

Attachment 2-B: Coastal Development Permit and Condition Letters



COASTAL DEVELOPMENT PERMIT NO.: 19CDP-00000-00027

Project Name: 3508 VIA REAL MIXED-LIGHT CANNABIS CULTIVATION AND PROCESSING
Project Address: 3508 VIA REAL, CARPINTERIA, CA 93013
A.P.N.: 005-280-025
Zone: AG-I-10

The Board of Supervisors hereby approves this Coastal Development Permit for the project described below based upon compliance with the required findings for approval and subject to the attached terms and conditions.

APPROVAL DATE: 5/24/2022

APPEALS:

The approval of this Coastal Development Permit may be appealed to the California Coastal Commission by the applicant, owner, any aggrieved person, or two members of the Coastal Commission. An aggrieved person is defined as any person who, either in person or through a representative, appeared at a public hearing in connection with this decision or action being appealed, or who by other appropriate means prior to a hearing or decision, informed the decision-maker of the nature of their concerns, or who, for good cause, was unable to do either.

PROJECT DESCRIPTION SUMMARY: The Proposed Project includes a request for a Coastal Development Permit to allow 4.15 acres of cultivation consisting of 3.96 acres of mixed-light mature cannabis planting, growing, and harvesting in two existing 3.96-acre permitted greenhouses and 0.19 acres of processing within a 0.26-acre processing and packing building consisting of permitted and as-built development located between the two greenhouses. Processing will consist of drying, trimming, storage, and packaging. There will be up to 50 line or contract employees Monday through Saturday. Planting and harvesting will take place continually year round. Hours of operation will be from 6:30 a.m. to 3:30 p.m. Monday through Friday, and 6:30 a.m. to 11:00 a.m. on Saturday. There will continue to be 39 parking spaces located onsite. The premises will be fenced by 8-ft.-tall fencing. To receive additional information regarding this project and/or to view the application and/or plans, please contact Gwen Beyeler at 624 West Foster Road, Suite C, Santa Maria, by email (gvonklan@countyofsb.org), or by phone ((805) 934-6269).

PROJECT SPECIFIC CONDITIONS: See Attachment A.

ASSOCIATED CASE NUMBERS: 19DVP-00000-00020

PERMIT ISSUANCE: This Coastal Development Permit will be issued following the close of the appeal period, including the Coastal Commission appeal period, provided an appeal is not filed, or if appealed, the date of final action on the appeal which has the effect of upholding the approval of the permit. Issuance of this permit is subject to compliance with the following terms and conditions:

- 1. Notice.** Notice of this project shall be posted on the project site by the applicant utilizing the language and form of the notice provided by the Planning and Development Department. The notice shall remain posted continuously until at least 10 calendar days following action on the permit, including an action on any appeal of this permit (Article II Section 35-181). The ***Proof of Posting of Notice on Project Site*** shall be signed and returned to the Planning and Development Department prior the issuance of the permit.
- 2. Compliance with conditions.** All conditions that are required to be satisfied prior to issuance of the permit have been satisfied and the permit has been signed by the applicant or owner.
- 3. Design Review.** If required, the project has been granted final approval by the appropriate Board of Architectural Review (BAR), and an appeal of that final approval has not been filed.
- 4. Appeals.** An appeal of the approval of this permit, or an appeal of the final approval by the BAR, has not been filed with the County, and an appeal of the approval of this permit has not been filed with the Coastal Commission within the 10 working days

following the receipt of the County's Notice of Final Action on the project by the Coastal Commission. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred, including appeals filed with the Coastal Commission, which has the effect of upholding the approval of this permit, and, if applicable, the final approval by the BAR.

5. Other approvals. Any other necessary approvals required prior to issuance of this Coastal Development Permit have been granted.

PERMIT EXPIRATION AND EXTENSION: This permit shall remain valid only as long as compliance with all applicable requirements of the Article II Coastal Zoning Ordinance and the permit continues, including the conditions of approval specific to this permit. Additionally:

1. The approval of this permit shall expire either 12 months from the effective date of the permit or other period allowed in compliance with an approved Time Extension, and shall be considered void and of no further effect unless the permit is either issued within the applicable period in compliance with the terms indicated above or a valid application for a Time Extension is submitted prior to the expiration of this 12 month period and is subsequently approved (Article II Section 35-169).
2. This permit shall expire two years from the date of issuance and be considered void and of no further effect unless the use and/or structure for which the permit was issued has been lawfully established or commenced in compliance with the issued permit or an application for a Time Extension is submitted prior to the expiration of this two year period and is subsequently approved (Article II Section 35-169).
3. The effective date of this permit shall be (a) the day following the close of any applicable appeal period, including an appeal to the Coastal Commission, provided an appeal is not filed, or (b) if appealed, the date of final action on the appeal, including an appeal to the Coastal Commission, which has the effect of upholding the approval (Article II Section 35-57B).

WORK PROHIBITED PRIOR TO PERMIT ISSUANCE: No work, development, or use intended to be authorized pursuant to this permit approval shall commence prior to issuance of this permit and/or any other required permit (e.g., building permit).

OWNER/APPLICANT ACKNOWLEDGMENT: Undersigned permittee acknowledges receipt of this approval and agrees to abide by all conditions and terms thereof. Undersigned permittee also acknowledges that issuance of this permit for this project does not allow construction or use outside of the project description, nor shall it be construed to be an approval of a violation of any provision of any County policy, ordinance or other governmental regulation.

Print name	Signature	Date
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Coastal Development Permit Approval By:

Chair, Board of Supervisors	Date
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PERMIT ISSUANCE: The permit shall be issued and deemed effective on the date signed and indicated below.

Planning and Development Department Issuance By:

Planner	Date
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ATTACHMENT A: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked 1-13, dated May 24, 2022, 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 to allow 4.15 acres of cannabis cultivation, consisting of 3.96 acres (172,660 sq. ft.) of mixed-light mature cannabis planting, growing, and harvesting in two existing 3.96-acre permitted greenhouses and 0.19 acres (8,276 sq. ft.) of processing within 0.28 acres of processing, packing, and shipping buildings consisting of permitted and as-built development located between the two greenhouses. Processing will consist of drying, trimming, storage, and packaging. Other activities occurring in the central building will be cannabis and equipment storage, employee breakroom, bathrooms and administrative offices. Cannabis will be taken offsite by a licensed third-party distributor.

