

PLANNING COMMISSION RESOLUTION NO. 23-03

“A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BUELLTON, CALIFORNIA, APPROVING A FINAL DEVELOPMENT PLAN (21-FDP-04) FOR THE CHANIN WINE COMPANY PROJECT LOCATED AT 291 INDUSTRIAL WAY, ASSESSOR’S PARCEL NUMBER 099-690-027, AND MAKING FINDINGS IN SUPPORT THEREOF”

BE IT RESOLVED by the Planning Commission of the City of Buellton as follows:

SECTION 1: Pursuant to the Zoning Ordinance of the City of Buellton, an application has been filed by Gavin Chanin, SB Dry Goods LLC, property owner, and Bryan Ridley, Bracket Architecture, agent, hereinafter referred to as “Applicant”, requesting approval to develop a new commercial building to accommodate the operations of Chanin Wine Company (“Project”), on a 1.56 (gross) acre / 0.97 (net) acre vacant undeveloped parcel, on the southwest corner of Industrial Way and Highway 246 at 291 Industrial Way (099-690-027). The subject property is zoned for Service Commercial (CS) with a corresponding General Plan land use designation of Service Commercial.

SECTION 2: The proposed Project consists of:

A. **Final Development Plan (21-FDP-04):** Proposal to develop a commercial project to be known as The Chanin Wine Company, consisting of 16,510 square feet of commercial space for tasting room, office, production and storage areas in Agrarian style buildings, with full 1st story and partial 2nd story, 28 feet 8 inches at the highest point, parking and landscaping in support of those facilities, and other related features.

The proposed project is generally consistent with the CS zone requirements and related City standards, with the following exceptions:

- B. As part of 21-FDP-04, in accordance with Municipal Code Section 19.08.120(G), the following **Development Plan Modifications** for Fencing and Screening (BMC 19.04.100 (A) and (B)):
1. (A) Where the rear property line abuts a residential zone, in lieu of a 6-foot high decorative masonry wall and row of trees or other plant material to provide for screening, to allow a minimum six-foot high decorative wood and steel post fence and related preservation of existing row of mature oak trees that provide for screening;
 2. (B) Where property on the opposite side of an existing or proposed street is zoned for residential use, in lieu of a decorative masonry wall of at least three feet in height along the street property line, to allow the proposed continuous building façade, concrete wainscoting, site wall and landscaping along the northern street frontage to form a potentially decorative wall and effective screening barrier for the residential uses located across the roadway, on the opposite side of SR 246 (a busy regional highway).

SECTION 3: All proceedings having been duly taken as required by law, and upon review of the information provided in the staff report, consideration of the testimony given at the public hearing, as well as other pertinent information, the Planning Commission finds the following:

A. Record. Prior to rendering a decision on the Project, the Planning Commission considered the following:

1. All public testimony, both written and oral, received in conjunction with that certain public hearing conducted by the Planning Commission on April 20, 2023 (“PC Public Hearing”).
2. All oral, written and visual materials presented in conjunction with that certain PC Public Hearing.
3. The following informational documents, which by reference, are incorporated herein:
 - a. The project file for 21-FDP-04, as well as the set of project plans dated March 20, 2023 as revised March 30, 2023.
 - b. The staff report dated April 20, 2023.

B. Public Review. On the basis of evidence hereinafter listed, all administrative procedures and public participation requirements prescribed in the Buellton Zoning Ordinance have been lawfully satisfied:

1. A notice of PC Public Hearing was published in a newspaper of general circulation on April 6, 2023 (the “PC Public Notice”), a minimum of 10 days in advance of the PC Public Hearing conducted on April 20, 2023.
2. The PC Public Notice was mailed to the Applicant, affected public agencies, persons owning property within 300 feet of the Project site and others known to be interested in the matter on April 6, 2023, a minimum of 10 days in advance of the PC Public Hearing.
3. The PC Public Notice was posted in two public locations on April 6, 2023, a minimum of 10 days in advance of the PC Public Hearing.

C. Environmental Review. In accordance with the requirements of the California Environmental Quality Act (“CEQA”), the proposed project is exempt from environmental review, as it meets the following criteria for a categorical exemption under CEQA guidelines (Class 32 – Infill Development):

1. It is proposed on a site of no more than five acres, surrounded by urban uses located within city limits and without any habitat value;
2. It is consistent with the applicable general plan designation and applicable general plan policies and the applicable zoning designation and regulations;
3. It would not result in significant traffic, noise, air quality, or water quality impacts and can be adequately served by public services and utilities.
4. The project site has no value as habitat for endangered, rare or threatened species.
5. The site can be adequately served by all required utilities and public services.

D. Consistency Declarations. Based on (i) the evidence presented in the project file (incorporated herein by reference), (ii) consultations with affected City Departments, and (iii)

testimony and comments received in connection with the PC Public Hearing, the Planning Commission does hereby declare as follows:

1. Final Development Plan (21-FDP-04)

a. Findings:

- i.** That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed because the project site is appropriately designed for such uses pursuant to the City's General Plan, consistent with the City's Zoning Code, and the proposed conditions of approval are adequate to address impacts by the project.
- ii.** No adverse impacts have been identified with this project through the incorporation of conditions of approval. The project is exempt from environmental review as it meets the stated criteria for a categorical exemption under CEQA guidelines (Class 32 – Infill Development). A Traffic & Circulation Study was completed and found: that project trip generation would not result in an adverse impact on the adjacent street system; and that site access, internal circulation and vehicle maneuvering are adequate and meet the City's standards.
- iii.** That streets and highways are adequate and properly designed pursuant to the requirements of the City Engineer. The Fire Department has provided conditions of approval to address their concerns.
- iv.** That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the Project. The Public Works Department is able to provide water and sewerage service to the Project. The Fire Department has provided conditions of approval to address their concerns. The Sheriff's Department has no concerns with the Project.
- v.** That the Project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will be compatible with the surrounding area. The proposed new commercial development consists of tasting room, offices, production and storage areas in Agrarian style buildings to accommodate the operations of the Chanin Wine Company. The site is located in a service commercial zone which is intended for heavier commercial and/or light industrial uses that often need large lots and buildings. Located at a prominent roadway intersection that provides access to the Industrial Way corridor, the proposed uses are suitable for the site and compatible with the surrounding industrial area.

