LAND USE PERMIT

Case No.: 09LUP-00000-00146 Planner: John Day Initials___

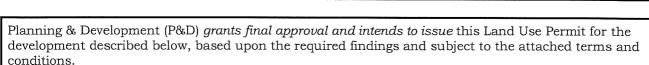
Project Name: Lompoc Wind Energy Project Meteorological Towers

Project Address: 3525-5555 San Miguelito Rd., Lompoc

A.P.N.: 083-080-004, 083-090-001, 083-090-002, 083-090-003, 083-100-004,

083-100-008, 083-250-011, 083-250-019, 083-090-004, 083-100-007.

Zone District: AG-II-100



FINAL APPROVAL DATE: September 15, 2009

APPEAL PERIOD BEGINS: N/A

APPEAL PERIOD ENDS: N/A

DATE OF PERMIT ISSUANCE: September 16, 2009

NOTE: Approval by the Board of Supervisors is final. [LUDC Sec. 35.102.050.D) If you have questions regarding this project please contact the planner John Day at (805) 568-2045.

PROJECT DESCRIPTION SUMMARY:

This is a follow-on Land Use Permit for a Substantial Conformity Determination (09SCD-00000-00006) pertaining to the approved Conditional Use Permit [06CUP-00000-00009), permitting the following:

- 1. Extend the removal deadline for two temporary meteorological towers ("met towers") #13 and #15 from February 10, 2010, until December 31, 2010. Bird flight diverters shall be installed on the guy wires.
- 2. Extend the removal deadline for two temporary met towers #2003 and #2009 from 90 days after CUP approval to December 31, 2010. Bird flight diverters shall be installed on the guy wires.
- 3. Extend the removal deadline for all other existing temporary met towers from 90 days following CUP approval until 45 days following issuance or denial of this Land Use Permit.
- 4. Modify the project description to include only one permanent 30-meter, unguyed met tower without lighting for the project, instead of up to ten 80-meter towers as described in the Board-approved project description, which may be permitted and constructed prior to approval of the final plans for Phase I project construction.

PROJECT SPECIFIC CONDITIONS: See Attachment A.

ASSOCIATED CASE NUMBERS: 06CUP-00000-00009; 09SCD-00000-00006; 07BAR-00000-00156; 08VAR-00000-00003; 06EIR-00000-00004; 08APL-00000-00034; 08APL-00000-00035.

PERMIT COMPLIANCE CASE:

___ No __X_Yes; Permit Compliance Case (PMC) #:

09PMC-00000-00037

BOARD OF ARCHITECTURAL REVIEW (BAR): X No (The met towers are outside the scope of BAR review.)



TERMS OF PERMIT ISSUANCE:

- 1. Mailing and Posting Notice. Mailed notice of the subject Land Use Permit application shall be provided to neighboring property owners as required by ordinance. The applicant shall provide proof of mailing and posting of the required notice by filing an affidavit of noticing with the Planning and Development Department no later than 10 days following an action by the Director to approve the permit. A weather-proofed copy of the notice shall be posted by the Applicant in one conspicuous place along the perimeter of the subject property. The notice shall remain posted continuously until at least 10 calendar days following approval of the permit. (Sections 35.106.030 & 35.496.030)
- 2. Work Prohibited Prior to Permit Issuance. No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Land Use Permit and/or any other required permit (e.g., building permit). WARNING! THIS IS NOT A BUILDING/GRADING PERMIT.
- **3. Date of Permit Issuance**. This Permit shall be deemed <u>effective and issued</u> on the **Date of Permit Issuance** as identified above, provided:
 - a. All terms and conditions including the requirement to post notice must be met and this Notice/Permit has been signed,
 - b. The **Affidavit of Posting Notice** was returned to P&D prior to the expiration of the Appeals Period. Failure to submit the affidavit by such date shall render the approval null and void, and
 - c. No appeal has been filed.

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4. Time Limit. Failure to obtain a required construction/demolition or grading permit and to lawfully commence development within two years of permit issuance, shall render this Land Use Permit null and void. A Land Use Permit that follows an approved Final Development Plan (FDP) shall be rendered null and void on the date the FDP expires even if the FDP expiration date is within two years of the Land Use Permit issuance, unless substantial physical construction has been completed.

NOTE: This Notice of Final Approval/Intent to Issue a Land Use Permit serves as the Approval and the Land Use Permit once the permit is deemed effective and issued. Issuance of a permit for this project does not allow construction or use outside of the project description, or terms or conditions; nor shall it be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.

OWNER/APPLICANT	ACKNOWLEDGMENT: Undersigned I	permittee acknowledges receipt
of this approval and ag	rees to abide by all terms and condition	ons thereof.
Print Name	Signature	/
Planning & Development l	ssuance by:	

Date

ATTACHMENT A CONDITIONS OF APPROVAL

1. All conditions of 06CUP-00000-00009 shall apply.