There will be up to 50 full-time, year-round line or contract employees, Monday through Saturday. Planting and harvesting will take place continually throughout the year. Hours of operation will be from 6:30 a.m. to 3:30 p.m. Monday through Friday, and 6:30 a.m. to 11:00 a.m. on Saturday. There will continue to be 39 parking spaces located onsite. The premises will be fenced by 8-ft.-tall fencing consisting of 7-ft.-tall chain link fence with privacy slats topped with one foot of outward leaning strands of barbed wire. Existing chain link fencing located within the environmentally sensitive habitat (ESH) buffer area will be replaced with barbed wire wildlife-friendly fencing where the ESH buffer area is being restored.

Exterior lighting will be downward facing, fully shielded, and mounted at a maximum height of 8 ft. The greenhouses have a mechanized blackout screen system within the growing area to prevent interior night lighting (between sunset and sunrise) from being visible outside of the structure.

The cannabis operation will be equipped with the leading active odor control technology(s) currently available to prevent cannabis nuisance odors from drifting offsite and impacting protected receptors (i.e. residential zoning). These odor control systems are described in detail within the Proposed Project's certified Odor Abatement Plan. Changes to the Odor Abatement Plan will be processed in coordination with the County and may require changes to this permit or a new permit. The Applicant has agreed to observe a set of Community Odor Guidelines that were developed through collaboration between the Cannabis Association for Responsible Producers (CARP Growers) and The Coalition for Responsible Cannabis (Coalition). These Guidelines are not part of the Project Description and not enforceable by the County, but reflect a collaborative effort to ensure that cannabis cultivation can be a sustainable element of Carpinteria's unique community, and are a foundation of the Coalition's decision to support this Project.

The Proposed Project includes a request to increase the height of one permitted 87,120-sq.-ft. (2-acre) greenhouse from 15-ft.-1-in. to 22-ft. and one permitted 85,378-sq.-ft. (1.96-acre) greenhouse from 17-ft.-5-in. to 22-ft., install one new 105,669-gallon buffer water tank for use with

the boiler, install one new 25,360-gallon water tank, legalize existing as-built development, demolish portions of existing development.

2. Proj Des-01 Project Description: The following development will be legalized:

- One 1,585-sq.-ft. as-built addition used for walkways and hallways connected to the processing building
- 2,784 sq. ft. of as-built employee support services areas consisting of a 362-sq.-ft. bathroom, a 778-sq.-ft. break room on the ground level and a 1,644-sq.-ft. office on the mezzanine level of the processing building
- One 58-sq.-ft. as-built equipment storage shed
- One 2,362-sq.-ft. as-built irrigation room proposed to also be used as a boiler room
- One 1,089-sq.-ft. as-built processing building
- One 2,421-sq.-ft. as-built cannabis storage structure
- One 25,360-gallon water tank
- Three 36,984-gallon water tanks

The following development will be demolished:

- One 105,669-gallon as-built water tank
- One 3,663-sq.-ft. as-built boiler and processing room
- 35,750 sq. ft. of as-built greenhouse
- 3,240 sq. ft. of permitted greenhouse
- 326 sq. ft. of as-built storage containers
- Three 5,283-gallon wastewater tanks

The Proposed Project includes a request for a setback modification to reduce the 100-ft. setback from the Arroyo Paredon top-of-bank and the 20-ft. setback from the southern property line required by the Carpinteria Agricultural Overlay in order to allow the following development:

- Portions of two existing and permitted nonconforming greenhouses within the 100-ft setback to be increased in height to 22-ft.-tall
- One as-built 25,360-gallon water tank located 16 ft. from the southern property line
- Three as-built 36,984-gallon water tanks located 13 ft. from the southern property line
- One new 25,360-gallon water tank located 16 ft. from the southern property line

The septic system will be upgraded and a new 715 sq. ft. underground detention system will be constructed for storm water purposes. These activities will require approximately 120 cubic yards of grading. No native trees or vegetation will be removed. New landscaping will be planted to further screen the property and enhance native riparian vegetation in the ESH buffer.

The Proposed Project also includes a request to allow a 12,379 sq. ft. packing and shipping facility located between the two existing permitted greenhouses. The facility consists of two permitted structures totaling 4,500 sq. ft. in size as well as 7,879 sq. ft. of as-built additions that will be legalized with approval of the Development Plan. Uses within the packing and shipping facility will include packing, shipping, processing, packaging, storage, office, restrooms, and employee break areas.

Access to the site will continue to be provided from Via Real via an existing 28-ft.-wide paved driveway across neighboring parcels to the southwest. Wastewater treatment will be provided by an upgraded septic system located in the southern portion of the parcel. Restrooms are located in the processing/central building. Water will continue to be provided by an existing Carpinteria Valley Water District connection. Fire protection will be provided by the Carpinteria/Summerland Fire District, and law enforcement will be provided by the County Sheriff's Office. The property is an 8.96-acre parcel zoned Agricultural I (AG-I-10), shown as Assessor's Parcel Number 005-280-025, located at 3508 Via Real in the Toro Canyon Community Plan in the Carpinteria area, First Supervisorial District.

3. **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

4. **Aest-04 BAR Required:** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development and shall conform in all respects to previous BAR approval of 19BAR-00000-00123.

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

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

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

g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.

h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately: (i) Seed and water to re-vegetate graded areas; and/or (ii) Spread soil binders; and/or; (iii) Employ any other method(s) deemed appropriate by P&D or APCD.

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

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

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

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

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

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

PLAN REQUIREMENTS: This condition shall be printed on all site plans.

MONITORING: P&D permit processing planner shall check plans prior to issuance of the Coastal Development Permit, and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

7. **Geo-02 Erosion and Sediment Control Plan:** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal

and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

- 8. Noise-02 Construction Hours:** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 8:00 a.m. and 5:00 p.m. Monday through Friday. No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions. Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are based shall supersede the hours stated herein.

