



COUNTY OF SANTA BARBARA

Planning and Development

**A Planner's Guide to
Conditions of Approval
And
Mitigation Measures**

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HOW TO USE THIS BOOKLET

This is a planner's guide to recommended conditions of approval and mitigation measures for discretionary projects and the permits that follow them. The conditions found here enforce existing State and local regulations including the Subdivision Map Act, Zoning Regulations, Coastal Act Regulations and Comprehensive Plan policies and Community Plan development standards. Many of the conditions may be used as mitigation measures for commonly occurring impacts and have been used in previous environmental documents.

Consultants preparing environmental documents and applicants who want to incorporate regulations into their project design may want to consult this document. Please speak with an authorized representative of Planning and Development with any questions you have.

Conditions of Approval requirements placed on a discretionary project by the review authority, without which the project would not be in conformance with applicable State, Federal or local regulations. These may include regulations enforced by many different agencies and departments.

Mitigation Measures are requirements placed on a discretionary project that requires either a mitigated Negative Declaration or an EIR. If the measure(s) are not applied to the project as Conditions of Approval, the project will have unmitigated environmental impacts. IF an applicant has a project for which a mitigated Negative Declaration was prepared, but the applicant does not wish to carry out the mitigation measures, then the project will be subject to an EIR to disclose the unmitigated impacts to the public and the review authority(s). The review authority(s) will then need to find that there are "overriding considerations" in order to approve the project. Therefore, applicants whose projects received mitigated NDs are required to sign an agreement to accept the mitigation measures before a project goes to the review authority.

Monitoring is required for mitigation measures in compliance with CEQA Section 21081.6. All of the mitigation measures in this document and most of the conditions which may be used as mitigation measures have monitoring sections pre-written. IF the section is not written, or does not make sense for the project you are reviewing, read the instructions below. In Santa Barbara County, the **Mitigation Monitoring and Reporting Plan (MMRP)** consists of the mitigation measures together with the monitoring component (included in the mitigation measure) if these are written properly as described above. The monitoring component must be discussed in the environmental document with the mitigation measure, not at the end of the document in a separate chapter. Since the monitoring action tests the feasibility of the mitigation measure, it is important that the public see the monitoring component in the context of the proposed measure and the impact discussion, not in a separate chapter as an after-thought.

NOTE: Measures addressing water quality issues and NPDES (National Pollutant Discharge Elimination System) may be found in several sections. Be sure to check creeks, geology, water resources.

Not all projects are alike... In order to use the Conditions or Mitigation Measures effectively, the planner should read each item carefully and change the text as appropriate. The planner should review all items in italics and make the appropriate selection or insert the appropriate information [shown as bracket and CAPITALIZATION text]. Many of the pre-written texts in this document are templates suggesting ways in which you should customize the text. When customizing, be certain to leave all essential components intact and, for conditions, ensure that the regulatory language remains. Any changes must be reviewed and authorized by the project supervising planner and some may require County Counsel review. This set of conditions and mitigation measures does not contain special conditions for oil and gas projects. Energy facilities are unique in character and special conditions have been developed for those projects. Those special conditions may be used in place of these, though these will be used wherever practical.

When a new regulation or impact not previously considered presents itself, you may need to write a condition or measure yourself. To write a meaningful and enforceable condition or measure, read the instructions below. Have the new language approved by your supervisor. Leave time in the review process for County Counsel to review changes also. Once the language is approved, give the final wording to staff responsible for updating this document for inclusion in the next update.

You may also reference the **Infrequently Used Conditions** that have been compiled and added to the Standard Conditions Folder in the Digital Library. These conditions are not included here because they are not Standard Conditions, however, you may refer to them in the event you have a unique project that may have been previously addressed by staff.

Writing Custom Mitigation Measures and Conditions: All mitigation measures should be written with the components described below and must include both the required action (e.g., the applicant shall re-vegetate all disturbed areas of the creek with _____) and any administrative actions (e.g., the applicant shall submit a creek re-vegetation plan). In the attached you will see that we have written each measure with the required action first, then with the administrative action or “plan requirement” and have also called out the timing in the measure. This is also a writing tool to help ensure you have included these critical elements. Always include the following information in mitigation measures:

- Why is this measure being recommended. State the objective of the measure. (This can be simple introductory phrase: “To reduce water use...”, “to protect existing trees...”)
- What action or actions must be completed. How will it be implemented.
 - Identify the measure.
 - Describe the steps necessary to complete the measure.
 - Identify measurable performance standards by which the success of the mitigation can be determined. (e.g., replace trees 10:1, maintain and replace until 3:1 survive...)
 - Provide for contingent mitigation if monitoring reveals that success standards are not satisfied.

- Who is responsible for implementing the actions required by the measure (e.g., the applicant shall...; the permittee shall...)
- Where is the action to take place (e.g., in the creek; on the site...)
- When must **each** action be implemented (e.g., prior to PERMIT APPROVAL or ISSUANCE; during all grading phases...)

Monitoring: Identify who, how and when monitoring will occur. Never place applicant requirements in this section and never place monitoring requirements in the above section. Condition language specifying who shall monitor is intended to be flexible and may be carried out by another agent of the County.

To write a **condition**, use the same standards as above, but omit the monitoring.

Naming convention on custom conditions: To make custom conditions more readily apparent to the decision-maker, custom conditions shall be named as follows: “Special-[Issue Area] [number]”. For example, if you are writing a custom biology condition, the condition shall be named as “Special-Bio 1”.

Never use the following terms in conditions or measures: *Consult with, submit for review, coordinate with, study further, encourage, emphasize, to the greatest extent feasible.* Not only are these specific terms difficult to enforce, but mitigation which only calls for these actions does not meet the legal definition of mitigation.

Always Write in active, not passive, sentences: “The applicant shall complete all work in conformance with approved plans...” NOT “All work shall be completed in conformance with approved plans...”

Note on text differences in font type, size, etc in document: As you go through this document, you may notice that not all text is formatted the same way. Below is a guide:

- Standard text that belongs in the condition is printed in Times New Roman 12 pt font. You should use this font type and size for all your staff reports (this is the department approved type).
- Text in ***bold italics*** is used generally as introductory text to a particular section in the document. This text is used to help orient the planner when looking at a particular section.
- Text in ***red italics*** is generally instructional language to the planner.
- Text written in [CAPITALIZED LETTERS] within brackets identify instances where the planner needs to make a decision regarding the language of the condition or make a decision between what’s been listed within the brackets (e.g. [APPROVAL / ISSUANCE]). If items are separated by “/”, select the appropriate text, then erase the rest of the text housed within the brackets.

ORDER OF CONDITIONS IN STAFF REPORTS

Staff Report or Permit Conditions must be listed in the following order:

- I. Project Description
- II. Conditions By Issue Area
- III. Project Specific Conditions
- IV. Conditions Unique to permit type – TM, DP, CP, etc
- V. County Rules and Regulations

If you have many conditions, you should list them by timing within each category above. This will assist you, the applicant, and permit compliance staff during future clearances and monitoring.

CUSTOMIZE CONDITIONS FOR YOUR PROJECT

In order to use the Standard Conditions/Mitigation Measures effectively, the planner should read each item and change the text as appropriate. All items in italics or ALL CAPS should be reviewed by the planner and the appropriate selection should be made or information should be inserted.

USING CONDITIONS IN FOLLOW-UP PERMITS, RECORDING WITH TITLE, PLACEMENT ON PLANS

Once a condition or mitigation measure is placed on a discretionary project, that condition or measure applies to the project through all applicable phases of development. For example, if oak tree protection is required on a map, then the trees must be protected in rough grading, when the individual home permits are issued and in the field when the homes are being built. To ensure protection is afforded, the condition or mitigation measures must be carried over from action letters to future permits to final plans.

Some conditions apply to only one phase of a project. If a condition applies only to an early phase, such as a requirement for payment of mitigation fees prior to approval of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], that condition does not need to be recorded with title nor printed on plans. Use judgment when requiring placement of conditions on plans. If all conditions are placed on plans, the effect is diluted. Contractors need to see only those conditions that affect or restrict construction and grading.

Similarly, recordation of conditions at title is to inform future land owners who might further develop the land of conditions that will apply. Require recordation of only those conditions which will apply in the future.

PROCEDURES FOR REVISING STANDARD CONDITIONS

Purpose:

The department promotes continuous process improvements. Among other things, we have standardized conditions to streamline the permitting process. The need to revise, add, or delete a standard condition will arise occasionally to improve its effectiveness. The department encourages staff to pursue any such revisions upon identifying useful improvements, and requests that such revisions be processed via the following procedure. This procedure applies only to revising, adding, or deleting one or more standard conditions in the digital library and *Accela* system. It does not apply to conversion of a standard condition into a special condition to address a case-specific situation.

Recommendation of Simple Edits and Correction of Typos:

Submit to your supervisor. Upon supervisor's approval, submit to the custodian for protos and templates. Custodian will pass a copy of the edit to the *Accela* System Administrator once revision is entered into the Standard Conditions proto. Administrator will revise condition in *Accela*.

Steps for Recommending Substantive Revisions:

1. Staff brings any ideas to revise, add, or delete a standard condition to supervisor.
2. Staff and supervisor bring the concept to New Case Review committee for discussion, inviting specific staff to attend, such as departmental biologist or county counsel, as appropriate.
3. Staff/supervisor then brings the concept to deputy, who will then share it at next Development Review Services management meeting. Deputies may decide to discuss the revision at divisional staff meetings or P&D management meeting for further input.
4. If revision is agreed upon in concept, Deputy assigns it to appropriate staff to draft specific language and explanation for the change. Assignee drafts the specific language of the revision with a supporting explanation and circulates it for review to appropriate staff. *Accela* has a 4,000-character limit on each condition, so language needs to be concise.
5. Deputy submits finalized revision to custodian for protos and templates, using the [Accela Standard Conditions Change Request](#) form so revisions may be tracked.
6. Upon revising the standard conditions proto, custodian will sent a copy of the form to the *Accela* System Administrator, who will revise the standard condition in *Accela*.

PROJECT DESCRIPTION

(Applies to every case)

Elements of the applicant's proposed design are described here, if they would have been required either by condition or mitigation had the applicant not proposed them. If they were not included in the applicant's final project design, inconsistencies with regulations or policies, or unmitigated environmental impacts would result. To ensure those applicant recommended features do end up in the project that is built, the project description itself becomes a condition.

Proj Des-01 **Proj Des-01 Project Description.** This [STATE PERMIT TYPE] is based upon and limited to compliance with the project description, the hearing exhibits marked A-[FILL IN EXHIBIT REFERENCE], dated [INSERT DATE], 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:

[PROJECT DESCRIPTION DETAIL.] *Planner: Insert detailed project description including the physical improvements to be made in terms of square footage, number of structures, number of units, number of lots to be created, etc. Include the height of any structures, number of parking spaces, amount of landscaping and/or open space, source of water and sewage disposal, access to project, number of employees, phasing, and any other pertinent details about the project. Do Not include the site location in the project description condition. The project description text now written as approved condition one, should therefore be changed to active voice "will" instead of the passive voice "would".*

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.

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

CONDITIONS BY ISSUE AREA

Conditions of approval may be applied to projects by review authority(s) only when State or local regulations, including Community and General Plan policies and development standards, zoning and building regulations, etc., exist which provide for their use under applicable circumstances. The conditions below provide sample, standard language for most of the conditions that apply under the regulations P&D enforces. Many of the conditions below may be used as mitigation when an environmental impact is present. Refer to the “Other Department Conditions” section of this booklet for mitigation language if the project you are reviewing has environmental impacts for fire hazards, flood, hazardous materials, or reclaimed water use. In your staff report, explain the relationship between the regulations applicable to the project or project environmental impacts and the conditions or mitigations you are recommending.

These conditions may also be used as mitigation measures where an environmental impact has been identified. They are listed in this section because State or County regulations exists which provide for their use as conditions under applicable circumstances even when an environmental impact is not present. Please refer to the applicable regulations in your staff report or environmental document before applying these conditions (or mitigations) to the project you are reviewing.

About Plan Requirements and Timing: For maps, specify when conditions apply to subdivision improvements / future lot development or both. For phased developments, specify which conditions apply to which phase. For all projects, specify if some conditions apply to LUP/CDP/ZCIs for grading v building permit v both.

AESTHETICS

- Aest-01 *[See Rules-09]*
- Aest-02 **Aest-02 Trash Storage Area.** A trash storage area shall be installed which is architecturally compatible with the project design. The storage area shall be enclosed with a solid wall of sufficient height to screen the area and shall include a solid gate. All trash bins shall be covered. The trash storage area shall be maintained in good repair.
PLAN REQUIREMENT: Location and design of trash storage area shall be denoted on project plans.
TIMING: Trash storage area shall be installed prior to Final Building Inspection Clearance.
MONITORING: P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.
- Aest-03 *[Removed]*
- Aest-04 *[Planners: For maps, specify when conditions apply to subdivision improvement / future lot development or both. For phased developments, specify which conditions apply to which phase]*
Aest-04 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 [OF COMMON OPEN AREAS] shall be compatible with vicinity development [AND SHALL CONFORM IN ALL RESPECTS TO PREVIOUS BAR APPROVAL (INSERT BAR NUMBER)].
TIMING: The Owner/Applicant shall submit architectural drawings of the project for review and shall obtain final BAR approval prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Grading plans, if required, 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.
- Aest-05 **Aest-05 Height Limit.** Future structures shall not exceed a height of [INSERT HEIGHT] feet above [SPECIFY HIGHEST, LOWEST OR MEDIAN] existing ground surface.
PLAN REQUIREMENT: This measure shall be included on building plans.
TIMING: Plans shall be submitted prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
MONITORING: Height of structure(s) shall be checked by Building and Safety during frame/inspection.

- Aest-06 **Aest-06 Building Materials.** Natural building materials and colors compatible with surrounding terrain (earth-tones and non-reflective paints) [SPECIFY MATERIALS IF APPLICABLE] shall be used on exterior surfaces of all structures, including water tanks and fences.
PLAN REQUIREMENT: Materials shall be denoted on building plans.
TIMING: Structures shall be painted prior to Final Building Inspection Clearance.
MONITORING: P&D compliance monitoring staff shall inspect prior to Final Building Inspection Clearance.
- Aest-07 **Aest-07 Understories and Retaining Walls.** Understories and retaining walls higher than six (6) feet shall be in tones compatible with surrounding terrain using textured materials or construction methods which create a textured effect. [NATIVE] vegetation to screen retaining walls shall be planted.
PLAN REQUIREMENTS: The Owner/Applicant shall submit retaining wall plans and vegetation screening plans to P&D for review and approval.
TIMING: Plans shall be submitted prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]; vegetation shall be installed prior to Final Building Inspection Clearance.
MONITORING: P&D compliance monitoring staff shall check plans and ensure installation prior to Final Building Inspection Clearance.
- Aest-08 *[Removed]*
- Aest-09 *[Planners: You may also use SolidW-03]*
Aest-09 Construction Clean-up. The developer shall clear the project site of all excess construction debris. *[PLANNER: Note whether clean-up may be phased – e.g., tracts].*
PLAN REQUIREMENT: This requirement shall be noted on final building plans.
TIMING: Debris clearance shall occur prior to Final Building Inspection Clearance.
MONITORING: P&D compliance monitoring staff shall site inspect prior to Final Building Inspection Clearance.

Aest-10

[Planners: If a lighting plan is overkill, simply require these elements be included on design and construction plans including electrical details.]

Aest-10 Lighting. The Owner/Applicant shall ensure any exterior night lighting installed on the project site is of low intensity, low glare design, minimum height, and shall be hooded to direct light downward onto the subject lot and prevent spill-over onto adjacent lots. The Owner/Applicant shall install timers or otherwise ensure lights are dimmed after 10 p.m. [or 9 p.m. in the Santa Ynez Valley Community Planning Area].

PLAN REQUIREMENTS: The Owner/Applicant shall develop a Lighting Plan for [BAR / PERMIT COMPLIANCE STAFF] approval incorporating these requirements and showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture.

TIMING: Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff and BAR shall review a Lighting Plan for compliance with this measure prior to Final Building Inspection Clearance to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

AGRICULTURAL RESOURCES

Ag-01 *[Removed]*

Ag-02 *[Removed]*

Ag-03 *[Removed]*

Ag-04 *[Removed]*

Ag-05 *[Planner: Use when the subject development is contiguous to land under agricultural operation.]*

Ag-05 Agriculture Use. The Owner/Applicant shall record with the [FINAL MAP / DEED] a buyer notification on a separate information sheet that reads as follows: “**IMPORTANT: BUYER NOTIFICATION:** This property is located adjacent to property zoned for agriculture and is located in an area that has been planned for agricultural uses. The Board of Supervisors has determined that it is in the public interest to preserve agricultural land and operations within the County of Santa Barbara and specifically to protect these lands for exclusive agricultural use. Any inconvenience or discomfort from properly conducted agricultural operations, including noise, odors, dust, and chemicals will not be deemed a nuisance per Section 3-23, Article V, Chapter 3 of the County Code.

[Note to Planner: The “IMPORTANT: BUYER NOTIFICATION” text above is intended to be in BOLD and is always a part of the required deed restriction.]

Ag-06 *[Planner: Use the following condition if the project involves a LLA, TPM, or TRM and the land is under an existing Agricultural Preserve contract. Replacement contracts can only be processed and recorded after the map has recorded. This condition will ensure a smooth transition between contracts.]*

Ag-06 Ag Preserve Replacement Contract. Prior to recordation, the applicant shall submit applications for Agricultural Preserve Replacement contracts to Planning and Development. Recordation of Agricultural Preserve Replacement Contracts shall occur within one year following map recordation or the project will be referred to the Agricultural Preserve Advisory Committee with a recommendation for non-renewal of the contract.

TIMING: Applications for replacement contracts shall be submitted prior to recordation. Recordation of replacement contracts shall occur within one year of map recordation.

MONITORING: P&D processing planner shall verify that applications for Agricultural Preserve replacement contracts have been submitted to P&D prior to map clearance. The Agricultural Preserve Advisory Committee shall be notified by the planner responsible for processing the replacement contracts if replacement contracts are not recorded within one year following map recordation.

AIR QUALITY

Air-01

[PLANNER: reclaimed water may be used for dust control for projects on the South Coast. Consult with EHS and add reclaimed water condition if appropriate.]

Air-01 Dust Control. The Owner/Applicant shall comply with the following dust control components at all times including weekends and holidays:

- a. Dust generated by the development activities shall be kept to a minimum with a goal of retaining dust on the site.
- b. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, use water trucks or sprinkler systems to prevent dust from leaving the site and to create a crust after each day's activities cease.
- c. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
- d. Wet down the construction area after work is completed for the day and whenever wind exceeds 15 mph.
- e. When wind exceeds 15 mph, have site watered at least once each day including weekends and/or holidays.
- f. Order increased watering as necessary to prevent transport of dust off-site.
- g. Cover soil stockpiled for more than two days or treat with soil binders to prevent dust generation. Reapply as needed.
- h. If the site is graded and left undeveloped for over four weeks, the Owner/Applicant shall immediately:
 - i. Seed and water to re-vegetate graded areas; and/or
 - ii. Spread soil binders; and/or
 - iii. Employ any other method(s) deemed appropriate by P&D or APCD.

PLAN REQUIREMENTS: These dust control requirements shall be noted on all grading and building plans.

PRE-CONSTRUCTION REQUIREMENTS: The contractor or builder shall provide 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 [INSERT 1ST GRADING OR BUILDING PERMIT]. The dust control components apply from the beginning of any grading or construction throughout all development activities until Final Building Inspection Clearance is issued [AND LANDSCAPING IS SUCCESSFULLY INSTALLED].

MONITORING: P&D processing planner shall ensure measures are on plans. P&D grading and building inspectors shall spot check; Grading and Building shall ensure compliance onsite. APCD inspectors shall respond to nuisance complaints.

Air-02 *[See Air-01 above]*

Air-03 *[See Air-01 above]*

Air-04 *[Also see Air-05 below. Planner: Check with Building and Safety for redundancy and consistency with Title 24 before applying. Tailor the items to the project. If these are design elements that the BAR will need to consider, add these elements to the DESIGN ELEMENTS condition language. If you use “g” add that element to the Landscape Plan. The bus stop & bike paths requirements would need much more detail and might better belong in transportation.]*

Air-04 AQ Design Elements. The Owner/Applicant shall incorporate the following energy-conserving techniques into project design, unless they can demonstrate infeasibility of individual components to P&D. *[PLANNER: CHOOSE OR ADD OTHERS].*

- a. Use of light colored water-based paint and roofing materials;
- b. Use of passive solar cooling/heating;
- c. Use of natural lighting;
- d. Use of concrete or other non-pollutant materials for parking lots instead of asphalt;
- e. Installation of sidewalks and bikepaths;
- f. Installation of covered bus stops to encourage use of mass transportation;
- g. Use of landscaping to shade structures and parking lots.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these energy conservation design elements into building and HVAC plans as applicable or shall submit proof of infeasibility to P&D.

TIMING: The Owner/Applicant shall incorporate this measure prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: The Owner/Applicant shall demonstrate to Building & Safety staff that the development is in compliance with approved energy saving design components prior to Final Building Inspection Clearance. P&D compliance monitoring staff shall verify landscape installation in compliance with approved landscape plans.

Air-05

[Also see Air-04 above. Planner: Check with B&S for redundancy and consistency with Title 24 before applying. Tailor the items to the project.]

Air-05 AQ Technology Elements. The Owner/Applicant shall incorporate the following energy-conserving techniques into project plans, including building, HVAC, plumbing and/or electrical plans as applicable, unless Owner/Applicant can demonstrate infeasibility of individual components to P&D. *[PLANNER: CHOOSE OR ADD OTHERS].*

- a. Low NO_x residential and commercial water heaters and space heaters per specifications in the 1991 Air Quality Attainment Plan;
- b. Heat transfer modules in furnaces;
- c. Solar panels for residential water heating systems and other facilities or use of on-demand water heater(s);
- d. Energy efficient appliances;
- e. Energy efficient lighting.

PLAN REQUIREMENTS: Plan requirements are specific to the type of plans (e.g. plumbing items shall be on plumbing plans, etc).

TIMING: Plan timing depends on the applicable plan (e.g. plumbing items shall be on plumbing plans prior to approval of plumbing plans, etc).

MONITORING: The Owner/Applicant shall demonstrate to Building and Safety site inspection staff that development is in compliance with approved energy saving technology components prior to Final Building Inspection Clearance.

BIOLOGY**BIOLOGY-TREES**

The following conditions are for the replacement of trees removed and/or to ensure existing trees are not damaged during construction. Prior to selecting applicable conditions, the project must be carefully reviewed to ensure that everything that might damage trees (e.g., drainage, access road(s), utilities, accessory structure(s), construction vehicle width and height, etc) is taken into consideration. Conditions Bio-03, -04, and -05 apply to all native trees and shrubs.

Bio-01 *[Planner: Use this condition instead of “Tree Protection Plan” when no trees are proposed for removal, very limited tree protection is needed and measures are straightforward, e.g., a residential project with a few trees or tree areas that need to be fenced, but construction will not directly impact the health of the tree.]*

Bio-01 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 / OAK / SPECIMEN / VALLEY OAK] trees.

