

ATTACHMENT 2-1: CONDITIONS OF APPROVAL FOR 19CUP-00000-00062
G&K FARMS CANNABIS PROCESSING WAREHOUSE
CASE NO. 19CUP-00000-00062
APN: 005-280-040

Project Description

- 1. Proj Des-01 Project Description.** This Conditional Use Permit is based upon and limited to compliance with the Project description, the hearing exhibits marked 1-19 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 is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), a Development Plan Amendment to 82-DP-30 (Case No. 20AMD-00000-00003), and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a new 25,418-square-foot, 25-foot-tall cannabis processing building and a detention basin to capture run-off from the structure.

The site is currently developed with five existing greenhouses permitted under the original Development Plan, Case No. 82-DP-30, and one existing warehouse, which was permitted under a Modification to the Development Plan, Case No. 86-M-4. Of the existing 379,757 square feet of development, 356,070 square feet is currently used for cannabis cultivation as approved by Coastal Development Permit, Case No. 18CDP-00000-00077. The proposed processing building will be used for the storage, drying, trimming, and packaging of cannabis grown both on-site and off-site. Up to 50% of the product processed in the proposed processing building will be grown off-site. Proposed grading for the Project includes 1,400 cu. yd. of cut and 1,000 cu. yd. of fill. Other site improvements required include storm water detention and a septic system. No vegetation or trees are proposed for removal.

External lighting will be provided by sixteen wall-mounted full cut-off LED motion detector lights on the east, north, and west sides of the proposed building near doorways. The proposed building includes carbon filters in all processing areas, air curtains on exterior doors, spray insulation within the building, and negative pressure throughout the building to reduce fugitive odors. Existing landscaping along Foothill Road screens the Proposed Project from view. Two chillers associated with the HVAC system will be installed adjacent to the proposed building. Ten 3,450-gallon water tanks will also be installed.

The proposed cannabis processing building would add up to 50 new full-time year-round employees, for a maximum of 80 full-time year round employees for the entire cannabis operation the property. The Proposed Project will add 18 parking spots, including two ADA spots, and stripe the existing parking area, for a total of 54 parking spots. The operator will lease at least one 15-passenger van through CalVans (or a similar third party company) to provide daily roundtrip weekday vanpool transportation for employees

commuting from Ventura County to the Project site for the life of the Project. All employee parking will be on-site and no employee parking on public roads is allowed.

The hours of operation for the processing building will be 6:00 am to 3:30 pm, seven days a week. Two emergency generators will be installed for backup power in case of an outage. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. The proposed processing building will contain two restroom areas for the use of employees. Wastewater treatment will be handled by a new septic system. Primary access to the site will continue to be provided through an existing easement on the neighboring parcel to the west (APN 005-280-015), which connects to Via Real. The property is a 14.66-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-040, and addressed as 3561 Foothill Road in the Toro Canyon Community Plan area, First 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.

Project Specific Conditions

3. **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 approval 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:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the Project, or as specific in permit conditions, and
 - c. 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.

4. **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. 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.

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

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 diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

5. **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. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

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

- 6. 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 building and grading plans.

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

- 7. 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.

8. **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. **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 approval of 19BAR-00000-00225.

TIMING: The Owner/Applicant shall submit architectural drawings of the Project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans 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.

- 10. 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 zoning clearance, 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. 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 upon completion of construction. 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, 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.

- 12. Habitat Identification.** All plans shall show the precise location of the habitat(s) within 250 feet of work areas.

TIMING: The Applicant shall comply with this measure prior to issuance of Zoning Clearance.

PLAN REQUIREMENTS: Habitat locations shall be clearly identified on the plans submitted prior to issuance of Zoning Clearance.

County Rules and Regulations

- 13. Rules-02 Effective Date-Appealable to CCC.** This Conditional Use 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.

- 14. 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.
- 15. 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.
- 16. Rules-08 Sale of Site.** The Project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), Project description and the conditions of approval including all related covenants and agreements.
- 17. Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
- 18. Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required Zoning Clearance within the 18 months following the effective date of this Conditional Use Permit. If the Zoning Clearance is not issued within the 18 months following the effective date of this Conditional use Permit, or within such extended period of time as may be authorized in compliance with Section 35-172.9.3 of the Article II Coastal Zoning Ordinance, and an application for an extension has not been submitted to the Planning and Development Department, then this Conditional Use Permit shall be considered void and of no further effect.
- 19. Rules-17 CUP-Void.** This Conditional Use Permit shall become void and be automatically revoked if the development and/or authorized use allowed by this Conditional Use Permit is discontinued for a period of more than 12 months, or within such extended period of time as may be authorized in compliance with Section 35-172.9 of the Article II Coastal Zoning Ordinance. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Coastal Development Permit approved or issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit.