- vi. That the project is in conformance with the applicable provisions of Title 19 of the Municipal Code and the General Plan. With imposition of the conditions of approval, the project complies with both the General Plan and Title 19 (Zoning).
- vii. That the project will not conflict with any easements required for public access through, or use of, a portion of the property; existing on-site easements which do not conflict with the proposed project include: a 10 foot wide public utility easement along the western property line that can be adequately accessed from the proposed drive aisle at this location and a variable ~5 foot wide highway slope easement along the northern property line which can be accessed from the proposed 10 foot wide landscaped setback area. .
- viii. That the proposed development is in conformance with the Agrarian architectural style as described in the Community Design Guidelines as reviewed by Staff and the City's contract architect.

2. **Development Plan Modification (BMC 19.08.120(G) for Fencing & Screening Abutting a Residential Zone (BMC 19.04.100 (A)).**

a. **Findings:**

- i. The fencing and screening modification will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. Along the rear (western) property line that is shared with Ranch Club Mobile Home Estates to the west, the modification would allow:
 - 1) Retention in-place of the existing chain link fence and row of mature Coast Live Oak trees growing at base of the fence, which will allow the existing mature landscaping to be preserved and would continue to provide mature growth landscape screening for the adjacent residential uses.
 - 2) In lieu of a 6' masonry wall, installation of a new row of decorative fencing, ranging from 6 feet to 8 feet in height, utilizing 2 inch square steel frames with wood panel infill.

The Community Design Guidelines discourage chain link fencing material; however, removal of the chain-link fence and installation of a masonry wall would uproot the mature oaks and result in potentially significant damage to the health of the trees.

The modification would allow for an alternative of installing a new wood/steel frame fence that would minimize impacts to the roots and canopies of the existing oak trees; it would also serve to screen views of the chain link fence from the subject property

and provide an extra buffer for the adjacent residential uses. The alternative provides a more desirable solution and fulfills the intent of BMC 190.04.100 (A), which is to provide effective screening between residential and commercial properties.

- ii. The proposed alternative wood-and-steel-post fencing would not be incompatible with the surrounding area because the proposed fencing material is an aesthetically compatible solution, consistent with the Agrarian design theme of the nearby industrial neighborhood, which would allow for the preservation of mature trees currently existing on the property.
- iii. The proposed screening and fencing conform with other applicable provisions of Title 19 (Zoning) and with the Community Design Guidelines.

3. **Development Plan Modification (BMC 19.08.120(G) for Fencing & Screening Across Street From Residential (BMC 19.04.100 (B)).**

a. **Findings:**

- i. The fencing and screening modification will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The northern boundary of the site fronts on SR 246, a busy regional highway. Juliette Walk Townhomes, a multi-family residential development, is located on the opposite side of the SR 246 roadway.

BMC section 19.04.100 requires that, where property on the opposite side of an existing or proposed street is zoned for residential use, a decorative masonry wall of at least three feet in height shall be provided along the street property line. Inherent in the above referenced code section is text that specifically allows for the requirements to be modified by the Commission if it is determined that site conditions would make the screening wall ineffective or unnecessary, which would be the case with the proposed project.

The northern facades of the buildings, ranging in height from 17' to 28', are situated along the SR 246 frontage. While there are some windows facing the street, there are no building entrances or areas of outdoor activity along this frontage. In addition, there is a low cast-in-place concrete wainscot at the base of the facades and a cast-in-place concrete site wall along a portion of the setback area.

Because the site is a corner lot, the frontages on Industrial Way (north) and SR 246 (east) are considered front yards, requiring a minimum 10 foot setback that is landscaped; the proposed site plan complies with this requirement and is providing attractive landscaping including 5 new oak trees planted along the street


frontage. Adding a continuous wall along the edge of the property would be an unnecessary feature made redundant by the site planning of the project and would detract from the aesthetics of the buildings and the required 10 foot landscaping in the setback area.

Consistent with the flexibility provided by the referenced code section, the modification would allow an alternate solution whereby the proposed continuous building façade, concrete wainscoting, site wall and landscaping along the northern frontage would collectively form a decorative wall and effective screening barrier for the residential uses located across the roadway, on the opposite side of SR 246. The modification thereby fulfills the intent of BMC 190.04.100 (B), which is to provide effective screening between commercial and nearby residential properties.

- ii. The proposed alternative solution provides for a northern street frontage consisting of varying yet continuous building façades, concrete wainscoting and site wall, and landscaping which together form a decorative “urban edge” wall along the SR 246 highway. The alternative solution is consistent with street setback and landscaping requirements and with the Agrarian design theme of the nearby industrial neighborhood.
- iii. The proposed screening and fencing conform with other applicable provisions of Title 19 (Zoning) and with the Community Design Guidelines.

SECTION 4: Based on the findings set forth in Sections 2 and 3, and subject to the conditions attached hereto, the Planning Commission hereby approves the Final Development Plan (21-FDP-04) to construct a new commercial building and related improvements to accommodate the operations of the Chanin Wine Company located at 291 Industrial Way.

PASSED, APPROVED and ADOPTED this 20th day of April 2023.



Patty Hammel
Chair

ATTEST:



Clare Barcelona
Planning Commission Secretary

STATE OF CALIFORNIA)
 COUNTY OF SANTA BARBARA) SS
 CITY OF BUELLTON)

I, Clare Barcelona, Planning Commission Secretary of the City of Buellton, do hereby certify that the foregoing Resolution No. 23-03 was duly approved by the Planning Commission of the City of Buellton at a meeting held on the 20th day of April, by the following vote, to wit.

AYES: (5) Commissioners Laura Romano DeFazio, Shannon Reese, Marcilo Sarquilla, Vice Chair Art Mercado and Chair Patty Hammel

NOES: ()

ABSENT: ()

NOT VOTING: ()

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of April, 2023.

Clare Barcelona
 Clare Barcelona
 Planning Commission Secretary

CONDITIONS OF APPROVAL

CHANIN WINE COMPANY PROJECT
291 INDUSTRIAL WAY
FINAL DEVELOPMENT PLAN 21-FDP-04

A. GENERAL PROVISIONS

1. **Project Description.** The approval granted herein is based upon and limited to compliance with the Project Description, the project application dated August 19, 2021 and as updated November 2, 2022, and conditions of approval set forth below. **The Project Description is as follows:** This Project is a request by Gavin Chanin, SB Dry Goods LLC, property owner, and Bryan Ridley, Bracket Architecture, agent, hereinafter referred to as "Applicant", for approval of a **Final Development Plan (21-FDP-04)** ("Application") to develop a new commercial building and related improvements to accommodate the operations of Chanin Wine Company ("Project"), on a 1.56 (gross) acre / 0.97 (net) acre vacant undeveloped parcel, on the southwest corner of Industrial Way and Highway 246 located at 291 Industrial Way, Assessor's Parcel Number 099-690-027 (the "Property").