- a. Prior to the [APPROVAL / ISSUANCE] of a [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for grading or construction, all [NATIVE / OAK / SPECIMEN / VALLEY OAK] trees shall be fenced at least six feet beyond the dripline as shown on the approved exhibit dated [XXX]. 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. No tree removal or damage is authorized by this permit. However, any unanticipated damage to trees or sensitive habitats from construction activities shall be mitigated in a manner approved by P&D. This mitigation shall include but is not limited to posting of a performance security, tree replacement on a 10:1 (15:1 for Valley or Blue Oaks) ratio and hiring of an outside consulting biologist or arborist to assess damage and recommend mitigation. The required mitigation shall be done under the direction of P&D prior to any further work occurring onsite. Any performance securities required for installation and maintenance of replacement trees will be released by P&D after its inspection and confirmation of such installation and maintenance.
- c. To help ensure the long term survival of [NATIVE / OAK / VALLEY OAK] trees, no permanent irrigation systems are permitted within six feet of the dripline of [NATIVE / OAK / VALLEY OAK] 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 [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] approval [and shall be recorded with the final map], and installed prior to Grading or Building Permit issuance.

[INCLUDE IF SUBJECT TO PERMIT COMPLIANCE] **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.

Bio-01a

[Planner: Tree Protection Condition broken into two components(1a and 1b); both with same plan requirements, timing and monitoring. See Bio-02 for Tree Restoration. Planner: Choose those components applicable to your project, carefully considering whether each is feasible. Examine plans closely. Be certain access, utilities, water supply and sanitation lines will not go through trees. If they will, so state and specify resulting requirements. If you choose 2a unaltered, then 2b and 2c do not apply. If you require only pervious material for driveways or roads, be certain fire dept approves. Use only 3 “d” or “e” or unless both are clearly needed, in which case, describe! For example, if trimming is expected & allowed, but trenching is not.]

Bio-01a Tree Protection Plan-Site Plan Component. The Owner/Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to [ADD PURPOSE LANGUAGE]. The plan shall include the following site plan components *[PLANNER: SELECT, ADD AND DELETE AS APPROPRIATE]*:

1. The Owner/Applicant shall comply with and depict the following on the TPP exhibit and Grading and Building Plans.
 - a. All [OR STATE EXCEPTIONS] trees shall be preserved. No grading for buildings, accessways, easements, subsurface grading sewage disposal and well placement shall take place within the area within six feet of the dripline of any of these trees.
 - b. [XX] trees [DESCRIBE LOCATION(S)] will be removed per approved plans. Depict location of these trees.
 - c. [XX] trees [DESCRIBE LOCATION(S)] will be removed per approved plans. Depict location of these trees.
 - d. [XX] trees [DESCRIBE LOCATION(S)] shall be boxed and replanted. Depict original and new location for these trees.
 - e. Depict approved [DEVELOPMENT / BUILDING] envelopes. Include utility corridors, irrigation lines, roadways, driveways. *[PLANNER: If utilities may go through trees, require a utility corridor designed to minimize impacts – if you are not certain, you must alter language.]*
 - f. Depict equipment storage (including construction materials, equipment, fill soil or rocks) and construction staging and parking areas outside of the protection area.

- g. Depict the type & location of protective fencing (see below) or other barriers to be in place to protect trees in protection areas during construction.
- h. Depict the location of all tree wells or retaining walls. These shall be located outside the area within six feet of the dripline of all protected trees unless authorized by P&D.
- i. Depict the location of all paths [DRIVEWAYS, SIDEWALKS] within 25 feet of dripline areas. Only pervious paving materials (gravel, brick without mortar, turf block) are permitted within 6 feet of dripline areas.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) Submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Plan components shall be included on all plans prior to the issuance of [GRADING / BUILDING] permits. The Owner/Applicant shall install tree protection measures onsite prior to issuance of [GRADING / BUILDING] permits and pre-construction meeting.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or if damage, or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection Clearance.

Bio-01b

Bio-01b Tree Protection Plan – Construction Component. The Owner / Applicant shall submit a Tree Protection Plan (TPP) prepared by a P&D-approved arborist and/or biologist and designed to [ADD PURPOSE LANGUAGE]. The Owner Applicant shall comply with and specify the following as notes on the TPP and Grading and Building Plans [PLANNER: SELECT, ADD, AND DELETE AS APPROPRIATE]:

- 1. Fencing of all trees to be protected at least six feet outside the dripline with chain-link (or other material satisfactory to P&D) fencing at least 3 ft high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-ft intervals on the fencing.
- 2. Fencing/staking/signage shall be maintained throughout all grading and construction activities.
- 3. All trees located within 25 ft of buildings shall be protected from stucco and/or paint during construction.
- 4. No irrigation is permitted within 6 ft of the dripline of any protected tree unless specifically authorized.
- 5. The following shall be completed only by hand and under the direction of a P&D approved arborist/biologist:
 - a. Any trenching required within the dripline or sensitive root zone of any specimen.

- b. Cleanly cutting any roots of one inch in diameter or greater, encountered during grading or construction.
 - c. Tree removal and trimming.
- 6. Special equipment: If the use of hand tools is deemed infeasible by P&D, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.
- 7. The following are not permitted:
 - a. Any trenching within the dripline or sensitive root zone of any specimen.
 - b. Cutting any roots of one inch in diameter or greater.
 - c. Tree removal and trimming.
- 8. Grading shall be designed to avoid ponding and ensure proper drainage within driplines of oak trees.

PLAN REQUIREMENTS: The Owner/Applicant shall: (1) submit the TPP; (2) Include all applicable components in Tree Replacement Plan and/or Landscape and Irrigation Plans if these are required; (3) include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: The Owner/Applicant shall comply with this measure prior to [APPROVAL / ISSUANCE] of [LUP / CDP / ZCI]. Plan components shall be included on all plans prior to the issuance of [GRADING / BUILDING] permits. The Owner/Applicant shall install tree protection measures onsite prior to issuance of grading/building permits and pre-construction meeting.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that trees identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the TPP prior to Final Building Inspection Clearance.

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

Damaged trees shall be mitigated on a minimum 10:1 ratio [PLANNER: 10:1 RATIO IS FOR OAK TREES, BUT OTHER TREES CAN BY 1:1. ALSO, DEPENDING ON URBAN OR RURAL SETTING, THE REPLACEMENT TREE PROGRAM MIGHT BE CASE SPECIFIC. VERIFY WITH YOUR SUPERVISING PLANNER]. If it becomes necessary to remove a tree not planned for removal, if feasible, the tree shall be boxed and replanted. If a P&D approved arborist certifies that it is not feasible to replant the tree, it shall be replaced on a 10:1 basis (15:1 for Blue or Valley Oaks) with trees with 10-gallon or larger size saplings grown from locally obtained seed. If replacement trees cannot all be accommodated on site, a plan must be approved by P&D for replacement trees to be planted off site [PLANNER: VERIFY WITH YOUR SUPERVISING PLANNER].

[See Bio-01 or Bio-01a for Tree Protection.]

Bio-02 Tree Replacement. The Owner/Applicant shall submit for P&D approval a [NATIVE] Tree Replacement Plan prepared by a P&D-approved arborist/biologist and designed to [ADD PURPOSE LANGUAGE] and including the following components *[PLANNER SELECT AND ADD AS APPROPRIATE]*:

1. The replacement trees shall be [STATE] species, [INDICATE DENSITY OF PLANTS PER MEASURED AREA OR]:
 - a. [XX] gallon size [INSERT SPECIES] trees obtained from locally occurring saplings or seed stock 10 [15 FOR VALLEY AND BLUE OAKS] for every [NATIVE] tree approved to be removed or significantly disturbed. Show replanting location on plans.
 - b. [XX] trees removed from the construction area and boxed for replanting on the property. Show replanting location on plans.
2. *[OPTIONAL:]* Species shall be from locally obtained plans and seed stock.
3. The trees shall be gopher fenced.
4. The trees shall be irrigated with drip irrigation on a timer until established (a period to be established by the P&D approved arborist).
5. The trees shall be weaned off of irrigation over a period of two to three years.
6. No permanent irrigation shall occur within the dripline of [ANY OR DESCRIBE EXCEPTIONS] tree.
7. If replacement trees cannot all be accommodated on site, the Owner/Applicant shall submit a plan for P&D approval for replacement trees to be planted off site.

8. *[ADD IF NECESSARY:]* All [NEW AND REPLANTED] trees shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and gopher fencing during the maintenance period.

PLAN REQUIREMENTS: *[OPTIONAL: Include the components of the plan in Landscape and Irrigation Plans if these are required].*

TIMING: Plans shall be submitted prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for [MINIMUM THREE OR FIVE] years.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance [AND MAINTAINED THROUGHOUT MAINTENANCE PERIOD]. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

Bio-03

Bio-03 Arborist Report Requirement. The Owner/Applicant shall hire a P&D-approved arborist/biologist to evaluate all proposed native tree and shrub removals within 25 ft of potential ground disturbances. The arborist/biologist report shall present biologically favorable options for access roads, utilities, drainages and structure placement taking into account native tree and shrub species, age, and health with preservation emphasized. All development and potential ground disturbances shall be designed to avoid the maximum number of natives possible.

PLAN REQUIREMENTS: The Owner/Applicant shall submit the above report to P&D for review and approval.

TIMING: The Owner/Applicant shall submit the above report prior to [INSERT TIMING]. Recommendations in the report shall be incorporated into the project prior to [INSERT TIMING].

MONITORING: P&D processing planner shall check all plans for incorporation of recommendations and P&D compliance monitoring staff shall site inspect as appropriate.

Bio-03a

Bio-03a Onsite Arborist/Biologist. The Owner/Applicant shall designate a P&D-approved arborist/biologist to be onsite throughout all grading and construction activities which may impact [NATIVE] trees. Duties include the responsibility to ensure all aspects of the approved Tree Protection & Tree Replacement Plans are carried out. [ADD OTHER DETAILED DUTIES AS NEEDED.]

MONITORING: The Owner/Applicant shall submit to P&D compliance monitoring staff the name and contact information for the approved arborist/biologist prior to commencement of construction / pre-construction meeting. P&D compliance monitoring staff shall site inspect as appropriate.

Bio-04 **Bio-04 Ag Pamphlet.** The Owner/Applicant shall include in CC&Rs a copy of the State Department of Agriculture pamphlet, “Living Among the Oaks.”

Bio-05 *[PLANNER: Use this only if a Tree Replacement Plan is not required. If you require a TRP and need to apply this condition, make it a component of the TRP.]*

Bio-05 Tree Planting and Maintenance. The Owner/Applicant shall plant 10 [15 FOR VALLEY AND BLUE OAKS] [XX] gallon size [INSERT SPECIES] oak trees obtained from locally occurring saplings or seed stock for every oak tree removed, relocated or damaged. The trees shall be planted, gopher fenced and irrigated (drip irrigation on a time) for a [INSERT PERIOD] year maintenance period.

PLAN REQUIREMENTS: This requirement shall be shown on a landscape plan to be reviewed and approved by P&D.

TIMING: A performance security shall be required prior to [INSERT TIMING]. Prior to [INSERT TIMING] trees shall be planted, fenced and irrigated.

MONITORING: P&D compliance monitoring staff shall ensure tree installation and maintenance. Performance security release requires P&D staff sign-off.

BIOLOGY-OPEN EASEMENT

There are three types of easements for protection of resources such as biological, agricultural, and watershed resources: Open Space, Conservation and Development Rights Easements. This condition applies to open space and conservation easements. Before applying an easement, ask yourself how the easement will benefit the property beyond, say, a construction envelope. If you have a map that will have a common open space, you may use this condition. If your intent is to have the easement managed by a non-profit land preservation agency such as the Land Trust, you must use a conservation easement. And remember: The Land Trust and most similar agencies will not accept management of properties if they are very small, isolated from all other like-resources, surrounded by development, etc. Always consult with County Counsel and the non-profit before finalizing the wording of the condition and agreements.

Bio-06

Bio-06 Easements. The Owner/Applicant shall dedicate an [OPEN SPACE / CONSERVATION] easement [RECORDED ON THE PROPERTY TITLE] reviewed and approved by P&D and County Counsel for the [INDICATE WHAT EASEMENT COVERS AND PURPOSE] to [INDICATE TO WHOM THE LAND SHALL BE DESIGNATED (E.G., COUNTY, LAND TRUST, ETC)]. In addition, the Owner/Applicant shall *[PLANNER: IF THIS IS TO BE MANAGED BY AN OUTSIDE AGENCY, BE SURE THESE REQUIREMENTS ARE CONSISTENT WITH THAT AGENCY'S GOALS, MISSION]*:

1. Construct and maintain in perpetuity a [INSERT HEIGHT] foot high fence suitable to preclude encroachment into the [OPEN SPACE / CONSERVATION] area [DETERMINE TIMING IF OTHER THAN FINAL INSPECTION CLEARANCE].
2. Erect and maintain in perpetuity signs [INSERT LOCATION(S), HEIGHT, SIZE, MATERIALS OR REQUIRE DESIGN APPROVAL BY BAR, IF APPLICABLE] to limit encroachment and/or prohibited uses [DETERMINE TIMING IF OTHER THAN FINAL INSPECTION CLEARANCE].
3. *[PLANNER: INSERT IF PLANTINGS ARE NEEDED]*
4. Provide a subordination agreement for long term monitoring and establish an endowment for monitoring costs reviewed and approved by P&D and County Counsel and docketed with the Board of Supervisors. [REQUIRE PRIOR TO MAP RECORDATION OR PRIOR TO LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Unless otherwise stated, the [HOA / OWNER] shall maintain the easement and all required fencing, signs and plantings in good repair. The [HOA / OWNER] shall allow County staff or designees to inspect and photo document condition of the easement area, fencing, signs, plantings at least once per year and the [HOA / OWNER] must complete any repairs required by the County or designees.
5. Record a buyer notification that reads as follows: **“IMPORTANT: BUYER NOTIFICATION:** [Insert easement details including purpose,

location, restrictions, maintenance requirements, whether easement is open for public use...]. The County or designee may periodically inspect to ensure the intent of the easement is being met. The [HOA / OWNER] shall permit County staff or authorized agency staff to conduct and photo document condition of easement area, fencing, signs as needed and shall complete repairs...as required by County staff.”

6. [FOR MAPS WITH “COMMON OPEN SPACE” ADD THE FOLLOWING TO THE BUYER NOTIFICATION] Title to the common open space shall be held by a non-profit association of homeowners or by any other non-profit group on such reasonable terms and conditions as the Board of Supervisors may prescribe. If the common open space is conveyed to a group other than the homeowners association, the right to develop such property with anything except open space or noncommercial recreation shall be conveyed to the County of Santa Barbara.

TIMING: The [RECORDED AGREEMENTS / OFFERS TO DEDICATE / SUBORDINATION AGREEMENTS / ENDOWMENTS] shall be in place prior to [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / FINAL MAP CLEARANCE]. Any required [FENCING / SIGNAGE, PLANTINGS] shall be installed prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff or designees will inspect and photo document condition of easement area, fencing, signs, plants, etc prior to Final Building Inspection Clearance and ANNUALLY or as often as deemed necessary by the County thereafter.

BIOLOGY-CREEKS AND ESH AREAS

- Bio-07 **Bio-07 Habitat Setback.** All ground disturbances and vegetation removal shall be prohibited in a [INDICATE DISTANCE] foot setback from either side of the top-of-bank of [STATE CREEK NAME] creek, a sensitive riparian habitat area. The area shall be fenced with a fencing type and in a location acceptable to P&D.
PLAN REQUIREMENTS: The riparian habitat area shall be shown on all grading plans.
TIMING: Fencing shall be installed prior to any earth movement.
MONITORING: P&D compliance monitoring staff shall perform site inspections throughout the construction phase.
- Bio-08 *[PLANNER: All streams, creeks, wetlands and even minor sub-drainages fall under DFG's jurisdiction.]*
Bio-08 Fish and Game. No alteration to stream channels or banks shall be permitted (no [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] shall be issued) until the Owner/Applicant demonstrates receipt of all authorizations from the California Department of Fish and Game and/or federal agencies for any planned alteration to stream channels or banks [DESCRIBE PLANNED ALTERATION LOCATION, TYPE, PURPOSE].
- Bio-09 *[PLANNER: All protected species fall under USFW jurisdiction. Before applying this condition, please review with the County staff biologist for input and discuss conclusion with Supervising Planner.]*
Bio-09 Fish and Wildlife Jurisdiction Advisory. The project site is within the range of [INSERT SPECIES], a species listed as Endangered by the U.S. Fish and Wildlife Service. Based upon a report prepared by [INSERT CONSULTANT FIRM], dated [INSERT DATE], it has been determined that the probability for [INSERT SPECIES] occurrence on the site is [XXX]. The issuance of this permit does not relieve the permit-holder of any duties, obligations, or responsibilities under the Endangered Species Act or any other law. The permit-holder shall contact the Ventura office of the U.S. Fish and Wildlife Service at (805)644-1766 to ascertain his or her level of risk under the Endangered Species Act in implementing the project herein permitted.

Bio-10

[Planner: This condition relates to NPDES-22]

Bio-10 Storm Water BMPs. To minimize pollutants impacting downstream waterbodies or habitat, the parking area and associated driveways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the California Stormwater BMP Handbook for New Development and Redevelopment (California Stormwater Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once a year. Long term maintenance shall be the responsibility of the [HOA (FOR RESIDENTIAL PROJECTS) / LANDOWNER (FOR COMMERCIAL/INDUSTRIAL PROJECTS)]. A maintenance program shall be specified in the CC&Rs or in a maintenance program submitted by the landowner for commercial/industrial sites and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMITS / ZONING CLEARANCE]. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once a year and retain proof of inspections.

PLAN REQUIREMENTS: The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. The location and type of BMP shall be shown on the site, building and grading plans.

TIMING: The plans and maintenance program shall be submitted to P&D for approval prior to [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D upon request.

Bio-11

[Planners: Only use timing and monitoring components if fencing is to be built as part of the project. If this is for any future fencing, remove timing and state that P&D can monitor at any future time.]

Bio-11 Fencing for Animal Passage. The minimum distance from ground level to any fence's first rung shall be 18 inches [ADD PURPOSE LANGUAGE]. Barbed-wire fencing shall not be installed between lots or along property boundaries.

PLAN REQUIREMENTS: The condition shall be noted on any plans including fencing and shall be graphically depicted in fencing detail on plans.

TIMING: The Owner/Applicant shall record a buyer notification that repeats the condition requirements above prior to [APPROVAL / ISSUANCE] of [FINAL MAP CLEARANCE / LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all Agricultural Perimeter Fencing Requirements are in place as required.

Bio-12 *[Planners: Also include revegetation of the outlet (Bio-14) if applicable. See Bio-13 or Bio-13a for Habitat Protection]*

Bio-12 Habitat Restoration. The Owner/Applicant shall submit for P&D approval a [CREEK / RIPARIAN AREA / OTHER AREA] Restoration Plan prepared by a P&D-approved biologist and designed to [ADD PURPOSE LANGUAGE] and including the following components *[PLANNER: SELECT AND ADD AS APPROPRIATE]*:

1. Landscaping shall be with native riparian species such as [INDICATE SPECIES or REFER TO AUTHORIZED LIST...], at a density [INDICATE DENSITY OR STATE PURPOSE] plants per square foot.
2. Species shall be from locally obtained plants and seed stock.
3. The new plantings shall be irrigated with drip irrigation on a timer, and shall be weaned off of irrigation over a period of two to three years.
4. The creek area [DESCRIBE LOCATION BOUNDARIES] shall be fenced with [INDICATE TYPE, HEIGHT AND/OR PURPOSE OF FENCING] fencing, staked a minimum of every six feet or as necessary to keep fencing from collapsing.
5. *[ADD IF NECESSARY]*: All [DESCRIBE SUBJECT PLANTINGS] shall be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and gopher fencing during the maintenance period.
6. Non-native species [SPECIFY WHICH], shall be removed from the creek, however, removal of native species in the creek shall be prohibited.

PLAN REQUIREMENTS: *[OPTIONAL: Include the components of the plan in Landscape and Irrigation Plans if these are required and location warrants inclusion.]*

TIMING: Plans shall be submitted prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for [FIVE] years. The [HOA / OWNER] shall maintain the drainage outlets [PLANTS / IRRIGATION] for five years following Final Building Inspection Clearance *[Planner: Use other timing if Project does not require final inspection clearance.]*

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required components of the approved plan(s) are in place as required prior to Final Inspection Clearance [AND MAINTAINED THROUGHOUT MAINTENANCE PERIOD]. P&D compliance monitoring staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon successful implementation of this plan.

Bio-13 *[Planner: Use only if you are NOT requiring a habitat or Tree Protection Plan. If requiring a habitat or Tree Protection Plan, choose this as a component of that plan.]*

Bio-13 Habitat Protection. Excavation work within or adjacent to sensitive habitats including native trees shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (as determined by P&D), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible by P&D, excavation work may be authorized by P&D to be completed with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff.

PLAN REQUIREMENTS: The above measure shall be noted on all grading and construction plans.

MONITORING: P&D compliance monitoring staff shall ensure compliance on site during construction.

Bio-13a *[See Bio-12 for Habitat Restoration]*

Bio-13a Habitat Protection Plan. The Owner/Applicant shall submit for P&D approval a [CREEK/RIPARIAN AREA/OTHER HABITAT] Protection Plan prepared by a P&D-approved arborist and/or biologist and designed to [ADD PURPOSE LANGUAGE. ADDRESS ANY FUEL MANAGEMENT ISSUES, IF APPLICABLE]. The plan shall include the following components *[PLANNER: Select and add as appropriate.]*:

1. Comply with and depict the following on Habitat Protection Plan (HPP) and Grading & Building Plans:
 - a. [HABITAT & LOCATION] shall be preserved. Identify the location & extent of driplines and sensitive root zones for all vegetation to be preserved.
 - b. [HABITAT/TYPE OF PLANT] [DESCRIBE LOCATION(S)] shall have limited disturbance. Identify the location of this [HABITAT/TYPE OF PLANT] with detailed description of allowed disturbance.
 - c. [HABITAT/TYPE OF PLANT] [DESCRIBE LOCATION(S)] shall be removed. Depict locations on all plans.
 - d. [XX] specimen [TREES/PLANTS] [DESCRIBE TYPE & LOCATION(S)] shall be boxed and replanted. Depict original & new location for these specimens.
 - e. Depict approved [DEVELOPMENT/BUILDING] envelopes.
 - f. Depict equipment storage & construction staging and parking areas.
 - g. Depict the type and location of protective fencing or other barriers to be in place to protect the [HABITAT/TYPE OF PLANT] areas.
2. Comply with and specify the following as notes on HPP and Building & Grading Plans:
 - a. To avoid damage during construction, all [HABITAT/TYPE OF

- PLANT] shall be temporarily fenced with chain-link or other material satisfactory to P&D, at least [SPECIFY PERIMETER SIZE], and staked to prevent any collapse.
- b. Protective fencing/staking/barriers shall be maintained throughout all grading & construction activities.
 - c. *[PLANNER: include if excavation/trenching are proposed]* The following shall be done only by hand and under the direction of a P&D approved biologist:
 - i. Any excavation or trenching required w/in the dripline or sensitive root zone of any specimen within the habitat.
 - ii. Cleanly cutting any roots of one inch in diameter or greater w/in the habitat.
 - iii. Tree removal and trimming w/in the habitat.
 - d. If the use of hand tools is deemed infeasible, P&D may authorize work with rubber-tired construction equipment weighing five tons or less. If significant large rocks are present, or if spoil placement will impact surrounding trees, then a small tracked excavator (i.e., 215 or smaller track hoe) may be used as determined by P&D staff and under the direction of a P&D approved biologist.
3. In the event of unexpected damage or removal of habitat:
- a. If it becomes necessary (as authorized by P&D) to disturb or remove any plants w/in the habitat area, a P&D-approved biologist shall direct the work. Where feasible, specimens shall be boxed and replanted. If a P&D-approved biologist certifies that it is not feasible to replant, plants shall be replaced at a minimum using the standards of P&D's standard Habitat Restoration Plan and under the direction of the P&D-approved biologist. If replacement plants cannot all be accommodated on site, a plan must be approved by P&D for replacement trees to be planted offsite.
4. *[PLANNER: if applicable, add this to grading plan requirements as well.]* Grading shall be designed to ensure that habitat areas have proper drainage during and after construction, per biologist recommendations.

