and any other applicable standards of this Article, the standards in this Section shall control. The Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Fencing and Security Plan shall include the following:

- a. The Fencing Plan shall depict typical fencing details, including location, fence type, and height.*
- b. All fencing and/or walls shall be made out of material that blends into the surrounding terrain and shall minimize any visual impacts.*
- c. Where fencing would separate an agricultural area from undeveloped areas with native vegetation and/or Habitat Management Plan easement area, said fencing shall use material or devices that are not injurious to wildlife and enable wildlife passage.*
- d. Prohibited fencing materials include razor wire, tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.*
- e. The fence shall include lockable gate(s) that are locked at all times, except for during times of active ingress/egress.*
- f. No visual markers indicating that cannabis is cultivated on the site shall be visible from offsite.*

The revised Fencing and Security Plan includes existing and proposed fencing locations, type, and height. Fencing will include a six-foot chain-link fence to be constructed along the perimeter of the cannabis cultivation operation areas to provide security and partial screening. Two security gates will be located at the entrances to the property. The proposed project does not include the installation of visual markers that would indicate cannabis cultivation occurs on the project site. A biological report that was prepared by Ecological Assets Management on March 27, 2019 contains a discussion of the project site and the potential of the project to inhibit wildlife movement as a result of fence installation. The study states that the project will not block wildlife access through the area. The revised Security Fencing Plan (Sheet 1.3 of Attachment 13 to the Board Letter dated April 21, 2020)

- 3. *Landscape Plan and Screening Plan.*** *The applicant for a permit to allow outdoor, indoor, mixed-light, or nursery cannabis cultivation development shall submit a Landscape Plan and Screening Plan to the Department for review and approval. The requirements in this Section shall also apply to the cannabis cultivation as part of a microbusiness. All cultivation shall be screened to the maximum extent feasible to avoid being seen from public places, including, but not limited to, public rights of*

way, shall comply with Section 35.34 (Landscaping Standards), and the standards listed below. The Landscape Plan and Screening Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project as applicable. The applicant shall demonstrate to the Department that all aspects of the Landscape Plan and Screening Plan comply with the following requirements:

- a. Said Plan(s) shall include landscaping which, within five years, will reasonably screen the view of any new structure, including greenhouses and agricultural accessory structure, and on-site parking areas from the nearest public road(s).*
- b. All landscaping shall be installed prior to initiating the cultivation activities that are subject to the permit for the cultivation activities.*
- c. Prior to the issuance of any permits, a performance security, in an amount determined by a landscape architect and approved by the Department, to insure installation and maintenance for two years, shall be filed with the County. Said performance security shall be released upon a written statement from the Department that the landscaping, in accordance with the approved Landscape Plan and Screening Plan, has been installed and maintained for two years.*
- d. If, due to site-specific conditions (e.g., slopes), an applicant believes that screening cannot be fully achieved, the applicant shall submit a Landscape Plan and Screening Plan showing what portion can be screened and written documentation, which sets forth the reasons other portions cannot be screened.*

The revised Landscape and Screening Plan complies with this requirement in that the plan illustrates the proposed landscaping along the entirety of the northern property line along Highway 246, and along the northern portions of the east and west property boundaries (Sheet 1.4 of Attachment 13 to the Board Agenda Letter dated April 21, 2020). Over 120 oak and pines trees, and a mixture of over 170 shrub are proposed. The landscaping will be located in front of the security fence along Highway 246 and the eastern and western property lines. The Landscape and Screening Plan that was submitted by the Applicant demonstrates that, within five years, the proposed landscaping would adequately screen the cannabis activities from public views. Finally, the landscaping and screening plan will be subject to Board of Architectural Review design review (Condition 8 of Attachment 4 to the Board Letter dated April 21, 2020).

