

**SANTA BARBARA COUNTY PLANNING COMMISSION  
Coastal Zone Staff Report for Van Wingerden Greenhouses**

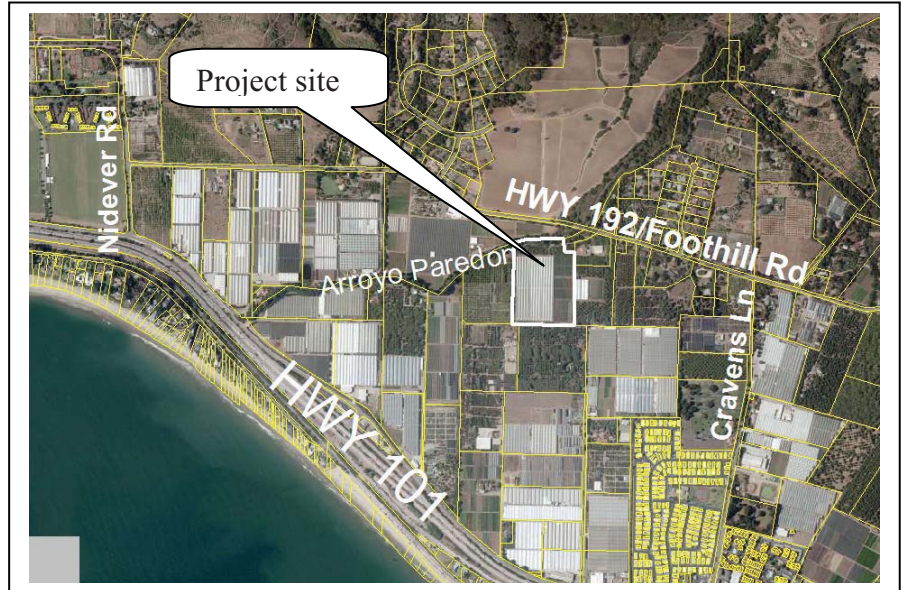
**Hearing Date:** December 4, 2013  
**Staff Report Date:** November 14, 2013  
**Case No.:** 11RZN-00000-00001, 10DVP-00000-00010  
and 11CDP-00000-00009

**Deputy Director:** Alice McCurdy  
**Division:** Development Review South  
**Supervising Planner:** Anne Almy  
**Supervising Planner Phone #:** 568-2053  
**Staff Contact:** Julie Harris  
**Planner's Phone #:** 568-3518

**Environmental Document:** CEQA Addendum

**OWNER/APPLICANT:**  
Rene and June Van Wingerden  
Ocean Breeze Nursery  
4444 Foothill Road  
Carpinteria, CA 93013  
(805) 684-1747

**AGENT:**  
Bradley R. Miles  
Permit and Land Use Consultant  
P. O. Box 183  
Carpinteria, CA 93014  
(805) 684-4268



This site is identified as Assessor's Parcel Number 005-310-024, located south of Foothill Road (State Route 192) between Nidever Road to the west and Cravens Lane to the east, in the Toro Canyon Area, Carpinteria, First Supervisorial District.

**Application Complete:** March 8, 2011  
**Processing Deadline:** 60 days from CEQA Guidelines §15164 Determination

## 1.0 REQUEST

Hearing on the request of Bradley R. Miles, agent for the owners Rene and June Van Wingerden, to consider the following:

- a) **Case No. 11RZN-00000-00001** [application filed on January 19, 2011], for approval of a Zoning Map Amendment to remove a Carpinteria Agricultural Overlay view corridor designation from Assessor's Parcel No. 005-310-024 in compliance with Section 35-180 of the Article II Coastal Zoning Ordinance;