PLAN REQUIREMENTS: *[OPTIONAL: Include applicable components in Tree Replacement Plan and/or Landscape and Irrigation plans if these are required.]*

TIMING: The Owner/Applicant shall submit the HPP prior to [APPROVAL/ISSUANCE] of [LUP/CDP/ZCI]. The Owner/Applicant shall include as notes or depictions all plan components listed above, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures prior to issuance of grading/building permits. The Owner/Applicant shall install habitat protection measures onsite prior to issuance of grading/building permits and pre-construction meeting.

MONITORING: The Owner/Applicant shall demonstrate to compliance staff that [HABITAT] identified for protection was not damaged or removed or, if damage or removal occurred, that correction is completed as required by the

HPP prior to Final Building Clearance.

Bio-14

Bio-14 Revegetation for Drainage Outlet. The Owner/Applicant shall submit for P&D approval a [REVEGETATION / RESTORATION] plan for proposed drainage outlet(s) into natural drainage(s). The plan shall include native, fast growing, vining plants that will quickly cover the outlet structure, and thrive in a rocky environment. Only local native species shall be used. *[PLANNER: List species or refer to authorized list].*

PLAN REQUIREMENTS: *[OPTIONAL: Include components of the plan in Landscape and Irrigation Plans if these are required and location warrants inclusion.]*

TIMING: The Owner/Applicant shall submit the [REVEGETATION / RESTORATION] Plan prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner/Applicant shall post a performance security to ensure installation prior to Final Building Inspection Clearance and maintenance for five years. *[OPTIONAL: THE [HOA / OWNER] SHALL MAINTAIN THE DRAINAGE OUTLET PLANTS/IRRIGATION FOR FIVE YEARS FOLLOWING FINAL BUILDING INSPECTION CLEARANCE].* *[Planner: Use other timing if project does not require final inspection clearance].*

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all drainage outlet plantings are installed as required prior to Final Building Inspection Clearance [AND MAINTAINED THROUGHOUT MAINTENANCE PERIOD]. P&D compliance staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon satisfactory completion of maintenance.

[Planner: Species selection is dependent on the nature of the habitat. Revegetation species include: California Wild Rose (Rosa California), Wild Blackberry (Rubus ursinus), Chaparral Morning Glory (Calystegia macrostegia, subspecies cyslostegia), Mugwort (Artemisia douglasiana), Creek clematis (Clematis ligusticifolia).]

Bio-15 **Bio-15 Outlet Structures.** Outlet structures for energy dissipation shall minimize disturbance to the natural drainage and avoid the use of unnatural materials, such as concrete, grouted rock, and asphalt rubble. Where hard bank materials must be used, natural rock, gabions, crib wall or other more natural means of energy dissipation shall be preferred. Rock grouting shall only be used if no other feasible alternative is available as determined by P&D and Flood Control.

PLAN REQUIREMENTS: Plans shall be submitted for review and approval by P&D and Flood Control.

TIMING: Plans shall be submitted prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for grading. Structures shall be installed during grading operations.

MONITORING: P&D compliance monitoring staff and/or Building & Safety inspectors shall ensure construction according to plan.

Bio-16 *[See WatConv-01 and WatConv-02]*

BIOLOGY-VERNAL POOLS

Bio-19

Bio-19 Vernal Pool Protection. The Owner/Applicant shall adhere to the following protection measures which apply to all vernal pools and vernal pool complexes clusters designated on exhibit [XX]. Include these on [GRADING / SITE / LANDSCAPE] plans:

1. Restrict construction within 250 feet of the edge of the pool/pool complex; install protective fencing at least 250 feet from the edge of pools or pool complexes prior to construction.
2. No grass cutting shall be permitted within the vernal pools and buffer areas.
3. Install a permanent fence around each pool [DESCRIBE LOCATION] to protect the pools and pool complexes against humans, vehicles, and pets. The fence shall have signs posted to explain this requirement and discourage vandalism. No recreation shall be permitted within the fenced pool area.
4. CC&Rs shall contain information regarding the sensitivity of vernal pool habitats explaining all restrictions on pools and the surrounding area. *[PLANNER: include in CC&R condition].*
5. No disking for fire control or any other use shall be permitted.
6. No mosquito control shall be permitted except use of mosquito fish.

PLAN REQUIREMENTS: All requirements shall be specified on all grading and building plans, graphically depicted if feasible.

TIMING: The Owner/Applicant shall install protective fencing and signs onsite prior to issuance of grading/building permits and pre-construction meeting and shall install permanent fencing prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all protection measures are in place prior to and throughout grading and construction. *[PLANNER: CONSIDER LONG TERM MAINTENANCE AND A "BUYER BEWARE" FOR HOA].*

BIOLOGY-GENERAL

Bio-20

[Planners: Use where warranted, e.g., when there are sensitive resources, etc., or a big construction project. For smaller projects, adjust language re: size and location – a tarp-lined cardboard area may be sufficient for some smaller projects. May be infeasible for some projects to locate area 100' from drains, sensitive resources...]

Bio-20 Equipment Storage-Construction. The Owner/Applicant shall designate one or more construction equipment filling and storage areas [WITHIN THE DESIGNATED DEVELOPMENT / BUILDING ENVELOPE] to contain spills, facilitate cleanUp and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all [LAND USE / COASTAL DEVELOPMENT / ZONING CLEARANCE / GRADING / BUILDING] permits. [PLANNER: For larger projects consider including signage requirement for subcontractors].

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.

Bio-20a

[Planners: Use where warranted, e.g., when there are sensitive resources, etc., or a big construction project. For smaller projects, adjust language: no concrete truck cleanout... - a tarp-lined cardboard area may be sufficient for some smaller projects. May be infeasible for some projects to locate area 100' from drains, sensitive resources.]

Bio-20a Equipment Washout-Construction. The Owner/Applicant shall designate one or more washout areas 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 these areas and removed from the site [INSERT FREQUENCY]. The areas 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 / COASTAL DEVELOPMENT / GRADING / BUILDING] permits. *[PLANNER: For larger projects consider including signage requirement for subcontractors.]*

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.

- Bio-21 **Bio-21 Use Natives.** [ALL or SPECIFY AREA] landscaping shall be with native [SPECIMEN] plants and seed stock from locally obtained sources.
PLAN REQUIREMENTS: The Owner/Applicant shall incorporate this requirement into a landscape plan to be prepared by a P&D approved landscape architect or arborist [AND LANDSCAPE PERFORMANCE SECURITY REQUIREMENTS].
TIMING: Landscaping shall be installed prior to Final Building Inspection Clearance.
MONITORING: The landscape architect or arborist shall verify to P&D compliance monitoring staff, in writing, using receipts, etc, the use of native seed stock on the property prior to [FINAL BUILDING INSPECTION CLEARANCE / RELEASE OF PERFORMANCE SECURITY].
- Bio-22 **Bio-22 Fish and Game Fees.** The Owner/Applicant shall provide Planning and Development with a check payable to the “County of Santa Barbara” within 10 days of project approval as required by California Fish and Game Code Section 711.4 for that Department’s review of the [NEGATIVE DECLARATION / MITIGATED NEGATIVE DECLARATION / ENVIRONMENTAL IMPACT REPORT] associated with the project.

CULTURAL RESOURCES

CulRes-01 **CulRes-01 Cul Phases 1, 2, and 3.** All ground disturbances shall be subject to a Phase 1 archaeological survey in compliance with the provisions of the County Archaeological Guidelines. If significant resources are encountered and potential impacts are unavoidable, the Owner/Applicant shall have a P&D approved archaeologist prepare and complete a Phase 2 subsurface testing program in coordination with P&D. If the Phase 2 program finds that one is warranted, the Owner/Applicant shall have a P&D approved archaeologist prepare and complete a Phase 3 data recovery excavation consistent with County Archaeological Guidelines. All work shall be funded by the Owner/Applicant.

PLAN REQUIREMENTS: The Owner/Applicant shall submit the required archaeological studies for P&D review and approval. The Owner/Applicant shall include as notes or depictions all plan components, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: Any required archaeological studies shall be submitted to P&D prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Notes and/or depictions of plan components shall be included on plans prior to issuance of grading/building permits. The Owner/Applicant shall install any required resource protection measures or carry out required recovery onsite prior to issuance of grading/building permits and pre-construction meeting.

MONITORING: P&D planning staff shall receive study(s) for review and approval prior to [INSERT TIMING]. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that protection measures are in place prior to construction and that any areas identified for protection were not damaged or removed or if damage or removal occurred, that correction is completed as required by the approved protection plan prior to Final Building Inspection Clearance.

CulRes-02 *[Removed]*

CulRes-03 *[Removed]*

CulRes-04 *[Removed]*

CulRes-05 *[Planner: Do not use this if it is redundant with CulRes-01. This pre-supposes that there are already identified cultural resources onsite.]*

CulRes-05 Cul Phase 2 & 3. The Owner/Applicant shall have a P&D approved archaeologist perform a Phase 2 subsurface testing program to evaluate the nature, extent, and significance of the cultural resources. This evaluation program shall assess each archaeological site consistent with County Archaeological Guidelines and shall include the following:

1. Controlled hand excavation and surface collection of a representative sample of the site deposit determined by P&D staff archaeologist or a P&D approved archaeologist.
2. A detailed analysis of the material recovered.
3. An assessment of cultural resource integrity.
4. The preparation of a final report with recommendations for impact mitigation if necessary.

If the Phase 2 program finds that one is warranted, the Owner/Applicant shall have a P&D approved archaeologist prepare a Phase 3 data recovery excavation consistent with County Archaeological Guidelines. All work shall be funded by the Owner/Applicant.

PLAN REQUIREMENTS: The Owner/Applicant shall submit the required archaeological studies for P&D review and approval. The Owner/Applicant shall include as notes or depictions all plan components, graphically depicting all those related to earth movement, construction, and temporarily and/or permanently installed protection measures.

TIMING: Any required archaeological studies shall be submitted to P&D prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Notes and/or depictions of plan components shall be included on plans prior to issuance of grading/building permits. The Owner/Applicant shall install any required resource protection measures or carry out required recovery onsite prior to issuance of grading/building permits and pre-construction meeting.

MONITORING: P&D planning staff shall receive study(s) for review and approval prior to [INSERT TIMING]. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that protection measures are in place prior to construction and that any areas identified for protection were not damaged or removed or, if damage or removal occurred, that correction is completed as required by the approved protection plan prior to Final Building Inspection Clearance.

CulRes-06 *[Removed]*

- CulRes-07 CulRes-07 Cultural Resource Monitor.** The Owner/Applicant shall have all earth disturbances including scarification and placement of fill within the archaeological site area monitored by a P&D approved archaeologist and a Native American consultant in compliance with the provisions of the County Archaeological Guidelines.
- TIMING:** Prior to [INSERT TIMING], the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract.
- MONITORING:** The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check field work.
- CulRes-08 CulRes-08 Cultural Resource Buffer.** The Owner/Applicant shall temporarily fence the archaeological site and 50 foot buffer area with chain link flagged with color or other material authorized by P&D where ground disturbance is proposed within 100 feet of the site and a buffer.
- PLAN REQUIREMENTS:** The fencing requirement shall be shown on approved grading and building plans.
- TIMING:** Fencing shall be in place prior to issuance of grading/building permits and pre-construction meeting.
- MONITORING:** P&D compliance monitoring staff shall verify installation of fencing by reviewing photo documentation or by site inspection prior to approval of grading permits and ensure fencing remains in place throughout grading and construction through site inspections.
- CulRes-09 CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of Phase 2 investigations of the County Archaeological Guidelines and funded by the Owner/Applicant.
- PLAN REQUIREMENTS:** This condition shall be printed on all building and grading plans.
- MONITORING:** P&D permit processing planner shall check plans prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] and P&D compliance monitoring staff shall spot check in the field throughout grading and construction.

- CulRes-10 CulRes-10 Preservation.** The Owner/Applicant shall preserve, restore, and renovate on-site structures according to the historical guidelines of the County. A P&D-qualified historian shall be retained to perform a Phase 2 significance assessment and identify appropriate preservation and restoration/renovation guidelines for on-site structures in compliance with the provisions of the County Historical guidelines.
TIMING: Prior to [INSERT TIMING], the report shall be reviewed and approved by P&D and the Owner / Applicant shall record a covenant, subject to P&D and County Counsel approval, to implement the program. The program shall be implemented by [INSERT TIMING].
MONITORING: P&D compliance monitoring staff shall ensure compliance with Phase 2 recommendations through site visit and/or photo documentation.
- CulRes-11 CulRes-11 Cultural Resource Historian.** The Owner/Applicant shall have a P&D qualified historian document all historical resource features identified in the [SPECIFY ENVIRONMENTAL DOCUMENT] using historic photographs, measured drawings and archival quality photography.
TIMING: Prior to [INSERT TIMING] the Owner/Applicant shall provide a copy of these documents to P&D and the [SPECIFY] Historic Society.
- CulRes-12 CulRes-12 Renovation Design.** A historically compatible renovation design for [INDICATE STRUCTURE] shall be developed by a historian/historic preservationist and/or historical architect at the Owner/Applicant's expense.
PLAN REQUIREMENTS: The design plan shall be reviewed and approved by P&D.
TIMING: Prior to [INSERT TIMING] the Owner/Applicant shall fund the County's hiring of the historian/historic preservationist, and/or historical architect. Renovation shall be completed prior to [INSERT TIMING].
MONITORING: P&D compliance monitoring staff shall ensure adherence to design plan through site inspection and/or photo documentation.
- CulRes-13 *[Removed]*
- CulRes-14 *[Removed]*
- CulRes-15 *[Removed]*
- CulRes-16 *[Removed]*
- CulRes-17 *[Removed]*

DEVELOPMENT ENVELOPES

Review these conditions carefully. Be sure to use the appropriate condition for your project. Include a discussion in your staff report that describes why the condition is appropriate.

- DevEnv-01 *[Planner: Use when development IS ALLOWED outside envelope.]*
- DevEnv-01 Building Envelope.** All structural development shall be limited to the building envelope designated on Exhibit [XX], dated [INSERT DATE]. The building envelope identifies the location of proposed structures, construction storage and staging while allowing other uses such as grading, utilities, paving, etc. to occur outside the building envelope, subject to applicable permits.
- PLAN REQUIREMENTS:** [FOR MAPS AND LLAS ADD: THE BUILDING ENVELOPE SHALL BE DESCRIBED BY METES AND BOUNDS AND WITH THIS CONDITION SHALL BE RECORDED WITH THE FINAL MAP ON THE DEED.] The building envelope shall be depicted on all plans submitted for [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] and building permits.
- TIMING:** The building envelope shall be staked in the field prior to [APPROVAL / ISSUANCE] of the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- MONITORING:** During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved building envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the building envelopes and that staking remains in place during construction.

DevEnv-01a *[Planner: Use when development IS NOT ALLOWED outside envelope (large construction envelope on even larger lot)]*

DevEnv-01a Development Envelope. All structural development shall be limited to the development envelope(s) designated on Exhibit [XX] dated [INSERT DATE]. All site preparation, ground disturbances and construction activities including those for structures, access, easements, subsurface grading, sewage disposal, drainage components and well placement [EXPAND LIST IF NEEDED] shall occur within the designated development envelope(s). No field alteration to plans shall allow construction, storage or staging outside of these development envelopes.

PLAN REQUIREMENTS: [FOR MAPS AND LLAS ADD: THE DEVELOPMENT ENVELOPE(S) SHALL BE DESCRIBED BY METES AND BOUNDS AND WITH THIS CONDITION SHALL BE RECORDED WITH THE FINAL MAP ON THE DEED.] The development envelope(s) shall be depicted on all plans submitted for [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] and building permits.

TIMING: The development envelope(s) shall be staked in the field prior to [APPROVAL / ISSUANCE] of the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: During plan check, the P&D permit processing planner shall confirm that all structural development is confined to the approved development envelope. Staking shall be verified by compliance monitoring staff at the preconstruction meeting or prior to building permit approval. P&D building inspectors and compliance monitoring staff shall ensure that structural development is confined to the development envelopes and that staking remains in place during construction.

DevEnv-02 *[Removed]*

DevEnv-03 *[Removed]*

DevEnv-04 *[Removed]*

DevEnv-05 *[Removed]*

DevEnv-06 *[Removed – Fire Dept Condition]*

DevEnv-07 *[Removed – Fire Dept Condition]*

ENERGY

Planner: Refer to Subdivision Map Act, Title 24 Regulations and the Energy Element

GEOLOGY/SOILS

Geo-01a **Geo-01a Geological Study.** The Owner/Applicant shall submit a detailed geological study to [ADD PURPOSE LANGUAGE, INCLUDE WHETHER PLAN IS FOR CONSTRUCTION PERIOD ONLY OR ALSO INCLUDES PERMANENT MEASURES AND IDENTIFY APPROPRIATE MEASURES FOR EACH PHASE OF DEVELOPMENT]. The plan shall include but not be limited to the following components [*Planner: list components*]:

1.

PLAN REQUIREMENTS: The Owner/Applicant shall submit the study for P&D review and approval. Elements of the approved study shall be reflected on grading and building plans as required.

TIMING: The Owner/Applicant shall submit the study prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

Geo-01b **Geo-01b Soils Engineering Study.** The Owner/Applicant shall submit a soils engineering study addressing structure sites and access road(s) to determine structural design criteria.

PLAN REQUIREMENTS: The Owner/Applicant shall submit the study for P&D and Public Works review and approval. Elements of the approved study shall be reflected on grading and building plans as required.

TIMING: The Owner/Applicant shall submit the study prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: P&D permit processing planner shall review the study. The Owner/Applicant shall demonstrate that the submitted plans conform to required study components. Grading and building inspectors shall ensure compliance in the field.

Geo-02 **Geo-02 Erosion and Sediment Control Plan.** Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be **implemented** for the duration of the grading period and until regraded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit an Erosion and Sediment Control Plan (ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The Erosion and Sediment control plan shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 ([www.countysb.org/government/county_ordinance_code_Chapter_14_14-9](http://www.countysb.org/government/county_ordinance_code_Chapter_14_14-9_and_14-29) and 14-29 – refer to Erosion and Sediment Control Plan Requirements.)
PLAN REQUIREMENTS: The grading and erosion and sediment control plan(s) shall be submitted for review and approved by P&D prior to approval of Land Use Permits/Coastal Development Permits/Zoning Clearances. The plan shall be designed to address erosion and sediment control during all phases of development of the site until all disturbed areas are permanently stabilized.
TIMING: The plan shall be implemented prior to the commencement of and throughout grading/construction.
MONITORING: P&D staff shall perform site inspections throughout the construction phase.

Geo-03 *[See Geo-02 and WatConv-02]*

Geo-04 *[Removed]*

Geo-05 *[See Geo-02 and WatConv-02]*

Geo-06 *[See Geo-02 and WatConv-02]*

Geo-07

[Planner: For high radon areas only. Have specific site tested before applying condition rather than relying on mapped areas.]

Geo-07 Radon. Residences shall be designed and constructed in compliance with Environmental Protection Agency (EPA) guidelines for minimizing impacts associated with radon gas exposure.

PLAN REQUIREMENTS: The construction elements necessary to minimize radon gas exposure shall be incorporated in structure design and depicted on building plans.

TIMING: P&D permit processing planner shall review and approve plans prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: Building and Safety staff shall site inspect to ensure construction is consistent with approved plans.

LANDSCAPE

- Landscape-01 **Landscape-01 Landscape and Irrigation Plan.** The Owner/Applicant shall [HAVE A LICENSED LANDSCAPE PROFESSIONAL] prepare a Landscape and Irrigation Plan designed to [ADD PURPOSE LANGUAGE].
- PLAN REQUIREMENTS:** The plan shall include the following:
1. An agreement by the Owner to install required landscaping & water-conserving irrigation systems prior to final clearance.
 2. An agreement by the Owner to maintain required landscaping for the life of the project.
 3. Securities posted by the Owner for [INSTALLATION AND] maintenance securities per requirements in the Performance Securities condition. Specify the amount and duration of [INSTALLATION AND] maintenance securities to ensure successful implementation of this plan by P&D if the Owner fails to do so.
 4. All landscape [WITHIN XX FT OF ALL STRUCTURES] shall be with approved fire-resistant/retardant plantings.
 5. Landscaping [BEYOND XX FT OF THE STRUCTURES] shall be with native plants from the [COUNTY'S NATIVE PLANT LIST OR NATIVE SPECIMEN PLANTS & SEED STOCK FROM LOCALLY OBTAINED SOURCES]
 6. All project landscaping shall consist of drought-tolerant native and/or low-water use/Mediterranean type species.
 7. Project landscaping [DESCRIBE LOCATION] shall adequately screen the project site from surrounding land uses.
 8. Project landscaping shall be compatible with the character of the surroundings and the architectural style of the structure.
 9. Plan shall include a solid screen wall or fence to screen [NOTE WHAT NEEDS TO BE SCREENED].
 10. Plans shall include landscape planters installed adjacent to all structures, walls, garden walls and fences visible from a public or private street. This landscaping shall be vertical, densely planted with large plant specimens.
 11. Plan shall include clinging vines and/or vertical planting on trash enclosure walls and any other masonry walls, as determined by P&D, to soften the visual effects of the structures & to discourage graffiti.
 12. Plan shall include drought tolerant natives and/or Mediterranean type screening planted on the shoulders adjacent to driveways. The vegetation shall be staggered from the road to blend with natural habitats and to screen the effects of grading & paving.
 13. Applicable components of all other plans approved for the project.
- TIMING:** The Owner/Applicant shall (1) submit 4 copies of the Plan to P&D processing planner for review & approval prior to [INSERT TIMING], (2) enter into an agreement with the County to install required landscaping & water-conserving irrigation systems and maintain required landscaping for [XX YRS/LIFE OF THE PROJECT], (3) [OPTIONAL: Post a performance security

to ensure installation prior to Final Building Inspection Clearance and maintenance for five years], (4) Install landscape and irrigation prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved plan are in place as required prior to Final Building Clearance. [PLANNER: If there is an installation security, add:] Compliance staff will release installation security upon satisfactory installation of all items in approved plans. [PLANNER: If there is a maintenance security, add] The [HOA/OWNER] shall demonstrate to compliance staff that the landscaping and irrigation have been established and maintained according to plans and agreements for a period of [2 / 3/ 5] years, and have achieved the original goals of this condition. Compliance staff signature is required to release the installation security upon satisfactory installation of all items in the approved plans and maintenance security upon satisfactory completion of maintenance.

If requirements have not been met, the plants or improvements shall be replaced and/or maintained (fed, repaired, trimmed) and the security held for another year. If the Applicant fails to either install or maintain according to the approved plan, P&D may collect security and complete work on property per approved plans.

Landscp-01a **Landscp-01a Landscape for Life.** The [HOA / OWNER] shall maintain landscaping for the life of the project [*PLANNER: DESCRIBE WHICH LANDSCAPE IF APPLICABLE*]. The Owner or designee shall permit the County to conduct site inspections a minimum of one time per year.

TIMING: Prior to [SPECIFY TIMING] the Owner/Applicant shall record a buyer notification that repeats the condition requirement above.

