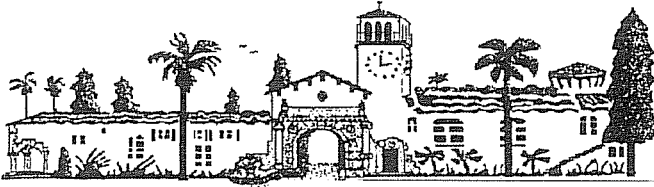


County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Director of Development Services

Derek Johnson, Director of Long Range Planning



August 23, 2004

Mr. DeWayne Holmdahl
425 North Z Street
Lompoc, CA 93436

RE: Lee Orchid Nursery Pre-Application, 04PRE-00000-00009, APN 133-130-009

Dear Mr. Holmdahl:

Thank you for attending the pre-application meeting held on August 18, 2004, regarding your proposed Lee Orchid Nursery Development (04PRE-00000-00009). The following information is a summary of the meeting.

I. Attendees

Lilly Okamura, Development Review Division, North
Peggy Burbank, Comprehensive Planning Division
John Karamitsos, Supervising Planner, Development Review Division, North
DeWayne Holmdahl, Agent
Heung Bok Lee, Lee Orchid Nursery
Abraham Y. Jay, Lee Orchid Nursery
Don Donaldson, Penfield and Smith
Justin P. Height, Penfield and Smith

II. Project Description

The project description provides the basis for all zoning, policy, and environmental analysis and thus, must include all aspects of the proposed project. The following is a brief description of the project as we discussed during our meeting on August 18, 2004. Your prospective application for discretionary permits should describe the project to the extent you can.

The applicant proposes to construct 1.2 million square feet of greenhouses and 360,000 square feet of shade structures for orchid cultivation. Development would also include construction of a 20,000 square foot warehouse with an office, a 1,800 square foot single family dwelling, and one 1,300 square foot farm employee dwelling. The maximum height of the greenhouses would be 15 feet. The shade structures would have a maximum height of 8.5 feet. Proposed development would be approximately 1,583,000 square feet, or 36 acres.

The 49.90 acre parcel is located on APN 133-130-009, known as 9676 Highway 101 in the Los Alamos area. The parcel is zoned AG-II-100. The parcel is currently developed with a 20 square

foot structure. Parcel validity is unclear. The submitted legal description does not explain how the parcel was created. The parcel is under Agricultural Preserve contract 70-AP-137.

Vehicular access from Los Alamos and northbound Hwy 101 would be provided by San Antonio Blvd. to an existing frontage road on the north side of Highway 101. Access from southbound Hwy 101 would be provided by Alisos Canyon Road to the frontage road. Water would be provided by an existing onsite water well. Proposed septic systems would be installed in accordance with Environmental Health Services regulations.

No trees would be removed as a result of the development. Proposed landscaping consisting of a row of cottonwood or aspen trees along the south property line would be consistent with nearby vegetation and would provide some screening of the development from travelers on Highway 101.

As the assigned Planner of the Development Review Division, I have prepared and summarized the main issues discussed at the meeting.

III. Development Review

a. Land Use and Zoning Requirements

The proposed project is subject to the standards of the Inland Zoning Ordinance, Article III of Chapter 35 of the Santa Barbara County Code. The parcel is currently in the AG-II-100 zone district. The minimum parcel size is 100 acres. The subject parcel is a 49.90 acre parcel.

AG-II-100 Permitted uses

The proposed uses (greenhouses, shade structures, single family dwelling, agricultural accessory structures, and a farm employee dwelling) are permitted in the AG-II-100 Zone District. No development may be permitted, however, without parcel validity. Article III, Section 35-217 (AG-II Zone District regulations) is included as Attachment A.

AG-II-100 Development Standards

- ***Sec. 35-217.7. Height Limit and Setback Regulations.***

No dwelling unit shall exceed a height of thirty-five (35) feet; and no building or structure shall be located within fifty (50) feet of the centerline or within twenty (20) feet of the right-of-way line of any street.

- ***Sec. 35-217.8. Parking.***

Parking shall be provided as specified in DIVISION 6, PARKING REGULATIONS, except for:

3. Agricultural Development projects requiring Development Plan (DP) approval may request that the Planning Commission or Director waive certain design specifications for marking or striping otherwise required under Sec. 35-262.3.c. (*Amended by Ord. 4063, 8/18/92*)

I have confirmed that the proposed project does fit the definition of a commercial greenhouse, which would require two parking spaces per acre of land in such use. If the required number of parking spaces is considered excessive for your operation, the Planning Commission may modify the required number of parking spaces as part of the the Development Plan application. Applicable parking regulations of Article III Division 6 are included as Attachment B.

b. Subdivision Map Act Requirements

A Certificate of Compliance may be required under Section 66499.35 of the Government Code. (See *Parcel Validity* below.)

c. Processing Requirements

The following is a discussion of the processing requirements associated with parcel validity, a Development Plan, and a Conditional Use Permit for Farm Employee dwellings for the proposed project.

1. Parcel Validity

The applicant will be required to submit proof that the parcel was created legally. If no records indicate the legality of the parcel, the applicant must contact the County Surveyor's Office to apply for a Certificate of Compliance or a Conditional Certificate of Compliance. You may contact the County Surveyor at 568-3012. Evidence of parcel validity is required prior to approval of development.

This procedure is provided for under the Map Act, Section 66499.35 of the Government Code. It allows a person to apply for a determination as to whether a division of land complied with State and Local laws in effect at the time of the division. If the division complies with applicable provisions of State and Local law enacted pursuant thereto, a Certificate of Compliance shall be recorded, but **if the division did not comply with State and Local laws enacted pursuant thereto, a Conditional Certificate of Compliance shall be issued.** A Conditional Certificate of Compliance is forwarded by the Public Works Department to Planning and Development for assignment of a case number and scheduling on the Zoning Administrator agenda to consider imposing appropriate conditions in accordance with provisions of Section 66499.35(b) of the Government Code.