- 4. *Lighting Plan.*** *The applicant for any commercial cannabis activity involving artificial lighting shall submit a Lighting Plan to the Department for review and approval. The standards of this Section shall be in addition to Section 35.30.120 (Outdoor Lighting), and all other applicable Sections. Where there are conflicts between the standards in this Section and any other applicable standards of this Article, the standards that are most restrictive shall control. The Lighting Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project, as applicable. The Lighting Plan shall include the following:*

- a. *Plans that identify all lighting on the lot demonstrating that all lighting will comply with the standards set forth in this Section and all applicable Community Plans.*
- b. *Lighting necessary for security shall consist solely of motion-sensor lights and avoid adverse impacts on properties surrounding the lot on which the cannabis activity is located.*
- c. *Any outdoor lighting used for the illumination of parking areas and/or loading areas, or for security, shall be fully shielded and directed downward.*
- d. *Lighting is prohibited in hoop structures.*
- e. *If, due to site-specific conditions, an applicant believes that a Lighting Plan is not necessary, the applicant shall submit written documentation with the application for the cannabis permit, which sets forth the reasons. The Department shall review the written documentation and determine whether a Lighting Plan must be submitted with the application for the cannabis activity.*

The revised Lighting Plan (Sheet 1.2 of Attachment 13 to the Board Letter dated April 21, 2020) complies with these requirements in that all lighting proposed on the property is solely for security purposes and is motion-censored, hooded, and directed downward. Lights will be motion activated. The proposed lighting will be located at each of the entrances, the parking area and on the proposed structures. The use of artificial lights will not be used for the cultivation operation; only natural lighting will be used for cultivation purposes. The proposed structures are located over 100 feet from West Highway 246; therefore, lighting will not interfere with vehicular traffic on any portion of the highway.

5. **Noise Plan.** *The applicant for indoor, mixed light, and nursery cultivation, and manufacturing (volatile and non-volatile) permits shall prepare and submit to the Department for review and approval a Noise Plan. The Noise Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project, as applicable. The Noise Plan shall demonstrate compliance with the following standards:*
 - a. *Buildings shall be adequately soundproofed so that interior noise shall not exceed 65 decibels beyond the property. The Plan shall identify noise-generating equipment that will be used and the noise level associated with each.*
 - b. *Environmental control systems shall be located and/or shielded to avoid generating noise levels above 65 decibels heard by sensitive receptors, in compliance with the Santa Barbara County Noise Element.*
 - c. *The combined decibel level for all noise sources, as measured at the property line of the lot on which the cannabis activity is located, shall not exceed 65 decibels.*
 - d. *The use of generators for cultivation is prohibited, except for temporary use in the event of a power outage or emergency. The noise produced by a generator shall not be audible by humans from neighboring residences.*

The proposed project has been designed control noise generation and would be

subject to a condition of approval to ensure that it would not exceed the 65 dB Day-Night Average Sound Level maximum exterior noise exposure limit that is acceptable for a residential use. Therefore, the project is consistent with the Noise Development Standard of the Cannabis Regulations.

6. ***Odor Abatement Plan.*** *The applicant for cultivation, nursery, manufacturing (volatile and non-volatile), microbusiness, and/or distribution permits, shall (1) prepare and submit to the Department for review and approval, and (2) implement, an Odor Abatement Plan. No odor abatement plan shall be required in AG-II zoning, unless a CUP is required.*

The proposed cannabis project is located in an AG-II zone district and does not require the submittal of an Odor Abatement Plan (OAP) pursuant to the requirements of the LUDC. However, the project is located within the Santa Ynez Valley Community Plan (SYVCP) which requires the preparation of an Odor Abatement Plan. As discussed in the policy consistency analysis above, the Applicant prepared an (OAP) pursuant to the requirements of the SYVCP to address odors from the proposed project. The OAP and supplemental technical materials are included as Attachments 15 and 16 to the Board Letter dated April 21, 2020.

7. ***Signage.*** *All signs shall comply with Chapter 35.38 (Sign standards).*

No signs are included as part of the proposed project.