The **Project Plans** that are included in this approval are date-stamped March 20, 2023 as revised March 30, 2023. The approved color palette is shown on the color and materials digital images in the Project Plans. Any deviations from the Project Description, exhibits or conditions must be reviewed and approved by the City for conformity with this approval. Deviations may require formal modification of the approval and/or further environmental review. Deviations without the above-described authorization will constitute a violation of this approval.

2. **Additional Permits Required.** Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the Applicant shall: (i) obtain a Zoning Clearance (hereinafter defined below); and (ii) obtain all other permits and approvals that may be required by operation of the Buellton Municipal Code (e.g., grading permit, building permit, encroachment permit, etc.). Before any Zoning Clearance will be issued by the City, the Applicant must obtain written clearance from all departments having jurisdiction; such clearance shall indicate that the Applicant has satisfied all pre-construction conditions of approval. To the extent any condition or provision of the approval set forth herein is incompatible with or at variance with any other permit for the Project, the most restrictive condition and provision shall prevail.
3. **Print & Illustrate Conditions on Plans.** All conditions of approval shall be printed in their entirety on applicable pages of final development, grading and construction plans submitted to the City.
4. **Terminology.** Except where otherwise noted, the terms appearing throughout the conditions of approval set forth herein shall have the meanings as defined below. Capitalization is used to identify defined terms and shall have the meanings as set forth below unless the context in which they are used clearly requires otherwise.

- a. **“Applicant”** means Gavin Chanin, SB Dry Goods LLC, property owner, and Bryan Ridley, Bracket Architecture, agent , and includes all agents, subdividers, developers, contractors, workers and personnel employed on the Project, as well as all successors and assigns of interest.
- b. **“Building Department”** means the Building and Safety Division of the County (and all successors and assigns thereof), on behalf and under contract to the City to perform building plan check and inspection services.
- c. **“City”** means the City of Buellton and includes the City Manager, City Engineer, Planning Director and all other duly appointed officials having responsibility for land use matters, as well as their respective assignees (e.g., Department staff members). Unless otherwise indicated, the Planning Department shall be the primary point of contact for the City.
- d. **“County”** means the County of Santa Barbara.
- e. **“Final Building Inspection Clearance”** means acknowledgement by the Building Department that construction of the Project has been completed in full compliance with plans and specifications approved by the City and the Building Department. Such acknowledgement is typically evidenced by signature of appropriate staff on the building permit inspection form.
- f. **“Fire Department”** means the Fire Department of the County (and all successors and assigns thereof), furnishing fire prevention and protection services to the City by operation of special district.
- g. **“Mitigation Measures”** means conditions and measures required to mitigate environmental effects of the Project as identified in General Plan Update EIR in connection with the Project under the provisions of the California Environmental Quality Act of 1970, as applicable.
- h. **“Entitlement”** means the type of land use permit required by the Buellton Municipal Code in connection with the Project for which approval is granted herein.
- i. **“Project”** means and includes all of the actions described in the Project description above.
- j. **“Project Inspection”** means a field inspection and documentation review performed by the Planning Director at the time of Final Building Inspection Clearance to verify that the Project has been completed in full compliance with the terms and conditions of approval. The Project Inspection shall be performed upon completion of construction and the Project must be fully compliant with all terms and conditions of approval prior to and as a condition precedent to obtaining Final Building Inspection Clearance.
- k. **“Project Manager”** means person or personnel of the City assigned to oversee and administer the Permit including, but not limited to, compliance with the Mitigation Measures set forth herein.

8. **Approval Limitations.** This approval is issued pursuant to the provisions of Title 19 of the Buellton Municipal Code and is subject to the foregoing conditions and limitations. Failure to comply with said conditions of approval may subject the Applicant to remedies and penalties specified in the Buellton Municipal Code.
9. **Compliance Costs.** All projects are subject to Project Inspection that is funded under existing permit fees. This condition shall serve as implementation of the Mitigation Monitoring and Reporting Program for the Mitigation Measures as well as the general conditions of approval set forth herein. The Applicant agrees to participate in this permit compliance program and to fund all reasonable expenses incurred by the City and/or City contractors for permit condition implementation, reasonable studies, and emergency response directly and necessarily related to monitoring and enforcement of these permit conditions and applicable City ordinances. Any staff time spent in excess of the Applicant's current deposit will be billed to the Applicant and the Applicant shall reimburse City within 30 days of invoicing by City.
10. **Enforcement Costs.** In the event the City determines that it is necessary to take legal action to enforce any of the conditions of approval herein, and such legal action is taken, the Applicant shall be required to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the Applicant to waive said fees or any part thereof.
11. **Failure to Comply.** In the event that the Applicant fails to comply with any order of the City issued hereunder or any injunction of the Superior Court, it shall be liable in accordance with the provision of Section 1.32 of the Buellton Municipal Code.
12. **Access to Records and Facilities.** As to any condition that requires for its effective enforcement the inspection of records or facilities by City or its agents, the Applicant shall make such records available or provide access to such facilities upon reasonable notice from City.
13. **Payment of Fees.** All applicable fees associated with development of the Project shall be paid by the Applicant at the time such fees become payable as provided by Buellton Municipal Code or otherwise stipulated in this approval (whichever date is sooner), and the amount payable shall be based on the those fee schedules adopted by the City and then in effect at the time such fees become payable.
14. **Acceptance of Conditions.** The Applicant shall acknowledge and agree to all conditions of this approval within 60 days of the notice of final action, evidenced by the Applicant's signature on the space provided at the end of this document. The Applicant shall record this document on title to the subject Property prior to or concurrently with the filing of a Zoning Clearance. The Applicant, and all successors or assignees, are responsible for complying with all conditions of approval. Any zoning violations concerning the installation, operation, and/or abandonment of the Project are the responsibility of the Applicant, and all successors or assignees.