- b) **Case No. 10DVP-00000-00010** [application filed on June 4, 2010], for approval of a Final Development Plan in compliance with Section 35-174 of the Article II Coastal Zoning Ordinance, on property zoned AG-I-10, to authorize 264,500 sq. ft. of unpermitted greenhouse development to 122,100 sq. ft. of permitted greenhouses on the property with a Development Plan modification to modify several parking requirements for greenhouses;
- c) **Case No. 11CDP-00000-00009** [application filed on February 16, 2011], for a Coastal Development Permit in compliance with Section 35-169.4.3 of the Article II Coastal Zoning Ordinance, on property zoned AG-I-10 to authorize 264,500 sq. ft. of unpermitted greenhouse development to 122,100 sq. ft. of permitted greenhouses on the property; and
- d) To accept the Addendum to the Revised Final Environmental Impact Report (99-EIR-02 RV 1) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. There are no new significant environmental impacts as a result of this request. The Revised Final EIR identified significant effects on the environment in the following categories: Visual Resources, Water Quality and Groundwater, Flooding and Drainage, Land Use and Agriculture, Traffic, Air Quality, Noise, and Biological Resources.

The Addendum to the Revised Final EIR (99-EIR-02 RV 1) and all documents referenced therein may be reviewed at the Planning and Development Department, 123 E. Anapamu Street, Santa Barbara and on the Planning and Development website, <http://www.sbcountyplanning.org/projects/11RZN-00001Greenhouses/index.cfm>. The application involves AP No. 005-310-024, zoned AG-I-10 with a Carpinteria Agricultural Overlay, located south of Foothill Road in the Toro Canyon area, First Supervisorial District.

## 2.0 RECOMMENDATION AND PROCEDURES

Follow the procedures outlined below and recommend that the Board of Supervisors conditionally approve Case Nos. 11RZN-00000-00001, 10DVP-00000-00010 and 11CDP-00000-00009 marked "Officially Accepted, County of Santa Barbara December 4, 2013, County Planning Commission Attachment H", based upon the project's consistency with the Comprehensive Plan, including the Coastal Land Use Plan and the Toro Canyon Plan, and based on the ability to make the required findings.

Your Commission's motion should include the following:

1. Recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of this staff report, including CEQA findings.
2. After considering the environmental review documents (Addendum dated December 4, 2013, included as Attachment D, together with previously certified Revised Final Environmental Impact Report 99-EIR-02 RV1), recommend that the Board of

Supervisors determine that, as reflected in the CEQA findings, no subsequent Environmental Impact Report shall be prepared for this project.

3. Recommend that the Board of Supervisors approve the Zoning Map Amendment, 11RZN-00000-00001, included as Attachment F to this staff report.
4. Recommend that the Board of Supervisors approve the project, 10DVP-00000-00010 (with a Development Plan modification to parking requirements) and 11CDP-00000-00009, subject to the conditions of approval included as Attachments B and C of this staff report.

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings and conditions.

### **3.0 JURISDICTION**

This project is being considered by the County Planning Commission based on Article II, Section 35-180 (Amendments to a Certified Local Coastal Program), which states that the Planning Commission reviews zoning map amendments and provides a recommendation to the County Board of Supervisors, who are the final County decision makers. The California Coastal Commission has final approval authority over zoning map amendments in the Coastal Zone.

Article II, Section 35-174.2.4 states that all Development Plans (and concurrent Coastal Development Permits) outside the jurisdiction of the Director or the Zoning Administrator shall be within the jurisdiction of the Planning Commission. The project does not meet the criteria listed under Section 35-174.2 for the decision maker to be either the Director or the Zoning Administrator.

Pursuant to Article II, Section 35-144B, when two or more applications are submitted that relate to the same development project and the individual applications would be under the separate jurisdiction of more than one decision-maker, all applications for the project shall be under the jurisdiction of the decision maker with the highest jurisdiction. Therefore, as the Board of Supervisors is the County decision-maker with the highest jurisdiction, the Planning Commission shall make an advisory recommendation to the Board of Supervisors on the project.