8. ***Tree Protection, Habitat Protection, and Wildlife Movement Plans.*** *The applicant for any cannabis permit for a site that would involve the removal of native vegetation or other vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species, shall prepare and submit to the Department for review and approval a Tree Protection, Habitat Protection, and/or Wildlife Movement Plan in accordance with Appendix J: Cannabis Activities Additional Standards. The Tree Protection, Habitat Protection, and Wildlife Movement Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project as applicable.*

The proposed cultivation activities are located over 200 feet from the Santa Ynez River the project does not include the removal of native vegetation or other vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species. Therefore, the submittal of a Tree Protection, Habitat Protection, and Wildlife Movement Plan is not required.

Additional Applicable Development Standards from [LUDC Section 35.42.075(D)]

1. ***Avoidance of prime soils.*** All structures for cannabis cultivation operations, including, but not limited to, greenhouses that do not rely on in-ground cultivation, that are located on premises that contain prime soils shall be sited to avoid prime soils to the maximum extent feasible. Ancillary use facilities shall not be located on prime soils unless the Director determines that an alternative location on nonprime soils does not exist within a reasonable distance of the proposed site.

Due to the entire parcel being designated as prime soils, there are no alternative locations for ancillary use facilities on the lot.

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

LUDC Section 35.42.075.D.1.d. requires that the applicant for a commercial cannabis activity demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers, within the State.

The Applicant provided a letter from the State Regional Water Quality Board, dated April 4, 2019, demonstrating compliance with the State Water Resources Control Board's Cannabis Cultivation Policy and was assigned waste discharge identification (WDID) number 3_42CC410078.

3. ***Site Transportation Demand Management Plan.*** The applicant shall prepare and submit to the Department for review and approval a Site Transportation Demand Management Plan that includes the lot location, total number of employees, hours of operation, lot access and transportation routes, and trip origins and destinations. The Site Transportation Demand Management Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Site Transportation Demand Management Plan shall include at least one of the following methods to reduce vehicle trips generated by the cultivation operation:
 - a. *Provide for carpool/shuttle/mini bus service for employees, especially during harvesting periods, on cultivation lots.*
 - b. *Provide shared parking areas for ridesharing on large and/or rural lots.*
 - c. *Provide bicycle storage/parking facilities.*

- d. *Provide incentives to employees to rideshare or take public transportation.*
- e. *Implement compressed or flexible work schedules to reduce the number of days per week that employees are needed.*

The revised STDMP (Attachments 13 and 18 to the Board Letter dated April 21, 2020) comply with these requirements. The Applicant has included details include trip origins and destinations, transportation routes, property access, and hours of operation. The cannabis operation will include 10 full-time employees and up to 20 additional employees during the harvest season that takes place twice a year and lasts approximately one month. Approximately 28 on-site parking stalls are included to accommodate the operation, including one ADA compliant stall. The hours of operation will be between 6AM and 3PM year around. Vehicle trips will be reduced by ridesharing incentives and compressed work schedules for employees.

4. *Water efficiency for commercial cannabis activities. To the maximum extent feasible, and to the Director’s satisfaction, water-conserving features shall be included in the design of proposed cannabis cultivation. These features may include, but are not limited to:*

- a. *Evaporative barriers on exposed soils and pots.*
- b. *Rainwater capture and reuse.*
- c. *Re-circulated irrigation water (zero waste).*
- d. *Timed drip irrigation.*
- e. *Soil moisture monitors.*
- f. *Use of recycled water.*

The proposed project includes the use of drip and micro irrigation water techniques. Water will be sourced from the agricultural well on site. Therefore, the proposed project complies with this standard.

5. *Cultivation on lots zoned AG-II located adjacent to an Existing Developed Rural Neighborhood (EDRN) and/or Urban Rural boundary, shall require approval of a Conditional Use Permit.*

The subject property is zoned AG-II; however, this property is not located adjacent to an EDRN or an Urban Rural boundary. The nearest EDRN, North Highway 246 EDRN, is approximately 320 feet northeast of the property and is located on the northern side of Highway 246, which is a separate parcel. The nearest Urban Rural Boundary (City of Buellton boundary) is located approximately 1-mile, from the subject property. Therefore, the proposed project does not require approval of a Conditional Use Permit.