MONITORING: P&D compliance monitoring staff may conduct site inspections once per year if necessary to ensure that landscaping is maintained for the life of the project.

Landscp-02 [*See Landscp-01*]

Landscp-03 [*See Landscp-01*]

Landscp-04 **Landscp-04 Separate Landscape Meter.** A separate landscape meter shall be installed. Annual meter readings shall be submitted to P&D.

PLAN REQUIREMENTS: Prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] the Owner/Applicant must obtain separate meters from the water district. If applicable, an explanation of the need for separate meters shall be included in CC&Rs.

TIMING: A separate landscape meter must be installed prior to Final Building Inspection Clearance.

MONITORING: P&D compliance monitoring staff shall ensure installation of separate meter and shall review meter readings annually.

Landscp-05 *[Removed]*

Landscp-06 *[See Landscp-01]*

Landscp-07 *[See Landscp-01]*

NOISE

Noise-01 *[Removed]*

Noise-02 *[Planner: Don't use if there are absolutely no noise receptors anywhere near the site. Review Community Plans for any construction hour limitations. In situations with individual lot development near existing neighborhoods, use Rules-32 in addition to this condition.]*

Noise-02 Construction Hours. The Owner /Applicant, including all contractors and subcontractors shall limit construction activity, including equipment maintenance and site preparation, to the hours between 7:00 a.m. and 4:00 p.m. [8:00 a.m. and 5:00 p.m.], Monday through Friday. No construction shall occur on [WEEKENDS OR] State holidays. Non-noise generating construction activities such as interior plumbing, electrical, drywall and painting (depending on compressor noise levels) 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 [XX] signs stating these restrictions at 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.

Noise-03 **Noise-03 Noise Study.** An onsite noise study shall be performed by an acoustical engineer prior to [INSERT TIMING]. All construction techniques and recommendations in this report shall be incorporated into the project design to reduce exterior noise to at or below 65 dBA and interior noise to at or below 45 dBA.

PLAN REQUIREMENTS: All construction techniques and recommendations of the noise study shall be incorporated into design of the project and detailed on building plans.

TIMING: Noise Study shall be performed prior to [INSERT TIMING].

MONITORING: Building inspectors shall ensure that all noise control

measures have been built or incorporated according to the approved plans. If an acoustical survey is required, P&D compliance monitoring staff will ensure recommended levels have been reached prior to Final Building Inspection Clearance.

Noise-04 **Noise-04 Equipment Shielding-Construction.** Stationary construction equipment that generates noise which exceeds 65 dBA at the project boundaries shall be shielded with appropriate acoustic shielding to P&D's satisfaction and shall be located at a minimum of [#] feet from occupied residences and [SPECIFY ANY OTHER NOISE SENSITIVE USES].

PLAN REQUIREMENTS: The Owner/Applicant shall designate the equipment area with appropriate acoustic shielding on building and grading plans.

TIMING: Equipment and shielding shall be installed prior to construction and remain in the designated location throughout construction activities.

MONITORING: The Owner/Applicant shall demonstrate that the acoustic shielding is in place prior to commencement of construction activities. P&D compliance staff shall perform site inspections throughout construction to ensure compliance.

Noise-05 **Noise-05 Construction Routes.** Construction routes shall be limited to [SPECIFY ROUTE LIMITATIONS]. The Owner/Applicant shall provide all adjacent property owners with a construction activity schedule and construction routes [NUMBER] days in advance of construction activities. Any alterations or additions shall require [NUMBER] day notification.

PLAN REQUIREMENTS: The Owner/Applicant shall submit a copy of the schedule and mailing list to Permit Compliance staff.

TIMING: Schedule and mailing list shall be submitted [NUMBER] days prior to initiation of any earth movement.

MONITORING: Permit compliance monitoring staff shall perform periodic site inspections to verify compliance with activity schedules.

PARKING

Parking-01

Parking-01 Offsite Parking. Parking shall be provided offsite at the following locations: [SPECIFY LOCATIONS]

PLAN REQUIREMENTS:

1. The Owner/Applicant shall submit an easement or agreement with the owner of the adjacent lot to the [INDICATE DIRECTION], APN [INSERT #], stating that the required parking space(s) shown on Exhibit [IDENTIFY EXHIBIT] for this project, dated [INSERT DATE], shall be designated for the exclusive use of the subject project in order to satisfy the zoning ordinance requirements regarding the provision of parking spaces. This easement or agreement shall be subject to the review and approval of P&D permit processing planner and County Counsel, and once approved shall be recorded with the County Recorder's Office.
2. The Owner/Applicant shall submit an agreement with the County that stipulates that the approval and continued use of the development for which the [INSERT TYPE OF PERMIT] is issued is predicated upon the continued ability to have the exclusive use of parking spaces shown on Exhibit [IDENTIFY EXHIBIT] for this project, dated [INSERT DATE], and that should this ability cease, that the use of the project shall be modified so that the project will be able to satisfy the zoning ordinance requirements regarding the provision of parking spaces. This agreement shall be subject to the review and approval of P&D and County Counsel, and once approved shall be recorded with the County Recorder's Office.

TIMING: All above requirements must be satisfied prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall ensure compliance with agreement prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] and annually after Final Building Inspection Clearance. Proof of the continued existence of the above-referenced easement or agreement shall be submitted to P&D compliance monitoring staff on a yearly basis no later than [INSERT MONTH] of each year.

Parking-02 *[PLANNER: Use this for all Montecito projects to require construction related parking be located onsite. Where locating construction-related parking onsite is not possible due to lot size or other constraints, an approved offsite location shall be designated.]*

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

PLAN REQUIREMENTS: Designated construction personnel parking, equipment staging and storage areas shall be depicted on project plans submitted for [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

TIMING: A copy of the written notice shall be submitted to P&D permit processing staff prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. This restriction shall be maintained throughout construction.

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

SOLID WASTE MANAGEMENT

SolidW-01 *[PLANNER: If you want to use a component of SRSWMP without requiring a SRSWMP, follow the format of SolidW-02. Some projects will need a performance security. Base your determination on the components of the SRSWMP. Solid Waste performance security should remain separate from other performance securities on the same project. If maintenance is required for the life of the project, require recordation of a "Buyer Beware".]*

SolidW-01 Solid Waste-SRSWMP. The Owner/Applicant/Permittee shall [DEVELOP AND] implement a Source Reduction and Solid Waste Management Plan (SRSWMP) describing proposals to reduce the amount of waste generated during construction and throughout the life of the project and enumerating the estimated reduction in solid waste disposed at each phase of project development and operation. [ADD ADDITIONAL PURPOSE LANGUAGE.]

PLAN REQUIREMENTS: The plan shall include but not limited to *[Planner: choose all applicable or add applicable]:*

1. Construction Source Reduction:
 - a. A description of how fill will be used on the construction site, instead of landfilling,
 - b. A program to purchase materials that have recycled content for project construction.
2. Construction Solid Waste Reduction:
 - a. Recycling and composting programs including separating excess construction materials onsite for reuse/recycling or proper disposal (e.g., concrete, asphalt, wood, brush). Provide separate onsite bins as needed for recycling.
3. Operation Source Reduction:
 - a. *[FOR COMMERCIAL ONLY]* A detailed set of office procedures such as use of duplex copy machines and purchase of office supplies with recycled content.
 - b. A program to purchase materials that have recycled content for operation (e.g., office supplies, etc.).
4. Operation Solid Waste Reduction Examples:
 - a. Specify [#] sq ft of space and/or bins for storage of recyclable materials within the project site AND
 - b. [IF MULTIPLE UNITS ARE PROPOSED], [#] sq ft of space within each unit.
 - c. Establish a recyclable material pickup area.
 - d. A green waste source reduction program, including the creation of [LOT AND/OR COMMON] composting areas, and the use of mulching mowers in all common open space lawns.
 - e. Implement a [NEW] curbside recycling program (may require establishment of private pick-up depending on availability of County sponsored programs) [OR PARTICIPATE IN AN EXISTING

PROGRAM to serve the new development]. If P&D determines that a curbside recycling program cannot be implemented, and an alternative program such as the anticipated wet/dry collection is not on line, then it will be the responsibility of the [OWNER/HOA] to contract with the Community Environmental Council or some other recycling service acceptable to P&D to implement a project-wide recycling program.

- f. *[FOR COMMERCIAL ONLY]* Implement a monitoring program [QUARTERLY/BI-ANNUALLY] to ensure a 35-50% minimum participation in recycling efforts, requiring businesses to show written documentation in the form of receipts.

- g. Implement a backyard composting yard waste reduction program.

TIMING: The Owner/Applicant shall (1) submit a SRSWMP to P&D permit processing staff for review and approval prior to [APPROVAL/ISSUANCE] of [LUP / CDP / ZCI], (2) *[OPTIONAL:]* Post a performance security to ensure implementation prior to Final Building Inspection Clearance and maintenance for [XX YEARS/LIFE OF THE PROJECT], (3) include the [RECYCLING AREA OR OTHER APPLICABLE] on building plans. Program components shall be implemented prior to Final Building Clearance and maintained throughout the life of the project.

MONITORING: During operation, the Owner/Applicant/Permittee shall demonstrate to P&D compliance staff as required that solid waste management components are established and implemented. The Owner/Applicant shall demonstrate to P&D compliance staff that all required components of the approved SRSWMP are in place as required prior to Final Building Clearance.

[PLANNER: ADD IF THERE IS AN INSTALLATION SECURITY:]

Compliance staff will release installation security upon satisfactory implementation of all items in approved SRSWMP. *[PLANNER: ADD IF THERE IS A MAINTENANCE SECURITY:]* The

[HOA/OWNER/PERMITTEE] shall demonstrate to compliance staff that SRSWMP components have been established and maintained according to plans and agreements for a period of [XX YEARS / THE LIFE OF THE PROJECT]. Compliance staff signature is required to release the installation security upon satisfactory installation of all items in approved plans and maintenance security upon satisfactory completion of maintenance.

SolidW-02 *[PLANNER: Don't use if you already used SolidW-01 (redundant). Don't use if local waste agencies separate construction debris themselves].*

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

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

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

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

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

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

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

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

TRAFFIC

Traf-01 *[Removed]*

Traf-02 **Traf-02 Traffic Reduction-Employees.** The Owner/Applicant shall provide traffic reduction components for employees on site to reduce elective trips during working hours *[PLANNER: CHOOSE APPLICABLE AND ADD NUMBER AND LOCATION OF EACH]:*

1. Showers;
2. Bike Racks;
3. Motorcycle Parking;
4. Carpool Parking;
5. Lunchroom Microwave;
6. Lunchroom Refrigerator;
7. Other

PLAN REQUIREMENTS: The Owner/Applicant shall show the location and extent of [SHOWERS, BIKE RACKS, AND MOTORCYCLE AND CARPOOL PARKING] on applicable plans (e.g., building plans, etc).

TIMING: [SHOWERS, BIKE RACKS, ETC] shall be installed prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required traffic reduction components [SHOWERS, BIKE RACKS, MOTORCYCLE AND CARPOOL PARKING, OTHERS...] have been installed prior to Final Building Inspection Clearance.

Traf-03 **Traf-03 Bus Passes.** Employees of the project site shall be provided with free bus passes for local transit service [SPECIFY, e.g., MTD].

PLAN REQUIREMENTS: The Owner/Applicant shall enter into an agreement with tenants of the facility whereby all tenants shall provide their employees with free bus passes from the local transit service. The agreement shall be reviewed and approved by P&D and County Counsel.

TIMING: Agreement shall be completed prior to [INSERT TIMING]. Passes shall be available to employees of the project site prior to [INSERT TIMING] and shall be available for the life of the project.

MONITORING: Annually, tenants of the project site shall submit receipts to P&D compliance monitoring staff showing that bus passes have been purchased.

- Traf-04 Traf-04 Bus Stop Improvements.** In order to address increased bus ridership due to project development and minimize project trip generation, improvements to the bus station located [SPECIFY LOCATION], including installation of [SPECIFY IMPROVEMENTS DESIRED BY TRASNIT AGENCY], shall be provided.
PLAN REQUIREMENTS: Bus stop improvements shall be shown on plans submitted for project grading and development. Improvements are subject to review and approval by P&D and the [SPECIFY TRANSIT AGENCY].
TIMING: Improvements shall be installed prior to Final Building Inspection Clearance.
MONITORING: P&D compliance monitoring staff shall field verify installation as to plan.
- Traf-05 Traf-05 Bus Stop Relocation.** The existing [BUS STOPS, TURNOUTS, BENCHES] displaced by the proposed project shall be relocated by the Owner/Applicant.
PLAN REQUIREMENTS: Prior to [INSERT TIMING], a plan for transit facility relocation shall be submitted for review and approval by P&D permit processing planner and Public Works Roads Division.
TIMING: New facilities shall be in place and operational prior to finish grading approval for [STOPS, TURNOUTS] Final Building Inspection Clearance for [BENCHES].
MONITORING: P&D compliance monitoring staff shall ensure compliance during field inspections.
- Traf-06 Traf-06 Traffic Roadway Improvements.** The Owner/Applicant shall submit to P&D the expected project construction schedule for the following required roadway and intersection improvements: [LIST REQUIRED IMPROVEMENTS]. The County shall allow concurrent construction of the project and [ROADWAY AND/OR INTERSECTION] improvements; however [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] will not be issued until the traffic improvement(s) have commenced.
PLAN REQUIREMENTS: The Owner/Applicant shall 1) submit the schedule and 2) demonstrate that traffic improvement construction has commenced.
TIMING: The schedule and traffic improvement construction must have commenced prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof that the following required roadway and intersection improvements: [PLANNER LIST REQUIRED IMPROVEMENTS] have been fully completed prior to Final Building Inspection Clearance.

WATER CONSERVATION

WatCons-01 **WatCons-01 Water Conservation-Outdoor.** To improve water conservation, the Owner/Applicant shall include the following in Landscape and Irrigation Plans to be approved by P&D:

[PLANNER: This is a menu of possible requirements; use the components that are necessary and feasible for specific projects.]

1. Landscaping that reduces water use:
 - a. Landscape with [NATIVE AND/OR DROUGHT TOLERANT] species.
 - b. Group plant material by water needs.
 - c. Turf shall constitute less than 20% of the total landscaped area.
 - d. No turf shall be allowed on slopes of over 4%.
 - e. Extensive mulching (2" minimum) shall be used in all landscaped areas to reduce evaporation.
2. Irrigation that reduces water use:
 - a. Install drip irrigation or other water-conserving irrigation.
 - b. Install soil moisture sensing devices to prevent unnecessary irrigation.
 - c. Plumb each lot for a grey water system. Each dwelling shall contain a grey water system plumbed to front and rear yard irrigation systems.
 - d. Install separate landscape meters (plumbing permit required).
 - e. Use reclaimed water for [ALL / DESCRIBE IN DETAIL IF PORTION] irrigation; and/or
 - f. The Owner/Applicant shall contract with an agency that sells reclaimed water to provide water for [ALL / PORTION] exterior landscaping.
3. Hardscape to retain water:
 - a. Permeable surfaces such as [PLANNER: LIST EXAMPLES] (*e.g., decomposed granite, porous pavement or unit pavers on sand or intermittent permeable surfaces such as French drains*) **OR BE MORE SPECIFIC** shall be used for all [PARKING AREAS, PATHWAYS, PATIOS, SIDEWALKS, DRIVEWAYS]. *[PLANNER: BE SURE YOUR REQUIREMENTS MEET FIRE DEPT AND ADA REQUIREMENTS].*

PLAN REQUIREMENTS: The Owner/Applicant shall submit a landscape and irrigation plan to P&D for review and approval prior to [APPROVAL /ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

TIMING: The Owner/Applicant shall implement all aspects of the landscape and irrigation plan in accordance with the Landscape and Performance Security Conditions.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all required conserving landscape and irrigation features are installed prior to Final Building Inspection Clearance and landscape and

irrigation are maintained per approved landscape plans. Any part of irrigation plan requiring a plumbing permit shall be inspected by building inspectors.

WatCons-02 **WatCons-02 Water Conservation-Indoor.** Indoor water use shall be limited through the use of the following measures: *[PLANNER CHOOSE—ADD ADDITIONAL]*

1. Re-circulating, point-of-use, or on-demand water heaters shall be installed.
2. Water efficient clothes washers and dishwashers shall be installed.
3. *[REQUIRED IN LAGUNA SANITATION DISTRICT]* Self regenerating water softening shall be prohibited in all structures.
4. *[COMMERCIAL ONLY]* Lavatories and drinking fountains shall be equipped with self-closing valves.
5. Pool(s) shall have pool cover(s)

PLAN REQUIREMENTS: The Owner/Applicant shall include all indoor water conservation measures on plans, including plumbing and electrical plans, as needed subject to P&D review and approval.

TIMING: Indoor water-conserving measures shall be implemented prior to Final Building Inspection Clearance.

MONITORING: The Owner/Applicant shall demonstrate compliance with all required indoor water conservation measures to P&D compliance monitoring staff prior to Final Building Inspection Clearance.

WatCons-03 *[Removed]*

WatCons-04 **WatCons-04 Prohibited Businesses.** High water consumption businesses (defined by P&D), including *[SPECIFY TYPES]*, shall be prohibited from operating on the subject property.

PLAN REQUIREMENTS: The Owner/Applicant shall record a covenant agreeing to the prohibition with P&D for County Counsel review and approval to be included as a note on building plans, on lease agreements and in CC&Rs.

TIMING: The covenant shall be recorded prior to *[APPROVAL / ISSUANCE]* of *[LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]*.

MONITORING: P&D shall ensure no such business occupy structure, by site inspection, prior to Final Building Inspection Clearance and through any subsequent permitting for the site.

WatCons-05 **WatCons-05 Reclaimed Water For Dust Suppression.** Reclaimed water shall be used for all dust suppression activities during grading and construction.

PLAN REQUIREMENTS: This measure shall be included as a note on the grading plan.

TIMING: Prior to the commencement of earth movement, the Owner/Applicant shall submit to P&D permit processing planner an agreement/contract with a company providing reclaimed water stating that reclaimed water shall be supplied to the project site during all ground disturbances when dust suppression is required.

MONITORING: P&D compliance monitoring staff shall inspect activities in the field to ensure non-potable water is being used in water trucks.

WatCons-06 *[See Water Conveyance section]*

WatCons-07 *[PLANNER: For Goleta only on properties overlying the North Central Sub-basin and not a party to the Wright judgment.]*

WatCons-07 Right to Extract Water. In order for the proposed project to be found consistent with County water policies which require that adequate public and private services be available to serve the project, the Owner/Applicant is required to petition the court and receive a determination that the Owner/Applicant has the right to extract additional water from the north-central sub-basin prior to the [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: P&D permit processing planner shall review the determination prior to the [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

WatCons-08 *[See Water Conveyance section]*

WatCons-09 *[Removed]*

WATER CONVEYANCE

WatConv-01 **WatConv-01 Sediment and Contamination Containment.** The Owner/Applicant shall prevent water contamination during construction by implementing the following construction site measures:

1. All entrances/exits to the construction site shall be stabilized using methods designed to reduce transport of sediment off site. Stabilizing measures may include but are not limited to use of gravel pads, steel rumble plates, temporary paving, etc. Any sediment or other materials tracked off site shall be removed the same day as they are tracked using dry cleaning methods. Entrances/exits shall be maintained until graded areas have been stabilized by structures, long-term erosion control measures or landscaping.
2. Apply concrete, asphalt, and seal coat only during dry weather.
3. Cover storm drains and manholes within the construction area when paving or applying seal coat, slurry, fog seal, etc.
4. Store, handle and dispose of construction materials and waste such as paint, mortar, concrete slurry, fuels, etc. in a manner which minimizes the potential for storm water contamination.

PLAN REQUIREMENTS: The Owner/Applicant shall ensure all above construction site measures are printed as notes on plans.

TIMING: Stabilizing measures shall be in place prior to commencement of construction. Other measures shall be in place throughout construction.

MONITORING: The Owner/Applicant shall demonstrate compliance with these measures to P&D compliance monitoring staff as requested during construction.

WatConv-02 *[Removed]*

WatConv-03 *[PLANNER: this can be added to WatConv-01 condition, if applicable or stand alone. Include the revegetation in Landscape Plan and Performance Security if one is required.]*

WatConv-03 Erosion and Sediment Control Revegetation. The Owner/Applicant shall re-vegetate graded areas upon [OR WITHIN 30 DAYS OF OR OTHER] completion of grading activities with deep rooted, native, drought-tolerant species to minimize slope failure and erosion potential. Use hydroseed, straw blankets, other geotextile binding fabrics or other P&D approved methods as necessary to hold slope soils until vegetation is established. P&D may require the reseeded of surfaces graded for the placement of structures if construction does not commence within 30 days of grading.

PLAN REQUIREMENTS: Include this measure as a note on all grading and building plans.

TIMING: The Owner/Applicant shall re-vegetate graded areas within [INSERT TIMING].

MONITORING: The Owner/Applicant shall demonstrate compliance to grading and building inspectors in the field. *[ADD COMPLIANCE*

MONITORING STAFF IF PERFORMANCE SECURITY IS REQUIRED]

WatConv-04 *[PLANNERS: Use when warranted. For smaller projects, adjust language re size and location – a tarp-lined cardboard area may be sufficient for some smaller projects. May be infeasible for some projects to locate area 100' from drains, sensitive resources.]*

WatConv-04 Equipment Storage-Construction. The Owner/Applicant shall designate a construction equipment filling and storage area(s) [WITHIN THE DESIGNATED DEVELOPMENT/BUILDING ENVELOPE] to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all [LAND USE / COASTAL DEVELOPMENT, GRADING and BUILDING] permits. *[PLANNER: FOR LARGER PROJECTS CONSIDER INCLUDING SIGNAGE REQUIREMENT FOR SUBCONTRACTORS]*

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.

WatConv-05 **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site [SPECIFY FREQUENCY]. 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 / COASTAL DEVELOPMENT, GRADING and BUILDING] permits. *[PLANNER: FOR LARGER PROJECTS CONSIDER INCLUDING SIGNAGE REQUIREMENT FOR SUBCONTRACTOR.]*

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.

WatConv-06 **WatConv-06 [RETENTION / DETENTION] Basin.** The Owner/Applicant shall provide a retention basin designed to retain, infiltrate and/or recharge all runoff water onsite [AND/OR PLANNER STATE] and maintain contaminants onsite [ADD ADDITIONAL PURPOSE LANGUAGE]. The plan shall include the following components *[PLANNER INSERT CUSTOM COMPONENTS IF ANY INCLUDING MITIGATION MEASURES]*:

PLAN REQUIREMENTS: The Owner/Applicant shall include the retention basin in the Erosion and Sediment Control Plan (ESCP). The location and design parameters of the retention basin shall be submitted to P&D and Flood Control for review and approval. Installation and maintenance for five years shall be ensured through a performance security provided by the Owner/Applicant. Long term maintenance requirements shall be specified in [HOMEOWNER ASSOCIATION CC&RS OR IN A MAINTENANCE PROGRAM SUBMITTED BY THE OWNER OF COMMERCIAL/INDUSTRIAL SITES.] *[PLANNER: ADD BUYER BEWARE STATING MAINTENANCE REQUIREMENTS.]*

TIMING: Retention and/or recharge basins shall be installed (landscaped and irrigated subject to P&D and Flood Control District approval) prior to Final Building Inspection Clearance.

MONITORING: County Flood Control and grading inspectors shall oversee installation. The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Building and Safety grading inspector(s) that all required components of the approved ESCP are in place as required. *[PLANNER: IF THERE IS AN INSTALLATION SECURITY ADD:]* The installation security shall be released upon satisfactory installation of all items in approved plans. *[PLANNER FOR LONG TERM MAINTENANCE INCLUDE]* Compliance monitoring staff will review required maintenance records.