Fees In the event that a **Conditional Certificate of Compliance** is required, the application submittal must include an initial deposit of \$2,424.00; \$1,500.00 of this initial deposit would be collected as an application review fee to cover P&D staff time for review of the initial submittal, the remainder of the deposit would be collected by P&D for other departments with review authority.

Consistent with the Fee Schedule adopted by the County Board of Supervisors on May 17, 2004, P&D would process this case on a cost recovery basis. Your initial deposit would be held as a security throughout processing and you would be billed monthly for

all current charges. Processing costs include \$115.00 per hour for staff time and non-salary charges to cover the Zoning Administrator hearing and noticing of the hearing.

Processing timeline for Conditional Certificate of Compliance Pursuant to the State Permit Streamlining Act, within the first 30 days of application submittal, P&D staff would review your application materials to determine whether the project might be deemed complete for analysis. During this time, the project would also be scheduled for review by the County's Subdivision/Development Review Committee (SDRC). The SDRC convenes in a relatively informal forum and comprises representatives from the various County departments with review authority over land use applications including the Fire Department, Roads, Traffic, Building, P&D, Parks, Flood Control and Environmental Health Services. The purpose of the SDRC is to provide applicants with early notice of departmental concerns relating to their projects. Thus, SDRC representatives may discuss required studies or reports, they may recommend design modifications, and they may discuss, on a preliminary basis, conditions which they would be likely to recommend for incorporation into the project. If, during this 30 day period, the project were to be deemed incomplete, a letter would be sent outlining the specific information necessary to determine the application complete for processing; the letter would include all SDRC concerns. The Conditional Certificate of Compliance would most likely be exempt from environmental review pursuant to CEQA section 15061 (b,3), No Possibility of Significant Effect.

P&D staff would initiate preparation of a Zoning Administrator staff report to analyze the project's consistency with the Comprehensive Plan as well as applicable ordinance requirements. The staff report would include recommended project conditions of approval. The Zoning Administrator may approve or revise the recommended conditions of approval, but is required to approve the Certificate of Compliance.

Following final action by the Zoning Administrator, the applicants must obtain a Final Map Clearance through the County Surveyor's office. Applications for a Development Plan may be accepted by Planning and Development only after the map has been recorded.

As we discussed at the August 18, 2004 Pre-application meeting, you have begun processing the Certificate of Compliance with the Surveyor's Office and a Conditional Certificate of Compliance is not required.

2. Initial Field Assessment for California Tiger Salamander (CTS)

The property is located 500 feet from the nearest potential California Tiger Salamander breeding pond and 1,437 feet from the nearest known CTS breeding pond. The applicant will be required to contact a County-authorized Biologist to conduct an Initial Field Assessment to determine whether CTS may be present. An assessment should be conducted as soon as possible. No permit can be issued until the biologist sign-off is received. A list of County-approved Biologists is provided for your use as Attachment C.

3. *Development Plan*

The proposed project would require submittal of the following three applications simultaneously to the Planning and Development Department (P&D) to initiate permit processing (applications attached):

- An application for a Development Plan including a completed *Greenhouse Supplemental Questionnaire*, *Agricultural Activities Supplement*, and *Hazardous Waste/Materials Supplement* required by P&D for all greenhouse development plans (Attachments D, E, F, G). The County's Environmental Health Services Office (681-4900), the SBFC&WCD (568-3440), the County Water Agency (568-3440), and the Regional Water Quality Control Board (RWQCB) (805)-549-3147) can assist you in providing information on depth and movement of groundwater, as well as information on groundwater total dissolved solids (TDS) necessary to answer Questions #8 & #9 of the *Greenhouse Supplemental Questionnaire*.
- An application for Agricultural Preserve Committee review (Attachment H).
- An application for review and approval by the Board of Architectural Review (BAR) (Attachment I)

Section VI of this letter provides a summary of your submittal requirements.

Fees The application submittal for the Development Plan must include an initial deposit of \$12,021.00; \$8,000.00 of this initial deposit would be collected as an application review fee to cover P&D staff time for review of the initial submittal, the remainder of the deposit would be collected by P&D for other departments with review authority.

Finally, a fixed fee of \$170.00 for conceptual BAR review and \$460 for preliminary and final BAR review and approval of the project is necessary (\$150.00 would be charged per conceptual BAR meeting after the initial conceptual review).

Therefore, a total of \$12,651.00 would be due upon submittal of your applications. Consistent with the Fee Schedule adopted by the County Board of Supervisors on May 17, 2004, P&D would process this case on a cost recovery basis. Your initial deposit would be held as a security throughout processing and you would be billed monthly for all current charges. Processing costs include \$115.00 per hour for staff time and non-salary charges to cover the Planning Commission Hearing, County Board of Architectural Review, and noticing of the hearings.

Processing timeline Pursuant to the State Permit Streamlining Act, within the first 30 days of application submittal, P&D staff would review your application materials to determine whether the project might be deemed complete for analysis. During this time,

the project would also be scheduled for review by the County's Subdivision/Development Review Committee (SDRC). The SDRC convenes in a relatively informal forum and comprises representatives from the various County departments with review authority over land use applications including the Fire Department, Roads, Traffic, Building, P&D, Parks, Flood Control and Environmental Health Services. The purpose of the SDRC is to provide applicants with early notice of departmental concerns relating to their projects. Thus, SDRC representatives may discuss required studies or reports, they may recommend design modifications, and they may discuss, on a preliminary basis, conditions which they would be likely to recommend for incorporation into the project. If, during this 30 day period, the project were to be deemed incomplete, a letter would be sent outlining the specific information necessary to determine the application complete for processing; the letter would include all SDRC concerns.

Once the application is deemed complete, P&D would schedule the project for conceptual BAR review. Staff would also initiate environmental review of the project, consistent with the mandates of the California Environmental Quality Act (CEQA). An initial study would be prepared to conclude with a determination as to whether a negative declaration or a more extensive analysis (environmental impact report) would be required. Please see Section IV below for more details on the environmental review of the project.

