

O.P.E.N.

Open-space Preservation Education Network

A project of the Environmental Defense Center

To: Santa Barbara County Board of Supervisors

Santa Barbara County, Office of Long Range Planning
30 E. Figueroa Street
Santa Barbara, CA 93101

October 9, 2009

Re: Proposed Final Mitigated Negative Declaration, 08NGD-00000-00013, Firestone Special Events and Consistency Rezone (07CUP-00000-00026 and 07RZN-00000-00004)

Honorable Board of Supervisors:

The following comments are submitted by the Open-space Preservation Education Network (OPEN) project of the Environmental Defense Center (EDC) in response to the Proposed Final Mitigated Negative Declaration, 08NGD-00000-00013 for the Firestone Special Events and Consistency Rezone (Project) and the Planning Commission's 2008 recommendation to the Board of Supervisors (BOS) to adopt the ND and its conditions and findings. The purpose of the OPEN project is to engage all interested sectors of our communities in a dialog about developing policies and programs to protect agricultural and open space lands and the urban-rural interface. OPEN assesses general plan policies and related ordinances as well as local efforts that seek to protect agricultural resources, and monitors County-wide proposals and individual precedent-setting projects with the potential to convert open space and agriculture. This approach includes a comprehensive analysis of policy tools to support the preservation of rural lands and agricultural operations, open space, and the urban-rural boundary. OPEN has developed the following comments on the Project raising questions and concerns that should be addressed prior to the BOS's final consideration of the project.

OPEN typically does not comment on individual projects, with the exception of those that may potentially set County-wide precedents for issues related to agriculture and the preservation of open space. The Project before the BOS does have the potential to set an undesirable precedent that would introduce conflicts with active agricultural uses via intensification and on-going allowances for a large number of non-ag related special events on ag-zoned properties in the entire County. If allowed, this would potentially lead to the County-wide conversion of

agriculture land into commercial uses. There are several concerns that specifically support this assertion, itemized below:

*The Project would introduce conflicting uses on ag-zoned land that would not be compatible with on-going agricultural operations by introducing commercial operations (events center) onto ag-zoned land.

*The Project would utilize a currently non-permitted structure that is specifically allowed under the LUDC to support ag-related uses *for a non-ag use* (event center). This would set a precedent that condones the use of ag structures (including those that were not originally properly permitted) for ongoing non-ag uses by the County.

* The Project would potentially create a County-wide precedent for intensification of ag uses that would ultimately reduce agricultural viability, increase land use conflicts, and incentivize agricultural landowners to reduce/abandon their agricultural operations. Events that are allowed via a CUP on ag-land that are NON ag-related must be assessed to determine what an appropriate level of ongoing use might be that avoids conflict and the ultimate conversion of ag land to commercial uses. The incentive to continue in active ag operations could be severely compromised if too many non-ag supporting special events are allowed. Since the income generated by allowing an events center would most likely far surpass any income received from agriculture, the Project sets a dangerous precedent for the conversion on ag lands to these types of intensive commercial uses for economic gain.

*The most important potential environmental impacts generated from the Project are cumulative in nature; however, these impacts have not been adequately addressed (and in some cases completely ignored) in the ND. These include long-term impacts to agriculture from the ongoing use of ag-related structures for events that do not relate to agriculture, the potential for County-wide cumulative traffic, noise, lighting, and other visual impacts, and the potential for these events to ultimately introduce land use conflicts onto ag-zoned lands such that continued ag operations would be severely impacted. For example, if the Project is approved, it would allow up to 623 traffic trips on a SINGLE DAY, which would likely conflict with the safe truck transport of agricultural goods to and from agricultural lands, thereby creating traffic and safety impacts. This level of traffic for the Project would also exceed Congestion Management Plan thresholds. Additionally, there is no cumulative discussion about how these types of uses would impact surrounding ag lands that are in Williamson Contract.

If this Project is approved, it can be expected that numerous similar-intensity projects would be proposed County-wide on ag lands. The cumulative impacts of allowing this level of intensity on an ag-zoned parcel must be carefully considered and the long-term implications fully understood by the entire community. For example, what would happen in areas such as the Gaviota Coast, Carpinteria, and other areas containing numerous ag-zoned parcels if this level of

intensity were to begin to occur on County-wide ag-zoned parcels? A regional capacity study should be prepared to determine what the appropriate number of allowed non-ag related CUP special events is for the entire region, not only for its potential cumulative environmental impact, but also related to the long-term preservation of agriculturally-zoned land.

Project-Specific Environmental Concerns:

The Project request is for an annual maximum of 20 commercial special events per year and up to five charitable special events per year (with a maximum of two charitable events per calendar month) and a maximum of 250 attendees per event.

Conversion of ag: The Project would utilize a currently irrigated field to provide “overflow parking”. With up to 8 events per month, this would essentially remove this prime land from agricultural production and change it to a defacto parking lot. This is a significant agricultural impact that must be analyzed in the ND.

Land Use: Land Use compatibility impacts from amplified music for the proposed project must be assessed, especially given the fact that a neighbor has already complained about noise generated from previously unpermitted special events that have occurred on the property. The noise under the Project could occur well into the evening hours on both weekdays (9 p.m.) and weekends (10 p.m.). Noise in rural areas carries, particularly where the topography carries sound upward. The ND still currently states in portions of its analysis that the Conditional Use Permit would allow a maximum of 32 annual one-day special events as follows:

- (1) Thirty events with a maximum of 250 guests
- (2) Two large events with a maximum of 1,500 guests on weekend days

Examples of types of events would be weddings, luncheons, club or association dinners, and school fundraisers.

Events would be limited to a total of eight in any month.

Events would occur predominantly on weekend days, but may also be during weekdays.

Events would be limited to the hours of 8:00 a.m. to 10:00 p.m. Sundays through Thursdays, and 8:00 a.m. to 11:00 p.m. on Fridays and Saturdays.

This level of use is extremely intense and must be further analyzed for its traffic, noise, ag conflict and other environmental impacts. Further, the Project would “legalize” a pole barn that is obviously has not been used to support ag uses, and a restroom to support an “events center”. Also, since fire protection services are not readily available and are outside the fire department’s required response time for new projects, there is potential to introduce additional fire hazards into the area (intoxicated guests smoking, candles used for lighting, sparks from cars parking in the pasture, etc.).

Mandatory Findings of Significance: There is no discussion of mandatory findings of significance in the ND, particularly with regard to long-term impacts to ag and the potential cumulatively considerable impacts of the Project.

Policy Consistency: There are policy consistency issues related to noise-sensitive land uses, especially given that fact that past events have already disturbed a neighbor. The Ag Element requires via **Policy #IA that: *The integrity of agricultural operations shall not be violated by recreational or other non-compatible uses.*** The proposed project would likely compromise the integrity of the agricultural operation of the property, and must be analyzed in the ND.

We appreciate the opportunity to provide comments on the Project, and look forward to a response to the comments raised in this letter. The long-term implications of this Project are of great importance to the continued viability of agriculture throughout the County, and should be carefully considered.

Most Sincerely,

Via E-mail

Christina McGinnis, OPEN Project Director