WatConv-07 **WatConv-07 SWPPP.** The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System issued by the California Regional Water Quality Control Board.

TIMING: Prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner/Applicant shall submit proof of exemption or a copy of the Notice of Intent and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to P&D. The Owner/Applicant shall keep a copy of the SWPPP on the project site during grading and construction activities.

MONITORING: P&D permit processing planner shall review the documentation prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. P&D compliance monitoring staff shall site inspect during construction for compliance with the SWPPP.

NPDES CONDITIONS

The following conditions/measures address storm water quality from construction, new development, and redevelopment as required by the EPA’s NPDES Phase II municipal storm water regulations. Some of these measures should be considered during the initial design phase of a project as they might require significant land area to implement. Consideration of these measures after the initial design phase could result in substantial redesign and project delay.

NPDES-10 **NPDES-10 Storm Drain Labels.** The Owner/Applicant shall label all on-site storm drain inlets, new or existing, to advise the public that the storm drain discharges to the ocean and that dumping waste is prohibited (e.g., “Don’t Dump – Drains to Ocean”). Label shall be in both English and Spanish.
PLAN REQUIREMENTS: Show location of storm drain inlets and proposed storm water labels on site, building and grading plans prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] and grading permits. Label design shall be equivalent or similar to that used by Public Works Department - Project Clean Water. Alternate label designs shall be shown on the plans and submitted to P&D for approval prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] and grading permits.
TIMING: Labels shall be affixed to storm drain inlets prior to Final Building Inspection Clearance.
MONITORING: P&D building staff shall site inspect prior to Final Building Inspection Clearance.

NPDES-11 *[See WatConv-01]*

NPDES-12 *[PLANNER: This measure is appropriate for small, medium or large subdivisions (5 or more lots) or commercial/industrial developments and as an alternative to underground or aboveground impermeable drainage channels, however sufficient land area must be set aside onsite to accommodate the system.]*

NPDES-12 Storm Water Retention-Biofiltration System. To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces, the Owner/Applicant shall construct a permanent biofiltration system to treat storm water runoff from the site. Biofiltration includes vegetated swales, channels, buffer strips, retention, rain gardens, and shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method. The biofiltration system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the filtration properties and the plants selected are adequate to reduce concentrations of the target pollutants including [PLANNER: LIST LIKELY POLLUTANTS]. Where feasible, local plants sources (i.e., collected from the watershed or propagated from cuttings or seed collected from the watershed) shall be used in the biofiltration system. Invasive plants shall not be used. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by P&D.

PLAN REQUIREMENTS: The Owner/Applicant shall include the biofiltration system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically.

TIMING: The Owner/Applicant shall submit a maintenance plan for the biofiltration system to P&D permit processing planner for review and approval prior to [INSERT TIMING]. The Owner/Applicant shall submit a performance security to ensure installation and long term maintenance (inspections at least once/year) of the biofiltration system. Performance security must be submitted to P&D permit processing planner prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout a five-year performance period. Performance security release requires P&D compliance monitoring staff approval. The [HOA / OWNER] is responsible for annual maintenance inspections of the biofiltration system. The [HOA / OWNER] shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-13 *[PLANNER: Use this measure for small projects where the drainage area is divided into smaller, individually treated units less than an acre, or projects such as small residential developments (4 or fewer lots), small commercial areas (with buildings or structures less than 5,000 square feet) and parking lots less than 25 stalls.]*

NPDES-13 Storm Water Retention-Buffer Strip. To allow for infiltration and treatment, the Owner/Applicant shall direct sheet flow runoff from the site to a permanent vegetated buffer strip. A registered civil engineer or other qualified professional shall design the buffer strip. Only non-invasive perennial grass or other drought tolerant vegetation species shall be used. Vegetated buffer strips shall be designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method.

PLAN REQUIREMENTS: The Owner/Applicant shall include the buffer strip design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically.

TIMING: The Owner/Applicant shall also submit a maintenance plan for the buffer strip to P&D for review and approval prior to [INSERT TIMING]. The Owner/Applicant shall submit a performance security to ensure installation and long-term maintenance (inspections at least once/year) of the buffer strip. Performance security must be submitted to P&D permit processing planner prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout a five-year performance period. Performance security release requires P&D compliance monitoring staff approval. The [HOA / OWNER] is responsible for annual maintenance inspections of the buffer strip. The [HOA / OWNER] shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-14 *[Planner: Use where possible to treat and infiltrate storm water from impervious surfaces at commercial, residential, and industrial sites. Small drainages between 0.25 and 1.0 acres (larger drainages may require multiple bioretention areas). Bioretention is a soil and plant-based filtration device that removes pollutants through a combination of physical, biological and chemical processes. The facility combines vegetation with a planting soil matrix of sand and organics. Runoff is distributed evenly through the ponding area for infiltration through the soil matrix. Underdrains may be required.]*

NPDES-14 Storm Water Retention-Bioretention Filter. To allow for infiltration and treatment, the Owner/Applicant shall direct drainage to a bioretention filter. A registered civil engineer or other qualified professional shall design the bioretention filter in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method.

PLAN REQUIREMENTS: The Owner/Applicant shall include the bioretention filter design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and depict it graphically.

TIMING: The Owner/Applicant shall also submit a maintenance plan for the bioretention filter to P&D for review and approval prior to [INSERT TIMING]. The Owner/Applicant shall submit a performance security to ensure installation and long-term maintenance (inspections at least once/year) of the bioretention filter. Performance security must be submitted to P&D permit processing planner prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout a five-year performance period. Performance security release requires P&D compliance monitoring staff approval. The [HOA / OWNER] is responsible for annual maintenance inspections of the bioretention filter. The [HOA / OWNER] shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-15 **NPDES-15 Storm Water Retention-Pervious Parking.** To reduce runoff from impervious areas and allow for infiltration, the Owner/Applicant shall incorporate pervious materials or surfaces *[PLANNER INSERT E.G., POROUS PAVEMENT OR UNIT PAVERS ON SAND]* into the project design.

PLAN REQUIREMENTS: The Owner/Applicant shall demonstrate use of pervious materials or surfaces on building, drainage and landscape plans as applicable.

MONITORING: P&D planners shall verify use as applicable during plan review; compliance monitoring staff shall site inspect for installation prior to

Final Building Inspection Clearance.

NPDES-16 *[Planner: This measure can be used for SFDs and commercial/industrial development on permeable soils and can be used on larger projects in conjunction with other measures. Work with Building and Safety to ensure that building foundations are adequately protected from site drainage].*

NPDES-16 Storm Water Retention-Roof Runoff Collection. To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall install a roof runoff collection and disposal system to infiltrate storm water runoff. Runoff shall be directed to either a subsurface infiltration trench, french drains, planter boxes, landscaped areas or connected to the site's irrigation system. An overflow or high flow bypass system will be provided.

PLAN REQUIREMENTS: The Owner/Applicant shall include the roof runoff collection and disposal system design, including any plant palettes and the sources of plant material, on the grading and drainage and landscape plans, and any special roof design elements on building and roofing detail plans, depicted graphically.

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

NPDES-17 **NPDES-17 Storm Water Retention-Residential Project.** The Owner/Applicant shall specify the following [INSERT MAINTENANCE REQUIREMENTS] in the [CC&Rs or LIST OTHER INSTRUMENT] and shall separately record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: Long-term maintenance and proof of inspections of the [BIOFILTRATION SYSTEM / BUFFER STRIP / BIORETENTION FILTER / PARKING AREA BMPS (DESCRIBE) / PARKING AREA CLEANING] shall be the responsibility of the [OWNER / HOA]. [INSERT MAINTENANCE REQUIREMENTS] [BIOFILTRATION SYSTEM / BUFFER STRIP / BIORETENTION FILTER / PARKING AREA BMPS (DESCRIBE) / PARKING AREA CLEANING] maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance."

TIMING: The Owner/Applicant shall complete the required recordation prior to [APPROVAL / ISSUANCE] of [FINAL MAP CLEARANCE/ LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

NPDES-17a **NPDES-17a Storm Water Retention-Commercial Project.** The Owner/Applicant shall specify the following [INSERT MAINTENANCE REQUIREMENTS] in a [BIOFILTRATION SYSTEM / BUFFER STRIP / BIORETENTION FILTER / PARKING AREA BMPS (DESCRIBE) / PARKING AREA CLEANING] maintenance program to be approved by [P&D and PW] and record it the Clerk of the Board. The Owner/Applicant shall separately record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: Long-term maintenance and proof of inspections of the [BIOFILTRATION SYSTEM / BUFFER STRIP / BIORETENTION FILTER / PARKING AREA BMPS (DESCRIBE) / PARKING AREA CLEANING] shall be the responsibility of the Owner. [INSERT MAINTENANCE REQUIREMENTS] [BIOFILTRATION SYSTEM / BUFFER STRIP / BIORETENTION FILTER / PARKING AREA BMPS (DESCRIBE) / PARKING AREA CLEANING] maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.
TIMING: The Owner/Applicant shall complete the required recordation prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

NPDES-18 **NPDES-18 Storm Water Retention-Driveway Design.** To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall use one of the following driveway designs: paving only under wheels, flared driveway, or use of permeable surfaces for temporary or non-permanent parking areas.
PLAN REQUIREMENTS: The Owner/Applicant shall include the driveway design, including materials building plans and as needed on grading plans depicted graphically.
MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance.

NPDES-19 *[See WatConv-01]*

NPDES-20 **NPDES-20 NPDES-Fueling Station Req.** To meet NPDES requirements, the fuel dispensing area shall extend 6.5 feet from the corner of each fuel dispenser or the length at which the hose and nozzle assembly may be operated plus 1 foot, whichever is less. The fuel dispensing areas shall be paved with Portland cement concrete (or equivalent smooth impervious surface), with a 2% to 4% slope to prevent ponding, and shall be separated from the rest of the site by a grade break that prevents run-on of storm water. The paving around the fuel dispensing area may exceed the minimum dimensions of the "fuel dispensing area" stated above.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these NPDES fueling dispensing requirements into project design and include them on all applicable plans including detail plans.

TIMING: P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LUP / CDP / ZCI].

MONITORING: The Owner/Applicant shall demonstrate installation of the fueling dispensing requirements consistent with NPDES requirements to compliance monitoring staff prior to Final Building Inspection Clearance.

NPDES-21 *[Planner: use this on parking lots associated with shopping centers or large commercial or industrial developments (with buildings or structures totaling 5,000 sq ft or more).]*

NPDES-21 Storm Water Retention-Parking Area Cleaning. To reduce storm water runoff, allow for infiltration, reduce pollutants and minimize degradation of storm water quality from development, parking lots and other paved surfaces the Owner/Applicant shall develop and implement a parking lot cleaning program. The program shall include the following elements: removal of litter; spot cleaning of oil, fuel, and other automotive leaks; vacuum sweeping on a [SPECIFY FREQUENCY] basis; inspection and cleaning of storm drain inlets and catch basins before November 1 and in January of each year; and posting of signs prohibiting littering, oil changing, and other automotive repairs. Debris removed from the catch basins shall be analyzed and disposed of accordingly.

PLAN REQUIREMENTS: The Applicant shall submit the parking lot clean-up program to P&D for review and approval prior to [INSERT TIMING].

TIMING: The Owner/Applicant shall submit a performance security to ensure installation and long-term maintenance (inspections at least once/year) of the [INSERT ELEMENTS]. Performance security must be submitted to P&D permit processing planner prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall site inspect for installation and periodically inspect for maintenance throughout a five-year performance period. Performance security release requires P&D approval. The [OWNER / HOA] is responsible for annual maintenance inspections of the parking lot clean-up program. The [OWNER / HOA] shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-22 *[Planner: Use this for parking areas with 5-25 spaces. Parking areas greater than 25 spaces shall be conditioned by Public Works for treatment of runoff from the design storm event (NPDES permit requirement).]*

NPDES-22 Storm Water Retention-Parking Area BMPs. The parking area and associated driveways shall be designed to minimize degradation of storm water quality. Best Management Practices (BMPs) such as landscaped areas for infiltration (vegetated filter strips, bioswales, or bioretention areas), designed in accordance with the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association) or other approved method shall be installed to intercept and remove pollutants prior to discharging to the storm drain system. The BMPs selected shall be maintained in working order. The landowner is responsible for the maintenance and operation of all improvements and shall maintain annual maintenance records. The BMPs shall be described and detailed on the site, grading and drainage and landscape plans, and depicted graphically. A maintenance program shall be specified in an inspection and maintenance plan and include maintenance inspections at least once/year. Long term maintenance shall be the responsibility of the [HOA (FOR RESIDENTIAL PROJECTS) OR THE LANDOWNER (FOR COMMERCIAL/INDUSTRIAL PROJECTS).] A maintenance program shall be specified in the CC&Rs or in a maintenance program submitted by the landowner for commercial/industrial sites and recorded with the Clerk of the Board. The plans and a copy of the long-term maintenance program shall be submitted to P&D and Public Works, Water Resources Division staff, for review prior to approval of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. BMP maintenance is required for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year and retain proof of inspections.

PLAN REQUIREMENTS: The location and type of BMP shall be shown on the site, building and grading plans.

TIMING: The plans and maintenance program shall be submitted to P&D for approval prior to [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

MONITORING: P&D compliance monitoring staff shall site inspect for installation prior to Final Building Inspection Clearance. The landowner shall make annual maintenance records available for review by P&D upon request.

NPDES-23 *[Planner: Use this for any project identified as having a significant storm water quality impact (as defined in the CEQA Guidelines, or due to changes in runoff volume, duration, intensity, or proximity to sensitive receiving waters) during operation (not construction) and if appropriate, identify and include the minimum BMPs to be implemented. Significant impact includes all development regulated in the State NPDES General Municipal Storm Water Permit (confirm with current permit). Note that if Public Works has conditioned the development to meet treatment control requirements, Public Works will require a maintenance agreement be entered into between owner and Public Works.]*

NPDES-23 SWQMP-Operation. The Owner/Applicant shall submit and implement a Storm Water Quality Management Plan (SWQMP) designed to prevent the entry of pollutants from the project site into the storm drain system after development. The SWQMP shall identify:

1. A combination of structural and non-structural Best Management Practices (BMPs) from the California Storm Water BMP Handbook for New Development and Redevelopment (California Storm Water Quality Association), or other approved methods;
2. Potential pollutant sources that may affect the quality of the storm water discharges;
3. Design and placement of structural and non-structural BMPs to address identified pollutants;
4. Inspection and maintenance program;
5. Method for ensuring maintenance of all BMPs over the life of the project.

PLAN REQUIREMENTS: The Owner/Applicant shall (1) submit the SWQMP to P&D for review and approval prior to [APPROVAL / ISSUANCE] of [FINAL MAP CLEARANCE / LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]; (2) include design and field components [OR PLANNER LIST SPECIFIC] on land use, grading and building plans as applicable; (3) post performance securities prior to [INSERT SAME TIMING AS SWQMP] to ensure installation and maintenance.

TIMING: SWQMP measures shall be constructed and operational prior to Final Building Inspection Clearance. The [HOMEOWNERS' ASSOCIATION OR OWNER FOR COMMERCIAL/INDUSTRIAL SITES] shall maintain the SWQMP components for the life of the project and keep a record of maintenance and submit the maintenance record to P&D compliance monitoring staff annually between Oct 1 - 31. The Owner/Applicant shall record a buyer notification prior to [INSERT TIMING] that states: "IMPORTANT: BUYER NOTIFICATION" and contains the maintenance requirement language above.

MONITORING: The Owner/Applicant shall demonstrate to Public Works, Water Resources Division that SWQMP components are in place prior to Final Building Inspection Clearance. The installation security shall be released upon satisfactory installation of all items in approved plans and the maintenance security shall be released after five consecutive years of satisfactory maintenance and maintenance reporting. *[PLANNER FOR LONG TERM MAINTENANCE INCLUDE]* P&D compliance monitoring staff and Public Works-Water Resources Division staff will review required maintenance records.

NPDES-24 *[See WatConv-01]*

NPDES-25 **NPDES-25 NPDES-Outdoor Storage Req.** Where proposed project plans include outdoor material storage areas that could contribute pollutants to the storm water conveyance system, the following NPDES measures are required:

1. Materials with the potential to contaminate storm water must either be (a) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system; or (b) protected by a secondary containment structure such as berm, dike, or curb and covered with a roof or awning.
2. The storage area must be paved and sufficiently impervious to contain leaks and spill or otherwise be designed to prevent discharge of leaks or spills into the storm water conveyance system.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these NPDES outdoor storage area requirements into project design and depict on plans, including detail plans as needed.

TIMING: P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner shall maintain these requirements for the life of the project.

MONITORING: The Owner/Applicant shall demonstrate installation of the outdoor storage requirements consistent with NPDES requirements to P&D compliance monitoring staff and Public Works-Water Resources Division staff prior to Final Building Inspection Clearance. The Owner shall make the site available to P&D for periodic inspections of the outdoor storage area for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

- NPDES-26 **NPDES-26 NPDES-Trash Container Req.** To meet NPDES requirements, all trash container areas must (1) divert drainage from adjoining paved areas, and (2) be protected and regularly maintained to prevent off-site transport of trash.
- PLAN REQUIREMENTS:** The Owner/Applicant shall incorporate these trash container area requirements into project design and depict on plans, including detail plans as needed.
- TIMING:** P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner shall maintain these requirements for the life of the project.
- MONITORING:** The Owner/Applicant shall demonstrate to compliance monitoring staff that the trash enclosure was constructed consistent with NPDES requirements prior to Final Building Inspection Clearance. P&D compliance monitoring staff and Public Works-Water Resources Division staff will periodically inspect thereafter to ensure proper maintenance. The Owner shall make the site available to P&D for periodic inspections of the trash areas for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-27 **NPDES-27 NPDES-Auto Repair Req.** All automotive repair shops and maintenance bays shall meet the following NPDES requirements:

1. Repair/maintenance bays shall be indoors or designed in such a way that doesn't allow storm water run-on or contact with storm water runoff.
2. Repair/maintenance bay drainage system shall be designed to capture all wash-water, leaks and spills. Connect drains to a sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system is prohibited. If required by local Sanitary District, obtain an Industrial Waste Discharge Permit.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these automotive repair shop and maintenance bay requirements into project design and depict on plans, including detail plans as needed.

TIMING: P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LUP / CDP / ZCI]. The Owner shall maintain these requirements for the life of the project.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Public Works-Water Resources Division staff that installation of the NPDES bay drainage system requirements is consistent with approved plans prior to Final Building Inspection Clearance. The Owner is responsible for annual maintenance inspections of the bay drainage system and shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections of the bay drainage system for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-28 **NPDES-28 NPDES-Vehicle/Equip Wash Req.** To meet NPDES requirements, all vehicle/equipment washing/steam cleaning areas must be self-contained and/or covered, equipped with a clarifier or other pretreatment facility, and properly connected to a sanitary sewer or other appropriately permitted disposal facility.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these vehicle/equipment wash requirements into project design and depict on plans, including detail plans as needed.

TIMING: P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LUP / CDP / ZCI]. The Owner shall maintain these requirements for the life of the project.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Public Works-Water Resources Division staff that installation of the vehicle/equipment washing/steam cleaning requirements is consistent with approved plans prior to Final Building Inspection Clearance. The Owner is responsible for annual maintenance inspections of the vehicle/equipment washing/steam cleaning requirements and shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections of the vehicle equipment wash for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-29 **NPDES-29 Storm Water-Food Facility Req.** To meet NPDES requirements, all restaurants and commercial food handling facilities must provide an area for the washing/steam cleaning of equipment and accessories. The area must be self contained, equipped with a grease trap, and properly connected to a sanitary sewer. If the wash area is located outdoors, it must be covered, paved, have secondary containment, and be connected to the sanitary sewer or other appropriately permitted disposal facility.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these food facility requirements into project design and depict on plans, including detail plans as needed.

TIMING: P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner shall maintain these requirements for the life of the project.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff and Public Works-Water Resources Division staff that installation of the NPDES requirements for the washing/steam cleaning of equipment and accessories is consistent with approved plans prior to Final Building Inspection Clearance. The Owner is responsible for annual maintenance inspections of the NPDES requirements for the washing/steam cleaning of equipment and accessories and shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections of the equipment washing and steaming area for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

NPDES-30 **NPDES-30 Storm Water-Docks Req.** The following NPDES design criteria are required for all loading/unloading dock areas:

1. Cover loading dock areas or design drainage to minimize run-on and runoff of storm water.
2. Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

PLAN REQUIREMENTS: The Owner/Applicant shall incorporate these dock design criteria into project design and depict on plans, including detail plans as needed.

TIMING: P&D planners shall ensure plan compliance prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner shall maintain these requirements for the life of the project.

MONITORING: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that installation of the dock requirements consistent with approved plans prior to Final Building Inspection Clearance. The Owner is responsible for annual maintenance inspections of the dock requirements and shall keep records of such inspections and provide them as requested to the County. The Owner shall make the site available to P&D for periodic inspections for the life of the project and transfer of this responsibility is required for any subsequent sale of the property. The condition of transfer shall include a provision that the property owners conduct maintenance inspection at least once/year, retain proof of inspections, submit proof to the County upon request and allow the County access to the property to inspect to ensure compliance.

CONDITIONS OF APPROVAL-SPECIFIC PROJECT TYPES

EMERGENCY GENERATOR CONDITIONS

EM-01 **EM-01 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.

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.

Plan Requirements: The Permittee shall restate the provisions for compliance on all building plans. **Timing:** Permittee shall obtain an APCD Authority to Construct permit prior to engine installation, and an APCD Permit to Operate prior to engine operation. All necessary APCD permits shall be obtained prior to Final Building Inspection Clearance.

EM-02 **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.

HOLLISTER RANCH SFDs CONDITIONS

Holl-01 **Holl-01 State Fees.** Prior to issuance of the Coastal Development Permit, the standard state fee of \$5,000 shall be paid to the State of California Coastal Conservancy in lieu of granting public access to the beach. A cashier's check shall be submitted to: California Coastal Conservancy, 1330 Broadway, Suite 1300, Oakland, CA 94612. Proof of payment shall be submitted to P&D.

EMERGENCY PERMIT CONDITIONS

EMP-01 **EMP-01 Project Description.** This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Planning Commission.

The project description is as follows:

[PROJECT DESCRIPTION DETAIL.]

The property is an x-acre parcel zoned [INSERT ZONING DESIGNATION] and shown as Assessor's Parcel Number [INSERT APN], located at [INSERT ADDRESS] in the [INSERT PLAN AREA] area, [INSERT #] Supervisorial District.

EMP-02 **EMP-02 Follow Up Application Required.** An application(s) for the required permits necessary to validate the emergency work as permanent shall be submitted by the applicant to the Planning and Development Department no later than 30 days following the issuance of this Emergency Permit. The permits required for the proposed emergency work include a [identify required permit(s)] pursuant to Section [35-171.5.3 or other section] of the Article II, Coastal Zoning Ordinance.

EMP-03 **EMP-03 Completeness Items.** Any materials required for a completed application, as identified in the initial review of the original application required pursuant to Condition EMP-02 above, shall be submitted within 90 days after written notification of the application deficiencies is provided to the applicant. This time period may be extended by the Director of Planning and Development.

EMP-04 **EMP-04 Authorized Work Only.** Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 30 days of the date of issuance of the permit and completed within 30 days after the beginning of construction. If construction activities are proposed by the applicant to commence after 30 days, separate authorization by the Director of P&D is required.