- 20. Rules-18 CUP and DVP Revisions.** The approval by the Zoning Administrator of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised Conditional Use Permit.
- 21. Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
- 22. Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
- 23. Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 24. 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 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. This is based on a Project type of nonresidential development.

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 increase at the beginning of each fiscal year (July 1st).

- 25. 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 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. This is based on a Project type of nonresidential development.

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 increase at the beginning of each fiscal year (July 1st).

- 26. Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, 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.

27. Rules-28 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 CA Overlay is amended) prior to approval of the follow on Zoning Clearance.

28. Rules-29 Other Department Conditions. Compliance with Department/Division letters required as follows:

- a. Air Pollution Control District dated March 16, 2021
- b. Environmental Health Services Division dated July 30, 2020
- c. Carpinteria Summerland Fire Protection District dated June 4, 2020
- d. Flood Control/Project Clean Water dated July 27, 2020

29. Rules-30 Plan 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.

30. 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.

31. 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.

32. Rules-37 Time Extensions-All Projects. The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the Project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting

changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified Project impacts.

ATTACHMENT 2-2: CONDITIONS OF APPROVAL FOR 20AMD-00000-00003
G&K FARMS CANNABIS PROCESSING WAREHOUSE
CASE NO. 20AMD-00000-00003
APN: 005-280-040

Project Description

- 1. Proj Des-01 Project Description.** This Development Plan Amendment is based upon and limited to compliance with the Project description, the hearing exhibits marked 1-19 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 is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), a Development Plan Amendment to 82-DP-30 (Case No. 20AMD-00000-00003), and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a new 25,418-square-foot, 25-foot-tall cannabis processing building and a detention basin to capture run-off from the structure.

The site is currently developed with five existing greenhouses permitted under the original Development Plan, Case No. 82-DP-30, and one existing warehouse, which was permitted under a Modification to the Development Plan, Case No. 86-M-4. Of the existing 379,757 square feet of development, 356,070 square feet is currently used for cannabis cultivation as approved by Coastal Development Permit, Case No. 18CDP-00000-00077. The proposed processing building will be used for the storage, drying, trimming, and packaging of cannabis grown both on-site and off-site. Up to 50% of the product processed in the proposed processing building will be grown off-site. Proposed grading for the Project includes 1,400 cu. yd. of cut and 1,000 cu. yd. of fill. Other site improvements required include storm water detention and a septic system. No vegetation or trees are proposed for removal.

External lighting will be provided by sixteen wall-mounted full cut-off LED motion detector lights on the east, north, and west sides of the proposed building near doorways. The proposed building includes carbon filters in all processing areas, air curtains on exterior doors, spray insulation within the building, and negative pressure throughout the building to reduce fugitive odors. Existing landscaping along Foothill Road screens the Proposed Project from view. Two chillers associated with the HVAC system will be installed adjacent to the proposed building. Ten 3,450-gallon water tanks will also be installed.

The proposed cannabis processing building would add up to 50 new full-time year-round employees, for a maximum of 80 full-time year round employees for the entire cannabis operation the property. The Proposed Project will add 18 parking spots, including two ADA spots, and stripe the existing parking area, for a total of 54 parking spots. The operator will lease at least one 15-passenger van through CalVans (or a similar third party company) to provide daily roundtrip weekday vanpool transportation for employees

commuting from Ventura County to the Project site for the life of the Project. All employee parking will be on-site and no employee parking on public roads is allowed.

The hours of operation for the processing building will be 6:00 am to 3:30 pm, seven days a week. Two emergency generators will be installed for backup power in case of an outage. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. The proposed processing building will contain two restroom areas for the use of employees. Wastewater treatment will be handled by a new septic system. Primary access to the site will continue to be provided through an existing easement on the neighboring parcel to the west (APN 005-280-015), which connects to Via Real. The property is a 14.66-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-040, and addressed as 3561 Foothill Road in the Toro Canyon Community Plan area, First 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.

Project Specific Conditions

3. **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 approval 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:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the Project, or as specific in permit conditions, and
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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.

4. **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. 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.

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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 diesel-powered emergency standby generator engines rated at 50 BHP (brake-horsepower) or greater.