### **4.0 ISSUE SUMMARY**

On January 4, 2010, the County received a report of a possible zoning violation on the property. Upon investigation it was determined that 264,500 sq. ft. of the existing 386,600 sq. ft. of greenhouses on the property were not permitted. The County determined that a zoning violation existed and assigned case number 10ZEV-00000-00002. The site has land use and zoning designations for agriculture. The site is also subject to the Carpinteria Agricultural (CA) Overlay, Area A. Area A is designated for the expansion of greenhouse development subject to

an overall development cap of 2.75 million sq. ft. However, the site is also identified as a view corridor parcel on the CA Overlay map. The view corridor designation of the CA Overlay limits the total square footage of greenhouse development on a legal parcel to 25% of the net lot area. Thus, under the CA Overlay requirements, a maximum of 148,703 sq. ft. of greenhouse development would be allowed on the subject parcel.

The applicant proposes to keep all of the existing 386,600 sq. ft. of greenhouses and to that end requests a Zoning Map Amendment to remove the view corridor designation from the subject parcel. Removal of the view corridor designation would remove the 25% lot coverage limitation and would increase the maximum allowable height from 25 feet to 30 feet.

Eleven parcels within Area A of the CA Overlay map are identified as view corridor parcels. The purpose and intent of the designation is to preserve important public view corridors within Area A to the greatest extent feasible, and to minimize fragmentation of two remnant blocks of contiguous open field agriculture between existing greenhouse development.

The reasons to support the Zoning Map Amendment are discussed in Section 6.3.1 of this staff report. In sum, the proposed amendment would be consistent with the purpose of the CA Overlay. Removal of the CA Overlay view corridor designation from this parcel would not have adverse impacts to public views as the parcel is minimally, and not critically, visible from public viewing areas. It would not fragment large blocks of contiguous open field agriculture as the subject parcel is located at the northeast corner of an eight-parcel view corridor area, permitted greenhouses have been in operation on the site for approximately 40+ years, and the additional greenhouse development would be clustered adjacent to these greenhouses. The request would support intensification of agriculture and maximize cultivation of crops that grow well in greenhouses.

The EIR Addendum (Attachment D) concludes that these changes would not cause new significant environmental impacts and would not cause an increase to the level of severity of the impacts identified in the Final EIR certified for the Greenhouse Program (i.e., adoption of the CA Overlay). If the Zoning Map Amendment is approved, the unpermitted greenhouse, as built, would conform to all of the regulations of the CA Overlay that govern greenhouse development.

## 5.0 PROJECT INFORMATION

### 5.1 Site Information

Site Information	
Comprehensive Plan Designation	Coastal Zone, Rural Area, Toro Canyon Plan Area, Agriculture A-I-10 (one residential unit per 10 acres)
Zone	Article II Coastal Zoning Ordinance, Agriculture AG-I-10 (10-acre minimum lot size), Toro Canyon Plan Overlay, Carpinteria Agricultural (CA) Overlay-Area A and

<b>Site Information</b>	
	identified as a view corridor parcel, Environmentally Sensitive Habitat (ESH) Overlay (Arroyo Paredon)
Site Size	13.655 acres (gross and net)
Present Use & Development	Agriculture (in the ground within greenhouses)
Surrounding Uses/Zoning	<i>North:</i> Agriculture (open field) / AG-I-20 <i>South:</i> Agriculture (orchard) / AG-I-10 <i>East:</i> Agriculture (orchard) / AG-I-10 <i>West:</i> Agriculture (orchard) / AG-I-10
Access	Existing private easement from Foothill Road (State Route 192)
Public Services	Water Supply: Carpinteria Valley Water District and well Sewage: none (uses facilities on adjacent lots under same ownership and farming operation) Fire: Carpinteria-Summerland Fire Protection District Police Services: County Sheriff

## 5.2 Setting

*Slope/Topography* – The site is relatively level, gently sloping to the south (less than 1% slope). Drainage from the site flows to the south-southwest.

