

ATTACHMENT 2: CONDITIONS OF APPROVAL

PROJECT DESCRIPTION

1. **Proj Des-01 Project Description.** This Land Use Permit is based upon and limited to compliance with the project description 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 project is for a Land Use Permit for the validation of an existing agricultural accessory structure of approximately 1,425 square feet, and the construction of a 2,809 square foot horse barn and 1,440 square foot hay barn. The project would also allow for the demolition of a 2,809 square foot horse barn located in the floodplain, to abate zoning and building violations (15BDV-00000-00071 and 15ZEV-00000-00232). The proposed barn has been reviewed by County Flood Control and is located outside of FEMA's Special Flood Hazard Area. The project meets all required setbacks, and the proposed outdoor lighting is in compliance with Santa Ynez Valley Community Plan lighting requirements. Grading would be less than 50 cubic yards. No trees are proposed for removal. The parcel will continue to be served by a private well, private septic system, and the County Fire Protection District. Access will continue to be provided off of Meadowlark Road, a private road. The property is a 29.39-acre parcel zoned AG-I-5 and shown as Assessor's Parcel Number 141-390-015, located at 120 Meadowlark Road in the Santa Ynez Area, 3rd Supervisorial District.

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

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

CONDITIONS BY ISSUE AREA

3. **Aest-10 Lighting.** The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The design of the lighting will incorporate fully shielded (full cutback) designs. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 9 pm.

PLAN REQUIREMENTS: The Owner/Applicant shall include the specification of the intended light fixture on all plans for Land Use Permits or Building Permits.

TIMING: Lighting shall be installed in compliance with this measure prior to Final

Building Inspection Clearance.

MONITORING: P&D Permit Compliance staff shall inspect structures upon completion to ensure that exterior lighting fixtures have been installed consistent with their depiction on the approved plans.

4. **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 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 Building 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 shall ensure

compliance onsite. APCD inspectors shall respond to nuisance complaints.

5. **Bio-01c Tree Protection Plan-Unexpected Damage and Mitigation.** In the event of unexpected damage or removal, this mitigation shall include but is not limited to posting of a performance security and hiring an outside consulting biologist or arborist to assess damage and recommend mitigation. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and approval of such installation and maintenance.

Damaged trees shall be mitigated on a minimum 10:1 ratio. If it becomes necessary to remove a tree not planned for removal, if feasible, the tree shall be boxed and replanted. If a P&D approved arborist certifies that it is not feasible to replant the tree, it shall be replaced on a 10:1 basis (15:1 for Blue or Valley Oaks) with trees with 10-gallon or larger size saplings grown from locally obtained seed. If replacement trees cannot all be accommodated onsite, a plan must be approved by P&D for replacement trees to be planted off site.

PLAN REQUIREMENTS: Plans shall include the language of this condition.

TIMING: Damage shall be reported to P&D Permit Compliance staff who will oversee mitigation plantings.

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 retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant.

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

MONITORING: P&D permit processing planner shall check plans prior to Zoning Clearance of Building Permits and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

7. **Noise-02 Construction Hours.** The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. Monday through Friday.

No construction shall occur on weekends or State holidays. Non-noise generating interior construction activities such as plumbing, electrical, drywall and painting (which does not include the use of compressors, tile saws, or other noise-generating equipment) are not subject to these restrictions.

Any subsequent amendment to the Comprehensive General Plan, applicable Community or Specific Plan, or Zoning Code noise standard upon which these construction hours are

based shall supersede the hours stated herein.

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

TIMING: Signs shall be posted 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.

- 8. Parking-02 Onsite Construction Parking.** All construction-related vehicles, equipment staging and storage areas shall be located onsite and outside of the road and highway right of way. The Owner/Applicant shall provide all construction personnel with a written notice of this requirement and a description of approved parking, staging and storage areas. The notice shall also include the name and phone number of the Owner/Applicant's designee responsible for enforcement of this restriction.

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for Land Use Permit.

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to Issuance of Land Use Permit. This restriction shall be maintained throughout construction.

MONITORING: P&D permit compliance and Building and Safety shall confirm the availability of designated onsite areas during construction, and as required, shall require re-distribution of updated notices and/or refer complaints regarding offsite parking to appropriate agencies.