Following public release of a draft environmental document, P&D staff would initiate preparation of a Planning Commission staff report to analyze the project's consistency with Comprehensive Plan as well as applicable ordinance requirements. The staff report would include a recommendation for approval or denial of the proposed project based on Development Plan findings (Attachment J). The staff report would also include any recommended project conditions of approval. The Planning Commission would consider the project, including the environmental document, for review and approval or denial.

Follow up permits If the project is approved by the Planning Commission, approvals of Land Use Permits and Building and Grading Permits would be required to actually construct the project. The Development Review Division of P&D approves and issues the Land Use Permit; following, the Building and Safety Division of P&D approves and issues Building and Grading Permits. Both Land Use Permits and Building and Grading Permits must be issued before construction may begin.

Both Land Use Permits and Building and Grading Permits are charged on a cost recovery basis. Initial deposits of \$1,500 per Land Use Permit and \$1,575 for review of the Grading Plan would be required upon submittal of applications. Prior to approval of the project's Land Use Permit, you would need to satisfy any project conditions timed for satisfaction prior to approval or issuance of the Land Use Permit including payment of fees and posting of bonds (e.g., for landscaping). A ten day appeal period would begin upon approval of the Land Use Permit and must end unchallenged or resolved prior to issuance of the permit. Upon issuance of the Land Use Permit, the Building and Safety Division may approve Building and Grading Permits. Please see the Building and Safety

Division website for the latest fee schedule for Building and Grading Permits (<http://www.countyofsb.org/plandev/bldg-safety/fees/default.htm>). There is no appeal period for Building and Grading Permits.

4. Conditional Use Permit

The Pre-Application submittal references proposed farm employee dwellings, which are allowed in the AG-II-100 Zone District with approval of:

- a Minor Conditional Use Permit for dwellings not to exceed four employees of the owner or lessee of the land engaged full time in agriculture on the farm or ranch upon which the dwelling is located provided:
 1. the applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings to support such use, and
 2. the applicant provided proof of the full-time employment of the employees, or;
- a Major Conditional Use Permit for farm labor camps for housing five or more employees engaged full time in agriculture working on or off the farm or ranch upon which such buildings are located

Fees The application submittal for the Conditional Use Permit is \$8,032.00 (\$5,000.00 deposit) for a Major Conditional Use Permit and \$2,248 (\$1,500.00 deposit) for a Minor Conditional Use Permit. These fees would be due in addition to the Development Plan Fees mentioned above. Both the Development Plan and Conditional Use Permit could be combined as one item on the Planning Commission agenda so that hearing and noticing fees would not be duplicated.

Processing timeline If you submit for both the Development Plan and a Conditional Use Permit at the same time, only one application form is required for both permits. The applications would be processed concurrently. Art III, Section 35-315, Conditional Use Permits is included as Attachment K.

5. Sign Permit

If signs are proposed as part of the proposed project, review and approval of proposed signs is a separate process from the review and approval of a development plan. At a minimum, you will need to submit the information outlined under §35-9(2), Article I, Chapter 35 of the County Code. You should also note that all freestanding signs are considered structures subject to the applicable setback requirements of the specific zoning district. The entire text of Article I, Sign Regulations, can be found at:

http://www.countyofsb.org/plandev/pdf/zoning/docs/ordinance/Article_I.pdf.

IV. Environmental Review

Based on this preliminary review, it is P&D's opinion that the project would require preparation of an Initial Study. While it is still inconclusive whether a Mitigated Negative Declaration

(MND) or Environmental Impact Report (EIR) is necessary, we anticipate preparation of an MND.

A brief discussion of environmental impacts, submittal items which would assist P&D to analyze impacts, mitigation measures that would likely be placed on the project, and recommendations for features that may be incorporated into the project design in order to reduce impacts are provided below.

a. *Aesthetics/Visual Resources*

The applicant proposes to construct 1.2 million square feet of greenhouses and 360,000 square feet of shade structures for orchid cultivation. Development would also include construction of a 20,000 square foot warehouse with an office, a 1,800 square foot single family dwelling, and one 1,300 square foot farm employee dwelling. The maximum height of the greenhouses would be 15 feet. The shade structures would have a maximum height of 8.5 feet. Proposed development would be approximately 1,583,000 square feet, or 36 acres.

The project has the potential to significantly impact the aesthetics and visual resources of the area by obstructing scenic views, dramatically changing the character of the surrounding neighborhood and/or streetscape; and/or using visually incompatible structures or features.

The proposed project shall contain a landscape planting plan which would serve as a key component to minimizing impacts to views from Highway 101 and the character of the surrounding area. Pursuant to parking regulations, screening shall be provided along each property line consisting of a five-foot wide strip, planted with sufficient shrubbery to effectively screen the parking area, or a solid fence or wall not less than four feet in height. On the landscape planting plan, please include the numbers, types, and sizes at installation, of all proposed plant materials along with any existing plants to remain. The proposed project would also benefit from relocating the residential and agricultural accessory structures closer to the north property line to create distance between the greenhouses and Highway 101. Additional information regarding the colors and materials of all structures would be required to provide further analysis.

