

**ATTACHMENT 11: APPROVED COASTAL DEVELOPMENT PERMIT, DATED APRIL 28,**  
**2021**



**COASTAL DEVELOPMENT PERMIT NO.: 20CDP-00000-00079**

**Project Name:** AUTUMN BRANDS & OCEAN HILL FARMS - CANNABIS CULTIVATION  
**Project Address:** 3615 FOOTHILL RD, CARPINTERIA, CA 93013  
**A.P.N.:** 005-280-041  
**Zone:** AG-I-20

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

**APPROVAL DATE:** 4/28/2021  
**LOCAL APPEAL PERIOD BEGINS:** 4/29/2021  
**LOCAL APPEAL PERIOD ENDS:** 5/10/2021

**APPEALS:**

1. The approval of this Coastal Development Permit may be appealed to the Board of Supervisors by the applicant, owner, or any aggrieved person. An aggrieved person is defined as any person who, either in person or through a representative, appeared at a public hearing in connection with this decision or action being appealed, or who by other appropriate means prior to a hearing or decision, informed the decision-maker of the nature of their concerns, or who, for good cause, was unable to do either. The appeal must be filed in writing and submitted in person to the Planning and Development Department at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, prior to 5:00 p.m. on or before the date that the local appeal period ends as identified above (Article II Section 35-182).
2. Final action by the County on this permit may be appealed to the California Coastal Commission; therefore payment of a fee is not required to file an appeal of the approval of this Coastal Development Permit.

**PROJECT DESCRIPTION SUMMARY:** Companion case to 20DVP-00000-00011. See Conditions for complete project description. To receive additional information regarding this project and/or to view the application and/or plans, please contact Ben Singer at 624 West Foster Road, Suite C, Santa Maria, by email (bsinger@co.santa-barbara.ca.us), or by phone ((805) 934-6587).

**PROJECT SPECIFIC CONDITIONS:** See Attachment A.

**ASSOCIATED CASE NUMBERS:** 20DVP-00000-00011

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

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

**4. Appeals.** An appeal of the approval of this permit, or an appeal of the final approval by the BAR, has not been filed with the County, and an appeal of the approval of this permit has not been filed with the Coastal Commission within the 10 working days following the receipt of the County's Notice of Final Action on the project by the Coastal Commission. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred, including appeals filed with the Coastal Commission, which has the effect of upholding the approval of this permit, and, if applicable, the final approval by the BAR.


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

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


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

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

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

Johannes Brand		4/28/2021
<b>Print name</b>	<b>Signature</b>	<b>Date</b>

**Coastal Development Permit Approval By:**

	4/28/2021
	<b>Date</b>

**PERMIT ISSUANCE:** The permit shall be issued and deemed effective on the date signed and indicated below.

**Planning and Development Department Issuance By:**

<b>Planner</b>	<b>Date</b>

**ATTACHMENT A: CONDITIONS OF APPROVAL**

**Project Description**

- 1. Proj Des-01 Project Description:** This Coastal Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked A-J, dated April 28, 2021, 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 a request for a Coastal Development Permit, Case No. 20CDP-00000-00079, and a Revised Development Plan, Case No. 20DVP-00000-00011, of the original Development Plan (approved November 17, 1969) to allow approximately 8.92 acres (388,472 square feet) of mixed light and nursery cannabis cultivation. Cultivation activities will occur within seven existing greenhouses. Processing will occur within Processing Building #1 (23,072 square feet) and Processing Building #2 (4,870 square feet). Onsite cultivation (as defined by the Article II Coastal Zoning Ordinance) will total approximately 9.56 acres.

An approximately 23 ft. wide section of Processing Building #1 will be demolished to provide separation from Greenhouse #3. An approximately 2,000 square foot as built, boiler room and approximately 950 square foot irrigation room attached to Greenhouse #6 will be validated. The equipment associated with the Byers Odor Abatement System and an emergency generator will be validated under this permit. These interior structures/rooms will be validated under appropriate building permits. Additionally, grading associated with the unpermitted installation of a detention basin (approximately 3,300 cubic yards cut and 1,000 cubic yards fill) and bioswale (585 cubic yards cut and 296 cubic yards fill) will be validated. An approximately 22,500 square feet area, including the area of the bioswale, will be restored to the natural riparian habitat. Portions of the existing agricultural access road will be removed so that it is outside of the Environmentally Sensitive Habitat (ESH) buffer area. The project also includes the demolition/removal of two unpermitted water tanks, a shipping container, two storage structures, and an overhang on Processing Structure #2. The perimeter of the parcel is enclosed with an 8 ft. tall chain-link fence. Privacy slats will be added to the chain-link fence for security and screening. Existing landscaping provides screening from the abutting roadway. An existing single-family dwelling will remain onsite. The current residents are co-owners and operators of Autumn Brands and will continue to reside in the dwelling. As new best available control technology is proven to achieve superior odor control, as determined by peer reviewed data and County-approved qualified odor experts, the applicant will make the appropriate BACT upgrades, including but not limited to scrubbers to mitigate odor from cultivation activities in the greenhouses. After the commencement of use, the County shall retain a professional engineer or certified industrial hygienist, at the applicant's expense, to inspect and verify the installation of new best available control technology.