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

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

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

- 9. WatConv-03 Erosion and Sediment Control Revegetation:** The Owner/Applicant shall revegetate graded areas upon completion of grading activities with deep rooted, native, drought tolerant species to minimize slope failure and erosion potential. Use of hydro-seed, straw blankets, other geo-textile binding fabrics or other P&D-approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeded of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.

PLAN REQUIREMENTS: The Owner/Applicant shall include this measure as a note on all grading and building plans.

TIMING: P&D staff verify that erosion and sediment control revegetation plans are included in plan

sheets prior to approval of grading permits.

MONITORING: Grading inspection staff and P&D permit compliance staff perform site inspections throughout the construction phase.

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

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all plans for Coastal Development, Grading and Building permits.

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

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

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

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Land Use and Building permits prior to Zoning Clearance issuance.

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

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

Project Specific Conditions

- 12. Cannabis-01 Licenses Required:** The applicant shall obtain and maintain in good status: (1) a valid County business license as required by the County Code Chapter 50, and (2) a valid State cannabis license as required by the California Business and Professions Code for the cannabis activities that are the subject of this permit.
- 13. Cannabis-02 Transfer of Ownership:** In the event that the applicant transfers interest in the commercial cannabis operation, the successor(s) in interest shall assume all responsibilities concerning the project including, but not limited to, maintaining compliance with the conditions of this permit and paying for P&D condition compliance activities throughout the life of the project.

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

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

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

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

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

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

- 15. Cannabis-04 Permit Compliance:** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the Owner/Applicant/Operator shall:

1) Complete and submit a Permit Compliance Application to Planning and Development and identify a name and number of the contact person for the project compliance activities.

2) Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Zoning Clearance as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for Business License annual review and for P&D to hire and manage outside consultants when deemed necessary by P&D staff to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute.

3) Participate in Initial Compliance Inspections that may occur:

- i. Prior to commencement of use and/or issuance of Business License,
- ii. Within the first year (during the active growing season), and
- iii. Other instances as deemed necessary by Planning & Development

4) Participate in Regular Compliance Inspections that may occur:

- i. Upon renewal of the County Business License,
- ii. For the life of the project, or as specific in permit conditions, and
- iii. Other instances as deemed necessary by Planning & Development

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

TIMING: Prior to issuance of Zoning Clearance an associated Permit Compliance Application and

deposit shall be submitted to Planning & Development.

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

- 16. Cannabis-05 Fencing and Security Plan:** The Owner/Applicant shall implement the Fencing and Security Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.2) as they existed at the time of approval.

TIMING: The Owner/Applicant shall implement the Fencing and Security Plan prior to commencement of the cannabis activities that are the subject of this permit. The Applicant shall maintain the project site in compliance with the Fencing and Security Plan throughout the life of the project.

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

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

PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.3) as they existed at the time of approval.

TIMING: The Owner/Applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the project.

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

- 18. Cannabis-07 Lighting Plan:** The Owner/Applicant shall implement the Lighting Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Lighting Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.4 and –C.1.g) as they existed at the time of approval.

TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The Owner/Applicant shall maintain the project site in compliance with the Lighting Plan throughout the life of the project.

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

- 19. Cannabis-08 Noise Plan:** The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.5) as they existed at the time of approval.

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

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

- 20. Cannabis-10 Odor Abatement Implementation and Monitoring:** The applicant shall implement the Odor Abatement Plan stamped “Zoning Approved”. The Odor Abatement Plan must prevent odors from being experienced within residential zones as determined by the Director. The applicant shall follow all methods for reducing odor as outlined in the Odor Abatement Plan and shall deploy, or re-deploy the best available control technologies or methods as necessary, or as determined by the County.

PLAN REQUIREMENTS: The Odor Abatement system shall be graphically depicted on project plans and comply with Article II, Section 35-144U.C.6 as that section reads as of the date of project approval. The depicted Odor Abatement system shall conform to the Odor Abatement Plan as reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist.

TIMING: The Odor Abatement system shall be installed prior to issuance of the County Business License. The Applicant shall maintain the system in good operating condition throughout duration of cannabis cultivation activities.

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

- 21. Cannabis-11 Odor Control Notification:** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State’s Toxic Air Contaminant List or other similar hazardous air contaminants list.

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

MONITORING: P&D compliance monitoring staff shall review the proposed product/substance

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

- 22. Cannabis-12 Site Transportation Demand Management Plan:** The Owner/Applicant shall implement the Site Transportation Demand Management Plan stamped “Zoning Approved”.

PLAN REQUIREMENTS: The Site Transportation Demand Management Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§ 35-144U.C.1.j) as they existed at the time of approval.

TIMING: The Applicant shall implement the Site Transportation Demand Management Plan prior to the commencement of cannabis activities. The Applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.

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

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

TIMING: The applicant shall satisfy this condition prior to issuance of Coastal Development Permit.

- 24. Cannabis-14 Water Efficiency for Commercial Cannabis Activities:** Water conserving features shall be included in the design of the cannabis cultivation. Water-conserving features including the following: evaporative barriers, time drip irrigation, recycled water, rain capture, and soil moisture monitoring.

PLAN REQUIREMENTS: Water conserving features must comply with the requirements of the Coastal Zoning Ordinance (§ 35.144U.C.k)

TIMING: The applicant shall implement the Water efficiency measures prior to commence of use. The applicant shall maintain the project site in compliance with the water efficiency measures throughout the life of the project.

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

- 25. Cannabis-17 Wildlife Movement Plan:** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WPP) included in the Biological Resources Assessment Addendum prepared by Storrer Environmental

Services on November 23, 2021 and stamped “Zoning Approved”. The WPP measures are summarized below:

- a. Worker environmental awareness training,
- b. Biologist present to oversee demolition and site preparation,
- c. Activity limits in the 100-ft. ESH buffer,
- d. Construction Monitoring,
- e. Listed species notification,
- f. Plastic-free erosion control materials, and
- g. Waste storage.

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

TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the WPP included in the Biological Resources Assessment prepared by Storrer Environmental Services on November 23, 2021 throughout the life of the project to permit compliance staff.

26. Cannabis-18 Habitat Protection Plan: The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Habitat Protection Plan (HPP) included in the Biological Resources Assessment prepared by Storrer Environmental Services on November 23, 2021 and stamped “Zoning Approved”. The HPP measures are summarized below:

- a. Worker environmental awareness training,
- b. Fiber rolls and/or silt fencing between work areas and riparian habitat, and
- c. Limited activities in 100-ft. ESH buffer.