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

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

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 - 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.
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 - 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.
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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.

8. **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. **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 approval of 19BAR-00000-00225.

TIMING: The Owner/Applicant shall submit architectural drawings of the Project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans 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.

- 10. 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 zoning clearance, 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. 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 upon completion of construction. 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, 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.

- 12. Habitat Identification.** All plans shall show the precise location of the habitat(s) within 250 feet of work areas.

TIMING: The Applicant shall comply with this measure prior to issuance of Zoning Clearance.

PLAN REQUIREMENTS: Habitat locations shall be clearly identified on the plans submitted prior to issuance of Zoning Clearance.

County Rules and Regulations

- 13. Rules-02 Effective Date-Appealable to CCC.** This Conditional Use 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.

14. **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.
15. **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.
16. **Rules-08 Sale of Site.** The Project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), Project description and the conditions of approval including all related covenants and agreements.
17. **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
18. **Rules-18 CUP and DVP Revisions.** The approval by the Zoning Administrator of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised Conditional Use Permit.
19. **Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
20. **Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
21. **Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
22. **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 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. This is based on a Project type of nonresidential development.

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 increase at the beginning of each fiscal year (July 1st).

- 23. 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 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. This is based on a Project type of nonresidential development.

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 increase at the beginning of each fiscal year (July 1st).

- 24. Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, 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.

- 25. Rules-28 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 CA Overlay is amended) prior to approval of the follow on Zoning Clearance.

- 26. Rules-29 Other Department Conditions.** Compliance with Department/Division letters required as follows:
- a. Air Pollution Control District dated March 16, 2021

- b. Environmental Health Services Division dated July 30, 2020
- c. Carpinteria Summerland Fire Protection District dated June 4, 2020
- d. Flood Control/Project Clean Water dated July 27, 2020

- 27. Rules-30 Plan 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.
- 28. 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.
- 29. 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.
- 30. Rules-37 Time Extensions-All Projects.** The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the Project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified Project impacts.

ATTACHMENT 2-3: CONDITIONS OF APPROVAL FOR 19CDP-00000-00157
G&K FARMS CANNABIS PROCESSING WAREHOUSE
CASE NO. 19CDP-00000-00157
APN: 005-280-040

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 1-19 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 is a request for a Conditional Use Permit (Case No. 19CUP-00000-00062), a Development Plan Amendment to 82-DP-30 (Case No. 20AMD-00000-00003), and a Coastal Development Permit (Case No. 19CDP-00000-00157) to allow for the construction of a new 25,418-square-foot, 25-foot-tall cannabis processing building and a detention basin to capture run-off from the structure.

The site is currently developed with five existing greenhouses permitted under the original Development Plan, Case No. 82-DP-30, and one existing warehouse, which was permitted under a Modification to the Development Plan, Case No. 86-M-4. Of the existing 379,757 square feet of development, 356,070 square feet is currently used for cannabis cultivation as approved by Coastal Development Permit, Case No. 18CDP-00000-00077. The proposed processing building will be used for the storage, drying, trimming, and packaging of cannabis grown both on-site and off-site. Up to 50% of the product processed in the proposed processing building will be grown off-site. Proposed grading for the Project includes 1,400 cu. yd. of cut and 1,000 cu. yd. of fill. Other site improvements required include storm water detention and a septic system. No vegetation or trees are proposed for removal.

External lighting will be provided by sixteen wall-mounted full cut-off LED motion detector lights on the east, north, and west sides of the proposed building near doorways. The proposed building includes carbon filters in all processing areas, air curtains on exterior doors, spray insulation within the building, and negative pressure throughout the building to reduce fugitive odors. Existing landscaping along Foothill Road screens the Proposed Project from view. Two chillers associated with the HVAC system will be installed adjacent to the proposed building. Ten 3,450-gallon water tanks will also be installed.

The proposed cannabis processing building would add up to 50 new full-time year-round employees, for a maximum of 80 full-time year round employees for the entire cannabis operation the property. The Proposed Project will add 18 parking spots, including two ADA spots, and stripe the existing parking area, for a total of 54 parking spots. The operator will lease at least one 15-passenger van through CalVans (or a similar third party company) to provide daily roundtrip weekday vanpool transportation for employees

commuting from Ventura County to the Project site for the life of the Project. All employee parking will be on-site and no employee parking on public roads is allowed.