- 2. Proj Des-01 Project Description:** A total of 71 parking spaces exist and will remain. Four will be reserved for preferential carpool/van parking. The cannabis operation includes up to 150 full time employees, including six to eight managerial staff on site. Autumn Brands will employ up to 100 employees, and Ocean Hill Farms will employ 50 employees. The hours of operation will be between 6:00 a.m. and 4:00 p.m. Monday through Friday, and 7:00 a.m. to noon on Saturdays. The cannabis operation will be served by an existing agricultural water well and the Carpinteria Valley Water District. A new septic system will provide wastewater treatment for the operation. Access will

continue to be taken from the existing driveway off Foothill Road (Highway 192). The property is a 24.03-acre parcel zoned AG-I-20 located within the Coastal Zone and Area A of the Carpinteria Agricultural Overlay. The parcel is shown as APN 005-280-041 and addressed as 3615 Foothill Road, Toro Canyon 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.

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

### **Project Specific Conditions**

4. **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.
5. **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.
6. **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.
7. **Permit Compliance:** The Owner/Applicant/Operator shall ensure that the project complies with the County cannabis regulations, all approved plans and project conditions, including those which must be monitored after the project is built and/or operations commence. To accomplish this the

Owner/Applicant/Operator shall:

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

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

3) Participate in Initial Compliance Inspections that may occur:

i. Prior to commencement of use and/or issuance of Business License,

ii. Within the first year (during the active growing season), and

iii. Other instances as deemed necessary by Planning & Development

4) Participate in Regular Compliance Inspections that may occur:

i. Upon renewal of the County Business License,

ii. For the life of the project, or as specific in permit conditions, and

iii. Other instances as deemed necessary by Planning & Development

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

Timing: Prior to issuance of Coastal Development Permit 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.

**8. Fencing and Security Plan:** The applicant shall implement the Fencing and Security Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Fencing and Security Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.2) as that section reads as of the date of project approval.

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

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

**9. Landscaping and Screening Plan:** The applicant shall implement the Landscape and Screening Plan stamped "Zoning Approved".

PLAN REQUIREMENTS: The Landscape and Screening Plan must comply with the requirements of the Article II Coastal Zoning Ordinance (§35-144U.C.3) as that section reads as of the date of project approval. The applicant shall file a performance security in an amount sufficient to ensure the installation and maintenance of the landscaping for two years, as determined by a landscape architect and approved by P&D compliance staff.

TIMING: The applicant shall submit one copy of the approved Landscaping and Screening Plan to P&D staff and deposit the performance security prior to issuance of this permit. The applicant shall install all components of the Landscape and Screening Plan prior to commencement of the cannabis

activities that are the subject of this permit. The applicant shall maintain the landscaping and screening in compliance with the Landscape and Screening Plan throughout the life of the project.

**MONITORING:** P&D compliance staff inspects the project site to confirm that all components of the Landscape and Screening Plan are installed and maintained pursuant to the requirements of this condition. P&D compliance staff releases said performance security upon a written statement from the Department that the landscaping, in accordance with the approved Landscape and Screening Plan, has been installed and maintained for two years.

- 10. 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 and –C.1.g) 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.
- 11. 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.
- 12. 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.