B. ENGINEERING CONDITIONS

PRIOR TO GRADING PERMIT ISSUANCE:

15. **Improvement Plans.** Applicant shall cause to be prepared by a Civil Engineer, registered in the State of California, grading and utilities improvement plans, including, but not limited to, street, water, sewer, and storm drain improvements. An engineering cost estimate shall be submitted with the grading and improvement plans along with any calculations, signed/stamped certifications and plan check processing fees.
16. **Improvement Plan Requirements.** Plans shall be drawn by a California Registered Civil Engineer. Drawings shall be prepared on 24-inch by 36-inch mylar (4 mil) showing all proposed improvements including, but not limited to, curbs, gutters, sidewalks, paving, driveway cuts, storm drains, street lights, utilities, and street trees. Final plans shall be wet-stamped by the Civil and Soils Engineer and subsequently signed by the City Engineer prior to permitting.
17. **Soils Report.** At the time that Improvement Plans and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, two copies of a Soils Report, prepared by a California Registered Geologist or Soils Engineer, shall be submitted. The Report shall address soils engineering and compaction requirements, R-values, and other soils and geology related issues (including liquefaction) and shall contain recommendations as to foundation design, and paving sections, where applicable for the project.
18. **Geotechnical Engineer Oversight.** A geotechnical engineer or geologist licensed in the State of California shall provide guidance during grading operations and shall certify constructed pads and ensure all mitigation measures are properly implemented. Certifications and final reports shall be submitted to the City Engineer for approval.
19. **Erosion Control Plan.** Erosion Control Plans shall be completed and submitted to the City Engineer for review and approval. Appropriate BMP measures shall be undertaken at *all* times. This shall be in compliance with the Regional Water Quality Control Board requirements. NOI shall be filed. A SWPPP shall be developed for the project site by a certified QSD, draft copy shall be submitted for review prior to issuance of the grading permit. SWPPP shall be on-site at all times. Implementation shall be performed by a QSP.
20. **Hydrology Report.** At the time that Improvement and/or Grading and Drainage Plans are submitted for review and approval by the City Engineer, a complete hydrology/hydraulic report shall be submitted by the applicant's engineer determining the adequacy of the proposed drainage system. A rain fall frequency of twenty-five (25) years shall be used for sizing piping and inlet structures. If no overland escape is available, 100-year flows shall be used as the basis of design. Santa Barbara County Engineering Design Standards shall be used.
21. **RWQCB.** Development shall be undertaken in accordance with conditions and requirements of the State of California Regional Water Quality Control Board. Project Grading and Storm Drain Improvement Plans shall identify and incorporate Best Management Practices (BMPs) appropriate to the uses conducted on-site and during construction to effectively mitigate storm water pollution during construction as well as post-construction.

Stormwater management shall be incorporated in the improvement plans (low impact development). This project is subject to Post Construction Requirements as outlined in the City's Stormwater Technical Guide for a Tier 4 project.

A Stormwater Control Plan that analyzes the potential flows, run-off and drainage management area's and proposed lid improvements to address run-off and water quality, including a maintenance/water quality control plan, shall be submitted. This document shall include an owner's statement that maintenance of facilities will occur regularly (at least twice annually) and will be ongoing. The plan shall include an annual maintenance report which must be signed/certified by the QSD/QSP, property owner and contractor and submitted to the Public Works Department.

22. **Fire Department Review.** Applicant shall submit improvement plans for concurrent review with the Santa Barbara County Fire Department and shall provide documentation of submittal along with grading and utility improvement plans to the City Engineer. A copy of the Fire Department approval shall be submitted prior to issuance of grading permit.
23. **Right-of-Way Improvements.** Driveway, sidewalk and any other improvements made within the public right-of-way shall be shown on a separate sheet. These improvements shall utilize City of Buellton standard details and provide for ADA access.
24. **Permits from Other Agencies.** All applicable permits from other agencies such as Caltrans shall be obtained prior to grading permit issuance.
25. **Mylars.** Upon approval of the final plans, the applicant shall furnish original stamped mylars to the City Engineer for signature and reproduction for permitting purposes. A final Engineer's estimate shall be prepared (updated from the original submittal and shall utilize prevailing wage rates) and permit/inspection fees paid.
26. **Sureties.** A faithful performance and labor/material bond for the grading and utilities (each to be equal to 100% of the final City Engineer's estimate of costs, which shall include a 20% contingency), or equivalent form of guarantee, shall be posted by the applicant. The bonds shall remain in effect until the completion of the project and a certificate of occupancy has been issued, at which time, 10% of the bond shall be retained for a warranty period of 1 year after the City has approved a Notice of Completion and after receipt/approval of the As-built Record Drawings.
27. **FOG Program.** Any restaurant/food service activities shall comply with City's Fats, Oils, and Grease (FOG) Program and shall identify grease interceptors in grading improvement plans. If unknown at this time, applicant shall install a grease interceptor if any restaurant occupies any of the buildings.
28. **Utilities.** All utilities shall be shown on the plans. All proposed water (including irrigation and fire), sewer, drainage and dry utilities such as Comcast, PG&E, Gas, etc.
29. **Water Facilities.** Water improvements shall identify location of all backflow devices for the commercial buildings, irrigation and fire. Separate meters shall be required. If applicant wishes to utilize the existing water meter for service for building and irrigation, tee shall be past the backflow device. Water bills will not distinguish between landscape and domestic use, domestic use will be billed

PRIOR TO BUILDING PERMIT ISSUANCE:

30. **Grading Permit.** The applicant shall obtain a grading permit from the City Engineer prior to obtaining a building permit.
31. **Rough Grading.** Rough grading certification by the geotechnical engineer shall be approved by the City Engineer prior to obtaining a building permit.
32. **Industrial Waste Discharge Permit.** The applicant shall obtain an industrial waste discharge permit, as applicable, from the City Public Works Department prior to obtaining a building permit.

PRIOR TO OCCUPANCY CLEARANCE:

33. **Completion of Improvements.** The applicant shall complete all required improvements to the satisfaction of the City Engineer. The applicant shall furnish the mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "As-Built Record Drawings."
34. **Water and Sewer Fees.** The applicant shall pay water and sewer utilities fees from the Public Works Department prior to occupancy. In addition, all pretreatment and FOG compliance requirements must be in place prior to payment of water/sewer fees and occupancy.
35. **Industrial Discharge Permit.** An Industrial Discharge permit will be required prior to occupancy.
36. **Traffic Fees.** The applicant shall pay Traffic Mitigation Fees and other applicable fees prior to occupancy.
37. **Payment of Fees.** All fees and any unpaid balances from plan check or inspection and permits, shall be paid in full.

GENERAL CONDITIONS:

38. **Public Improvement Standards.** Unless superseded by Caltrans all public improvements shall be designed and constructed in conformance with the City of Buellton Standards, and when applicable, the Santa Barbara County Standards.
39. **Existing Utilities.** Applicant is responsible to verify all above-ground and in-ground utilities in the field and relocate if necessary.
40. **Utility Easements.** Existing and proposed easements for all utilities shall be located and described on the engineering plans.
41. **Utility Locations.** All utilities shall be shown on the plans. Proposed water and sewer lines shall be highlighted. Lines on-site shall be maintained as private.
42. **Final As-Built Record Drawings.** Prior to the release of any bonds, the applicant shall furnish the mylar or a reproducible copy of the improvement plans to the City Engineer, modified to reflect field changes made during construction and stamped "As-Built

Record Drawings.” A PDF of the final As-Built Record Drawings shall be submitted to the City.