*Surface Water Bodies* – Arroyo Paredon Creek comprises most of the northern property line. Arroyo Paredon is identified and mapped as riparian Environmentally Sensitive Habitat (ESH) in the Coastal Land Use Plan and on the zoning overlay map. There is a private driveway and a remnant avocado orchard located between the creek/ESH and the existing greenhouse development.

*Fauna* – No sensitive animals are known to occur on the site; however, along with other South Coast creeks, Arroyo Paredon has been identified as sensitive habitat for the endangered Steelhead Trout.

*Flora* – Riparian vegetation, including native sycamore trees and willows line the banks of Arroyo Paredon. A remnant avocado orchard is located in an approximately 70-120 foot wide swath across the north end of the subject lot between the riparian vegetation and the existing greenhouse development. Bamboo lines the west property line and cypress trees are located along the south property line. The remainder of the property is in agricultural cultivation.

*Archaeological Sites* – No archaeological or historic resources are known to be located on the project site.

*Soils* – Soils on the site are almost entirely Elder Sandy Loam, a Class II prime soil. The site is mapped on the California State Important Farmlands Map as prime agricultural land.

## 5.3 Statistics

Statistics			
Item	Proposed	Ordinance Standard Existing View Corridor Designation	Ordinance Standard with View Corridor Designation Removed
Structures (floor area)	Permitted 122,100 sq. ft. Unpermitted 264,500 sq. ft. Total 386,600 sq. ft.	25% of total lot area (148,703 sq. ft.)	No stated maximum
Max. Height of Structure(s)	17 ft. 7 in.	25 ft.	30 ft.
Lot Coverage (footprint)	65%	25%	No stated maximum
Setbacks			
Interior Lot	30 to 150 ft.	20 ft.	20 ft.
Where a dwelling is within 50 ft. of lot line	150 ft.	50 ft.	50 ft.
Roads	None	None	None
Parking (uncovered)	11 spaces	18 spaces <sup>1</sup>	18 spaces
Walkways (inside unpermitted)	3 at 17 feet by 393 feet each	Minimize	Minimize
Open Space	Not Applicable	Not Applicable	Not Applicable
Number of Dwelling Units	0	1 per 10-acre parcel	1 per 10-acre parcel
Employees	11	Not Applicable	Not Applicable

## 5.4 Description

The project includes two applications to validate the unpermitted construction of a greenhouse in the AG-I-10 zone, thereby abating a zoning violation (10ZEV-00000-00002). The project is composed of the following elements: a Zoning Map Amendment (Rezone); and a Development Plan and Coastal Development Permit.

### Zoning Map Amendment

A Zoning Map Amendment (11RZN-00000-00001) is proposed to amend the CA Overlay map to remove the view corridor designation from a 13.655-acre parcel, APN 005-310-024. Removal of the view corridor designation from this parcel would allow greenhouse development to exceed 25% coverage of the lot and would allow greenhouses to be constructed up to a maximum of 30 ft. in height instead of 25 ft. in height. There are no changes proposed to the text of the Coastal Land Use Plan or the Coastal Zoning Ordinance.

### Development Plan and Coastal Development Permit

A Development Plan (Case No. 10DVP-00000-00010) and Coastal Development Permit (11CDP-00000-00009) are proposed to validate the unpermitted construction of a 264,500 sq. ft. greenhouse (9.6% of the CA Overlay development cap); three existing permitted greenhouses on the site would be incorporated into the Development Plan. The three existing permitted greenhouses total approximately 122,100 sq. ft. and were permitted between 1968 and 1971.<sup>2</sup> At project completion, total greenhouse development on the lot would be approximately 386,600 sq. ft. for total lot coverage of 65.0%. The currently unpermitted greenhouse is 17 feet 7 inches in

<sup>1</sup> Refer to Sections 5.4 and 6.3.3 for discussion of a Development Plan modification request to reduce the number of parking spaces.