Potential glare and offsite light spillage could result from any exterior night lighting of the parking area, agricultural structures, or residential structures, and interior lighting of greenhouses which also has the potential to affect the aesthetics of the area. P&D is likely to impose a mitigation measure which restricts exterior lighting to low-intensity, low glare design with shielding of direct beams downward onto the project site itself. The locations and heights of any parking area light standards should be indicated on the Development Plan. The proposed project design would be subject to review and approval by the BAR to ensure that these potential impacts were minimized and reduced to less than significant levels.

b. *Agricultural Resources*

Planning and Development's preliminary position is that the greenhouses represent an intensification of agricultural use onsite, which would result in less than significant impacts. Minimal development of hardscapes such as paving of walkways within the greenhouses, and

implementation of irrigation, fertilizing, or pest control procedures would ensure that the health and viability of the underlying soil would not be compromised over the long term.

c. *Air Quality*

Grading of the site would result in short-term air quality impacts. Standard mitigation measures to reduce and contain dust during grading would be required. Additional information as required by the Air Pollution Control District in an e-mail dated July 13, 2004 is necessary to provide further analysis. Additional required information is listed below:

- a. List of all combustion equipment (Boilers, water heaters, IC engines, etc.) and their operational schedules and fuel use (under reasonable worst case annual and daily conditions).
- b. Any onsite electrical generators
- c. Any storage of gasoline or diesel
- d. Any other process or equipment that can emit air contaminants.
- e. Demolition of any structures may result in asbestos issues.
- f. Removing any contaminated soils

d. *Biological Resources*

The project has the potential to affect the biological resources of the area by resulting in an impact to the critical habitat of endangered species of animals, and an introduction of herbicides and pesticides that would change the existing habitat.

The property is within the range of the federally threatened California tiger salamander. An Initial Field Assessment would determine the probability of California tiger salamanders inhabiting the project site and the level of impact. Furthermore, the parcel is within a known breeding location for the Spadefoot Toad, which listed by the California Department of Fish and Game as a Species of Special Concern and by the Bureau of Land Management as a Sensitive Species. A Biological Report may be required to determine potential impacts. Mitigation measures may be required to ensure that contaminated water run-off into the blue line creek along the north property line is minimized to the maximum extent feasible.

e. *Cultural and Historical Resources*

The project has the potential to result in ground disturbances in an area with potential cultural resource sensitivity.

The general vicinity of the site is considered to be sensitive for archaeological resources based on the general historic settlement patterns of the Chumash Indians and the proximity to a tributary of San Antonio Creek. However, the site is not considered to be of religious or ceremonial significance. There are no known or recorded archaeological sites on the property, based on a records search and review of aerial photographs and the County Archaeological Resource Maps. No known archaeological sites are shown to be located on the site by the County's Archaeological Resource Maps. There are two (2) known archaeological sites within $\frac{3}{4}$ of a mile of the project site

based on the County's Archaeological Resource Maps. No other known sites are located within the project vicinity.

Any ground disturbance for the purpose of grading building pads, access driveways, and septic systems, and constructing structures has the potential for significant impacts associated with uncovering buried artifacts. The potentially significant impact of disturbing such resources would be mitigated with inclusion of a standard discovery measure that requires that if any potential archaeological resources are uncovered during excavation, grading or construction activities anywhere on the property, work would be stopped until the artifacts can be assessed and appropriate activity for their disposition is conducted. Furthermore, a Phase I Archeological Study may be required.

f. Energy

The County has not adopted thresholds for assessing the potential impact significance of new development to existing energy sources. The additional energy demand by the proposed agricultural development would be considered minimal; however, use of energy-conserving techniques is encouraged. Use of the Innovative Building Review Program (see Section V below and attached brochure) and passive solar design are recommended.

g. Fire Protection

The Santa Barbara County Fire Department is responsible for fire protection in the Los Alamos area. Fire response services for the site would be provided by County Fire Station #24 located at 99 Centennial, Los Alamos.

Intensified use of the site as proposed would introduce new potential ignition sources into the area. This constitutes a potentially significant impact. However, installation of utilities provided to the new development underground, would reduce potential impacts to less than significant levels. Therefore, this will be required as a mitigation measure for potential impacts to fire protection.

The following Fire Department requirements, as discussed at the July 29, 2004 SDRC meeting, shall also be included as part of the project:

- a. Buildings must be sprinklered.
- b. Greenhouses must be separated by at least 30 feet.
- c. High Fire Hazard standards apply.
- d. New hydrants required with 1250 gpm minimum flow.
- e. Onsite stored water is required. The volume is dependent on proposed building size.
- f. Gated access must meet Fire Department standards.
- g. Mitigation fees per square footage of proposed structures would be required.
- h. Depict the nearest fire hydrant to the development, the flow rate and pressure of the hydrant
- i. Any additional proposed fire protection measures.
- j. Construction in accordance with the Uniform Fire Code and Uniform Building Code

- k. Payment of standard Fire Department development impact mitigation fees. Please see Section V below for a discussion of potential development mitigation impact fees for the project.

Based upon the pre-application materials submitted, it appears that the project may require design modifications in order to comply with Santa Barbara County Fire District development standards and the standards listed above.

h. Geologic Resources

Impacts as a result of overexcavation and recompaction of the site would be less than significant. A Soils Report would be required to provide further analysis relating to geological constraints including liquefaction, slope stability/landslides, seismicity, expansive soils, compressible-collapsible soils, flood hazard, and potential for high groundwater

i. Hazardous Materials/Risk of Upset

Significant but mitigable impacts may result due to the use, storage, or distribution of hazardous or toxic materials. The proposed nursery/greenhouse may necessitate the storage of fertilizers and small amounts of chemicals (pesticides, fungicides, herbicides, nitric acid, etc.) for plant production purposes. Proposed hazmat storage structures would be required to be designed and constructed to meet all applicable Federal, State, and County hazmat storage requirements.

Accidental spillage or discharge of fuel, chemicals, or fertilizers used in plant production onsite could pose a threat to the public health and safety, especially if such hazardous materials were introduced into any nearby surface water body. Since the risk of an accidental spill or discharge can never be completely eliminated, impacts on the public health and safety posed by the possible storage of hazardous materials onsite would be considered potentially significant but mitigable to acceptable levels.