43. **Public Improvements.** Applicant shall complete public improvements on the Ave of Flags frontage. Design of improvements shall match existing improvements on Ave of Flags such as pavers, pedestrian lights and appurtenant facilities. Applicant is responsible for the design, PG&E application and installation of pedestrian lights along their frontage.
44. **Waste Collection.** Applicant (and all future tenants) shall provide adequate waste collection and disposal through the City’s provider and shall comply with all requirements of AB341, AB1826 and SB1383.
45. **Utility Service Applications & Undergrounding.** Applicant is responsible to submit applications to/for all utility services to PG&E, Comcast, So Cal Gas, Frontier, etc. All facilities shall be underground

C. PLANNING CONDITIONS

46. **Zoning Clearance.** As a condition precedent to obtaining building permits, and prior to improving any portion of the Property or commencing any work pertaining to the Project approved herein, the Applicant shall obtain Zoning Clearance from the Planning Director. Zoning Clearance shall only be granted upon satisfying all conditions precedent to construction as stated in these conditions of approval.
47. **Performance Standards.** The design, operation, and use of the Project and Property shall comply with all outdoor storage, trash collection design, performance standards, landscaping requirements, and lighting provisions of the Buellton Municipal Code. All exterior lighting shall be located and designed so as to avoid creating substantial off-site glare, light spillover onto adjacent properties, or upward illumination into the sky. In addition, the Property shall be maintained in strict compliance with the following additional standards:
 - a. Use Limitations. No building or other improvement upon the Property shall be constructed, maintained, or used for any purpose other than that which is allowed by the Buellton Municipal Code or otherwise stipulated in the conditions of approval herein. Furthermore, the Property shall be maintained in strict compliance with the following additional standards:
 - (1) Unobstructed Access. All driveways and areas designated for off-street parking shall remain accessible at all times. Except as allowed by revocable license approved by the City, parking shall not be allowed on driveways at any time. Gated access to the interior one-way drive aisle and angled parking area shall remain accessible during stated operating hours for the facility; however, if needed for security purposes, the gates may be locked outside of operating hours.
 - (2) Vehicle Repair. No disassembly, repair or any other work shall be performed on any vehicle, machine, motor, appliance or other similar

device shall be allowed on any portion of the Property except or unless such work and device is wholly removed from public view.

- (3) Exterior Storage. No storage of any goods, materials or equipment shall be permitted on the Property except within the confines of fully enclosed buildings.
- b. Prohibited Activities. No person owning, leasing, occupying or having charge or possession of the Property, or any portion thereof, shall maintain or use the premises in such a manner that any of the following conditions are found to exist:
- (1) Fire and Explosion Hazards. Storage and transportation of flammable or explosive materials, as defined by the County of Santa Barbara Fire Department, which are provided without adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices, standard in the industry.
 - (2) Fissionable, Radioactivity or Electrical Disturbance. Storage or use of fissionable or radioactive material, if their use or storage results at any time in the release or emission of any fissionable or radioactive material into the atmosphere, the ground, or sewage systems, or any activities which emit electrical disturbances, affecting the operation at any point of any equipment other than that of the creator of such disturbance.
 - (3) Glare, Humidity, Heat and Cold. Direct or sky-reflected glare, whether from floodlights or from high temperature processes, or humidity, heat or cold that is produced and is perceptible without instruments by the average person at the Property line.
 - (4) Liquid and Solid Wastes. Discharge at any point into any public sewer, private sewage disposal system, or stream, or into the ground, of any material of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accordance with standards approved by the California Department of Public Health or such other governmental agency as shall have jurisdiction over such activities.
 - (5) Odors. Emissions of odorous gases or other odorous matter that is produced in nuisance quantities at the Property line.
 - (6) Particulate Matter and Air Contaminants. Emissions, including but not limited to, fly ash, dust, fumes, vapors, gases, and other forms of air contaminants which are produced from any facility or activity which are readily detectable without instrument by the average person at the Property line which can cause any damage to health, animals, vegetation or other forms of property, or which can cause excessive soiling at any point.
 - (7) Vibration. Ground vibration that is produced and is discernible without instruments to the average person at the Property line. Ground vibration

caused by motor vehicles, trains, aircraft, and temporary construction or demolition work is exempted from this standard.

- (8) Prohibition of Dangerous Elements. Land or buildings which are used or occupied in any manner so as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosive or other hazard; noise or vibration; glare; liquid or solid refuse or waste; or other dangerous or objectionable substance, condition, or element in such a manner or such an amount as to adversely affect other uses.
 - (9) Noise. Unless otherwise provided for, no person shall operate or cause to be operated any source of sound at or on the Property, or allow the creation of any noise on the Property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the noise level limits set forth by the Buellton Municipal Code as adopted and amended.
48. **Hours of Operation.** Hours of operation for the winery production and storage facilities shall from 8:00 am to 4:00 pm daily, with extended hours of 8:00 am to 6:00 pm during the harvest/ production season. The tasting room and office hours shall be 10:00 am to 8:00 pm.
 49. **Fire Department.** The Project is located within the jurisdiction of the County Fire Department and shall comply with all applicable standards of that agency.
 50. **Building Standards.** All building construction shall be designed and performed in accordance with the currently adopted California Building Code, and all other appropriate sections of the Buellton Municipal Code, State of California energy conservation standards and Title 24 handicap accessibility standards. All necessary plans and documentation shall be submitted at time of plan check including, but not limited to, complete architectural plans and appropriate engineering calculations prepared by a California Licensed Architect or Engineer.
 51. **Grading and Drainage.** All building construction, grading and drainage shall be designed and performed in accordance with the currently adopted Excavation and Grading Code and all other appropriate sections of the Buellton Municipal Code and Santa Barbara Flood Control Design Standards dealing with grading, drainage and public improvements. Prior to construction, necessary plans and documentation shall be submitted for review and approval by the City Engineer including, but not limited to, complete civil engineering drawings, public improvement plans, utility specifications and appropriate engineering calculations prepared by a California Registered Civil Engineer.
 52. **Standard Dust Control Procedures.** During clearing, grading, earth moving, or excavation operation, excessive fugitive dust emissions shall be controlled by regular watering, paving construction roads, or other dust preventive measures such as using the following procedures:
 - During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be