The hours of operation for the processing building will be 6:00 am to 3:30 pm, seven days a week. Two emergency generators will be installed for backup power in case of an outage. Water for the processing building and all domestic uses on-site will be provided by the Carpinteria Valley Water District. The proposed processing building will contain two restroom areas for the use of employees. Wastewater treatment will be handled by a new septic system. Primary access to the site will continue to be provided through an existing easement on the neighboring parcel to the west (APN 005-280-015), which connects to Via Real. The property is a 14.66-acre parcel zoned AG-I-10, shown as Assessor's Parcel Number 005-280-040, and addressed as 3561 Foothill Road in the Toro Canyon Community Plan area, First 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.

Project Specific Conditions

3. **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.
4. **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.

5. **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.

6. **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 approval 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:
 - a. Prior to commencement of use and/or issuance of Business License,
 - b. Within the first year (during the active growing season), and
 - c. Other instances as deemed necessary by Planning & Development
4. Participate in Regular Compliance Inspections that may occur:
 - a. Upon renewal of the County Business License,
 - b. For the life of the Project, or as specific in permit conditions, and
 - c. 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.

7. **Lighting Plan.** The 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) as that section reads as of the date of Project approval.

TIMING: All components of the Lighting Plan shall be implemented prior to final building inspection. The 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.

8. **Noise Plan.** The applicant shall implement the Noise Plan stamped “Zoning Approved.”

Plan Requirements: The Noise Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.5) as that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Noise Plan prior to issuance of final building inspection. The 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.

9. **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 the commencement of cultivation activities. 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.

- 10. Site Transportation Demand Management Plan.** The 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 that section reads as of the date of Project approval.

TIMING: The applicant shall implement the Site Transportation Demand Management Plan prior to issuance of final building and/or grading inspection. The applicant shall maintain the Project 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.

- 11. 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.

- 12. 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. 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.

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

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

- 13. 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. The Owner shall install a California Air Resources Board (CARB) certified diesel particulate filter to the exhaust system of the generator.

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

- 14. 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 building and grading plans.

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

- 15. 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.

- 16. 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.

17. **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 approval of 19BAR-00000-00225.

TIMING: The Owner/Applicant shall submit architectural drawings of the Project for review and shall obtain final BAR approval prior to issuance of Zoning Clearance. Grading plans 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.

18. **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 zoning clearance, 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.

- 19. 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 upon completion of construction. 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, 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.

- 20. Habitat Identification.** All plans shall show the precise location of the habitat(s) within 250 feet of work areas.

TIMING: The Applicant shall comply with this measure prior to issuance of Zoning Clearance.

PLAN REQUIREMENTS: Habitat locations shall be clearly identified on the plans submitted prior to issuance of Zoning Clearance.

County Rules and Regulations

- 21. Rules-02 Effective Date-Appealable to CCC.** This Conditional Use 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.
- 22. 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.
- 23. 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.

- 24. Rules-08 Sale of Site.** The Project site and any portions thereof shall be sold, leased or financed in compliance with the exhibit(s), Project description and the conditions of approval including all related covenants and agreements.
- 25. Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
- 26. 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).
- 27. Rules-18 CUP and DVP Revisions.** The approval by the Zoning Administrator of a revised Conditional Use Permit shall automatically supersede any previously approved Conditional Use Permit upon the effective date of the revised Conditional Use Permit.
- 28. Rules-20 Revisions Related to Plans.** The Owner/Applicant shall request a revision for any proposed changed to approved Coastal Development Permit plans. Substantial conformity shall be determined by the Director of P&D.
- 29. Rules-22 Leased Facilities.** The Operator and Owner are responsible for complying with all conditions of approval contained in this Conditional Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the Owner and the Operator.
- 30. Rules-23 Processing Fees Required.** Prior to issuance of Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
- 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 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. This is based on a Project type of nonresidential development.

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 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 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. This is based on a Project type of nonresidential development.

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 increase at the beginning of each fiscal year (July 1st).

- 33. Rules-25 Signed Agreement to Comply.** Prior to Zoning Clearance issuance, 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.

- 34. Rules-28 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 CA Overlay is amended) prior to approval of the follow on Zoning Clearance.

- 35. Rules-29 Other Department Conditions.** Compliance with Department/Division letters required as follows:
- a. Air Pollution Control District dated March 16, 2021

- b. Environmental Health Services Division dated July 30, 2020
- c. Carpinteria Summerland Fire Protection District dated June 4, 2020
- d. Flood Control/Project Clean Water dated July 27, 2020

- 36. Rules-30 Plan 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.
- 37. 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.
- 38. 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.
- 39. 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.