The applicant should coordinate with the Agricultural Commissioner's office to develop a Hazardous Materials Business Plan to reduce impacts to less than significant levels. The Agricultural Commissioner's office can be reached at 681-5600 (Santa Barbara office) or 934-6200 (Santa Maria office). The County's Environmental Health Services Office (681-4900), the SBFC&WCD (568-3440), the County Water Agency (568-3440), and the Regional Water Quality Control Board (RWQCB) ((805)-549-3147) can assist you in providing information on depth and movement of groundwater, as well as information on groundwater total dissolved solids (TDS) necessary to answer Questions #8 & #9 of the *Greenhouse Supplemental Questionnaire*.

j. Noise

The project may have the potential for long-term exposure of people to noise levels exceeding County thresholds, short-term exposure of people to noise levels exceeding County thresholds, and project-generated substantial increase in the ambient noise levels for adjoining areas.

The site is located adjacent to Highway 101, which generates a 60 dB day-Night Average Sound Level. In planning and land use, 65 dB Day-Night Average Sound Level should be regarded as

the maximum exterior noise exposure compatible with noise-sensitive uses, (i.e., residential units). Although the noise generated by traffic on Highway 101 does not exceed the maximum 65 dB, the close proximity of the proposed dwellings to the highway may result in potential significant impacts. A mitigation measure may be added requiring designing structures so that the interior noise levels attributable to exterior sources do not exceed 45 dB when doors and windows are closed.

Construction would cause short-term noise impacts on nearby receptors. Restricting construction during the daytime and during weekdays would be required to mitigate impacts.

Further information regarding generator use or other noise generating equipment will be required in order to provide a complete analysis regarding project-generated substantial increase in the ambient noise levels.

k. Public Facilities

Proposed development would be served by proposed septic systems and an existing onsite water well. All septic effluent disposal fields must be set back a minimum of 100 feet from the creek. Wastewater discharge (e.g. RO brine, fertilizer tailwater) from this facility may be subject to Wastewater Discharge Requirements (WDRs) issued by the Regional Water Quality Control Board. EHS would also require a Mosquito Management Plan for the proposed basin. You may contact the Regional Water Quality Control Board (RWQCB) at 805-549-3147.

l. Transportation/Circulation/Parking

Vehicular access from Los Alamos and southbound Hwy 101 would be provided by San Antonio Blvd. to an existing frontage road on the north side of Highway 101. Access from northbound Hwy 101 would be provided by Alisos Canyon Road to the frontage road. Development Impact Mitigation Fees on new development would be based on Peak Hour Trips. A traffic generation study must be prepared in accordance with CALTRANS standards in order to determine PHT's. A CALTRANS encroachment permit may be required.

m. Water Resources/Flooding

The proposed project may result in: changes in the rate and amount of surface water runoff; discharge into surface waters; the need for private flood control projects; exposure of property to flooding; change in the quantity of groundwater; a significant increase in the existing overdraft or overcommitment of the San Antonio groundwater basin; and an introduction of storm water pollutants.

The proposed project is located in the San Antonio Groundwater Basin, which is considered to be in overdraft. There is no basin management plan for the San Antonio Groundwater Basin. Mitigation measures to implement water conservation techniques would reduce impacts to significant increases in the existing overdraft of San Antonio Creek

Discharge into the creek as a result of an addition of more impervious area/surfaces on the parcel would have a potentially significant long-term impact on stormwater flow to stormwater quality.

Approximately 1/3rd of the parcel contains a 100-year floodplain. Per the Flood Control District at the July 29, 2004 SDRC meeting, the following would be required:

- a. A retardation basin designed for the 100-year flood must be installed on the project site. The basin must bleed off to the creek.
- b. Department of Fish and Game should be contacted regarding permits for creek outfall.
- c. All residential structures must be at an elevation a minimum of 2 feet above the 100-year flood surface.
- d. Greenhouses must allow for passage of flood waters if located in floodplain. In the alternative, the greenhouse could be flood-proofed.
- e. The Flood Control District will require a maintenance agreement for the basin.

Additional mitigation measures may include use of pervious material for the parking lots or routing stormwater off the parking lots into landscaped areas.

Submittal of a detailed drainage plan and detailed grading plan is required as part of the Development Plan to address the change in runoff quantities and quality associated with the proposed development. The drainage plan should also discuss the existing flood conditions of the parcel. Finally, the drainage plan should show all features designed to control the flow of stormwater off the parcel and to improve water quality.

V. Comprehensive Planning

a. Innovative Building Review Program (IBRP)

You are encouraged to submit the proposal to the County of Santa Barbara's Innovative Building Review Program (IBRP). The IBRP is a *free* program that advises developers on how to make their developments more energy efficient. The advice is in the form of suggestions which will benefit the construction and operation of a development in a number of ways, including energy efficiency and marketability.

The IBRP provides a number of incentives to participants that reach one of three target levels. One of the most well-liked incentives is an expedited review of a development's plan check through the Building & Safety Division. Another incentive is a 50% reduction on the energy plan-check fee. Other incentives are available depending on the target level your development reaches. To reach a target, your development must exceed Title 24 (California Energy Efficiency Standards) by a certain percentage and include additional energy-efficient features outside the purview of Title 24 (e.g., recycled building materials, drought-tolerant or native plants, alternative energy systems). Additional information is provided as Attachment L and at <http://www.countyofsb.org/plandev/bldg-safety/ibrp/default.html>.

b. Policies

Comprehensive Planning has completed a draft policy consistency review for this project. The key policies considered relevant to the proposal are listed below and discussed in relation to the proposed project.

This review includes policies from the Land Use Element, Housing Element, Agricultural Element and Conservation Element and the Uniform Rules for Agricultural Preserve. The policies are grouped according to topic. The proposed project appears to be consistent with the zoning and Comprehensive Plan designation, but may require site design revisions to comply with policies on visual resources, stream protection and other issues.

1. Agricultural Preserve

Agricultural Element

Policy 1.D. The use of the Williamson Act (Agricultural Preserve Program) shall be strongly encouraged and supported. The County shall also explore and support other agricultural land protection programs.

Comment:

The purpose of the Agricultural Preserve Program as set forth in the Williamson Act 1965 is to preserve the maximum amount of agricultural land for the production of agricultural crops. Green houses are an agricultural use allowed in Agricultural Preserves in Santa Barbara County.