- required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
 - Gravel pads must be installed at all access points to prevent tracking of mud on to public roads.
 - If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
 - After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
 - The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.
 - Prior to land use clearance, the applicant shall include, as a note on a separate informational sheet to be recorded with map, these dust control requirements. All requirements shall be shown on grading and building plans.
53. **Construction Hours.** Construction shall be limited to the hours of 7:00am to 5:00pm, Monday through Friday. Equipment maintenance and servicing shall be confined to the same hours. Weekend construction and other exceptions shall require special approval from the Planning Director, in consultation with the City Engineer, and be limited to the hours of 9:00am to 4:00pm. Prior to issuance of building permit, the Developer shall provide proof that all construction equipment utilizing internal combustion engines have mufflers that are in good condition.
54. **APCD Permits.** Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boiler/large water heaters whose combined input rating exceeds 2.0 million BTUs per hour.
55. **Rule 360 Emissions Compliance.** Small boilers and water heating units (rated between 75,000 and 2.0 million BUT/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Please see www.sbapcd.org/eng/boiler/rule_360.htm for more information and list of certified boilers (note: any units fired on fuels other than natural gas must be certified by the SBAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
56. **Final Occupancy Clearance.** No Final Building Inspection Clearance or release of occupancy will be granted for any building on the Property until all construction is completed and all improvements and landscaping associated with the Project are installed in accordance with the plans approved and the conditions specified herein. Exceptions to this requirement may be granted subject to: (i) approval of the City Engineer and

Planning Director; (ii) assurance that unfinished items will be completed within a reasonable period of time (including, but not limited to, the posting of appropriate performance security to assure such completion); (iii) essential infrastructure necessary to serve the entire Project is fully installed; and (iv) public safety and convenience is appropriately protected.

57. **Property Maintenance.** The Project and Property, including the landscaping, shall be maintained in a continuous state of good condition and repair, in full compliance with all approved plans, specifications and conditions of approval. Corrective improvements shall be undertaken as necessary to continuously conform with and implement conditions of Project approval including, as applicable, repair, repainting and/or replacement of Project components as needed. Where a Project is found to be non-compliant, the Applicant shall adhere to City recommendations to bring the Project into compliance.
58. **Community Design Guidelines.** The Project shall be in conformance with the Community Design Guidelines.
59. **Project Inspections.** Upon completion of construction and prior to occupancy or use, the Planning Director shall conduct a Project Inspection prior to and as a condition precedent to obtaining Final Building Inspection Clearance. Compliance with all conditions of approval is a pre-requisite to obtaining the Final Building Inspection Clearance.
60. **Landscape Installation.** Prior to obtaining Final Building Inspection Clearance, all landscaping and irrigation shall be completed and fully installed in accordance with the approved landscape plan required as part of the building permit plans, and open areas visible from public rights-of-way shall be landscaped and irrigated.
61. **Landscape Maintenance.** Following installation, all landscaping shall be continuously maintained thereafter for a period of not less than three (3) months or until such time that all plant material has been completely established. The Planning Director shall inspect or cause to be inspected all landscaped areas prerequisite to granting Final Building Inspection Clearance. A formal written request for such inspection shall be accompanied by a certification from the Project landscape architect as to the Project's conformity with the approved plans and specifications, together with a twelve (12) month warranty on all landscaping materials.
62. **Landscape Maintenance Agreement.** The Applicant shall acknowledge and sign the City's Landscape and Maintenance Agreement prior to issuance of the first building permit. The Applicant, and all successors or assignees, are responsible for complying with all conditions of the Agreement. Any violations of the Landscape and Maintenance Agreement may result in Code Enforcement action.
63. **Landscape Surety.** Prior to issuance of a building permit, a surety for installation of the landscaping and irrigation, and for maintenance for one year, shall be posted in a form acceptable to the City. The surety estimate shall be submitted as part of the building permit submittal.
64. **Approval.** Approval of 21-FDP-04 (the "Permit") is granted to the Applicant for the Property as identified in the Project Description. Except or unless indicated otherwise herein, all buildings, driveways, parking areas, and other facilities or features shall be

located and maintained substantially as shown on the exhibits accompanying the application for the Project.

65. **Development Time Frame.** Final development plans shall expire five years after approval unless, prior to the expiration date, the applicant, or applicant's successor, has completed substantial physical construction on the development or applied to the planning commission for a time extension. An applicant, or applicant's successor, may apply for two one-year time extensions, which the planning commission or city council may approve upon a showing of good cause. Upon expiration of a final development plan and any time extension, an applicant, or applicant's successor, must apply for a new development plan in order to proceed with the development. A development plan shall lapse and thereafter become null and void if the exercise and use of the rights granted by such development plan are discontinued for a consecutive period of one year.

Substantial physical construction is defined as:

- a. All zoning and related approvals are effective; and
 - b. All required building and grading permits have been issued; and
 - c. The "foundation inspection" and "concrete slab or under floor inspection" as defined in the California Building Code or its successor have been made and received approval from the Building Department, i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or under floor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights have arisen.
66. **Parking.** A total of 25 parking spaces are required and provided for the Project per City requirements. The twenty-five (25) parking shall be provided consistent with the Project Plans as approved, consisting of 11 spaces for patrons/staff in the front parking area and 14 spaces for employees and overflow patron parking located along the southern/side property line. Of the 11 spaces in the front area, 1 is accessible, and 1 is an EV charging space. In addition, there shall be one 10' x 30' loading space located in a covered loading area adjacent to the dry goods storage building.
67. **Signage.** Signage for the project will require a separate Sign Permit application and Zoning Clearance from the Buellton Planning Department. The Sign Permit application shall include signage design details and related lighting plans that are in substantial conformance with the conceptual Sign Summary and related descriptions approved as part of the Project Plans, with a total aggregate sign area of 158 square feet. The lighting plans shall be in sufficient detail to allow for calculation of compliance with the City's Sign Ordinance (Municipal Code Section 19.04).
68. **Architectural Design.** The architectural design of the buildings shall conform to that shown on the architectural elevations and color boards for the project with a design style of Agrarian.
69. **Masonry Block.** All masonry walls shall be split face block, except as otherwise specified and approved as part of the Project Plans.