- EMP-05 **EMP-05 Other County Agency Permits.** This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
- EMP-06 **EMP-06 Stop Work Order.** The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction.
- EMP-07 **EMP-07 Building Permit Required.** Prior to the initiation of any demolition or construction activities, the applicant shall obtain a Demolition Permit, Building Permit and any other permit required pursuant to the Building Code from the P&D Building Division.
- EMP-08 **EMP-08 Demolition Debris.** All demolition debris shall be removed from the public beach area and the blufftop portion of the property and disposed in a legal manner. During demolition activities, a monitor shall be stationed on the beach below the work area to direct beach users away from the demolition area.
- EMP-09 **EMP-09 Not Valid Until Signed.** This Emergency Permit is not valid until signed by the applicant and subsequently issued by Planning and Development.
- EMP-10 **EMP-10 Coastal Commission Review Required.** A Coastal Development Permit issued by the California Coastal Commission is required for any demolition or construction activity located below the mean high tide line.

HOUSING (NEW, AFFORDABLE, CONDO CONVERSIONS, DEMOLITION)

Planners: These housing conditions are revised to reflect state housing law as of January 2005. They also include changes intended to make them easier for you to use. Notes in red italics above each numbered condition describe the circumstances under which that condition applies. State housing law is complex, so there are many conditions from which to choose. There are different conditions for projects making use of the state's Density Bonus Program or the County's Inclusionary Housing Program depending on the project application complete date and whether the units are for rent or sale. This section also includes conditions for in-lieu fees, condo conversions, demolitions and two standard conditions for affordable housing construction. Always be sure to check with and obtain concurrence from the Housing & Community Development Department when calculating in-lieu fees or when the project calls for implementation of the County's Inclusionary Housing Program. If you have any questions, you may also contact Long Range Planning Division's Housing Element staff.

Archived Housing Conditions apply in the following situations:

- *Inclusionary for-sale projects complete prior to May 16, 2002;*
- *Inclusionary and Affordable Housing Overlay (AHO) for-sale projects complete between May 16, 2002 and April 27, 2004;*
- *Inclusionary and Affordable Housing Overlay (AHO) rental projects complete prior to April 28, 2004;*
- *Condominium Density Bonus projects complete between January 1, 2003 and December 31, 2004.*

Hous-01 **Hous-01 Agreement to Provide Affordable Housing.** The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing and a Restrictive Covenant and Preemptive Right with the County of Santa Barbara based on the County’s model documents. These shall specify affordability terms described in condition [XX]. In addition, the Agreement and Covenant shall include the following provisions *[Planner: Use all applicable:]*

1. Affordable units shall be constructed concurrent with the construction of the market rate units in each phase of development.
2. The County will not issue Final Building Inspection Clearance for more than 50% of market rate units in any phase of development until Final Building Inspection Clearance is issued for all affordable rate units in that phase.
3. Marketing and lottery requirements for the initial [SALE AND/OR RENTAL] of units.
4. Income eligibility requirements of prospective [BUYERS / RENTERS] to be determined by the County or its designee.
5. Requirement that prospective [BUYERS / RENTERS] of the affordable units execute an agreement to occupy the unit as the primary residence.
6. Requirement that a Request for Notice be recorded with the original and all subsequent deeds, which stipulates a copy of any Notice of Default and a copy of any Notice of Sale be mailed to the address contained in the recorded request.
7. Statement that the maximum [SALES / RENTAL] rate for the affordable units shall not exceed the maximum levels established by the Board of Supervisors, consistent with the provisions of the Housing Element and state law.

Plan Requirements: The Owner/Applicant note on applicable construction plan pages that affordable units shall be constructed concurrent with the construction of the market rate units in each phase of development.

Timing: The Owner/Applicant shall submit the Agreement and Covenant for P&D, County Counsel and County Housing and Community Development review prior to [FINAL MAP CLEARANCE / LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].

Monitoring: The Owner/Applicant shall demonstrate to P&D compliance monitoring staff that all affordable units for a given phase of development are completed (Final Building Inspection Clearance issued), before P&D will issue [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for more than 50% of the market rate units in the same phase of development.

Hous-02 *[See Hous-01]*

HOUSING: STATE DENSITY BONUS PROGRAM (3-6)

Hous-03 **Hous-03 Rental Density Bonus Projects.** The Owner/Applicant shall provide *[PLANNER: CHOOSE ONE]*:

1. [NUMBER] very low income dwelling units ([NUMBER]% of project units) available for rent at prices affordable to households earning 50% of Area Median Income (AMI) consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

OR

2. [NUMBER] low income dwelling units ([NUMBER]% of project units) available for rent at prices affordable to households earning 60% of Area Median Income (AMI) consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

Plan Requirements: The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing, which shall include a model Restrictive Covenant and Preemptive Right. The Covenant shall be executed and recorded by each purchaser of an affordable unit. The agreement and covenant shall be based on the County's model documents, as they may be amended from time to time and subject to review and approval by P&D, County Housing and Community Development, and County Counsel.

Timing: The Agreement shall be entered into and recorded prior to [FINAL MAP CLEARANCE OR, IF NO MAP, LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The units shall remain affordable for a period of thirty years or longer if required by the financing, insurance or rental subsidy program used. In addition, the running of the covenant shall toll during any period of violation.

Hous-04 **Hous-04 For-Sale Density Bonus Projects.** The Owner/Applicant shall provide *[PLANNER: CHOOSE ONE]*:

1. [NUMBER] very low income dwelling units ([NUMBER]% of project units) available for sale at prices affordable to households earning 50% of Area Median Income (AMI) consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

OR

2. [NUMBER] low income dwelling units ([NUMBER]% of project units) available for sale at prices affordable to households earning 60% of Area Median Income (AMI) consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

Plan Requirements: The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing which shall include a model Restrictive Covenant and Preemptive Right. The Covenant shall be executed and recorded by each purchaser of an affordable unit. The agreement and covenant shall be based on the County's model documents as they may be amended from time to time and subject to the review and approval of P&D, County Housing and Community Development, and County Counsel.

Timing: The Agreement shall be entered into and recorded prior to Final Map Clearance. The units shall remain affordable for a period of thirty years or longer if required by the financing, insurance or rental subsidy program used. In addition, the running of the covenant shall be tolled during any period of violation.

Hous-05 *[Removed – Archived condition for projects called complete between Jan 2003-Dec 2004]*

Hous-06 *[PLANNER: This is for density bonus condominium or PUD projects where the application was called complete after 1/1/2005]*

Hous-06 Density Bonus Condo or PUD Projects. The Owner/Applicant shall provide [NUMBER] moderate income dwelling units ([NUMBER]% of project units) available for sale at prices affordable to households earning 100% of Area Median Income (AMI) consistent with the provisions of Government Code § 65915-65918 (Density Bonus).

Plan Requirements: The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing which shall include a model Restrictive Covenant and Preemptive Right. The covenant shall be executed and recorded by each purchaser of an affordable unit. The agreement and covenant shall be based on the County's model documents, as they may be amended from time to time and subject to review and approval of P&D, County Housing and Community Development, and County Counsel.

Timing: The Agreement shall be entered into and recorded prior to [FINAL MAP CLEARANCE OR IF NO MAP, LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The units shall remain affordable for a period of ten years with a provision for shared equity with the County of Santa Barbara. In addition, the running of the covenant shall be tolled during any period of violation.

Hous-07 *[Removed – Archived condition for projects called complete prior to 4/28/2004]*

HOUSING: INCLUSIONARY HOUSING & AFFORDABLE HOUSING OVERLAY

Hous-08 *[Planner: For Inclusionary and Affordable Housing Overlay (AHO) rental projects complete on or after April 28, 2004. You will also need to in-lieu condition if the Inclusionary project is providing some but not all required affordable units onsite.]*

Hous-08 Inclusionary and AHO Rental Projects. The Owner/Applicant shall provide *[PLANNER CHOOSE ONE OR MORE]*:

1. [NUMBER] very low income dwelling units ([NUMBER]% of project units with an average rental price affordable to households earning 50% of Area Median Income (AMI);
2. [NUMBER] low income dwelling units ([NUMBER]% of project units with an average rental price affordable to households earning 75% of Area Median Income (AMI);
3. [NUMBER] moderate income dwelling units ([NUMBER]% of project units with an average rental price affordable to households earning 110% of Area Median Income (AMI);
4. [NUMBER] workforce income dwelling units ([NUMBER]% of project units with an average rental price affordable to households earning 160% of Area Median Income (AMI).

Plan Requirements: The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing which shall include a model Restrictive Covenant and Preemptive Right. The covenant shall be executed and recorded by each purchaser of an affordable unit. The agreement and covenant shall be based on the County's model documents, as they may be amended from time to time and subject to review and approval of P&D, County Housing and Community Development, and County Counsel.

Timing: The Agreement shall be entered into and recorded prior to [FINAL MAP CLEARANCE OR IF NO MAP, LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The units shall remain affordable for a period of forty-five years. In addition, the running of the covenant shall toll during any period of violation.

Hous-09 *[Removed – Archived condition for projects called complete prior to 5/16/2002.]*

Hous-10 *[Removed – Archived condition for projects called complete between 5/16/2002-4/27/2004]*

Hous-11 *[Planner: For Inclusionary and Affordable Housing Overlay (AHO) for-sale projects complete on or after April 28, 2004. You will also need to in-lieu condition if the Inclusionary project is providing some but not all required affordable units onsite.]*

Hous-11 Inclusionary and AHO For-Sale Projects. The Owner/Applicant shall provide *[PLANNER: CHOOSE ONE OR MORE]*:

1. [NUMBER] very low income dwelling units ([NUMBER]% of project units with an average sales price affordable to households earning 50% of Area Median Income (AMI);
2. [NUMBER] low income dwelling units ([NUMBER]% of project units with an average sales price affordable to households earning 75% of Area Median Income (AMI);
3. [NUMBER] moderate income dwelling units ([NUMBER]% of project units with an average sales price affordable to households earning 110% of Area Median Income (AMI);
4. [NUMBER] workforce income dwelling units ([NUMBER]% of project units with an average sales price affordable to households earning 160% of Area Median Income (AMI).

Plan Requirements: The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing which shall include a model Restrictive Covenant and Preemptive Right. The covenant shall be executed and recorded by each purchaser of an affordable unit. The agreement and covenant shall be based on the County's model documents, as they may be amended from time to time and subject to review and approval of P&D, County Housing and Community Development, and County Counsel. These shall specify that the units remain affordable for a period of at least forty-five years.

Timing: The Agreement shall be entered into and recorded prior to [FINAL MAP CLEARANCE OR IF NO MAP, LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. For each unit, the forty-five year period shall be restarted when the unit is sold or transferred for a maximum period of ninety years unless preempted by state or federal programs. In addition, the running of the covenant shall toll during any period of violation.

HOUSING: IN-LIEU FEES OR DONATING LAND

Use where fees are being paid in-lieu of providing some or all of the affordable units onsite or where the Owner/Applicant is donating land. You will need this condition and the appropriate Inclusionary Condition from above if the Inclusionary project is providing some, but not all required affordable units onsite. Verify and obtain concurrence from the County's Housing & Community Development Department. If the Owner/Applicant is donating land, consult with Long Range Planning Housing team supervisor and County Counsel to craft appropriate condition.

Hous-12 **Hous-12 In Lieu Fees.** The Owner/Applicant shall pay in-lieu fees for affordable housing in compliance with the provisions of Housing Element Policy 1.3.

Timing: The Owner/Applicant shall pay the fee to the County's Housing & Community Development Department prior to [BUILDING PERMIT ISSUANCE / FINAL MAP CLEARANCE]. The County shall determine the amount of the in-lieu fee based on the fee in effect at the time the fees are paid for a [NUMBER] unit/lot project in the [INSERT AREA] Housing Market Area.

Hous-13 *[See Hous-12]*

Hous-14 *[For projects with a map and a DVP you may use Hous-12 or the following condition.]*

Hous-14 In Lieu Fees – Financial Security. The Owner/Applicant shall pay in-lieu fees for affordable housing in compliance with the provisions of Housing Element Policy 1.3.

Timing: The Owner/Applicant shall provide a financial security (e.g., certificate of deposit or letter of credit) in a form acceptable to County Counsel prior to final map clearance. The Owner/Applicant shall pay the full fee to the County's Housing & Community Development Department at the time the first building permit for the project is issued. The amount of the in-lieu fee shall be based upon the fee in effect at the time of Final Map Clearance for a [NUMBER] unit/lot project in the [INSERT AREA] Housing Market Area.

Hous-15 *[For projects with a map and a DVP where project is phased, you may use either Hous-12, -14 or the following condition].*

Hous-15 In Lieu Fees – Financial Security (Phased). The Owner/Applicant shall pay in-lieu fees for affordable housing in compliance with the provisions of Housing Element Policy 1.3.

Timing: The Owner/Applicant shall provide a financial security (e.g., bond or letter of credit) in a form acceptable to County Counsel prior to final map clearance. The Owner/Applicant shall pay a proportion of the total fee equal to [NUMBER]% of the total fee at the time the first building permit is issued for each phase of the project. The amount of the in-lieu fee shall be based upon the fee in effect at the time of Final Map Clearance for a [NUMBER] unit/lot project in the [INSERT AREA] Housing Market Area. Fees shall be paid to the County's Housing & Community Development Department.

HOUSING: CONDO CONVERSION OR DEMOLITION PROJECTS

- Hous-16 **Hous-16 Notice to Vacate.** The Owner/Applicant shall provide existing tenants with at least sixty days notice to vacate the premises.
Timing: Prior to final map clearance, the Owner/Applicant shall submit a covenant specifying the terms and requirements of the notice to vacate to P&D and County Counsel for review and approval. The Owner/Applicant shall submit a copy of the notice to vacate along with proof that it was distributed to all tenants to P&D prior to [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- Hous-17 **Hous-17 Tenant Relocation Payment.** The Owner/Applicant shall provide existing tenants with an amount of money equivalent to three months of the fair market rent for the area as determined by the Department of Housing and Urban Development pursuant to Section 1427f(c)(1) of Title 42 of the United States Code, or \$7,000, whichever is greater.
Timing: Prior to final map clearance, the Owner/Applicant shall submit a covenant specifying the terms and requirements of the relocation payment to P&D and County Counsel for review and approval. The Owner/Applicant shall submit proof of relocation payment to all tenants to P&D prior to [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- Hous-18 **Hous-18 Demo Replacement in Coastal Zone.** The Owner/Applicant shall replace the demolished affordable unit(s) through [ONSITE / OFFSITE] replacement. Replacement units shall remain affordable for a period of forty-five (45) years.
Timing: Prior to [FINAL MAP CLEARANCE OR IF NO MAP, LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], the Owner/Applicant shall submit a covenant specifying the terms and requirements of replacement to P&D and County Counsel for review and approval. The Owner/Applicant shall provide proof of replacement units prior to [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- Hous-19 **Hous-19 Demo Replacement in Coastal Zone with In-Lieu Fees.** The Owner/Applicant shall replace the demolished affordable unit(s) through payment of in-lieu fees in compliance with the provisions of Housing Element and Housing Element Implementation Guidelines.
Timing: The Owner/Applicant shall pay the fee to the County's Housing & Community Development Department prior to building permit issuance. The County shall determine the amount of the in-lieu fee based on the fee in effect at the time the fees are paid for [NUMBER] demolished units in the [INSERT AREA] Housing Market Area.

Hous-20 **Hous-20 Target Income Units.** [NUMBER] dwelling units of [NUMBER]% of project units shall be provided at [SALES / RENTAL] prices affordable to very low, low, lower-moderate, and/or upper-moderate income households, with an affordability target of [NUMBER]% of median income consistent with the Housing Element and the Housing Element Implementation Guidelines.

Plan Requirements: The Owner/Applicant shall enter into and record an Agreement to Provide Affordable Housing and a [RENTAL RESTRICTIVE COVENANT AND PREEMPTIVE RIGHT / SHARED EQUITY APPRECIATION RESTRICTIVE COVENANT] with the County of Santa Barbara, agreeing to provide [NUMBER] affordable units at [SALE / RENTAL] prices affordable to very low, low, lower-moderate, upper-moderate income households, as required by the Housing Element and Housing Element Implementation Guidelines for the [SPECIFY AREA] Housing Market Area. The agreement and covenant shall be based upon the County's model agreement and covenant. Both shall be subject to review and approval by P&D, Treasurer and County Counsel. These documents shall include provisions describing marketing and lottery requirements for the initial [SALE / RENTAL] of units. Income eligibility of prospective [PURCHASERS / RENTERS] shall be determined by the County or its designee. An intent to reside statement shall be required for potential [OWNERS / RENTERS] of the affordable units. The maximum [SALES PRICE / RENTAL RATE] for the affordable units shall not exceed the maximum levels established by the Board of Supervisors, consistent with the provisions of the Housing Element. [IF RENTAL, ADD: The agreement and covenant shall specify that the affordable units remain affordable for a period of 30 years unless preempted by state or federal programs and shall be rented to qualified households at prices as established by the Board of Supervisors.] [IF FOR SALE, ADD: The units shall be subject to the provisions of the Shared Equity Appreciation Restrictive Covenant for ten (10) years after the Owner takes title or until the Owner transfers title or until the Owner transfers the property, whichever occurs first.

Timing: The agreement and covenant shall be entered into and recorded prior to [FINAL MAP CLEARANCE, OR IF NO MAP, LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. A Shared Equity Appreciation Restrictive Covenant shall be recorded upon the sale of each restricted unit [FOR SALE / FOR RENTAL].

CONDOMINIUM CONVERSION SPECIFIC CONDITIONS

Planners: Coordinate with HCD to ensure that the appropriate conditions will be applied to the project. HCD can help confirm if recent state law changes may impact the condition language. This text reflects state law as of 2005. Also, refer to the Condo Conversion Conditions in the [Housing](#) section.

Condo-01 **Condo-01 No Eviction.** Prior to the recordation, subdivider shall enter into an agreement with the County of Santa Barbara which provides that, in compliance with the provisions of Santa Barbara County Ordinance 3168, no tenant residing in the project on the date of approval of this Tentative Map shall be evicted within five years from the date of such approval as a direct result of the conversion of the project rental units to a condominium. This condition shall not prevent the eviction of any tenant for violation of any agreement, express or implied.

Condo-02 **Condo-02 No Rental Increase.** For such tenants residing in the project on the date of approval of the tentative map, for a period of five years commencing upon the date of approval of this Tentative Map, the rent on their units shall not be increased more than the percentage increase in the Consumer Price Index for all urban consumers for the Los Angeles-Long Beach area (1967-100) as published by the U.S. Department of Labor's Bureau of Labor Statistics, using as a base the month of [INSERT MONTH, YEAR OF APPROVAL], except that, in addition, such rent may be increased or shall be decreased in order to pass onto such tenants their pro-rata share (calculated on the basis of the total number of units in the condominium project) of the increase or decrease in the real property taxes as compared to the property taxes of [INSERT SAME MONTH, YEAR AS ABOVE], during the period until termination of tenant's occupation. The term "property taxes" shall mean and include all taxes, assessments, and other governmental charges, general or special, ordinary or extraordinary, of any kind or nature whatsoever, applicable to the property covered by this Tentative Map. This condition shall not apply to changes in the terms of lease rental agreements which are in effect at the date of approval of the tentative map.

Condo-03 **Condo-03 Tenant Notification.** Prior to the recordation of the Map, Subdivider shall submit, in compliance with the provisions of the Subdivision Map Act, Government Code Section 66427.1(a), a copy of a notice sent to each of the tenants residing in the project. Each tenant shall be given 10 days' written notification that an application for a public report will be, or has been submitted to the Department of Real Estate, and that such report will be available upon request.

Condo-04 **Condo-04 Tenant Notify Condo Convert.** Prior to the recordation of the Map, Subdivider shall enter into an agreement with the County of Santa Barbara in compliance with the provisions of the Subdivision Map Act, Government Code Section 66427.1(b) which provides that each of the tenants residing in the project will be given written notification within 10 days of approval of a final map for the condominium conversion.

- Condo-05 **Condo-05 Tenant Notify Intent to Convert.** Prior to the recordation of the Map, Subdivider shall enter into an agreement with the County of Santa Barbara in compliance with the provisions of the Subdivision Map Act, Government Code Section 66427.1(c) which provides that each of the tenants residing in the project has been, or will be, given 180 days written notification of the intention to convert prior to the termination of tenancy due to the conversion.
- Condo-06 **Condo-06 Exclusive Right to Purchase.** Prior to the recordation of the Map, Subdivider shall enter into an agreement with the County of Santa Barbara which provides that, in compliance with the provisions of the Subdivision Map Act, Government Code Section 66427.1(d), each of the tenants residing in the project shall be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenant. Such first right to purchase shall run for a period not less than 90 days from the date of issuance of the subdivision public report (Business and Professions Code section 11018.2), unless the tenant gives prior notice of his intention not to exercise the right.
- Condo-07 **Condo-07 Conditions Notification.** Subdivider shall give notice by certified mail to all tenants residing in the project of Conditions [SPECIFY ALL CONDO CONVERSION CONDITION #S] within 30 days of the approval of the Tentative Map. Prior to recordation, subdivider shall file with P&D an affidavit of mailing under penalty of perjury to prove that such notice was given. The giving of this notice does not relieve the subdivider of the obligation to give notices required in compliance with Government Code Section 66427.1.

MOBILE HOME PARKS

- MHP-01 *[PLANNER: Check LUDC and State H.C.D for setback requirements]*
MHP-01 Mobile Home-Setbacks. Each mobile home and attached accessory structure shall maintain minimum setbacks from its site property lines as follows:
1. Side – [INSERT SETBACK]
2. Rear – [INSERT SETBACK]
3. Front – [INSERT SETBACK]
- MHP-02 **MHP-02 Mobile Home-Shade Tree.** One shade tree of a type [INSERT SIZE] approved by P&D shall be planted on each mobile home site prior to occupancy.
- MHP-03 **MHP-03 Mobile Home-Utilities.** All utilities serving each mobile home site, except the main transmission lines entering the mobile home park, shall be installed underground.
- MHP-04 **MHP-04 Mobile Home-Streets/Driveways.** All streets & driveways shall be constructed according to Public Works Department standards.
- MHP-05 **MHP-05 Mobile Home-Speed Limit.** The Owner shall post a [NUMBER] mile per hour speed limit sign in the park as approved by County Public Works prior to [INSERT TIMING].
- MHP-06 **MHP-06 Mobile Home-Site Plan.** A site plan shall be filed which clearly shows the space number that has been assigned to each site.
- MHP-07 **MHP-07 Mobile Home-Max Area.** In compliance with the provisions of Section 18610 of Title 25, Article 2 (California Administrative Code), the occupied area of each mobile home site shall not exceed 75 percent of the site area.
- MHP-08 **MHP-08 Mobile Home-Signs.** A [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] is required for all signs. The entrance signs as shown on Exhibit No. [IDENTIFY EXHIBIT] shall not exceed the standards in compliance with Chapter 35 (Sign Regulations) of the Code of Santa Barbara County as follows:
1. Not to exceed two signs at any one entrance.
2. Not to exceed 20 square feet in aggregate sign area at any one entrance.
- MHP-09 **MHP-09 Mobile Home-Antenna.** A central television antenna system or cable TV system shall be provided to serve all sites prior to [INSERT TIMING].
- MHP-10 **MHP-10 Mobile Home-Max Sites.** The total number of sites for mobile homes shall not exceed [NUMBER].