However, since the Act is intended to preserve the land, greenhouses are encouraged to retain the soil as much as possible and limit impervious surfaces. So, for instance, many greenhouse operations only paved areas serving as walkways and leave the land where the plants are or under growing tables, exposed. The goal and policies from the Agricultural Element listed below also support this.

Recommended project features:

To demonstrate consistency with the Uniform Rules, please consider incorporating into the project design the following recommendations:

- In order for the property to remain eligible for Ag Preserve status, the proposed development must comply with the Uniform Rules. The applicant should refer to the rules in designing the layout and size of various components of their project. Please be advised that those rules are currently being updated and the requirements may change within the next six months. Currently on prime land under contract a principal residential dwelling may occupy no more than 2 acres or 3 percent of the site whichever is smaller. In this case where the parcel size is about 46 acres the non-agricultural development envelope would be about 1.38 acres. Agricultural employee housing is not included in this area.

2. Agriculture and the environment

Agricultural Element

Goal I. Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be

encouraged. Where conditions allow, (taking into account environmental impacts) expansion and intensification shall be supported.

Policy I.B. The County shall recognize the rights of operation, freedom of choice as to the methods of cultivation, choice of crops or types of livestock, rotation of crops and all other functions within the traditional scope of agricultural management decisions. These rights and freedoms shall be conducted in a manner which is consistent with: (1) sound agricultural practices that promote the long-term viability of agriculture and (2) applicable resource protection policies and regulations.

Policy I.F. The quality and availability of water, air, and soil resources shall be protected through provisions including but not limited to, the stability of Urban/Rural Boundary Lines, maintenance of buffer areas around agricultural areas, and the promotion of conservation practices.

Policy I.G. Sustainable agricultural practices on agriculturally designated land should be encouraged in order to preserve the long-term health and viability of the soil.

Comment:

Goal I and several of its policies express the need to balance agricultural operations with environmental protection. The policies support and encourage agriculture provided it is sited and conducted in a way that minimizes or avoids impacts to the environment and preserves the natural resources including those that agriculture itself depends on. The proposal for intensification of the use of the subject site needs to take into account the underlying soil, the adjacent stream, its location at the edge of Los Alamos and the rural viewshed in which it is located, in the design and siting of structures for agricultural and residential activities. Soils is discussed below; please also see the sections on visual resources and water and streams.

Recommended project features:

To demonstrate consistency with the policies of the Comprehensive Plan, please consider incorporating into the project design the following recommendations:

- To the maximum extent feasible, hardscaped areas (i.e., parking lots, driveways, loading bays, interior walkways in greenhouses, packing and shipping facilities, and accessory building footprints) should be minimized in order to preserve the maximum amount of agricultural soils and reduce the potential for adverse impacts to water quality. Minimizing the covering of soils can be accomplished through efficient site and building design and the use of permeable surfaces wherever feasible.

3. *Visual*

Land Use Element

Visual Resources Policies

2. In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.

4. Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.

Comment:

Although the parcel is outside the Community Plan area for Los Alamos it is close enough to be considered part of the approach to the town. The landscaping plan, design of buildings and site plan should take this into consideration. More importantly, the parcel is in a rural setting highly visible from Hwy 101, a heavily traveled State highway.

Views of the site from the highway, particularly from the northbound lanes approaching from the east need to be considered in the siting of buildings and structures and landscaping. Many greenhouses are constructed of reflective materials and can present a long, blank, glaring wall. The landscaping plan should seek to mute this impact and breakup the extent of the structure with a variety of plant sizes and textures.

Recommended project features:

To demonstrate consistency with the policies of the Comprehensive Plan, please consider incorporating into the project design the following recommendations:

- In relation to views from Hwy 101, the project should be designed to transition from shade structures nearer the highway to larger greenhouse or packing structures in the background. The design of the buildings should avoid an industrial appearance, perhaps incorporating agricultural details suggestive of traditional barns or ranch buildings that are emblematic of the rural character.
- A landscaping plan should provide, to the maximum extent feasible, visual screening of all structures and parking areas from all adjacent public roads and view corridors. The landscape plan should include the following:
 - a. Plants which will reasonably screen the development within five years and which are compatible with the surrounding visual character of the area.
 - b. Landscaping within front setbacks and gradually increasing in height away from public roadways. Solid wall fencing should not be relied upon as a primary means of screening. Where a solid wall or chain-link security fencing is needed, they should be screened from public view corridors by dense landscaping and/or covered with attractive climbing vines.
 - c. Landscaping, fences, and walls should not impede views of scenic areas from public roads, parks or other public viewing areas.

- Exterior lighting should be for specific safety purposes only and should be hooded/shielded to minimize the spread of light off-site and to minimize impacts to the rural nighttime character.
- To the extent feasible, new greenhouse development and packing and shipping facilities should be oriented with the roof axis aligned from north to south to reduce glare impacts.
- Greenhouse or plant protection structures should include a mechanized blackout screen system within growing areas to prevent interior night lighting from being visible outside the structure. If the applicant does not intend to use night lighting, the project description for individual greenhouse projects should clearly state that night lighting within growing areas will not be used.

4. General Development Requirements

Land Use Element

Land Use Development Policies

4. Prior to issuance of a development permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development. The applicant shall assume full responsibility for costs incurred in service extensions or improvements that are required as a result of the proposed project. Lack of available public or private services or resources shall be grounds for denial of the project or reduction in the density otherwise indicated in the land use plan.

(Amended by 93-GP-10, Res. 93-624, 11/23/93) [The last portion of this policy is not applicable to this proposal.]

Comment:

It is presumed that most services such as water and waste disposal will be provided for on site by the applicant, but the application materials will need to provide information on these facilities along with supporting evidence of their adequacy for the proposed project.

One public service that will be provided is road access. This is discussed under traffic below.