70. **Bike Racks.** Bike racks to accommodate 8 bicycles shall be provided as shown on the project plans, located near the front entrance to the tasting room.
71. **Lighting.** All new exterior lighting fixtures shall comply with the design requirements of the Community Design Guidelines and shall protect dark skies. All lighting shall be LED or Inductive technology or other energy efficient type of lighting, with a recommended Kelvin rating of 3000 or less (2700 Kelvin preferred). Light fixtures shall be consistent with the Agrarian design style and as per the approved Project Plans. Prior to applying for any permits (grading, building, Zoning Clearance), a revised Lighting Plan shall be submitted to the Planning Department for review and approval, to the satisfaction of the Planning Director. The Lighting Plan shall provide design considerations for security lighting and all exterior lighting, to include the following:
- a. Outdoor lighting shall be shielded in a manner that prevents a direct line between its luminary and any residentially zoned or residentially developed parcel, the nearest of which is Ranch Club Estates Mobile Home Park immediately adjacent to the subject site along its western property line; Juliette Walk Townhomes are located across the SR 246 highway to the north.
 - b. Photometric lighting analysis and corresponding light fixtures to be updated to reflect lighting intensities of no more than 0.5 foot-candles at the property line across the street from the residential uses to the west and north, and no more than 2 foot-candles at the property lines adjacent to non-residential uses.
72. **Green Building Standards.** Green building features above the mandatory green building code requirements of the County of Santa Barbara shall be incorporated into the project where feasible.
73. **Street and Sidewalk Improvement Plans.** Street and sidewalk improvement plans will need to be submitted and approved at time of building plan review. Streetscape improvements, as may be applicable, shall be in conformance with municipal code and related requirements and to the satisfaction of the Public Works Director and Planning Director as part of the Zoning Clearance process.
74. **Impacts on Adjacent Residential Uses.** To minimize potential impacts on residential uses, the playing of outdoor music and use of PA system outdoors shall be prohibited. Deliveries shall be restricted to daytime business hours (8 am to 5 pm). Winery operations shall comply with Noise Regulations in general and sound level limits in particular as set forth in Buellton Municipal Code Section 8.04.030 (G)

Typical Winery hours of operation shall be:

Winery Production and Storage 8:00am to 4:00pm

Harvest Season 8:00am to 6:00pm

Tasting Room 10:00am to 8:00pm

Any odors which may be a by-product of the wine processing operation shall be contained on-site and shall not migrate beyond the property lines onto the adjacent residential uses.

75. **Native Tree Protection Ordinance.** The project shall comply with the Native Tree Protection Ordinance, BMC Section 12.32 ("Tree Ordinance") and the arborist

recommendations set forth in the Tree Evaluation Report dated September 23, 2022. The Project involves the preservation of ten (10) healthy Coast Live Oak trees (“Oak Tree”), removal of one (1) Oak Tree that is in decline, and removal of one (1) healthy Oak tree. The removed healthy Oak Tree shall be compensated for with the planting of eight (8) replacement trees on-site.

76. **Tree Replacement Standards.** The following minimum native tree replacement standards shall apply (excerpt from BMC 12.32.070):
- A. All oak trees shall be replaced at a ratio of three oak trees planted for every oak tree removed. The replacement trees shall be the same species that are removed.
 - B. On-site replacement is required as shown in approved project plans.
 - C. Prior to removal of any trees, a tree replanting schedule, site plan, and long term maintenance plan shall be submitted and approved.
 - D. Replacement oak trees that are planted must come from nursery stock grown from locally-sourced acorns, or use acorns gathered locally, preferably from the same watershed in which they are planted.
 - E. Replacement oak trees shall be established in a location suitable for their growth and survival as determined by an arborist, no closer than twenty (20) feet from each other or from existing oak trees and no farther than one hundred sixty-five (165) to one hundred eighty (180) feet from each other or existing oak trees unless otherwise approved by the arborist.
 - F. The replacement trees shall be nurtured for five years, the last two without supplemental watering. At the end of the five years, all replacement trees must be alive, in good health as determined by the arborist, and capable of surviving without nurturing and protection.
 - G. Each replacement tree must be protected against damaging ground disturbance, soil compaction, or over-irrigation within the dripline. It must be fenced to protect it from grazing or browsing by animals both below and above ground until it has reached a minimum of eight feet in height.
77. **Tree Preservation Requirements.** Preservation of ten (10) mature Coast Live Oak trees shall be in compliance with the Tree Ordinance and the arborist recommendations in the Tree Evaluation Report dated 9/23/22 as described below. Prior to applying for any permits (grading, building, Zoning Clearance), the Applicant shall arrange for preparation of an overall Tree Protection Plan by a certified arborist. The Plan shall include specific recommendations for Tree #2 regarding safety pruning to reduce and lift its canopy and shall consider whether any construction or building footprint encroachments to the tree’s dripline may be possible without impairing the long-term health of the tree or whether modification to the building footprint may be required.
- A.. Tree #2 - One 24” Coast Live Oak (healthy) would be incorporated into the project design, fenced off and protected during construction to ensure that the tree is not impacted by development and construction. To ensure the on-going health of the retained Tree #2, the following shall apply:

78. **Landscape Plans.** The preliminary landscape plan and plant list on Sheet 3 shows that proposed trees are specified at a 15 gallon size; however a minimum size of 24 inch box is required for trees. Prior to applying for any permits (grading, building, Zoning Clearance), a revised Landscape Plan showing minimum 24 inch box trees shall be submitted to the Planning Department for review and approval, to the satisfaction of the Planning Director.
79. **Trash Enclosure Design and Marborg Letter.** The trash/recycling container enclosure shall be screened from public view and separated from adjacent parking stalls by minimum 3' wide planter with low growing landscape plants. Marborg has issued a letter indicating that they have reviewed the trash and recycling area plans, and that the proposed trash enclosure is adequately located and designed for Marborg service, as long as the following conditions are met:
- The enclosure's concrete curb measures 8' high by 6' wide
 - The enclosure's doors have hinges on the exterior, and the doors open greater than 90 degrees

F. FIRE DEPARTMENT CONDITIONS

(Santa Barbara County Fire Department memorandum dated March 29, 2023)

The following Fire Department conditions are imposed with the understanding that the Fire Protection Certificate application(s) may involve modifications, which may determine additional conditions. The Fire Prevention Division must be notified of any changes to the project proposal; a change in the project description may cause conditions to be imposed.

GENERAL NOTICE FOR DEVELOPMENT PLAN

80. **Standard Conditions and Codes.** All standard fire department conditions and current codes shall apply at time of development.
81. **Addressing.** Recorded addressing is required prior to building permit issuance.
82. **FPCs.** Fire Protection Certificates (FPCs) shall be required.