<sup>2</sup> Three greenhouses were originally permitted by permit numbers 43977, 45586 and 49802 for a total of 123,456 sq. ft.

height. The previously permitted greenhouses are 15 feet high. There would be no change to the height of any greenhouse structure.

All cultivation would be in the ground using the native soil. Three parallel concrete-paved areas, 17 feet by 393 feet each, would provide access for small farm vehicles within the 264,500 sq. ft. greenhouse. The paved areas would be located along the north and south ends of the greenhouse and one through the center. No other paving is proposed. A drip irrigation system would be employed. No heaters or boilers would be used or proposed. The new greenhouse would include interior "grow" lights, and black shade cloth would be installed to block light escape at night when the grow lights are employed. No exterior night-lighting is proposed. Fans would be employed inside the greenhouses to provide air circulation.

The greenhouses are operated by Ocean Breeze Nursery, a company owned by the property owners and applicants Rene and June Van Wingerden. Ocean Breeze Nursery is a flower-growing operation located on this and several adjacent and nearby parcels (APNs 005-310-026, 005-430-042 and 005-430-043). The greenhouses on the site employ 11 people who also work at the adjacent Ocean Breeze Nursery properties.

#### Access and Parking

Direct access to the site is provided by a private driveway from Foothill Road. The applicant requests a Development Plan modification pursuant to Article II Section 35-174.8.1, to modify the parking requirements for the greenhouses; specifically, to reduce the zoning ordinance requirement of 18 parking spaces to 11 spaces, to allow the uncovered parking to be unpaved, and to waive certain design specifications for marking and striping. The parking would be located no closer than 100 feet from the top-of-bank of Arroyo Paredon. The reason for the modification request is based on the operational/employee needs for the existing greenhouse development: current employee and visitor parking is accommodated on the nearby Ocean Breeze Nursery properties (APNs 005-430-042 and 005-430-043); access to the project site by employees is via internal circulation on foot or by electric cart from the adjacent Ocean Breeze properties; and all products grown on the subject lot are moved by internal circulation to the adjacent property for packing and shipping. The provision of 11 parking spaces instead of 18 is based on the actual labor and number of employees needed to staff the nursery operation in the greenhouses on the subject property, as described by the applicant and agent.

#### Grading and Drainage

No grading is proposed. The project includes a series of four retention basins to slow the rate of storm water runoff leaving the site.

#### Landscaping/Screening

A band of avocado trees approximately 70-120 feet wide (part of the pre-existing avocado orchard on the property) would remain in place along the northern extent of the property between the development and Arroyo Paredon. Existing bamboo lines the west property line and existing cypress trees are located along the south property line. These plant materials would remain in place to provide screening of the greenhouses.

### Public Services

Irrigation water is supplied by the Carpinteria Valley Water District and an agricultural well located on the adjacent lot to the east (APN 005-310-026), which is under the same ownership.<sup>3</sup> The property would continue to be served by the Carpinteria Valley Water District, the agricultural well, and the Carpinteria-Summerland Fire Protection District. Sewage disposal is not proposed; employees use restroom facilities located on the adjacent Ocean Breeze Nursery properties (APNs 005-310-026, 005-430-042 and 005-430-043).

## **5.5 Background Information**

The parcel was created by PM 14,440 recorded on August 7, 2000, in Book 54 of Parcel Maps, Pages 81-84.

The Carpinteria Agricultural (CA) Overlay, Area A with a view corridor designation, was applied to the property upon certification of the Carpinteria Valley Greenhouse Program by the California Coastal Commission. The CA Overlay took effect on April 20, 2004.