5. Water and Streams

Land Use Element

Hillside and Watershed Protection Policies

2. All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not

suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

6. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Water runoff shall be retained onsite whenever possible to facilitate groundwater recharge.

7. Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

Streams and Creeks Policy

1. All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.

Flood Hazard Area Policies

The intent of the Flood Hazard Area policies is to avoid exposing new developments to flood hazards and reduce the need for future flood control protective works and resulting alteration of stream and wetland environments by regulating development within the 100 year flood plain.

1. All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless off-setting improvements in accordance with HUD regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.

2. Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e., dams, stream channelizations, etc.

Comment:

The northern third of the site adjoining the creek is within the 100-year flood zone and therefore the stream corridor. No habitable structures such as the proposed employee housing should be located here, or if so it would need to be designed according to County Flood Control Ordinance requirements. The site plan also shows a warehouse to be located near the stream – what is the intended use of the warehouse? If people would be working in this structure it may need to be relocated. If chemicals, vehicles or fuel would be stored

here, the applicant will need to demonstrate how they will prevent these substances from entering the nearby creek.

Agricultural and other development within the San Antonio Creek watershed have contributed to erosion and sedimentation impacts to the creek. The applicant should consider incorporating restoration planting, bio-swales or other erosion-control features that would help minimize erosion and sedimentation impacts to San Antonio Creek from on-site uses.

Recommended project features:

To demonstrate consistency with the policies of the Comprehensive Plan, please consider incorporating into the project design the following recommendations:

- Compost, fertilizer and pesticides should be stored in a manner that minimizes generation of leachate and polluted runoff. The storage area would need to be covered to minimize the exposure of these materials to stormwater. In addition, compost piles and fertilizer storage areas should be located outside of the 100-year flood plain.
- To the maximum extent feasible, vegetative cover should be provided in areas of non-structural development to encourage storm water infiltration and reduce runoff from hardscaped areas.

Conservation Element – Groundwater Resource Section

The proposed project is located in the San Antonio Groundwater Basin. At the time the Groundwater Resource Section was prepared (1994) the basin was considered to be in overdraft but it was anticipated that Vandenberg AFB would soon receive State water which would reduce thought not entirely alleviate the overdraft. There is no basin management plan for the San Antonio Groundwater Basin. While most policies in this section of the Conservation Element either apply to actions of the County or to areas with a basin management plan the following policy does apply:

Policy 1.2: The County shall encourage innovative and/or appropriate, voluntary water conservation activities for increasing the efficiency of agricultural water use within the County.

Comment:

In designing the irrigation systems for the greenhouses and shade structures, as well as water systems for residential structures and employee facilities, the applicant is urged to consider options that will minimize water use, such as closed or re-circulating systems; grey-water systems and measures that reduce evaporation. Promotion of recharge of the groundwater basin should also be considered in site design including minimizing impervious surfacing, allowing recharge from greenhouse operations and retaining or

restoring native riparian vegetation along the stream or any drainage swales to retard run-off and allowing increased percolation.

6. *Agricultural Employee Housing*

Housing Element

Policy 1.5: Other Employee Housing. The county shall support the efforts of employers in the development of on- or near-site employee housing.

Policy 2.2: Farm Employee Housing. The county shall promote and facilitate development of farm employee housing on agriculturally zoned land (including single family dwellings, mobile homes, and group quarters such as bunk houses or dormitories). Developers of such projects shall not be limited to farm worker employers.

Comment:

The applicant will need to provide additional information regarding the number of employees associated with the proposed project. Based on the limited supply of affordable housing within the Los Alamos area, the applicant is encouraged to provide additional on-site agricultural employee housing. The County Housing and Community Development Department (CHCD) is available to assist the applicant to identify any grant funds that may be available for agricultural employee housing on the site.

7. *Traffic and Parking*

Depending on the number of employees and volume of business, this project could potentially generate numerous vehicle trips which would have an impact on the intersection of the frontage road and the northbound off-ramp for Hwy 135. The traffic might also impact the mobile home park adjacent to this intersection. A trip generation study will need to be performed. The following policies from the Circulation Element could apply to this proposed project.

Circulation Element

A. The roadway classifications, intersection levels of service, and capacity levels adopted in this Element shall apply to all roadways and intersections within the unincorporated area of the County, with the exception of those roadways and intersections located within an area included in an adopted community or area plan. Roadway classifications, intersection levels of service, and capacity levels adopted as part of any community or area plan subsequent to the adoption of this Element shall supersede any standards included as part of this Element.

E. A determination of project consistency with the standards and policies of this Element shall constitute a determination of project consistency with the Land Use Element's Land Use Development Policy #4 with regard to roadway and intersection capacity.

Comment:

The applicant will need to identify the classification for the frontage road and comply with all the appropriate standards. Please refer to pages 182-184b of the Circulation Element. The intersection of the frontage road and the Hwy 101 off-ramp to Hwy 135 falls within the Los Alamos Community Plan area and any relevant policies will apply. Los Alamos Community Plan policies relevant to this project include:

Policy CIRC-LA-1.4: A determination of consistency with the standards and policies of this Community Plan Circulation Section shall constitute a determination of consistency with Land Use Development policy #4 with regard to roadway and intersection capacity.

Policy CIRC-LA-1.5: The minimally acceptable Level of Service (LOS) on roadway segments and intersections in the Los Alamos Planning Area is "C".