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

TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance

with the measures outline above, listed in the planset and as detailed in the HPP included in the Biological Resources Assessment prepared by Storrer Environmental Services on November 23, 2021 throughout the life of the project to permit compliance staff.

- 27. Cannabis-19 Tree Protection Plan:** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Tree Protection Plan (TPP) included in the Biological Resources Assessment prepared by Storrer Environmental Services on November 23, 2021 and stamped “Zoning Approved”. The TPP measures are summarized below:
- a. Worker environmental awareness training,
 - b. Biologist to monitor demolition adjacent to native trees, removal of invasive species, and restoration
 - c. Protective fencing, and
 - d. No grading or cultivation within 6 ft. of the dripline of native trees.

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

TIMING: The requirements of this condition shall be implemented prior to the commencement of cultivation activities or construction of new buildings, whichever occurs first. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

MONITORING: P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the planset and as detailed in the TPP included in the Biological Resources Assessment prepared by Storrer Environmental Services on November 23, 2021 throughout the life of the project to permit compliance staff.

- 28. Cannabis-20 Greenhouse Blackout Curtains:** The owner/applicant/operator shall install, use and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (grow lights) from being visible outside the green houses structures between sunset and sunrise.

PLAN REQUIREMENTS: The mechanized blackout screen system shall be noted on plans submitted for permit approval

TIMING: The system shall be installed prior to Final Building Inspection Clearance or Commencement of Use.

MONITORING: The Owner/Applicant/Operator shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance or Commence of Use. P&D Compliance staff may conduct site inspections as necessary to respond to complaints and ensure blackout screen system is maintained for the life of the project.

- 29. EM-01 Emergency Generator:** In the event of a power failure, a generator may be used on the site

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

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

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

- 30. EM-02 Elapsed Time Meter:** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request.

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

County Rules and Regulations

- 31. DIMF-24d DIMF Fees-Fire:** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees (DIMFs) to finance the development of facilities for the Fire Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total Fire DIMF amount is estimated based on a project type of as-built and new agricultural structures to support for cannabis cultivation.

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

- 32. DIMF-24g DIMF Fees-Transportation:** 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 (DIMFs) to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law in effect when paid.

The total DIMF amount is estimated based on a project type of as-built and new agricultural structures to support for cannabis cultivation.

TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division 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).

- 33. Rules-02 Effective Date-Appealable to CCC:** This Coastal Development Permit shall become effective upon 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 review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- 34. 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.
- 35. 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.
- 36. Rules-09 Signs:** Signs. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
- 37. Rules-11 CDP Expiration-With CUP or DVP:** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made.

A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit or Development Plan (as modified by any extension thereto).

- 38. Rules-18 CUP and DVP Revisions:** The approval by the decision maker of a revised Final Development Plan shall automatically supersede any previously approved Final Development Plan upon the effective date of the revised permit.
- 39. 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.

- 40. 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.
- 41. Rules-25 Signed Agreement to Comply:** Prior to approval of Coastal Development Permit, 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.
- 42. Rules-26 Performance Security Required:** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.
- 43. Rules-28 NTPO Condition:** Removal of Greenhouses. The Owner shall sign a written agreement to comply with the County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The Owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.

TIMING: The Owner shall sign the written agreement agreeing to this requirement of Article II (or any successor regulations, if the Carpinteria Agricultural Overlay is amended) prior to approval of the Coastal Development Permit.

- 44. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
 1. Air Pollution Control District dated August 30, 2021;
 2. Environmental Health Services Division dated August 31, 2021;
 3. Carpinteria Summerland Fire District dated February 26, 2019;
 4. Flood Control Water Agency dated January 6, 2022.

- 45. Rules-30 Plans Requirements:** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
- 46. Rules-32 Contractor and Subcontractor Notification:** The Owner/Applicant shall ensure that potential contractors are aware of County requirements. Owner / Applicant shall notify all contractors and subcontractors in writing of the site rules, restrictions, and Conditions of Approval and submit a copy of the notice to P&D compliance monitoring staff.
- 47. 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.
- 48. 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.



air pollution control district
SANTA BARBARA COUNTY

August 30, 2021

Gwen Beyeler
Santa Barbara County
Planning and Development
123 E. Anapamu Street
Santa Barbara, CA 93101

Re: Santa Barbara County Air Pollution Control District Suggested Conditions on Everbloom Cannabis, 19DVP-00000-00020

Dear Gwen Beyeler:

The Air Pollution Control District (District) has reviewed the referenced project, which consists of cannabis cultivation in 172,660 square feet (SF) of existing greenhouses and support of cultivation activities in 18,045 SF of accessory structure space. The project will increase the height of the existing 15-foot-tall greenhouses to 22-feet. The project calls for the demolition of a 35,750 SF greenhouse in the northern portion of the parcel and a 3,240 SF greenhouse on the east side of the parcel. Accessory uses to the cannabis cultivation operation would include non-volatile manufacturing, packaging, and processing. The project includes transport-only distribution of cannabis that is cultivated onsite. An emergency generator is proposed for emergency use only to power the odor control system during power outages. The Odor Abatement Plan includes the use of a Byers vapor-phase odor mitigation system and a charcoal scrubber system. The site is served by existing water wells and municipal electricity. No grading information was provided. The subject property, an 8.87-acre parcel zoned AG-I-10 and identified in the Assessor Parcel Map Book as APN 005-280-025, is located at 3508 Via Real in the unincorporated area of Carpinteria.

District rules and regulations apply to various aspects of the cannabis industry. **Based on the project description and information that has been provided, the proposed project includes equipment and/or operations subject to District permit requirements and prohibitory rules.** County staff and the cannabis operator should carefully review the District's *Cannabis Permitting Requirements & Nuisance Enforcement Table* and *Advisory on Air Quality and Cannabis Operations* (available at www.ourair.org/cannabis). These resources provide local agencies and cannabis operators guidance regarding the air quality aspects of this industry. The District permit process can take several months. To avoid delay, the applicant is encouraged to submit an Authority to Construct permit application to the District as soon as possible, see www.ourair.org/cannabis to download the necessary permit application(s). Contact the District Engineering Division Supervisor, William Sarraf, to discuss applicable permitting requirements at (805) 961-8888 or SarrafW@sbcapcd.org.