- 13. Odor Control Notification:** The Owner/Applicant shall inform P&D compliance monitoring staff prior to making any changes to the product/substance used within the approved vapor phase odor control system. The Owner/Applicant shall submit detailed product information, including but not limited to materials safety data sheets, to P&D compliance staff for review and approval. P&D staff shall coordinate their review of the proposed product/substance with the Santa Barbara Air Pollution Control District (SBCAPCD). The SBCAPCD shall assess whether this product, or its contents, are listed on the State's Toxic Air Contaminant List or other similar hazardous air contaminants list.  
TIMING: The Owner/Applicant shall inform P&D compliance monitoring staff of their intent to change the product used within the vapor phase odor control system prior to its use. The Owner/Applicant shall receive P&D approval prior to use of new product/substance.  
MONITORING: P&D compliance monitoring staff shall review the proposed product/substance changes and associated information materials in coordinate with the SBCAPCD. P&D compliance monitoring staff shall ensure that the vapor phase product/solution is implemented and operated in compliance with the approved Odor Abatement Plan and any associated or subsequent addendums.
- 14. 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 the issuance of final building and/or grading inspection. The applicant shall maintain the project site in compliance with the Site Transportation Demand Management Plan throughout the life of the project.  
MONITORING: The applicant shall demonstrate to P&D compliance staff (e.g., by providing a copy of an executed contract with a rideshare service or site inspections to verify that trip reduction features are installed onsite) that all components of the approved Site Transportation Demand Management Plan are implemented.
- 15. Cannabis Waste Discharge Requirements:** The applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants and fertilizers.
- 16. Water Efficiency for Commercial Cannabis Activities:** Water-conserving features shall be included in the design of cannabis cultivation. Water-conserving features include the following: rainwater capture and reuse, use of recycled water, and timed drip irrigation.  
DOCUMENTATION: The applicant shall document water-conserving features on the Site Plan stamped "Zoning Approved".
- 17. Habitat Restoration:** The Owner/Applicant shall submit for P&D approval Riparian Area Restoration Plan prepared by a P&D-approved biologist and designed to restore approximately 22,500 square feet of area to natural riparian conditions and including the following components:
- Landscaping shall be with native riparian species as shown on the Riparian Restoration Planting Plan dated January 13, 2021 and stamped "Zoning Approved."
  - Species shall be from locally obtained plants and seed stock.
  - The new plantings shall be irrigated with drip irrigation during the first and second years to ensure



successful germination and plant establishment

d. Non-native species within the restoration area shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

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

**TIMING:** The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for five years. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

**MONITORING:** P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the plan set and as detailed in the Riparian Restoration Planting Plan dated January 13, 2021 throughout the life of the project to permit compliance staff.

**18. Wildlife Movement Plan:** The Owner/Applicant shall implement the avoidance and minimization measures and all associated components included in the Wildlife Movement Plan (WMP) prepared by Storrer Environmental Services, LLC, dated January 14, 2021 and stamped "Zoning Approved". The WMP measures include:

- 1) A worker environmental awareness training pamphlet will be prepared and posted on-site for all employees (including site supervisors)
- 2) A qualified biologist should be present to oversee site preparation and non-native plant removal in the Riparian Restoration Area to ensure there are no impacts to sensitive wildlife or native plant species
- 3) On-going activities within the prescribed 100 foot ESH buffer from Arroyo Paredon Creek will be limited to use of Processing Building #2, existing permitted greenhouses, use of the existing paved fire road, and implementation of riparian restoration
- 4) If listed wildlife species are observed, work will be suspended and the CCDFW and USFWS (as applicable) will be notified immediately. Sensitive wildlife species may be moved from the work area by a qualified biologist holding the necessary permits.
- 5) All erosion control materials shall be free from plastic to prevent entanglement of wildlife.
- 6) Trash and food items will be placed in secured waste storage daily so as not to attract wildlife.

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

**TIMING:** The requirements of this condition shall be implemented prior to the commencement of installation of lighting and fencing or restoration activities. The requirements of this condition shall also be implemented throughout the life of the Proposed Project, as applicable. Permit compliance staff shall conduct site inspections as needed to confirm compliance.

**MONITORING:** P&D permit processing planner shall check plans prior to issuance. P&D compliance monitoring staff, as well as USFWS staff and/or CDFW staff as needed, shall monitor compliance with this condition prior to the commencement of project activities, which may include installation of fencing and lighting, or at the pre-construction meeting, or during grading and construction, and throughout the life of the project, as applicable. The Owner/Applicant shall demonstrate compliance with the measures outline above, listed in the plan set and as detailed in the WMP prepared by Storrer Environmental Services, LLC, dated January 14, 2021 throughout the life of the project to permit compliance staff.

- 19. 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.
- 20. EM-02 Elapsed Time Meter:** The Owner shall install, operate and properly maintain a dedicated, non-resettable elapsed-time meter on the emergency generator engine. A written record detailing the hours of operation, corresponding meter readings from the hours meter, and reason for each operation, shall be maintained and submitted to the APCD upon request. 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.
- 21. Greenhouse Blackout Curtains:** The owner/applicant/operator shall install and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (grow lights) from being visible outside the green houses structures between sunset and sunrise.  
PLAN REQUIREMENTS: The mechanized blackout screen system shall be noted on plans submitted for Permit approval  
TIMING: The system shall be installed prior to Final Building Inspection Clearance or Commence of Use.  
MONITORING: The Owner/Applicant/Operator shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance or Commence of Use. P&D Compliance staff may conduct site inspections as necessary to respond to complaints and ensure blackout screen system is maintained for the life of the project.
- 22. 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.
- 23. 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.

