

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**

**ACTION SUMMARY**

**November 05, 2001**

**COUNTY ADMINISTRATION BUILDING  
BOARD HEARING ROOM, FOURTH FLOOR  
105 EAST ANAPAMU STREET, SANTA BARBARA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at:  
[www.countyofsb.org](http://www.countyofsb.org)

**Roll Call**

Present: Supervisor Gray, Supervisor Marshall, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske

**9:30 AM**

- 1) PLANNING AND DEVELOPMENT [File Reference No. 01-01319](#)

HEARING - Consider the introduction (First Reading) of an ordinance, recommended by the Planning Commission, to amend the Santa Barbara County Code, adding a new Chapter 25B, entitled Change of Owner, Operator or Guarantor for Certain Oil and Gas Facilities.

**A motion was made by Supervisor Schwartz, seconded by Supervisor Marshall, that this matter be Withdrawn from the agenda. The motion carried unanimously.**

- 2) PLANNING AND DEVELOPMENT [File Reference No. 02-00116](#)

HEARING - Consider recommendations regarding the Toro Canyon Plan, First District, as follows:

a) Receive staff presentation and public testimony and take conceptual action as appropriate on issues relating to the Toro Canyon Plan, as follows (ALL TIMES ARE APPROXIMATE)

I. Biological Resources & ESH Overlay (staff presentation, public comment, Board direction)

Conclusion: Discussion of date for final hearing on the Toro Canyon Plan;

b) Certify the Final EIR dated June 2000 along with an appropriate Addendum addressing the possible environmental effects of changes to the initiated Preliminary Draft Plan including the

Board's final action in adopting the Toro Canyon Plan;

c) Adopt the Planning Commission Recommended Draft Toro Canyon Plan dated April 2001, subject to the Board's consideration of additional recommendations from staff and with any additional changes that may be directed by the Board;

d) Adopt a Resolution and Ordinances amending the Local Coastal Program (Land Use Plan and Article II Zoning Ordinance text and maps);

e) Adopt Resolutions and Ordinances amending the Land Use Element, Circulation Element, and Article III Zoning Ordinance text and maps;

f) Adopt appropriate Findings, Statement of Overriding Considerations, and Mitigation Monitoring & Reporting Plan supporting the Board's final action in adopting the Toro Canyon Plan.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

*Conceptually Approved.*

1) *Conceptually approve the ESH-TCP Overlay Map reflected in Attachment 1 to the November 5, 2001 staff report. This includes a new note in the areas of biological merit stating "within these areas, the mapped ESH extent along streams is intended to represent the 'Top of Creek Bank' only; the extent of any associated riparian habitat must be determined by site-specific review."*

2) *Conceptually approve the TCP Biological Resources Section goals, policies, development standards and actions as contained in the April 2001 Planning Commission Recommended Toro Canyon Plan, with the following revisions:*

a) *Reinsert the definition of top of creek bank that was previously in the Plan during the Planning Commission hearings contained within DevStd BIO-TC-2.1:*

*Top of creek bank is identified differently by the Flood Control District for flood control and the Environmental Health Department for the location of septic systems. For the purposes of habitat protection policies in the Plan, the top of creek bank shall be defined as the recognized geologic top of slope.*

b) *Revise DevStd BIO-TC-2.2 and Action BIO-TC-2.3 to replace "non-invasive native" to "non-invasive native" plants.*

c) *Revise DevStds BIO-TC-5.1 & BIO-TC-7.5 to replace "dwelling units" with "residential structure as defined in the TCP Overlay."*

d) *Revise Policy BIO-TC-6 to state that "all residential structures deemed nonconforming shall be allowed to be reconstructed pursuant to the nonconforming regulations contained in the zoning ordinance, Article II (Sec.35-162) and TCP overlay".*

e) *Revise Policy BIO-TC-10 to state that "all residential structures deemed nonconforming shall be allowed to be reconstructed pursuant to the nonconforming regulations contained in the zoning ordinance, Article III (Sec. 35-307) and TCP overlay".*

3) *Direct staff to clarify use of Holland classification in the appendix identifying biological resource definitions from the EIR.*

4) *Direct staff to add to Policy BIO-TC-1 or as a subsequent development standard language to the effect that: "In resolving conflicts between Coastal Act policies pursuant to Coastal Act section 30007.5, the County should ensure that essential infrastructure for existing agricultural production is protected and maintained."*

5) *Direct staff to include a note on the ESH map clarifying that existing agricultural infrastructure does not constitute ESHA (e.g. agricultural roads, wells).*

6) *Direct staff to consult with the 3197 Padaro Lane property owners to assess location of existing trees and property lines, and make recommendation for monarch butterfly habitat designation.*

7) *Direct staff to draft language providing existing nonconforming agricultural structures the same protection as nonconforming residential structures and analyze the precedent for future Board consideration.*

A motion was made by Supervisor Schwartz, seconded by Supervisor Urbanske, that this matter be Continued, as follows: Monday, January 22, 2001

The motion carried by the following vote:

Ayes: 3 - Supervisor Marshall, Supervisor Schwartz and Supervisor Urbanske

Absent: 2 - Supervisor Gray and Supervisor Rose

**2:00 P.M.**

3) **PLANNING AND DEVELOPMENT**

[File Reference No. 02-00208](#)

HEARING - Consider recommendations regarding the Carpinteria Valley Greenhouse Program, as follows: (EST. TIME: 3 HRS.)

a) Conceptually approve ordinance amendments (99-OA-005 - Attachment D) to the Coastal Zoning Ordinance (Article II of Chapter 35 of the Santa Barbara County Code) including:

i) Amend Division 1, General, §35-53 to add a new overlay district (Carpinteria Agricultural (CA) Overlay District);

ii) Amend Division 2, Definitions, §35-58, to add definitions for greenhouses and related structures;

iii) Amend Division 4, Zone Districts, to add language to permitted uses in AG-I zone district referring greenhouse development in the Carpinteria Valley to the CA Overlay District;

iv) Amend Division 5, Overlay Districts, to add a new Carpinteria Agricultural (CA) Overlay District (Section 35-102E);

v) Amend Division 10, Nonconforming, §35-162, to add language that would allow nonconforming greenhouse structures to be rebuilt in the event of damage in the CA Overlay District;

b) Conceptually approve (99-GP-007 - Attachment F) to adopt new Coastal Land Use Plan Policies 8-5 (j) and (k); and amendments to Policy 8-6 and Section 4.2.2;

c) Direct staff to return to the Board of Supervisors with a final CA Overlay District ordinance and map, supporting final EIR and revisions, and all necessary findings, overriding considerations, and resolutions needed for final adoption in December 2001.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Rose, seconded by Supervisor Urbanske, that this matter be Continued, as follows: December 3, 2001. The motion carried by the following vote:

Ayes: 4 - Supervisor Marshall, Supervisor Rose, Supervisor Schwartz and Supervisor Urbanske

Absent: 1 - Supervisor Gray

**Adjourn to November 6, 2001**

**COUNTY ADMINISTRATION BUILDING**  
**BOARD HEARING ROOM, FOURTH FLOOR**  
**105 E. ANAPAMU STREET, SANTA BARBARA**

**Announcements**

**<http://www.countyofsb.org>**