The District will be a **responsible agency under the California Environmental Quality Act (CEQA)** and will rely on the County's CEQA determination when evaluating any District permits for proposed equipment. If an environmental document is prepared pursuant to CEQA, the air quality analysis should include the air pollutant emissions for all proposed equipment to avoid additional CEQA documentation requirements related to District permit issuance. In addition, if an evaluation of health risk is required

Aeron Arlin Genet, Air Pollution Control Officer

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ourair.org

[@OurAirSBC](https://twitter.com/OurAirSBC)

for District permitting, we recommend including the health risk assessment (HRA) results in the CEQA document to ensure that project-related equipment will not result in a significant impact.

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

1. Post-harvest cannabis operations are required to obtain District permits pursuant to Rule 201 (*Permits Required*) due to the issuance of air contaminants. The project as currently proposed will require District permits for proposed cannabis manufacturing (non-volatile manufacturing and post-extraction refinement operations). Proof of receipt of the required District permits shall be submitted by the applicant to planning staff prior to building permit issuance.
2. Stationary and portable diesel-fired emergency standby generator engines rated 50 brake horsepower or greater must be either registered or permitted by the District. Please refer to the District's website at www.ourair.org/ag-diesel-registration and www.ourair.org/dice-atcm for additional information. These engines must also comply with the state Airborne Toxic Control Measures for Stationary Compression Ignition Engines. Please see www.ourair.org/wp-content/uploads/finalreg2011.pdf for more information.
3. Spark ignition piston-type internal combustion (IC) engines (e.g., gasoline-fired, natural gas-fired, propane-fired, etc.) with a rated brake horsepower of 50 or greater used to supply prime or emergency electrical power require a District permit. Spark ignition engines used exclusively for the growing of cannabis crops are classified as "agricultural" engines and may be exempt from District permit pursuant to Rule 202, Section D.3. Spark ignition engines used to support any operation/system other than growing operations (e.g. office buildings, security systems, etc.) may be eligible for an exemption from permit requirements pursuant to District Rule 202, Section F.1.d. provided the following criteria are met: (a) the engine is used exclusively for emergency electrical power generation, (b) the engine operates no more than 200 hours per calendar year, and (c) a record is maintained and is available to the District upon request. The record shall list the identification number of the equipment, the number of operating hours on each day the engine is operated, and the cumulative total hours. Failure to maintain records that meet the above requirements or violation of any District rule may result in the immediate loss of the permit exemption.

In addition, spark ignition engines with a rated brake horsepower of 50 or greater are subject to Rule 333, *Control of Emissions from Reciprocating Internal Combustion Engines*. Such engines may be exempt from the requirements of this rule if they are:

- a) classified as "agricultural" (i.e. used exclusively for the growing of cannabis crops), or
- b) operated less than 200 hours per calendar year and a record is maintained and is available to the District upon request.

If the proposed engine is required to obtain a District permit due to loss of the permit exemption provided by Rule 202.D.3. or Rule 202.F.1.d, the requirements of Rule 333 become applicable to the engine.

4. All portable diesel-fired construction engines rated at 50 brake horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or District permits prior to grading/building permit issuance. Construction engines with PERP certificates

are exempt from the requirement for a District permit, provided they will be on-site for less than 12 months.

5. District permits are required for any individual (or grouping) of boilers or large water heaters with a rated heat over 2.0 million BTUs per hour (MMBtu/hr). For more information, see www.ourair.org/boiler-heater-generator.
6. The applicant is required to complete and submit an **Asbestos Demolition/Renovation Notification or an EXEMPTION** from Notification for Renovation and Demolition (District Form ENF-28 or APCD Form ENF-28e), which can be downloaded at www.ourair.org/compliance-forms for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed exemption or notification shall be presented, mailed, or emailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. The applicant shall visit www.ourair.org/asbestos to determine whether the project triggers asbestos notification requirements or whether the project qualifies for an exemption.
7. Post-harvest cannabis operations have the potential to generate strong odors that could negatively affect the surrounding community and cause a public nuisance. District Rule 303 (*Nuisance*), which generally prohibits the discharge of air contaminants (including odors) that cause a public nuisance, applies to all cannabis operations unrelated to the growing and harvesting of cannabis, including cannabis manufacturing (including but not limited to volatile extraction, non-volatile extraction, and post-extraction operations), retail storefronts, and smoking lounges. Manufacturing and retail operations should be managed to reduce odor impacts and avoid a violation of District Rule 303.
8. The application of architectural coatings, such as paints, primers, and sealers that are applied to buildings or stationary structures, shall comply with District Rule 323.1, *Architectural Coatings* that places limits on the VOC-content of coating products.
9. Asphalt paving activities shall comply with District Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.
10. Construction/demolition activities are subject to District Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities*. This rule establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites, includes measures for minimizing fugitive dust from on-site activities, and from trucks moving on- and off-site. Please see www.ourair.org/wp-content/uploads/rule345.pdf. Activities subject to Rule 345 are also subject to Rule 302, *Visible Emissions* and Rule 303, *Nuisance*.
11. Natural gas-fired fan-type central furnaces with a rated heat input capacity of less than 175,000 British thermal units per hour (Btu/hr) and water heaters rated below 75,000 Btu/hr must comply with the emission limits and certification requirements of District Rule 352. Please see www.ourair.org/wp-content/uploads/rule352.pdf for more information.
12. Boilers, water heaters, and process heaters rated between 75,000 and 2.0 million British thermal units per hour (Btu/hr) must comply with the emission limits and certification requirements of District Rule 360. Note: Units fired on fuel(s) other than natural gas still need to

be certified under Rule 360. Please see www.ourair.org/wp-content/uploads/rule360.pdf for more information.

13. The District recommends that boilers, water heaters, and process heaters rated between 2 million to 5 million British thermal units per hour (Btu/hr) comply with the emission limits and certification requirements of District Rule 361. Please see www.ourair.org/wp-content/uploads/Rule361.pdf for more information. Units rated above 5 million Btu/hr are recommended to comply with the emission limits and certification requirements of District Rule 342. Please see www.ourair.org/wp-content/uploads/rule342.pdf for more information.

