



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning and Development
Department No.: 053
For Agenda Of: December 8, 2009
Placement: Set Hearing for January 12, 2010
Estimated Tme: 1 Hours
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Planning and Development
Director Glenn Russell, PhD., Director (568-2085)
Contact Info: Doug Anthony, Deputy Director, (805) 568-2046
Development Review Division – North County
SUBJECT: Set Hearing for Chisan Nursery Appeal of Planning Commission Approval of the Chisan Nursery Development Plan

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

Set a hearing for January 12, 2010 to consider the appeal filed by the Ray Severn, Penfield and Smith, agent for Chisan Nursery (case no. 09APL-00000-00028) of the County Planning Commission's October 26, 2009 approval (07DVP-00000-00035), Assessor's Parcel Number 133-130-009, located at 9676 Harvest Road, in the Los Alamos area, Third Supervisorial District. (Time Estimate 1 hours).

Summary Text:

A. Proposed Project

The project includes the legalization of four existing unpermitted greenhouses totaling approximately 1,079,917 square feet (368,359 square feet, 378,376 square feet 285,912 square feet and 47,270 square feet) to be used for the cultivation of orchids.

The proposed project also includes the legalization of three decks/porches of 132 square feet for a total of 396 square feet, two 60 square feet storage shed attached to the modular units for a total of 120 square feet, a potting shed of 1,440 square feet, a pump house of 147 square feet, an addition to the existing 726 square foot storage shed of 475 square feet and a storage building of 3,564 square feet. The project also

includes a loading dock, three detention basin, and roadway improvements. The proposed project will be for wholesale use only and not open to the public.

The following structures currently exist on the parcel: unpermitted greenhouses, and three permitted employee dwelling trailers with unpermitted porches and sheds and a 1,200 square foot storage building.

B. Background

On December 20, 2007 a Development Plan application was submitted for an as built orchid nursery. On October 26, 2009 the Planning Commission approved the project subject to the revised conditions submitted at the hearing.

Appeal Issues:

Staff Analysis to follow in Departmental Board Letter.

Fiscal and Facilities Impacts:

Budgeted: Yes

The cost to process this appeal is partially offset by the \$643 appeal fee paid by the appellant per the Planning & Development Department fee schedule in effect on the date that the appeals were filed (Resolution 09-005 adopted by the Board of Supervisors on January 27, 2009). The fee was collected from the appellant, Chisan Nursery. The remaining cost of processing the appeal is budgeted in the Permitting and Compliance Program of the Development Review Division – North on page D-312 of the adopted budget for Fiscal Year 2009/2010. There are no facilities impacts. Estimated staff time to process the appeal and prepare for and attend the hearing before the Board of Supervisors is approximately 30 hours for an estimated cost of \$4,600.00.

Special Instructions:

Clerk of the Board shall publish a legal notice in the Santa Maria Times and shall complete the mailed noticing requirements for the project at least ten (10) days prior to the January 12, 2010 hearing (mailing labels attached).

Clerk of the Board shall forward a copy of the Minute Order and copies of the legal notice and proof of publication to Planning & Development, Hearing Support Section, Attention: David Villalobos.

Authored by:

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