- MHP-11 **MHP-11 Mobile Home-DVP Setbacks.** Front and rear setbacks shall be a minimum of five feet, and side setbacks shall be a minimum of 3 feet, in compliance with the typical lot layout as shown on Exhibit No. [IDENTIFY EXHIBIT], Development Plan.
- MHP-12 **MHP-12 Mobile Home-Roofs.** Mobile home roofs and siding shall be of a non-reflective material.
- MHP-13 **MHP-13 Mobile Home-Water Fixtures.** The Owner-operator of the mobile home park shall supply free to all occupants, upon occupancy, 2 gpm showerheads and faucets and 1.6 gpf toilets to reduce water consumption as provided in Chapter 10-39 of the County Code. All landscaping shall be drought tolerant, and all irrigation shall be water conserving.
- MHP-14 **MHP-14 Mobile Home-Height Limit.** All structures in the proposed recreational area shall conform to the height regulations of the [IDENTIFY ZONE] zone, [NUMBER] feet in height.

TELECOM PROJECTS

- Tel-01 **Tel-01 Monopine Design.** The Permittee shall adhere to the following design specifications for the monopine: branch foliage must vary in density, spacing, size and angle to avoid rigid symmetry; overall tree shape shall integrate with the context of the site; colors of the faux trunk and branches [MUST BE FIELD-MATCHED TO BLEND WITH THE EXISTING VEGETATIVE BACKDROP AND] shall be non-reflective, green needles shall be interspersed with brown to provide more natural appearance, and the exterior surface of the faux trunk shall emulate the texture of a real tree; all antennas (panels, microwave and GPS), mounting brackets, and coaxial cables shall be completely screened from public view by the faux foliage and painted to match; branch foliage shall continue down the faux trunk so as to fully conceal the trunk from prominent public vantage points and the overall design shall substantially conform to and implement the visual effect represented in the photo simulations accompanying the project application.
- PLAN REQUIREMENTS:** Construction plans evidencing compliance with the monopine specifications shall be submitted by the Permittee to P&D permit processing planner.
- TIMING:** This condition shall be satisfied prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- MONITORING:** P&D compliance monitoring staff shall conduct a project compliance inspection prior to Final Building Inspection Clearance.

- Tel-02 Tel-02 Landscaping.** Landscaping shall be installed and maintained per the County approved landscaping plan. The project shall include landscaping that, to the maximum extent feasible, [REDUCES VISIBILITY OF THE TELECOMMUNICATIONS EQUIPMENT AND FACILITIES / PROVIDES VISUAL OR VERTICAL CONTEXT WITH THE [INSERT SPECIFICATION] / PROVIDES VISUAL BACKDROP]. The type, size, density and configuration of new plants shall be selected to maximize successful establishment and growth to achieve this landscaping objective within a reasonable period of time after installation. At the discretion of the County, a biologist/arborist may be employed to provide consultations and assist with field inspections as necessary to monitor establishment and success of such landscaping. Such biologist/arborist, if employed by the County, shall be retained at the sole expense of the Permittee.
- PLAN REQUIREMENTS:** Final landscape and irrigation plans shall be submitted by the Permittee to the County for review and approval prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- TIMING:** All landscaping and irrigation shall be completed and installed prior to Final Building Inspection Clearance. Plant locations may be adjusted in the field (as directed by P&D staff) to achieve landscaping objectives.
- MONITORING:** P&D compliance monitoring staff shall conduct a Project Compliance Inspection prior to Final Building Inspection Clearance and shall periodically conduct field checks to monitor maintenance thereafter. If the Permittee fails to either install or maintain according to the approved plan, the County may consider it a permit violation.
- Tel-03 Tel-03 Colors and Painting.** All exposed equipment and facilities (i.e., antennas, support structure, equipment cabinets, etc.) shall be finished in non-reflective materials (including painted surfaces) and shall be painted [INSERT COLORING] to match the existing surrounds of [SPECIFY].
- PLAN REQUIREMENTS:** Color specifications shall be identified on final zoning plans submitted by the Permittee to the County prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], as well as on final building plans.
- MONITORING:** P&D compliance monitoring staff shall conduct a Project Compliance Inspection prior to Final Building Inspection Clearance.

Tel-04 *[PLANNER: This condition should only be used on a case by case basis and reviewed by Fire to determine which items should be included for a particular project.]*

Tel-04 Fire Protection. During construction, measures shall be taken to mitigate the potential for brush or grass fires from use of heavy equipment, welding, vehicles with catalytic converters, etc. These requirements include:

1. All equipment with the potential to work off-road shall be equipped with appropriate mufflers and have extinguishers mounted on each vehicle;
2. Personnel shall be briefed on the dangers of wildfire and be able to respond accordingly should the need arise;
3. On-site supervisor(s) shall have a cell phone or other means of initiating a 911 response time in a timely manner in the event of a medical emergency and/or fire;
4. All dead and decadent vegetation immediately surrounding the facility should be removed and soil disturbance should be kept at a minimum;
5. Smoking shall be in a designated area and/or in enclosed cab only;
6. Hot work permit is required as needed;
7. A water tender will be available on each construction site during the entire phase of construction;
8. A competent water tender operator shall be available on site during all construction and remain on site a minimum of 30 minutes after all construction has finished for the day.

PLAN REQUIREMENTS: The Permittee shall restate the provisions for fire protection on all grading and building plans. The name and telephone number of on-site supervisor shall be provided to the Fire Department.

TIMING: Fire protection measures shall be implemented throughout construction. The name and telephone number of an on-site supervisor shall be provided to the Fire Department prior to commencement of construction or grading activities.

MONITORING: P&D permit processing planner shall ensure measures are on plans prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Fire Department staff shall spot check for compliance during construction.

- Tel-05** **Tel-05 Exterior Lighting.** Except as otherwise noted in the Project Description and development plans, the antenna support structure shall not be lighted. The leased premises shall likewise be unlit except for a manually operated light which limits lighting to the area of the equipment in the immediate vicinity of the antenna support structure. The light fixture shall be fully shielded, full cut off and downcast so as to avoid spillage onto adjacent areas and shall be kept off except when maintenance personnel are actually present at night.
PLAN REQUIREMENTS: The Permittee shall restate the lighting limitations on the construction plans. Plans for exterior lighting, if any are provided, shall be submitted to the County for review and approval.
TIMING: This condition shall be satisfied prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
MONITORING: P&D compliance monitoring staff shall conduct a Project Compliance Inspection prior to Final Building Inspection Clearance and respond to any complaints.
- Tel-06** **Tel-06 Underground Utilities.** Except as otherwise noted in the Project Description and development plans, all utilities necessary for facility operation, including coaxial cable, shall be placed underground. Conduit shall be sized so as provide additional capacity to accommodate utilities for other telecommunication carriers should collocation be pursued in the future.
PLAN REQUIREMENTS: The Permittee shall restate the provisions for utility undergrounding on all building and grading plans.
TIMING: This condition shall be satisfied prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
MONITORING: P&D staff shall check plans prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- Tel -07** **Tel-07 Vegetation Protection.** Existing vegetation should be preserved and protected to the maximum extent feasible throughout construction activities. Underground lines serving the facility shall be routed to avoid damage to tree root systems and any trenching required within the dripline or sensitive root zone of any specimen tree shall be done by hand. Trees or shrubs which are significantly damaged or subsequently die as a result of construction activities shall be replaced with those of a comparable size, species and density as approved by P&D staff. Graded areas, including trench routes, shall be reseeded with matching plant composition.
PLAN REQUIREMENTS: The Permittee shall restate the requirement for vegetation protection on the construction plans.
TIMING: Fencing shall be installed prior the pre-construction meeting, and shall be in place during all ground disturbance and construction activities.
MONITORING: P&D compliance monitoring staff shall confirm fencing

installation at the pre-construction meeting.

Tel-08

Tel-08 FCC Compliance. The facility shall be operated in strict conformance with: (i) all rules, regulations, standards and guidance published by the Federal Communications Commission (“FCC”), including but not limited to, safety signage, Maximum Permissible Exposure (“MPE”) Limits, and any other similar requirements to ensure public protection or (ii) all other legally binding, more restrictive standards subsequently adopted by federal agencies having jurisdiction. Compliance shall be governed by the following:

1. Permittee shall hire a qualified professional acceptable to the County (wholly independent of Permittee), to perform radio frequency (“RF”) field test that measures actual RF electromagnetic exposure at the site. This RF field-testing shall measure all ambient sources of RF energy at the site & report the cumulative RF exposure, including contributions from the site together with other sources of RF energy in the environment as a whole. Measurements shall be made by the responsible professional who will author the report to the County. Report of the results and the author's/professional's findings with respect to compliance with federally established MPE standards shall be submitted to the County w/in 30 days of Final Building Clearance. Permittee shall pay for the cost of the field measurements and preparing the report. The facility shall cease & desist commercial operations until it complies with, or has been modified to comply with, applicable RF standards.
2. Every 5 years, Permittee shall hire a qualified professional acceptable to the County to perform RF field testing to evaluate compliance with current federally established MPE standards. In the event the adopted RF standards change, Permittee shall submit a report with calculations of the maximum potential public RF exposure from the Project with respect to the revised RF public exposure standards, w/in 90 days of the date the change becomes effective. If calculated levels exceed 80% of the applicable RF standards, Permittee shall notify the County and submit a MPE compliance verification report with the results from current RF field-testing at the site. Permittee shall pay for the cost of preparing the reports. For joint-carrier sites, cumulative reporting may be delegated to one carrier upon the agreement of all carriers at the site. Procedures, penalties & remedies for non-compliance with these reporting requirements shall be governed by the provisions of the Telecom Ordinance & FCC regulations.
3. Prior to the addition/replacement of equipment which has the potential to increase RF emissions at any public location beyond that estimated in the initial application and is w/in the scope of the project description, Permittee shall submit a report providing the calculation of predicted maximum effective radiated power including the new equipment as well as the maximum cumulative potential public RF exposure expressed as a percentage of the public MPE limit attributable to the site as a whole. Once the new equipment has been installed, Permittee shall perform Initial Verification as stated in “1” above.

PLAN REQUIREMENTS: All building plans shall include provisions for MPE

compliance.

TIMING: Initial verification of compliance with RF public MPE standards shall be accomplished no later than 30 days following Final Building Clearance. Continued verification of compliance with MPE requirements shall be accomplished by RF field test reports submitted every 5 years following initial verification.

MONITORING: P&D planner shall review all RF field test reports and estimated maximum cumulative RF exposure reports providing calculations of predicted compliance with the public MPE standard. P&D planner shall monitor changes in RF standards, as well as equipment modifications, additions & RF exposures at the site as reported by the Owner/Applicant that might trigger the requirement for field-testing at intervening times between regular test periods.

Tel-09

Tel-09 Project Review. Five years after [APPROVAL / ISSUANCE] of the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for the project and no more frequently than every five years thereafter, the Director of P&D may undertake inspection of the project and require the Permittee to modify its facilities subject to the following parameters:

1. **Modification Criteria.** Modifications may be required if, at the time of inspection it is determined that: (i) the Project fails to achieve the intended purposes of the development standards listed in the Telecommunications Ordinance for reasons attributable to design or changes in environmental setting; or (ii) more effective means of ensuring aesthetic compatibility with surrounding uses become available as a result of subsequent technological advances or changes in circumstance from the time the Project was initially approved.
2. **Modification Limits.** The Director's decision shall take into account the availability of new technology, capacity and coverage requirements of the Permittee, and new facilities installed in the vicinity of the site. The scope of modification, if required, may include, but not be limited to a reduction in antenna size and height, collocation at an alternate permitted site, and similar site and architectural design changes. However, the Permittee shall not be required to undertake changes that exceed ten percent (10%) of the total cost of facility construction. The decision of the Director as to modifications required herein shall be deemed final unless appealed in compliance with the provisions of the County Code.

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

TIMING: Building permit valuation data shall be used for the purpose establishing the estimated cost of installing the facility. At the time of subsequent inspection and upon reasonable notice, the Permittee shall furnish supplemental documentation as necessary to evaluate new technology, capacity and coverage requirements of the Permittee.

MONITORING: P&D compliance monitoring staff shall conduct periodic inspections and ascertain whether more effective mitigation is available with regard to design and technology. In the event of violation, the permit shall be referred to

Zoning Enforcement for abatement.

- Tel-10 **Tel-10 Collocation.** The Permittee shall avail its facility and site to other telecommunication carriers and, in good faith, accommodate all reasonable requests for collocation in the future subject to the following parameters: (i) the party seeking the collocation shall be responsible for all facility modifications, environmental review, Mitigation Measures, associated costs and permit processing; (ii) the Permittee shall not be required to compromise the operational effectiveness of its facility or place its prior approval at risk; (iii) the Permittee shall make its facilities and site available for collocation on a non-discriminatory and equitable cost basis; and (iv) the County retains the right to verify that the use of the Permittee's facilities and site conforms to County policies.
- Tel-11 **Tel-11 Transfer of Ownership.** In the event that the Permittee sells or transfers its interest in the telecommunications facility, the Permittee and/or succeeding carrier shall assume all responsibilities concerning the Project and shall be held responsible by the County for maintaining consistency with all conditions of approval. The succeeding carrier shall immediately notify the County and provide accurate contact and billing information to the County for remaining compliance work for the life of the facility.
PLAN REQUIREMENTS: The Permittee shall notify the County of changes in ownership to any or all of the telecommunications facility.
TIMING: Notification of changes in facility ownership shall be given by the Permittee and/or succeeding carrier to the County within 30 days of such change.
- Tel-12 **Tel-12 Site Identification.** The Permittee shall clearly identify each piece of equipment installed at a site with the Permittee's name and site number to distinguish from other telecommunication carriers' equipment, including but not limited to: antennas, microwave dishes, equipment shelters, support poles, and cabinetry. The Permittee shall be responsible for clearly marking with permanent paint, tags, or other suitable identification all facility equipment belonging to the Permittee as stated on the site plans.
TIMING: This condition shall be satisfied prior to Final Building Inspection Clearance.
MONITORING: P&D permit processing planner shall check plans and P&D compliance monitoring staff shall conduct compliance inspections as needed to ensure permit compliance.

- Tel-13 **Tel-13 Facility Maintenance.** The facility shall be maintained in a state of good condition at all times. This includes, but is not limited to: painting; landscaping; site identification; equipment repair; and keeping the facility clear of debris, trash, and graffiti.
- Tel-14 **Tel-14 Road Encroachment Permit.** The Owner/Applicant shall obtain a road encroachment permit from the Roads Division (Public Works) prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
- Tel-15 **Tel-15 Agreement to Comply.** The Owner shall sign and record an agreement to comply with the project description and all conditions of approval on a form acceptable to P&D. Such form may be obtained from the P&D office prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. The Owner/Applicant shall provide evidence that he/she has recorded the Agreement to Comply with Conditions.
- Tel-16 **Tel-16 Abandonment-Revocation.** The Permittee shall remove all support structures, antennas, equipment and associated improvements and restore the site to its natural pre-construction state within one year of discontinuing use of the facility or upon permit revocation. Should the Permittee require more than one year to complete removal and restoration activities the Permittee shall apply for a one-time time extension. In the event the Owner requests that the facility or structures remain, the Owner must apply for necessary permits for those structures within one year of discontinued use. Compliance shall be governed by the following provisions:
1. Prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], the Permittee shall post a performance security. The security shall equal 10 percent of the installation value of the facility as determined at the time of granting the building permit. The performance security shall be retained until this condition is fully satisfied.
 2. Prior to demolition of the facility, the Permittee shall submit a restoration plan of proposed abandonment to be reviewed and approved by a County approved biologist.
 3. If use of the facility is discontinued for a period of more than one year and the facility is not removed the County may remove the facility at the Permittee's expense.

TRAILER AND AG EMPLOYEE HOUSING

Trailer-01 *[Removed]*

Trailer-02 **Trailer-02 Permit Termination.** This permit shall be terminated within six months following the effective date of any rezoning of the lot in question to a zone classification other than agriculture.

Trailer-03 **Trailer-03 Land Use Clearance Required.** Prior to placing the trailer on the property, the permittee shall obtain a [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] from P&D and all necessary permits from Building and Safety. The [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] shall be obtained within [NUMBER] days of Conditional Use Permit issuance.

Trailer-04 **Trailer-04 Building Clearance Required.** The permittee must obtain the following from the Building and Safety Division prior to occupancy of the trailer:

1. All necessary permits;
2. Approval of potable water including source and connection to the mobile home/trailer.
3. A certificate of occupancy.

Trailer-05 *[PLANNER: use only if proof was not included with application because farm employee was not yet employed.]*

Trailer-05 Proof of Employment-Trailer. The Owner/Applicant shall provide proof of full-time employment of the farm employee residing in farm-employee dwelling within one year of the issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for the trailer. Such proof shall be to the satisfaction of P&D in the form of any one or combination of the following:

1. Owner / Applicant's income tax return;
2. Employee's pay receipts;
3. Employee's W-2 form;
4. Notarized contract between Owner/Applicant and employee which delineates work to be performed and wages to be received;
5. Other option approved by Planning and Development; or
6. Employer's DE-3.

Proof of employment shall also be required upon renewal.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof of full-time employment of the farm employee residing in farm-employee dwelling within one year of the issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for the trailer. P&D compliance staff shall review proof and determine if future action is necessary.

Trailer-06 **Trailer-06 Null and Void.** In the event this Conditional Use Permit becomes null and void or expires, the property owner, at his or her expense, shall remove the trailer(s) from the property and disconnect all utilities associated with the use of the trailer(s) within five business days from the date this Conditional Use Permit becomes null and void or expires. The property owner shall obtain any and all necessary permits to properly disconnect all utilities associated with the use of the trailer(s).

Trailer-07 **Trailer-07 Renewals.** The permittee shall submit proof of employment to P&D permit processing staff within 60 days of the effective date of this Conditional Use Permit.

Trailer-08 **Trailer-08 Proof of Employment-Permanent Structure.** The Owner/Applicant shall provide proof of full-time employment of farm employee residing in farm-employee dwelling every five years beginning from the issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for the farm employee dwelling. Such proof shall be to the satisfaction of P&D in the form of any one or combination of the following:

1. Owner/Applicant's income tax return;
2. Employee's pay receipts;
3. Employee's W-2 form;
4. Notarized contract between Owner/Applicant and employee which delineates work to be performed and wages to be received;
5. Other option approved by Planning and Development; or
6. Employer's DE-3.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with proof of full-time employment of the farm employee residing in farm-employee dwelling for the structure every five years from date of issuance of the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. P&D compliance staff shall review proof and determine if future action is necessary.

Trailer-09 **Trailer-09 MCUP-Trailers Expiration.** The required Minor Conditional Use Permit (MCUP) shall be valid for an initial period not to exceed [NUMBER (based on trailer type)] years. *[OPTIONAL]* The required MCUP may be renewed for additional [NUMBER] years provided the request for the renewal is filed before the expiration date of this MCUP. *[OPTIONAL]* The cumulative time period for the MCUPs and renewals shall not exceed a maximum of [NUMBER] years except under limited circumstances outlined in County rules and regulations. [CLUDC §Sec 35.42.260, ARTICLE II §SECTION 35-132]

WATER WELL SPECIFIC CONDITIONS

- Wells-01 **Wells-01 Meter Records.** Water wells used onsite shall be monitored by the use of a flow meter or by analysis of electric meter records and recorded semi-annually (May 15-June 1 and November 15-December 1). Static water level shall be recorded for each well at the same time as the water production is recorded.
PLAN REQUIREMENTS: The Owner/Applicant shall record an agreement subject to P&D approval which agrees to the above condition and describes any future mitigation necessary should water quality degrade.
TIMING: The agreement shall be recorded prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE].
MONITORING: The Owner/Applicant shall submit readings from meters to P&D compliance monitoring staff every six months for the life of the project. P&D shall review reports and determine if future action is necessary.
- Wells-02 **Wells-02 Water Quality Test.** A water quality test shall be completed by the Owner/Applicant.
PLAN REQUIREMENTS: The Owner/Applicant shall submit the test to Environmental Health Services and Planning and Development for review and approval.
TIMING: The test shall be completed, submitted and approved prior to well permit issuance.
- Wells-03 **Wells-03 Pump Test.** A pump test for the water well shall be completed by the Owner/Applicant.
PLAN REQUIREMENTS: The Owner/Applicant shall submit the test to Environmental Health Services and Planning and Development for review and approval.
TIMING: The test shall be completed, submitted and approved prior to well permit issuance.
- Wells-04 **Wells-04 Periodic Water Quality Analysis.** The Owner/Applicant shall complete a water quality analysis on a semiannual basis to avoid the possibility of salt water intrusion into groundwater. Pumping shall cease if the following conditions occur [SPECIFY].
PLAN REQUIREMENTS: A copy of the report shall be furnished to Environmental Health Services and Planning and Development semi-annually.
TIMING: The first water quality analysis shall commence prior to [INSERT TIMING].
MONITORING: The Owner/Applicant shall submit water quality analysis reports to EHS and P&D compliance monitoring staff every six months for the life of the project. EHS and P&D compliance staff shall review reports and determine if future action is necessary.

WATER WELL SPECIFIC CONDITIONS

- Wells-05 **Wells-05 Sump and Disposal Areas.** All drilling effluent shall be collected in an earthen sump (approx. 300 s.f. area, 1½ to 2 feet deep) and disposed of at a location acceptable to Environmental Health Services and Planning and Development.
PLAN REQUIREMENTS: Prior to [APPROVAL/ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], plans for the sump and disposal areas shall be submitted to Environmental Health Services and Planning and Development for review and approval. Sump and disposal areas shall be depicted on [INSERT TYPE OF PLANS] plans.
TIMING: Sump and disposal areas shall be constructed prior to commencement of well drilling.
- Wells-06 **Wells-06 Exploratory Well.** The water well shall be solely exploratory. Any development or use, except for the exploration and testing thereof is NOT approved under this [INSERT TYPE] Permit.
- Wells-07 **Wells-07 Water Meter.** A water meter shall be installed for the well(s).
TIMING: The Owner/Applicant shall install a water meter prior to the use of the well for any non-exploratory purpose.
MONITORING: The Owner/Applicant shall provide proof of meter installation to P&D permit processing staff.
- Wells-08 **Wells-08 Water Use for Specific Lot.** Water well shall be used solely for lot [IDENTIFY LOT]. Water use on a separate lot shall require further review and the appropriate permit(s).
- Wells-09 **Wells-09 Well Head.** The well head, including all accessory equipment, shall be screened by landscaping from all view sheds and neighboring properties within 45 days of well installation.
PLAN REQUIREMENTS: A landscape plan shall be submitted prior to issuance of the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for P&D approval.
TIMING: The landscape plan shall be implemented prior to [INSERT TIMING].
MONITORING: P&D compliance monitoring staff shall site inspect prior to [INSERT TIMING].

CONDITIONS OF APPROVAL – SPECIFIC PERMIT TYPES

CONDITIONAL USE PERMIT CONDITIONS

Planner: See [Trailer Section](#) for conditions for farm employee dwellings which are permanent structures or trailers.