- 24. 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.

- 25. Tree Protection Without a Tree Protection Plan:** All grading, trenching, ground disturbance, construction activities and structural development shall occur beyond six feet of the dripline of all native trees.

a. Prior to the issuance of a Zoning Clearance for grading or construction, all native trees shall be fenced at least six feet beyond the dripline. Fencing shall be at least three feet in height of chain link or other material acceptable to P&D and shall be staked every six feet. The Owner/Applicant shall place signs stating "tree protection area" at 15 foot intervals on the fence. Fencing and signs shall remain in place throughout all grading and construction activities.

b. To help ensure the long term survival of native trees, no permanent irrigation systems are permitted within six feet of the dripline of native trees. Any landscaping must be of compatible species requiring minimal irrigation. Drainage plans shall be designed so that tree trunk areas are properly drained to avoid ponding.

**PLAN REQUIREMENTS:** Fencing shall be graphically depicted on project plans. **TIMING:** This condition shall be printed on project plans submitted for Zoning Clearance approval and installed prior to Grading or Building Permit issuance.

**MONITORING:** P&D compliance monitoring staff shall review plans and confirm fence installation. Compliance staff shall conduct site inspections to ensure compliance during grading and construction.

- 26. Truck Idling:** Idling of trucks shall be prohibited between 9:00 p.m. and 7:00 a.m.

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

**TIMING:** P&D permit processing planner shall check plans prior to issuance of Zoning Clearance.

## County Rules and Regulations

- 27. Rules-02 Effective Date-Appealable to CCC:** This Coastal Development Permit shall become effective upon the expiration of the applicable appeal period provided an appeal has not been filed. If an appeal has been filed, the planning permit shall not be deemed effective until final action by the review authority on the appeal, including action by the California Coastal Commission if the planning permit is appealed to the Coastal Commission. [ARTICLE II § 35-169].
- 28. 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.
- 29. 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.
- 30. 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.
- 31. Rules-09 Signs:** Signs. No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with Article II.
- 32. 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).
- 33. Rules-20 Revisions to Related 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.
- 34. 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.

- 35. 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 cannabis cultivation.  
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 36. 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 cannabis cultivation.  
TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to Final Building Permit Inspection and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1st).
- 37. Rules-25 Signed Agreement to Comply:** Prior to approval of Coastal Development Permit, the Owner/Applicant shall provide evidence that they have recorded a signed Agreement to Comply with Conditions that specifies that the Owner of the property agrees to comply with the project description, approved exhibits and all conditions of approval. Form may be obtained from the P&D office.
- 38. Rules-26 Performance Security Required:** The Owner/Applicant shall post separate performance securities, the amounts and form of which shall be approved by P&D, to cover the full cost of installation and maintenance of landscape and irrigation. The landscape installation security shall be waived if installation is completed in conformance with applicable requirements prior to Building Final/Occupancy Approval. Installation securities shall be equal to the value of a) all materials listed or noted on the approved referenced plan, and b) labor to successfully install the materials. Maintenance securities shall be equal to the value of maintenance and/or replacement of the items listed or noted on the approved referenced plan(s) for two years of maintenance of the items. The installation security shall be released when P&D determines that the Owner/Applicant has satisfactorily installed of all approved landscape & irrigation, plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation have been satisfactorily maintained. If they have not been maintained, P&D may retain the maintenance security until satisfied. If at any time the Owner fails to install or maintain the approved landscape and irrigation, P&D may use the security to complete the work.
- 39. Rules-28 NTPO Condition:** The Owner shall sign a written agreement with the County (i.e., a Notice to Property Owner) 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 and record the Notice to Property Owner 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.

- 40. Rules-29 Other Dept Conditions:** Compliance with Departmental/Division letters required as follows:
- a. Air Pollution Control District dated January 21, 2021;
  - b. Environmental Health Services Division dated January 20, 2021;
  - c. Fire Department dated December 3, 2020;
  - d. Flood Control Water Agency dated March 23, 2021.
  - e. Roads dated December 1, 2020.
- 41. 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.
- 42. 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.
- 43. 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.
- 44. 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.