In addition, the District recommends that the following **best practices** be considered for inclusion as conditions of approval, in the interest of reducing emissions of criteria air pollutants, toxic air contaminants, greenhouse gases, dust and odors:

1. To reduce the potential for violations of District Rule 345 (*Control of Fugitive Dust from Construction and Demolition Activities*), Rule 302 (*Visible Emissions*), and Rule 303 (*Nuisance*), standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the District prior to grading/building permit issuance.
2. The State of California considers particulate matter emitted by diesel engines carcinogenic. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of particulate matter (as well as of ozone precursors) from diesel equipment. Recommended measures shall be implemented to the maximum extent feasible. Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.
3. Any chemical used for deodorizing systems should not cause adverse impacts to the community. Low-VOC (volatile organic compound) or no-VOC compounds are recommended, as well as compounds that do not contain toxic air contaminants (TACs) as identified by the State of California. The comprehensive list of TACs can be found at www.arb.ca.gov/toxics/healthval/contable.pdf. If odor control systems use chemicals that contain TACs, the County should assess the potential for health risk by performing a refined Health Risk Assessment.

Lastly, the applicant is advised of the following additional regulatory requirements or analysis that may be applicable to the project during the District permitting process:

1. During completeness review of the District permit application, the District will evaluate the emissions from the proposed project to determine which New Source Review requirements will apply. If the project ROC emissions exceed the Best Available Control Technology (BACT) threshold of 25 pounds per day, then the applicant shall propose emission controls that represent BACT for their processes. The applicant can refer to District Rule 802 at www.ourair.org/wp-content/uploads/rule802.pdf for more information on New Source Review and BACT requirements.

2. As part of the District's permit issuance, if a project has the potential to emit toxic or hazardous air pollutants, or is located in close proximity to sensitive receptors, the project may be required to prepare a **Health Risk Assessment** to determine the potential level of risk associated with the project operations. In the case of a diesel-fired emergency generator, an equipment-specific Health Risk Assessment is required as part of District permit issuance. The applicant should refer to District's website at www.ourair.org/dice-atcm for more information on diesel engine permitting. Whenever an HRA is required, we recommend including the results in the CEQA document to ensure that project-related equipment will not result in a significant impact.

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

Sincerely,



Emily Waddington
Air Quality Specialist
Planning Division

Attachments: Fugitive Dust Control Measures
Diesel Particulate and NO_x Emission Measures

cc: David Harris, Manager, District Engineering Division
Kaitlin McNally, Manager, District Compliance Division
William Sarraf, Supervisor, District Engineering Division
Planning Chron File



ATTACHMENT A FUGITIVE DUST CONTROL MEASURES

These measures are required for all projects involving earthmoving activities regardless of the project size or duration. Projects are expected to manage fugitive dust emissions such that emissions do not exceed APCD's visible emissions limit (APCD Rule 302), create a public nuisance (APCD Rule 303), and are in compliance with the APCD's requirements and standards for visible dust (APCD Rule 345).

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required when sustained wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Onsite vehicle speeds shall be no greater than 15 miles per hour when traveling on unpaved surfaces.
- Install and operate a track-out prevention device where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel-washing systems.
- If importation, exportation, and stockpiling of fill material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Minimize the amount of disturbed area. After clearing, grading, earthmoving, or excavation is completed, treat the disturbed area by watering, OR using roll-compaction, OR revegetating, OR by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All roadways, driveways, sidewalks etc. to be paved should be completed as soon as possible.
- Schedule clearing, grading, earthmoving, and excavation activities during periods of low wind speed to the extent feasible. During periods of high winds (>25 mph) clearing, grading, earthmoving, and excavation operations shall be minimized to prevent fugitive dust created by onsite operations from becoming a nuisance or hazard.
- The contractor or builder shall designate a person or persons to monitor and document the dust control program requirements to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to grading/building permit issuance and/or map clearance.

PLAN REQUIREMENTS: All requirements shall be shown on grading and building plans and/or as a separate information sheet listing the conditions of approval to be recorded with the map. **Timing:** Requirements shall be shown on plans prior to grading/building permit issuance and/or recorded with the map during map recordation. Conditions shall be adhered to throughout all grading and construction periods.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



ATTACHMENT B DIESEL PARTICULATE AND NO_x EMISSION REDUCTION MEASURES

Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is a list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment greater than 50 brake horsepower (bhp) shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of diesel-powered mobile construction equipment greater than 25 hp are subject to the California Air Resource Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulation (Title 13, California Code of Regulations (CCR), §2449), the purpose of which is to reduce oxides of nitrogen (NO_x), diesel particulate matter (DPM), and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. Off-road heavy-duty trucks shall comply with the State Off-Road Regulation. For more information, see www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- Fleet owners of diesel-fueled heavy-duty trucks and buses are subject to CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation (Title 13, CCR, §2025), the purpose of which is to reduce DPM, NO_x and other criteria pollutants from in-use (on-road) diesel-fueled vehicles. For more information, see www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm.
- All commercial off-road and on-road diesel vehicles are subject, respectively, to Title 13, CCR, §2449(d)(3) and §2485, limiting engine idling time. Off-road vehicles subject to the State Off-Road Regulation are limited to idling no more than five minutes. Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes, unless the truck engine meets the optional low-NO_x idling emission standard, the truck is labeled with a clean-idle sticker, and it is not operating within 100 feet of a restricted area.

The following measures are recommended:

- Diesel equipment meeting the CARB Tier 3 or higher emission standards for off-road heavy-duty diesel engines should be used to the maximum extent feasible.
- On-road heavy-duty equipment with model year 2010 engines or newer should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible. Electric auxiliary power units should be used to the maximum extent feasible.
- Equipment/vehicles using alternative fuels, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel, should be used on-site where feasible.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.
- Construction truck trips should be scheduled during non-peak hours to reduce peak hour emissions whenever feasible.
- Proposed truck routes should minimize to the extent feasible impacts to residential communities and sensitive receptors.
- Construction staging areas should be located away from sensitive receptors such that exhaust and other construction emissions do not enter the fresh air intakes to buildings, air conditioners, and windows.