CUP-01	<i>[See Rules-01]</i>
CUP-02	<i>[See Rules-17]</i>
CUP-03	<i>[See Rules-12]</i>
CUP-04	<i>[See Rules-05]</i>
CUP-05	<i>[See Rules-01]</i>
CUP-06	<i>[Removed]</i>
CUP-07	<i>[See Rules-22]</i>
CUP-08	<i>[See Tel-16]</i>
CUP-09	<i>[See Rules-37 & 23]</i>

DEVELOPMENT PLAN CONDITIONS

DVP-01	<i>[See Rules-15]</i>
DVP-02	<i>[See Rules-14]</i>
DVP-03	<i>[See Rules-07]</i>
DVP-04	<i>[See Rules-18]</i>
DVP-05	<i>[Removed]</i>
DVP-06	<i>[See Rules-06]</i>
DVP-07	<i>[See Aest-04]</i>
DVP-08	<i>[See Rules-36]</i>

APPEALABLE CDP CONDITIONS

CDPA-01 *[Removed]*

CDPA-02 *[See Rules-05]*

CDPA-03 *[See Rules-10 and Rules-11]*

CDPA-04 *[See Rules-03]*

MODIFICATION CONDITIONS

MOD-01 *[Removed]*

MOD-02 *[See Rules-36]*

MOD-03 *[See Rules-36]*

MAPS, LLAs AND COCs CONDITIONS

Planner: These conditions are written to apply to TPMs and TMs and they may be used for LLAs and COCs. Remember that normally the only document required to establish a lot line adjustment is a deed. A Record of Survey can only be required based on Section 8762 of the Business and Professions Code. Timing for LLAs should normally be changed to recordation of deed. Conditions of Certificates of Compliance may not require implementation prior to recordation.

<u>Number of Lots</u>	<u>Prior to Recordation</u>	<u>After Recordation</u>
Four or fewer	Tentative Map	Parcel Map
Five or more	Tentative Map	Final Map

Planner: See Standard Mitigation Measure list for conditions restricting Construction Hours and Truck Haul Routes for all projects near existing neighborhoods or noise sensitive receptors.

- Map-01 **Map-01 Maps-Info.** Prior to recordation of the tentative map and subject to P&D approval as to form and content, the Owner/Applicant shall include all of the mitigation measures, conditions, agreements and specific plans associated with or required by this project approval on a separate informational sheet(s) to be recorded with the [PARCEL MAP OR FINAL MAP]. All applicable conditions and mitigation measures of the project shall be printed on grading and/or building plans and shall be graphically illustrated where feasible.

- Map-01a **Map-01a Maps-Future Lots.** Any lot created by the recordation of this Tentative Map is subject to the conditions of this Tentative Map during any future grading or construction activities and during any subsequent development on any lot created by the recordation of this Tentative Map, each set of plans accompanying any permit for development shall contain the conditions of this Tentative Map.

- Map-01b **Map-01b Maps-Not Retroactive.** If [LAND USE PERMITS / COASTAL DEVELOPMENT PERMITS / ZONING CLEARANCES] are obtained prior to recordation, [TENTATIVE MAP] conditions will not apply retroactively to the previously issued permit.

- Map-02 *[See Rules-19]*

- Map-03 **Map-03 Public Subdivision Report.** Prior to recordation of the tentative map, the Owner / Applicant shall request the State Department of Real Estate to include the following note in its public subdivision report (white sheet) [INCLUDE WORDING OF NOTE].

Map-04 **Map-04 TPM, TM, LLA Submittals.** Prior to recordation of the [FINAL MAP / PARCEL MAP, the Owner/Applicant shall submit a [FINAL / PARCEL] Map prepared by a licensed land surveyor or Registered Civil Engineer to the County Surveyor. The Map shall conform to all approved exhibits, the project description and conditions of approval as well as all applicable Chapter 21-Land Division requirements, as well as applicable project components required as part of recorded project conditions.

Map-05 *[Removed]*

Map-06 **Map-06 Title to Common Space.** Title to the common [OPEN SPACE, RECREATIONAL FACILITIES, PARKING AREAS AND/OR STREETS] shall be held by a non-profit association of all homeowners within the project areas or other non-profit entity on such reasonable terms and conditions as the Board of Supervisors may prescribe. The reasonable terms and conditions may include restricting the rights to develop the property to the uses described in the approved project. If the common open space is conveyed to a group other than the homeowners association, the rights to develop such property with uses other than those described in the approved project shall be conveyed to the County of Santa Barbara.

Map-07 **Map-07 CCR Maintenance.** The Applicant shall record Codes Covenants and Restrictions (CC&Rs) which provide for shared maintenance responsibilities by all owners for the *[PLANNER: CHOOSE ALL APPLICABLE OR ADD ADDITIONAL]*:

1. [RETARDING / RETENTION] basin and appurtenant landscaping, fencing and access;
2. Common area landscaping / irrigation;
3. Plantings / irrigation required for [TREE PROTECTION / CREEK RESTORATION / OPEN SPACE RESTORATION / OTHER];
4. Storm Water Quality Management Plan components.

The CC&Rs shall also include responsibilities for all owners to maintain the property in compliance with all conditions of approval of the project *[PLANNER: CHOOSE ALL APPLICABLE OR ADD ADDITIONAL]*:

1. Drought tolerant landscape;
2. Restrictions on tree removal;
3. Recycling requirements;
4. Restrictions on water softeners;
5. Any Air Quality Green House Gas requirements.

The CC&R language is subject to approvals from [FLOOD CONTROL, P&D AND COUNTY COUNSEL, ETC]. In addition, the Owner/Applicant shall record a buyer notification that reads as follows: "IMPORTANT: BUYER NOTIFICATION: The Home Owners Association shall obtain County approval for amendments to any CC&R provision related to [LIST SPECIFICATIONS] requirements. All owners shall maintain property in compliance with all conditions of approval for the project."

- Map-08 **Map-08 Water and Sewer Connections.** If, prior to the Board action to approve the recording of the Final Map, the water or sewer entities in which the proposed subdivision is located declares its inability to permit new water or sewer connections and has so notified the County or is operating under a connection ban by the California Water Quality Control Board Central Coast Region, the subdivider shall submit to the County Surveyor an "exemption letter" from the appropriate water or sewer entity stating that the lots in the subdivision have been granted or qualify for an exemption from the entity's or Water Board's prohibition on new service connections, subject to the rules, regulations, resolutions, and ordinances of the entity under which the exemption was granted, or letters from the County Health Department and P&D Building & Safety stating that the lots in the subdivision will be served by an approved potable source of water and an approved private sewage disposal system.
- Map-09 *[PLANNER: Use this condition for a map or LLA when an access easement is required over one lot to serve another and both lots are held by one owner. An owner cannot grant an easement to him/herself.]*
Map-09 Access Easement. The Owner/Applicant shall enter into and record an agreement in a form acceptable to and approved by the County Counsel and the Planning and Development to reserve an [INSERT PURPOSE OF EASEMENT, E.G., ACCESS] easement over Lot [PARCEL #] in favor of Lot [PARCEL #] at the time of conveyance of either parcel. This agreement is to be recorded with the appropriate instruments as determined by the County Surveyor.
- Map-10 *[PLANNER: Use this condition when the lot is not likely to be further divided and has development areas designated so utilities locations may be ascertained.]*
Map-10 Public Utility Easements. Prior to [RECORDATION / RECORD OF SURVEY / GRANT DEED], public utility easements shall be provided in the locations and widths required by the serving utilities. The subdivider shall submit to the County Surveyor a set of prints of the [FINAL / PARCEL] map accompanied by a letter from each utility, water and sewer district serving the property stating that the easements shown thereon are acceptable.
- Map-11 *[PLANNER: Use only when necessary for policy consistency or to mitigate impacts and when it will not be required by Public Works standard tract condition #18.]*
Map-11 Electrical Utilities. Electrical utilities shall be installed underground.
- Map-12 **Map-12 Interference Removal.** Prior to [RECORDATION / RECORD OF SURVEY / GRANT DEED], any obstruction within a utility easement which would interfere with the intended use of the easement, shall be removed by the subdivider at subdivider's expense.
- Map-13 *[See Rules-36]*

Map-14 **Map-14 Annexation.** Prior to recordation, the property shall be annexed to the [INSERT NAME OF APPLICABLE DISTRICTS e.g. SEWER, WATER, LIGHTING, VECTOR CONTROL, MOSQUITO ABATEMENT] District(s).

Map-15 **Map-15 LLA-Deed Recordation.** The following language shall be included on the deeds used to finalize the [OR ANY DOCUMENT USED TO RECORD] lot line adjustment: “This [DEED / DOCUMENT] arises from the lot line adjustment [CASE #] and defines a single parcel within the meaning of California Civil Code Section 1093 among [INSERT TOTAL # OF LOTS] legal parcels created by [INSERT LLA NUMBER].” The County Surveyor shall determine the appropriate documents necessary to record with the deeds.

MINISTERIAL PERMIT CONDITIONS

Project Description	<i>[See Proj Des-01]</i>
Project Conformity	<i>[See Proj Des-02]</i>
Notice to Property Owner-ARSU	<i>[See Rules-28]</i>
Notice to Property Owner-Guesthouse	<i>[See Rules-28]</i>
Notice to Property Owner-Cabana	<i>[See Rules-28]</i>
Haul Permit	<i>[Removed]</i>
Road Encroachment Permit	<i>[Removed]</i>
Fire Dept Approval	<i>[Removed]</i>
Board of Architectural Review	<i>[See Aest-04]</i>
Night Lighting	<i>[See Aest-10]</i>
Tree Protection Plan	<i>[See Bio-01a & Bio-01b]</i>
Creek Restoration Plan	<i>[See Bio-12]</i>
Washout Area	<i>[See WatConv-05]</i>
Storm Water Runoff	<i>[Removed]</i>
Erosion and Sediment Control Plan	<i>[Removed]</i>
Erosion and Sediment Control BMPs	<i>[Removed]</i>
Archeological Resources	<i>[See CulRes-09]</i>
Permeable Surfaces	<i>[See NPDES-15]</i>

MINISTERIAL PERMIT CONDITIONS

Fugitive Dust	<i>[See Air-01]</i>
Construction Hours	<i>[See Noise-02]</i>
Off-Street Construction Parking	<i>[See Parking-01]</i>
Recycling	<i>[See SolidW-02]</i>
Excavation	<i>[See WatConv-03]</i>
Other Agency Approval	<i>[See Rules-04]</i>
Landscape Requirements	<i>[See Landscp-01]</i>
Compliance Fee	<i>[See Rules-31]</i>
Impact Mitigation Fees	<i>[See Rules-24a-g]</i>
Permit Acceptance	<i>[See Rules-05]</i>
Additional Permit Requirements	<i>[See Rules-03]</i>
Permit Expiration	<i>[See Rules-10 through 12]</i>
Time Extension	<i>[See Rules-37 & 38]</i>
Fees Required	<i>[See Rules-23]</i>
Print & Illustrate Conditions on Plans	<i>[See Rules-30]</i>
Indemnity and Separation Clauses	<i>[See Rules-33]</i>
Legal Challenge	<i>[See Rules-34]</i>

COUNTY RULES AND REGULATIONS/LEGAL REQUIREMENTS

Planner: These conditions may apply to the project for which these permits are required if the project meets the criteria under which the condition is to be applied according to the zoning or Subdivision Map Act regulations.

- Rules-01 **Rules-01 Effective Date-Not Appealable to CCC.** This [SPECIFY PERMIT/ENTITLEMENT TYPE] shall become effective upon the date of 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 final review authority on the appeal. No entitlement for the use or development shall be granted before the effective date of the planning permit. [LUDC §35.82.020 / MLUDC §35.472.020 / ARTICLE II §35-169.4].
- Rules-02 **Rules-02 Effective Date-Appealable to CCC.** This [SPECIFY PERMIT/ENTITLEMENT TYPE] 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].
- Rules-03 **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.
- Rules-04 **Rules-04 Additional Approvals Required.** Approval of this [SPECIFY PERMIT TYPE] is subject to the [SPECIFY REVIEW AUTHORITY] approving the required [REZONING / COMPREHENSIVE PLAN / COASTAL PLAN AMENDMENT].
- Rules-05 **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.

- Rules-06 *[PLANNER: For planning permits approved with related maps where the tentative map must be recorded prior to approval/issuance of any required follow-on permits. The Board may approve grading permits if they make special findings. If this is likely for your project, word it as such in this condition.]*
Rules-06 Recorded Map Required. Tentative Map [INSERT MAP #] shall be recorded prior to [APPROVAL/ ISSUANCE] of any permits for development, including grading.
- Rules-07 **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit [INSERT EXHIBIT #], dated [INSERT DATE].
- Rules-08 **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.
- Rules-09 **Rules-09 Signs.** No signs of any type are approved with this action unless otherwise specified. All signs shall be permitted in compliance with [CLUDC / MLUDC].
- Rules-10 **Rules-10 CDP Expiration-No CUP or DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of action by the [INSERT REVIEW AUTHORITY]. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time 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. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. Prior to the expiration of such two year period the Director may extend such period one time for one year for good cause shown, provided that the findings for approval required in compliance with Section 35-169.5, as applicable, can still be made.

- Rules-11 **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).
- Rules-12 **Rules-12 CUP Expiration.** The Owner/Applicant shall obtain the required [COASTAL DEVELOPMENT PERMIT / LAND USE PERMIT / ZONING CLEARANCE] within the [18 MONTHS OR OTHER SPECIFIED TIMEFRAME] following the effective date of this Conditional Use Permit. If the required [COASTAL DEVELOPMENT PERMIT / LAND USE PERMIT / ZONING CLEARANCE] is not issued within the [SPECIFY TIMEFRAME] following the effective date of this Conditional Use Permit, or within such extended period of time as may be authorized in compliance with Section [FILL IN APPROPRIATE SECTION NUMBER] of the [ARTICLE II COASTAL ZONING ORDINANCE / COUNTY LAND USE AND DEVELOPMENT CODE / MONTECITO LAND USE AND DEVELOPMENT CODE], and an application for an extension has not been submitted to the Planning and Development Department, then Conditional Use Permit shall be considered void and of no further effect.
- Rules-13 **Rules-13 Prelim DVP Expiration.** Preliminary Development Plans shall expire two years after the effective date unless a time extension is approved in compliance with County rules and regulations.
- Rules-14 **Rules-14 Final DVP Expiration.** Final Development Plans shall expire five [TEN FOR CERTAIN AG USES] years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.

- Rules-15 **Rules-15 Phased DVP Expiration.** Approval of Phase I of the Development Plan shall expire five [TEN FOR CERTAIN AG USES] years after the effective date, unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the Owner/Applicant. Approval of subsequent phases of the Development Plan shall expire at the same time as Phase I or two years from the date of issuance of the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for the prior phase, whichever occurs later, unless prior to the expiration date, substantial physical construction has been completed on the subsequent phase of development or a time extension has been applied for by the Owner/Applicant. The review authority with jurisdiction over the project may, upon good cause shown, approve a time extension in compliance with County rules and regulations.
- Rules-16 **Rules-16 Modification Expiration.** This Modification shall expire 12 months from the effective date if the Owner/Applicant fails to obtain a [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] unless otherwise specified in these conditions of project approval or unless a time extension is approved in compliance with County rules and regulations. Once the [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for the structure has been issued, the Modification shall have the same expiration date as the issued [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. Any use authorized by this Modification shall immediately cease if this Modification expires.
- Rules-17 **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 [INSERT SECTION NUMBER] of the [ARTICLE II COASTAL ZONING ORDINANCE / COUNTY LAND USE AND DEVELOPMENT CODE / MONTECITO LAND USE AND DEVELOPMENT CODE]. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any [COASTAL DEVELOPMENT PERMIT / LAND USE PERMIT / ZONING CLEARANCE] 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. [LUDC §35.82.060 & §35.84.060 / MLUDC §35.472.060 & 35.474.060 / ARTICLE II §35-172.9].
- Rules-18 **Rules-18 CUP and DVP Revisions.** The approval by the [INSERT REVIEW AUTHORITY] of a revised [CONDITIONAL USE PERMIT / FINAL DEVELOPMENT PLAN] shall automatically supersede any previously approved [CONDITIONAL USE PERMIT / FINAL DEVELOPMENT PLAN] upon the effective date of the revised permit.

- Rules-19 **Rules-19 Maps/LLA Revisions.** If the unrecorded [TENTATIVE / MAP / LOT LINE ADJUSTMENT] is proposed to be revised, including revisions to the conditions of approval, the revisions shall be approved in the same manner as the originally approved [TENTATIVE / MAP / LOT LINE ADJUSTMENT].
- Rules-20 **Rules-20 Revisions to Related Plans.** The Owner/Applicant shall request a revision for any proposed changes to approved [PERMIT / LANDSCAPE / TREE PROTECTION / HABITAT PROTECTION / CULTURAL RESOURCE / EROSION and SEDIMENT CONTROL / STORM WATER PROTECTION...] plans. Substantial conformity shall be determined by the Director of P&D.
- Rules-21 **Rules-21 CUP Revisions-Change of Use.** Any change of use in the proposed structure shall be subject to appropriate environmental analysis and review by the County including Building Code compliance.
- Rules-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.
- Rules-23 **Rules-23 Processing Fees Required.** Prior to issuance of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE / RECORDATION / FILING OF A RECORD OF SURVEY], the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.

DIMF fee types and amount vary depending on location, project type and size. Review the applicable DIMF summary sheets to assess the correct amount. P&D is only responsible for assessing and collecting DIMF fees for Library, Public Administration and Sheriff, however, other departments also have DIMF fees that may be applicable (Rules-24d-g). Insert them if they are applicable so that all DIMF fees are grouped together for the Owner/Applicant. When inserting in Accela, choose the “DIMF” standard condition type.

- DIMF-24a **DIMF-24a DIMF Fees-Library.** 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 libraries. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. [LUDC §35.84.030 / MLUDC §35.474.030 / ADD CITATION FOR MAPS/LLAs].
The total Library DIMF amount is assessed at \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: Library DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

- DIMF-24b DIMF Fees-Public Administration.** 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 public administration. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. [LUDC §35.84.030 / MLUDC §35.474.030 / ADD CITATION FOR MAPS/LLAs].
The total Public Administration DIMF amount is assessed at \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: Public Administration DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.
- DIMF-24c DIMF Fees-Sheriff.** 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 County Sheriff. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. [LUDC §35.84.030 / MLUDC §35.474.030 / ADD CITATION FOR MAPS/LLAs].
The total County Sheriff DIMF amount is assessed at \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: County Sheriff DIMFs shall be paid to Planning & Development Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.
- 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.
The total Fire DIMF amount assessed is \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: Fire DIMFs shall be paid to the County Fire Department prior to Final Building Inspection and shall be based on the fee schedules in effect when paid.

- DIMF-24e DIMF Fees-Parks.** 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 Parks Department. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total Parks DIMF amount is assessed at \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: Parks DIMFs shall be paid to the County Parks Department prior to [FINAL BUILDING INSPECTION / LAND USE PERMIT / MAP RECORDATION].
- DIMF-24f DIMF Fees-Regional Drainage.** 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 regional drainage. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total DIMF amount for Regional Drainage is assessed at \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: Regional Drainage DIMFs shall be paid to the County Public Works Department-Flood Control Division prior to [MAP CLEARANCE / LAND USE PERMIT ISSUANCE].
- 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. The total DIMF amount for Transportation is assessed at \$[INSERT AMOUNT]. This is based on a project type of [SINGLE FAMILY DWELLING / OTHER DWELLING / RETAIL COMMERCIAL / NON-RETAIL COMMERCIAL] and a project size of [INSERT NUMBER] square feet project size of [INSERT NUMBER] square feet.
TIMING: Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to [MAP CLEARANCE / LAND USE PERMIT ISSUANCE].

Rules-25 **Rules-25 Signed Agreement to Comply.** Prior to approval of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], 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. *[PLANNER: FOR MAPS ADD:]* Owners of lots resulting from this land division shall record such agreements prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] for future development.

Rules-26 **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 [INSERT OTHERS e.g., EROSION, STORMWATER, SOLID WASTE, TREE / HABITAT RESTORATION]. 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 / THREE / FIVE] 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 [INSERT OTHERS e.g., EROSION, STORMWATER, SOLID WASTE, TREE / HABITAT RESTORATION], plans per those condition requirements. Maintenance securities shall be released after the specified maintenance time period and when all approved landscape & irrigation [INSERT OTHERS e.g., EROSION, STORMWATER, SOLID WASTE, TREE / HABITAT RESTORATION] 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 [INSERT OTHERS e.g., EROSION, STORMWATER, SOLID WASTE, TREE / HABITAT RESTORATION], P&D may use the security to complete the work.

Rules-27 **Rules-27 EQAP Condition.** Prior to [RECORDATION / LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE], an Environmental Quality Assurance Program (EQAP) shall be prepared according to procedures established by P&D, paid for by the Owner/Applicant and submitted for review and approval by P&D. The EQAP shall include the following:

1. All conditions and mitigation measures imposed on this project and the impacts they are mitigating separated by subject area.
2. A plan for coordination and implementation of all measures and any additional plans and programs required therein.
3. A description of all measures the Owner/Applicant will take to assure compliance, including field monitoring, data collection, management and coordination of all field personnel and feedback to field personnel and affected County agencies including P&D.
4. Contractor feedback responsibilities should include weekly, monthly and quarterly reports (as specified in EQAP) to be prepared throughout grading and construction. These shall include status of development, status of conditions, incidents of non-compliance and their results and any other pertinent or requested data.
5. A contractor to carry out the EQAP shall be selected by P&D in consultation with the Owner/Applicant. The contractor(s) will be under contract and responsible to the County, with all costs to be funded by the Owner/Applicant. The EQAP contractor shall appoint at least one On-site Environmental Coordinator (OEC) responsible for overall monitoring, but shall employ as many qualified specialists as necessary, as determined by P&D, to oversee specific mitigation areas (e.g. archaeologists, biologists). In addition, the OEC has the authority and ability to ensure compliance with all project conditions and to stop work in an emergency.

The EQAP shall also provide for any appropriate procedures not specified in the conditions of approval to be carried out if they are necessary to avoid environmental impacts.

Rules-28 **Rules-28 NTPO Condition.** A recorded Notice to Property Owner document is necessary to ensure that the proposed [DWELLING / ARSU / GUESTHOUSE / ACCESSORY STRUCTURE] shall be used only for its permitted uses. The property owner shall sign and record the document prior to [APPROVAL / ISSUANCE] of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE]. *[For farm employee dwellings:]* The Notice shall specify that in the event that the property is sold, the new owner shall ensure that the dwelling be occupied by full-time farm employees who reside on the property or the use of the dwelling shall be discontinued and said dwelling unit shall be removed or converted to a legal use.

- Rules-29 **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters required as follows:
1. Air Pollution Control District dated [INSERT DATE];
 2. Building and Safety Division dated [INSERT DATE];
 3. County Surveyor dated [INSERT DATE];
 4. Environmental Health Services Division dated [INSERT DATE];
 5. Fire Department dated [INSERT DATE];
 6. Flood control Water Agency dated [INSERT DATE];
 7. Parks Department dated [INSERT DATE];
 8. Transportation Division dated [INSERT DATE].
- Rules-30 **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.
- Rules-31 **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
1. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 2. Pay fees prior to approval of [LAND USE PERMIT / COASTAL DEVELOPMENT PERMIT / ZONING CLEARANCE] as authorized by ordinance and fee schedules to cover full costs of monitoring as described above, including costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute;
 3. Note the following on each page of grading and building plans “This project is subject to [MITIGATION AND/OR CONDITION] Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval, [AND MITIGATION MEASURES FROM NEGATIVE DECLARATION # / ENVIRONMENTAL IMPACT REPORT #]”;
 4. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

- Rules-32 **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.
- Rules-33 **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.
- Rules-34 **Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.
- Rules-35 **Rules-35 Limits-Except DPs.** This approval does not confer legal status on any existing structures(s) or use(s) on the property unless specifically authorized by this approval.
- Rules-36 **Rules-36 Map/LLA Expiration.** This [TENTATIVE MAP / LOT LINE ADJUSTMENT] shall expire three years after approval by the final county review authority unless otherwise provided in the Subdivision Map Act and Chapter 21 of the Santa Barbara County Code.
- Rules-37 **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.