VI. Submittal Requirements

As was discussed in the various sections of this letter, the following additional information should be included as your formal application submittal:

- Proof of Parcel Validity prior to application submittal of the Development Plan. Please contact the Surveyor's Office.
- An application for a Development Plan and Conditional Use Permit
- The following information is required per Art. III, Sec. 35-317.3 Contents of Preliminary Development Plan.
 - a. A site plan of the proposed development drawn in graphic scale showing (*Amended by Ord. 4087, 12/15/92*):
 - 1) Gross and net acreage and boundaries of the property (*Amended by Ord. 4319, 6/23/98*)
 - 2) Location of areas of geologic, seismic, flood, and other hazards
 - 3) Location of areas of prime scenic quality, habitat resources, archaeological sites, water bodies, and significant existing vegetation
 - 4) Location of all existing and proposed structures, their use, and square footage of each structure
 - 5) All interior circulation patterns including existing and proposed streets, walkways, bikeways, and connector roads and other major highways
 - 6) Location of all utilities (*Amended by Ord. 4319, 6/23/98*)
 - 7) Location and use of all buildings and structures within 50 feet of the boundaries of the property
 - 8) Location and amount of land devoted to public purposes, open space, landscaping, and recreation
 - 9) Location and number of parking spaces
 - 10) All easements.

- b. A topographic map that meets Planning and Development's requirements including existing natural and proposed contours. *(Amended by Ord. 4319, 6/23/98)*
 - c. Proposed drainage system.
 - d. Proposed (schematic) building elevations, including building height(s) and other physical dimensions drawn in graphic scale *(Amended by Ord. 4087, 12/15/92)*.
 - e. Statistical information including the following:
 - 1) Number and type of dwelling units in each building, i.e., single family dwelling, condominium, apartment, etc., and number of bedrooms in each unit.
 - 2) Square footage and percentage of total net land area of the property devoted to landscaping and open space.
 - 3) Total number of parking spaces and parking ratio - parking spaces per building square foot, number of employees or dwelling units, whichever is applicable.
 - 4) Total square footage of gross floor area of all stories, and percent of total net land area of the site covered by buildings.
 - 5) Estimated number of potential residents in each residential category.
 - 6) Number of employees and number of proposed new employees, if applicable.
 - 7) Average slopes. *(Amended by Ord. 4319, 6/23/98)*
 - 8) History of water use on the property measured in acre feet per year for the preceding ten (10) years, when available. *(Added by Ord. 4087, 12/15/92)*
 - f. Aerial photograph of the property and surrounding parcels, when available. *(Added by Ord. 4087, 12/15/92)*
 - g. Demonstration of a validly created parcel and graphic configuration of such legal parcels. *(Added by Ord. 4087, 12/15/92)*
 - h. A statement of intent with respect to the establishment of utilities, services, and facilities including water, sewage disposal, fire protection, police protection, schools, and transportation, i.e., access, proximity to public transit, or provision of bike lanes, etc.
 - i. Measures to be used to prevent or reduce nuisance effects, such as noise, dust, odor, smoke, fumes, vibration, glare, traffic congestion, and to prevent danger to life and property.
 - j. If development is to occur in stages, the sequence and timing of construction of the various phases.
 - k. Proposed public access or recreational areas, trails, or streets to be dedicated to the County.
- In addition, the following site-specific information must be provided on the site plan in addition to the required information listed above:
 - The minimum 50-foot setback from top of creek
 - Proposed retardation basin.
 - Flood plain (100-year)
 - All proposed structures, including proposed use, square footage, finished floor elevation, and distance from property lines and creek.
 - New hydrants required with 1250 gpm minimum flow.
 - Location of onsite stored water required. Volume dependent on proposed building size.
 - Location of all proposed septic systems, leach fields, and septic effluent disposal fields.

- Any onsite electrical generators
- Any storage of gasoline or diesel
- Any other process or equipment that can emit air contaminants

- An application for review and approval by the Board of Architectural Review (BAR).
- An application for review and approval by the Agricultural Preserve Committee
- Traffic generation study prepared in accordance with CALTRANS standards required.
- Grading and drainage plan for the project. This plan may be phased if the facility is not to be built at one time.
- Soils report
- Storm Water Pollution Prevention Plan (SWPPP) for construction required by RWQCB
- List of all combustion equipment (Boilers, water heaters, IC engines, etc.) and their operational schedules and fuel use (under reasonable worst case annual and daily conditions).
- Lighting plan including the number, placement, and wattage of interior lights and external lighting plan showing fixture type, intensity, type of luminaire, and height of mounting standard.
- Hazardous Materials Business Plan including a complete listing and quantity of chemicals (fertilizers, salts, corrosion inhibitors, etc.) that are expected to be used in the greenhouse operation.
- Greenhouse Supplemental Questionnaire and Agricultural Activities Supplement
- Landscape planting plan including the numbers, types, and sizes at installation, of all proposed plant materials along with any existing plants to remain.
- Proposed colors, materials, and design of all structures
- Initial Field Assessment for California Tiger Salamander (CTS)

VII. Summary

I hope that the pre-application meeting and this follow-up information will assist you with your proposal. Please keep in mind that the analysis is based on preliminary information received, and may be subject to change depending on the timing of the application, additional information that becomes available, or changes to policies and regulations that may be in effect at that time.

Sincerely,

Lilly Okamura, Planner
Development Review Division

cc: Heung Bok Lee, 4375 Franklin Road, Santa Maria, CA 93455
Don Donaldson, Penfield and Smith, P.O. Box 98, Santa Barbara, CA 93102
Justin P. Height, Penfield and Smith, 217 West Central Ave., Lompoc, CA 93436
David Lackie, Comprehensive Planning
Records Management
Accounting
Case file

Enclosures:

- A. Article III Inland Zoning Ordinance, Section 35-217, AG-II Zone District
- B. Article III Inland Zoning Ordinance, Division 6, Parking Regulations
- C. List of County-approved Biologists
- D. Development Plan Application Form and Instructions
- E. Greenhouse Supplemental Questionnaire
- F. Agricultural Activities Supplement
- G. Hazardous Waste/Materials Supplement
- H. Application Form for BAR Review
- I. Agricultural Preserve Committee review application
- J. Article III Inland Zoning Ordinance, Section 35-317 Development Plans
- K. Article III Inland Zoning Ordinance, Section 35-315, Conditional Use Permits
- L. Innovative Building Review Program Brochure
- M. July 29, 2004 Subdivision Review Committee minutes