**GENERAL NOTICE & CONDITIONS FOR THE PROPOSED PROJECT
(Construction Phase):**

83. **Access Ways.** All access ways shall be installed prior to going vertical.
- a. Access shall be as shown on plans dated March 20, 2023, received March 22, 2023 and approved March 28, 2023.
 - b. All driveways shall be constructed to provide a minimum of sixteen feet (16') unobstructed horizontal clearance.
 - c. Access ways shall be unobstructed and extended to within 150 feet of all portions of the exterior walls of the first story of any building.
 - d. A minimum of 13 feet, 6 inches of vertical clearance shall be provided and maintained for the life of the project for emergency apparatus access.
 - e. Access way surfaces shall be paved.

84. **Fire Lanes.** Designated fire lanes shall include red curbs and signs indicating “Fire Lane – No Stopping” placed as required by the fire department. Refer to current adopted California Fire Code.
85. **Fire Extinguishers.** Portable fire extinguishers are required and shall be in accordance with the current adopted Santa Barbara County Code Chapter. 15.
86. **Fire Sprinklers.** An automatic fire sprinkler system shall be installed.
- Fire sprinkler plans shall be approved by the fire department prior to installation.
 - Water systems shall be installed exactly as the approved plans dictate. No changes or modifications to these plans shall take place without prior fire department approval.
 - No work shall be covered or otherwise rendered inaccessible or unviewable prior to inspection by the fire department.
87. **Alarm System.** An automatic fire or emergency alarm system shall be installed.
- Fire alarm system shall meet Santa Barbara County Fire Department requirements. .
 - Automatic fire or emergency alarm system plans shall be approved by the fire department.
 - Alarm panel locations and annunciator graphics shall be approved by fire department prior to installation.
88. **Address Numbers.** Address numbers shall be as required by the fire department.
- Address numbers shall be a minimum height of 12 inches.
 - Address number locations shall be approved by the fire department.
 - Address numbers shall be a color contrasting to the background color.
 - The address numbers shall be elevated at least three feet from the ground for clear visibility and easy directional identification.
 - The numbers shall be visible from the access road when travelling in either direction.
 - If the driveway is over 150 feet in length or the building is obstructed from view at the access road and/or driveway, numbers shall be posted at all road and driveway intersections as is necessary.
89. **Knox Locking System for Gates.** When access ways are gated, a fire department approved Knox locking system shall be installed. Reference Santa Barbara County Development Standard #7.*
90. **A Knox Box Entry System** - shall be installed for the building. A spare key shall be provided for the Knox Box entry system.*
- To obtain a Knox Authorization Order form and instructions, email pe.inquiries@countyofsb.org.
 - Please note, review is required prior to submission to Knox Company, as an authorized fire agency signature must be included on your order form. Do not send order forms to Knox Company directly.
91. **Fees.** The applicant shall be required to pay Fire Department Development Impact Mitigation Fees in accordance with Chapter 15 of the Santa Barbara County Code.

- a. Payment shall be made according to the schedule of fees in place on the date fees are paid. As of the date of this letter, fees currently are as follows:

Nonresidential-Retail/Commercial \$0.77 per square foot

Nonresidential-Industrial \$0.71 per square foot

Nonresidential-Warehouse/Distribution \$0.52 per square foot

Final occupancy clearance inspection will not be scheduled unless fees have been paid.

92. **Combustible Storage.** Any high-piled combustible storage shall comply with California Fire Code for the life of the project.

- a. Construction documents shall be maintained on-site in an approved location.
- b. Floor plans and storage information shall be provided and mounted on the wall in approved location as required.
- c. Changes to approved occupancy, use or commodity classifications, shall require review and approval.

93. **Exterior Walkway Access.** Exterior fire department walkway access shall be provided and maintained for the life of the project.

- a. Minimum five (5) foot path, clear of obstructions, shall be provided around all structures.

If you have any questions or require further information, please contact Captain Christopher Olmstead at 805-681-5528 or 805-681-5523.

G. **BUILDING & SAFETY DIVISION CONDITIONS**

(Santa Barbara County Building Division correspondence dated October 28, 2022)

The following information will be required at submittal of building permit application and addressed during the plan review process:

94. **Geology Report.** A Geology report prepared and signed by a California licensed geologist will be required.
95. **Soils Report.** A soils report to include an assessment and conclusion of the potential for liquefaction will be required. At a minimum, one boring to a depth of 50' will be required.
96. **Grading Plans.** Provide grading plans for reference in the construction drawings.
97. **Stormwater Retention.** Provide Onsite Storm Water Retention Plans (if provided) for reference in the construction drawings. The Architect, Structural Engineer and Soils Engineer must coordinate the location of any onsite retention basins in relation to the buildings or structural elements and provide structural design accordingly where applicable.
98. **Conditions of Approval.** Incorporate all discretionary conditions of approval and department condition letters into the plans.
99. **Green Code.** Incorporate compliance with the applicable CA Green Code in the plans.

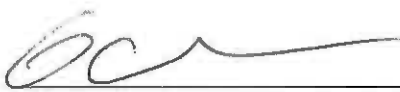
- 100. **Landscape Plans.** Landscape plans which detail compliance with the current Model Water Efficiency Landscape Ordinance (MWELo) or City requirements (whichever are most stringent) will be required.
- 101. **ADA Compliance.** Compliance with Federal Access Laws (i.e.: Americans with Disabilities Act) is solely the responsibility of the property owner and Architect of Record.
- 102. **Bottle Archive Storage Area.** Please specify on plans basement "bottle archive" area storage only, no public access. (staff info only, per email from Architect of Record.)
- 103. **2022 CA Codes.** Applications submitted on or after January 1, 2023 will be subject to the 2022 CA Codes.

If you have any questions or require further information, please call Beth Brooke, Plans Examiner, County of Santa Barbara, at 805-934-6238 (phone), or 805-935-6258 (fax).

H. FINANCE DEPARTMENT CONDITIONS

- 104. **Outstanding Fees.** The applicant shall pay all fees including, but not limited to, outstanding balances for processing by the City Engineer, Planning Department, Building Department, traffic mitigation fees, water connection fees, sewer fees, school fees, Fire Department mitigation fees and any additional processing deposits as required prior to zoning clearance.
- 105. **Impact Fees.** The project applicant shall pay the water, sewer, park, and traffic impact fees in accordance with City requirements.

Project Applicant/Property Owner Acknowledgement of Required Conditions of Approval



 Property Owner Signature

4/26/23

 Date

 Project Applicant/Agent/Representative Signature

 Date