- 9. SolidW-02 Solid Waste-Recycle.** The Owner/Applicant and their contractors and subcontractors shall separate demolition and excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). The Owner/Applicant shall provide separate onsite bins as needed for recycling.

PLAN REQUIREMENTS: The Owner/Applicant shall print this requirement on all grading and construction plans. Owner shall provide Building and Safety with receipts for recycled materials or for separate bins.

TIMING: Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall provide P&D compliance staff with receipts prior to Final Building Inspection Clearance.

- 10. SolidW-03 Solid Waste-Construction site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is

complete.

PLAN REQUIREMENTS: All plans shall contain notes that the site is to remain trash-free throughout construction.

TIMING: Prior to building permit issuance, the Owner/Applicant shall designate and provide P&D with the name and phone number of a contact person(s) responsible for trash prevention and site clean-up. Additional covered receptacles shall be provided as determined necessary by P&D.

MONITORING: Permit compliance monitoring staff shall inspect periodically throughout grading and construction activities and prior to Final Building Inspection Clearance to ensure the construction site is free of all trash and debris.

- 11. 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, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Building permit plans.

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.

- 12. 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 as necessary. 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 Building permit plans.

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 Condition

- 13. Structural Demolition:** Prior to the construction of the new horse barns, and within 30 days of the issuance of this Land Use Permit, the unpermitted barn that is the subject of building and zoning violations (case numbers 15BDV-000000-00071 and 15ZEV-00000-

00232) will be demolished.

PLAN REQUIREMENTS: The structure proposed for demolition will be noted on all plans submitted for Land Use Permit and Building Permits.

MONITORING: Permit compliance monitoring staff shall ensure compliance prior to the construction of the new horse barns.

- 14. Plumbing Demolition:** Prior to the issuance of Land Use Permit, the applicant shall submit documentation that the four accessory structures, currently being used as guest houses with bathing facilities, have been converted to their permitted use of tack rooms with restrooms.

PLAN REQUIREMENTS: The structures proposed for conversion will be noted on all plans submitted for Land Use Permit and Building Permits.

TIMING: The demolition permit shall receive its Final Building Inspection Clearance prior to issuance of Land Use Permit.

- 15. Animal Waste Management Plan:** Animal Waste Management. An animal waste management plan (AWM) and program to control pollution from animal waste shall be developed for the project site. Implementation and strict adherence to the AWM program shall be required for the life of the animal keeping activities on the site and shall include the following:

- 1) At least once per day, manure and soiled bedding shall be collected from stalls and pens, or wherever waste from animal-keeping activities concentrates, resulting in excessive odor or flies;
- 2) Collected manure and soiled bedding shall be stored temporarily in watertight trash bins and emptied into larger receptacles in a designated trash area screened from sight;
- 3) In order to maintain odor and vector control, the receptacles shall be unloaded at a minimum, once per week to an approved solid waste landfill;
- 4) General sanitation techniques such as proper air circulation, exposure to sunlight, a fly control system, and cleaning shaded areas immediately shall be incorporated into the AWM.

PLAN REQUIREMENTS: The AWM plan shall be described and detailed on the site, grading and drainage, and landscape plans, and depicted graphically. The location and type of controls shall be shown on the site, building and grading plans. Trash receptacles, including screening measures, shall be depicted on the site plan.

TIMING: The plans and maintenance program shall be submitted to P&D and EHS staff for approval prior to issuance of this Land Use Permit and fully installed prior to Final Building Inspection Clearance. Upkeep and screening is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The landowner is responsible for the maintenance, operation and upkeep of the waste management program and all drainage improvements for the life of the project.

MONITORING: Permit compliance monitoring staff shall site inspect for proper installation prior to Final Building Inspection Clearance. P&D shall monitor and respond to any nuisance complaints.

County Rules and Regulations

16. **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.
17. **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved permit plans. Substantial conformity shall be determined by the Director of P&D.
18. **Rules-23 Processing Fees Required.** Prior to issuance of Land Use Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
19. **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.
20. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
 - a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Land Use Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;
 - c. Note the following on each page of grading and building plans "This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval";

Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key

construction personnel: contractors, sub-contractors and contracted monitors among others.

- 21. Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
- 22. Rules-37 Time Extensions-All Projects.** The Owner / Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner / Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.