PLAN REQUIREMENTS AND TIMING: Prior to grading/building permit issuance and/or map recordation, all requirements shall be shown as conditions of approval on grading/building plans, and/or on a separate sheet to be recorded with the map. Conditions shall be adhered to throughout all grading and construction periods. The contractor shall retain the Certificate of Compliance for CARB's In-Use Regulation for Off-Road Diesel Vehicles onsite and have it available for inspection.

MONITORING: The Lead Agency shall ensure measures are on project plans and/or recorded with maps. The Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.



TO: Gwen Beyeler, Planner
Planning & Development Department

FROM: Jason Johnston
Environmental Health Services

DATE: August 31, 2021

SUBJECT: Case No. 19DVP-00000-00020, 19CDH-00000-00015, 19CDP-00000-00027

Project: VWV, LLC / Creekside – Cannabis Cultivation

Assessor's Parcel No. 005-280-025

Located at: 3508 Via Real, Carpinteria zoned AG-I-10

The project is for a Development Plan and associated Coastal Development Permit for the propagation of immature plants (nursery) and cultivation of cannabis in 172,660 sq. ft. of existing greenhouses and 18,405 sq. ft. of agricultural accessory structure space that supports the cultivation activities. As-built work in between the greenhouses and connected to the pre-existing and permitted 4,500 square feet of permitted packing structures includes as-built improvements and interior alterations or occupancy conversions totaling approximately 13,905 square feet of gross floor area. These areas are noted as “central building/non-greenhouse,” and “irrigation room”, on the architectural plans, and consist of employee break areas, bathrooms, storage, processing, circulation and mechanical equipment. Approximately 3,538 square feet of the subject as-built accessory space is located within today’s 100-foot Environmentally Sensitive Habitat (ESH) buffer boundary. The project also includes a request to increase the height of the existing 15-foot tall greenhouses to 22-feet for improved airflow circulation and humidity controls. The demolition of an unpermitted 35,750 sq. ft. greenhouse in the northern portion of the parcel is being proposed, along with the demolition of 3,240 sq. ft. of previously permitted greenhouse space on the east side of the property.

In addition, the project proposes the following:

- 1) the validation of 5 water tanks of 36,984 gallons (3), 25,360 gallons (1), and one 105,669-gallon tank which is within the 100’ ESH buffer from Arroyo Paredon Creek

- 2) the validation of 2 waste water tanks (5,283 gallons each)
- 3) 1 new water tank of 25,360 gallons
- 4) the validation of a 160 sq. ft. temporary office trailer, proposed for removal within 1 year of the operation's approval and license

Accessory uses to the cannabis cultivation operation would include non-volatile manufacturing, packaging, and processing. The project includes transport only distribution of cannabis that is cultivated onsite. Cultivation will be the primary use of the property. Odor control consists of the Byers Scientific HPII Series waterless vapor system and extensive carbon filtration units inside the processing areas. One emergency generator is proposed for emergency use only to power the odor control system during power outages. 39 parking spaces would be provided. The cannabis operation would consist of up to 35 full time staff. The hours of operation are 6:00am to 3:30pm Monday through Friday, and 7:00am to 1:00pm on Saturdays.

An upgraded septic system that meets current commercial standards is proposed on the south side of the property and an existing and outdated septic system is proposed to be demolished. The project includes new storm water retention and treatment to offset 12,271 square feet of as-built impervious surface area and will be located in an 1,800 square foot area on the eastern property line, outside of today's ESH buffer. The project does not require any grading, other than for the new septic system and storm water improvements. No tree removal or vegetation removal is proposed as part of this project. No new construction (aside from the validation of as-built structures and improvements) is being proposed. The project includes a Native Habitat Enhancement Planting Plan of approximately 54,053 square feet along the northern portion of the parcel, adjacent to Arroyo Paredon Creek. Water for the cultivation and for domestic purposes is provided by the Carpinteria Valley Water District. Access to the site will continue to be provided off of Via Real via a private driveway which is partially located on the neighboring properties to the south of the parcel known as 3500 and 3504 Via Real. The property is an 8.96-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-025 and addressed as 3508 Via Real in Carpinteria, within the Carpinteria Agricultural Overlay District and the Toro Canyon Community Plan, First Supervisorial District.

Environmental Health Services has received and reviewed a feasible preliminary design for the septic systems by Coast Engineering and Survey, Inc., including percolation tests and soils report from Pacific Materials Laboratory, dated September 27, 2019. Formal review and approval of the Onsite Wastewater Treatment Systems will be required prior to the issuance of building permits.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as **Conditions of Approval:**

1. **Prior to Issuance of Zoning Clearance**, an application for the new Onsite Wastewater Treatment System permit shall be submitted to Environmental Health Services. The plans shall include a layout for the installation of dual dispersal fields (two, 100% peak design flow capacity fields) and 100% expansion area. The onsite wastewater treatment systems shall be designed to handle peak daily flows according to the criteria of the State Onsite Wastewater Treatment System Policy and the Santa Barbara County Code, Chapter 18-C.

2. Prior to the Issuance of Zoning Clearance, the applicant shall submit a solid waste management plan to Environmental Health Services for review and approval. The plan shall include but not be limited to the following:
 - a. Planned on-site composting details,
 - b. means of waste transport,
 - c. description of short-term storage facilities, if any
 - d. method and area of waste disposal,
 - e. any equipment necessary to implement the plan.

3. Prior to Issuance of a Building Permit, the application for an onsite wastewater treatment system permit shall be approved by Environmental Health Services.

4. Prior to Occupancy, the approved onsite wastewater treatment systems shall be installed, constructed and fully operational, to be verified by Environmental Health Services. This shall include the abandonment of the existing onsite wastewater treatment system, upon completion of the proposed system.




