



LAND USE PERMIT NO.: 14LUP-00000-00514

Project Name: JIMENEZ GRADING FOR NEW AND EXISTING AGRICULTURAL ROADS
Project Address: 3927 JALAMA RD, LOMPOC, CA 934369500
A.P.N.: 083-280-024
Zone: AG-II-100

The Planning and Development Department hereby approves this Land Use 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: 12/6/2016
LOCAL APPEAL PERIOD BEGINS: 12/7/2016
LOCAL APPEAL PERIOD ENDS: 12/16/2016
DATE OF PERMIT ISSUANCE (if no appeal filed): 12/19/2016

APPEALS:

1. The approval of this Land Use 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 (CLUDC Chapter 35.102 Appeals).
2. Payment of a fee is required to file an appeal of the approval of this Land Use Permit.

PROJECT DESCRIPTION SUMMARY: Grading of new agricultural roads for the existing operation. The roads do not meet Chapter 14 requirements for the exemption of agricultural roads. Grading consisting approximately 250 cy of cut and 250 cy of fill. To receive additional information regarding this project and/or to view the application and/or plans, please contact John Zorovich at 624 West Foster Road, Suite C, Santa Maria, by email (jzoro@co.santa-barbara.ca.us) or by phone ((805) 934-6297).

PROJECT SPECIFIC CONDITIONS: See Attachment "A"

ASSOCIATED CASE NUMBERS: 15APL-00000-00019

PERMIT ISSUANCE: This Land Use Permit will be issued following the close of the 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 (CLUDC Chapter 35.106 Noticing and Public Hearings). 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. If an appeal has been filed then the permit shall not be issued until final action on the appeal(s) has occurred 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 Land Use Permit have been granted.

PERMIT EXPIRATION AND EXTENSION: This permit shall remain valid only as long as compliance with all applicable requirements of the CLUDC 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 (CLUDC: Section 35.82.110).
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 (CLUDC: Section 35.82.110).
3. The effective date of this permit shall be (a) the day following the close of any applicable appeal period provided an appeal is not filed, or (b) if appealed, the date of final action on the appeal which has the effect of upholding the approval, or (c) some other date as indicated in this permit (CLUDC: Section 35.82.020).

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

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

_____/_____
Print name **Signature** **Date**

Land Use Approval By:

_____/_____
Director, Planning and Development **Date**

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

Planning and Development Department Issuance By:

_____/_____
Planner **Date**

ATTACHMENT A: CONDITIONS OF APPROVAL

Project Description

- 1. Proj Des-01 Project Description:** This Land Use Permit is based upon and limited to compliance with the project description, the Comprehensive Ranch Road Grading & Maintenance Plan dated October xx 2016 and all conditions of approval set forth below, 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 approval of a Land Use Permit on property zoned Agriculture (AG-II-100) in compliance with Section 35.82.100 of the County Land Use and Development Code to approve "as-built" road repairs and to allow future road maintenance activities as described below.

The project is a request for approval of "as-built" repairs to an existing agricultural road identified as Road Segment 47 on a Comprehensive Ranch Road Grading and Maintenance Plan dated October X, 2016 (Attachment 4) (PROJECT AGENT IS REVISING PLAN TO BE CONSISTENT WITH PROJECT REVISIONS) and the approval of potential future maintenance activities on Road Segment 47. The proposed Comprehensive Ranch Road Grading and Maintenance Plan was prepared by the project Applicant to depict all existing roads on the project site as well as the proposed Road Segment 47 road maintenance area.

Road Segment 47 is a dirt road approximately 200 feet in length that varies from approximately 12 to 16 feet in width. Proposed road maintenance activities include minor scraping of the road surface to remove vegetation that has grown on the roadway and to remove rocks and dirt that have accumulated on the road. No soil generated by road maintenance activities would be imported or exported, and any rocks encountered during road maintenance activities that are greater than six inches may be stockpiled on the project site for future use on-site. All proposed maintenance activities would occur within the existing footprint of the road segment.

The Comprehensive Ranch Road Grading and Maintenance Plan identifies erosion control measures that would be implemented at the proposed road maintenance site. Proposed erosion control measures include the use of sand bags, straw bales and fiber rolls, and compliance with Grading Ordinance requirements. No grading would take place within the banks of any blue-line creeks.

- 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.

County Rules and Regulations

- 3. 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.

- 4. 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.
- 5. Rules-33 Indemnity and Separation:** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
- 6. 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.