Jason Johnston, REHS
Supervising Environmental Health Specialist

Memorandum

DATE: February 26, 2019

TO: Melanie Jackson
Planning and Development
County of Santa Barbara - Santa Maria

FROM: Glenn Fidler, Captain 
Fire Department

SUBJECT: APN: 131-100-005 and 131-100-017; Permit: 18DVP-00013
Site: Autumn Road, Santa Maria
Project: Development Plan – Cannabis Cultivation



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

NO CONDITIONS FOR DEVELOPMENT PLAN

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

ADVISORY

1. All standard fire department conditions and current codes shall apply at time of development.

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

GF:mkb



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

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

SCOTT D. MCGOLPIN
Director Public Works

THOMAS D. FAYRAM
Deputy Director Water Resources

January 6, 2022

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

**Re: 19DVP-00000-00020; VWV LLC Mixed-Light Cannabis Cultivation
APN: 005-280-025; 3508 Via Real, Carpinteria**

This condition letter supersedes that dated August 21, 2020 due to the revised project elements.

Dear Ms. Beyeler:

The Public Works Department Water Resources Division has developed conditions for the proposed project which includes demolition of greenhouse structures (including as-built boiler room, mechanical/electrical room and water tank within 50-foot creek setback), landscaping, validation of water tanks, and validation of approximately 8,500 sf of unpermitted commercial processing, storage, employee, and utility buildings.

This project is not subject to the County's requirements for treating stormwater, since the project creates no new impervious surfaces as described in the document, "Post Construction Stormwater Management Requirement's for Development Projects in the Central Coast Region".

The parcel is located adjacent to the FEMA regulatory Arroyo Paredon Creek floodway, and partially within the FEMA Regulatory Special Flood Hazard Area (SFHA) Zone AE. This parcel is also located within the FEMA Recovery Map High Hazard Area (HHA). The HHA Advisory Flood Elevations (AFE) govern over the SFHA Base Flood Elevations at this location.

The Flood Control District recommends that this project be subject to the following conditions:

1. Design/ Prior to Permit Issuance
 - a. All unpermitted buildings, substantially improved buildings, and permitted buildings structurally connected to unpermitted buildings within the HHA are required to be floodproofed to a minimum of the AFE plus 2 FT per Santa Barbara County Floodplain Management Ordinance 15A.

- b. Projects near a watercourse shall be designed in compliance with the requirements described in Chapter 15B of the Santa Barbara County Code, and no structures are allowed to be located within 50 feet of the top-of-bank setback.
- c. The applicant shall submit all improvement plans, grading plans, landscape plans, data, forms and certifications (as described in the Standard Conditions of Project Plan Approval) to the District for review and approval, including a site plan with topographic mapping in NAVD '88 vertical datum, with the AFE for each stand-alone structure as determined by a licensed professional listed on the plans, and the 50-foot creek setback line illustrated on the plans.
- d. Greenhouses that remain structurally connected to the unpermitted as-built structures must comply with one of the following options:
 - i. Elevate finished floor of each structure to a minimum of AFE + 2 FT, and include flood opening vents for crawlspaces (a minimum of 2 located on separate walls at 1 square inch per 1 square foot of enclosure) with the base no higher than 1 FT above highest adjacent grade, or,
 - ii. Dry-floodproof each structure to a minimum of AFE+2 FT with impermeable materials, and submit Draft Floodproofing Certificate and Draft Flood Emergency Ops Plan and Inspection & Maintenance Plan.
- e. If the Greenhouses are structurally detached from the unpermitted as-built structures, and improvements are proposed therein, the applicant may submit Substantial Improvement (SI) determination worksheets, appraisals, and costs estimates (covering improvements as part of this permit in addition to the past 10 years) for each greenhouse in order to identify NFIP regulation applicability as follows:
 - i. If the easterly greenhouse SI is less than 50%, compliance is not required, since it pre-dates the 1979 effective FIRM map date.
 - ii. If the westerly greenhouse SI is less than 50%, then only the improvements are required to comply, since it post-dates the 1979 effective FIRM map date.
 - iii. If either greenhouse SI is equal to or greater than 50% it must comply with item "d" above.
- f. Unpermitted as-built commercial cannabis processing buildings, and those permitted non-greenhouse buildings structurally connected to the unpermitted buildings will need to comply with one of the following options:
 - i. Elevate finished floor of each structure to a minimum of AFE + 2 FT, use flood-resistant materials to AFE + 2 FT, and include flood opening vents for crawlspaces or,
 - ii. Dry-floodproof each structure to a minimum of AFE+2 FT with impermeable materials and submit Draft Floodproofing Certificate and Draft Flood Emergency Ops Plan and Inspection & Maintenance Plan.
- g. All utilities, electrical/mechanical equipment must be elevated to a minimum of AFE + 2 FT (e.g. water heaters, furnaces, A/C, HVAC, generators, electric panels, solar panels, etc.). All equipment will require anchoring or strapping to prevent floatation.
- h. Plumbing below AFE + 2 FT must be fitted with backflow devices.

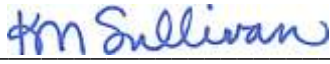
- i. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies. Please make the check payable to: *Santa Barbara County Flood Control & Water Conservation District*.
- j. The applicant shall submit to the District PDF drawings of the approved grading plans, improvement plans, drainage plans, drainage studies and landscape plans.
- k. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Project Plan Approval dated January 2011:
<http://www.countyofsb.org/uploadedFiles/pwd/Content/Water/Documents/StdConditionsJan2011.pdf>.

2. Prior to Occupancy Clearance

- a. Elevation certificates prepared by a licensed professional are required substantially improved structures within the FEMA regulatory floodplain.
- b. Finished Floor Certification (in NAVD '88) by a licensed surveyor are required for as-built and substantially improved structures within the FEMA Recovery Map High Hazard Area,.
- c. Should the applicant choose to dry-floodproof the non-residential structures, the developer shall submit the following:
 - i. Final Flood Emergency Ops Plan and Final Inspection & Maintenance Plan for District approval. See FEMA P-936 and FEMA TB-3 for more detail.
 - ii. Final Floodproofing Certificate prepared by licensed engineer.
- d. The applicant shall submit record drawings to the District's Floodplain Manager in PDF format.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 
Karen Sullivan, PE, CFM
Development Review Engineer

Cc: Jay Higgins, H&H Environmental, 3217 Calle Noguera, Santa Barbara, CA 93105
Ivan Van Wingerden, VWV LLC, 4701 Foothill Road, Carpinteria, CA 93013