## **6.0 PROJECT ANALYSIS**

### **6.1 Environmental Review**

An Addendum to the Carpinteria Valley Greenhouse Program Revised Final EIR (99-EIR-02 RV 1) has been prepared pursuant to CEQA Guidelines §15164. The Addendum includes two parts. The first addresses the potential impacts of the specific change associated with the proposed Zoning Map Amendment. The second analyzes the potential impacts associated with the proposed Development Plan. The Addendum concludes that the Zoning Map Amendment, which would remove the view corridor designation from the subject parcel, does not raise important new issues about the significant effects of the project on the environment. In addition, the greenhouses proposed under the Development Plan, as analyzed in the Addendum, would not create any new, potentially significant environmental impacts. Therefore, pursuant to CEQA Guidelines §15164, only minor technical changes or additions are necessary to make the EIR under consideration adequate under CEQA for the current project and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred. No further environmental review would be required. Pursuant to CEQA Guidelines §15164, the Addendum was not circulated for public review and comment prior to the release of this staff report.

Because an EIR has previously been adopted, CEQA Guidelines Section 15162 states that no subsequent EIR or ND shall be prepared for this project unless one or more of the following have occurred:

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<sup>3</sup> The agricultural well was permitted in 1991 to provide supplemental agricultural water only. A subsequent lot split, which created the subject lot and the parcel to the east, noted in the project description that the well would continue to provide water to both parcels.



- a. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The changes to the project, removal of a view corridor designation from one parcel and approval of greenhouses constructed consistent with the project for which the EIR was certified, are minor and not substantial. As discussed in detail in the Addendum (Attachment D herein incorporated by reference), the changes to the project would not involve new significant effects on the environment and would not substantially increase the severity of previously identified significant effects. The subject parcel is minimally visible from U.S. Highway 101 and Via Real and not visible Foothill Road. The greenhouse, as constructed, is 7'5" lower than the maximum height of 25' allowed under the view corridor designation and 12'5" lower than the maximum height of 30' allowed with removal of the view corridor designation. As constructed the greenhouse complies with all of the other development standards of the CA Overlay adopted to mitigate significant impacts.

- b. Substantial changes will occur with respect to the circumstances under which the project is being undertaken which will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

In this instance there have been no substantial changes to the circumstances under which the project is being undertaken. As discussed in detail in the Addendum (Attachment D herein incorporated by reference), the visual character of the area has not changed significantly, no environmental parameters such as water quality and flood hazard areas have been provided to document deteriorating conditions, and area roadways and intersections continue to operate at acceptable levels of service. Recent traffic data indicate that there has been no substantial change to the traffic situation.

- c. New information of substantial importance, which was not known and could not have been known at the time the previous EIR was adopted as complete, has become available.

No new information of substantial importance that was not known and could not have been known at the time the EIR was certified has been identified.

The Addendum, including a full background of the EIR's determination of impacts and mitigation measures, is attached to this staff report as Attachment D. The Revised Final EIR may be reviewed at the Planning and Development Department, 123 E. Anapamu Street, Santa Barbara and on the Planning and Development website at <http://www.sbcountyplanning.org/projects/11RZN-00001Greenhouses/index.cfm>.

## 6.2 Comprehensive Plan Consistency

REQUIREMENT	DISCUSSION
<p><b><u>Services</u></b>  <b><i>Coastal Land Use Plan (CLUP) Policy 2-6:</i></b>  <i>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. Where an affordable housing project is proposed ...</i></p> <p><b><i>Toro Canyon Plan (TCP) Policy CIRC-TC-2:</i></b>  <i>The County shall maintain a minimum Level of Service (LOS) B or better on classified roadways and intersections within Toro Canyon.</i></p> <p><b><i>TCP Policy CIRC-TC-3:</i></b> <i>A determination of project consistency with the standards and policies of the Toro Canyon Plan Circulation Section shall constitute a determination of consistency with Coastal Land Use Plan Policy 2-6 and the Land Use Element's Land Use Development Policy 4 with regard to roadway and intersection capacity.</i></p> <p><b><i>CLUP Policy 2-5:</i></b> <i>Water-conserving devices shall be used in all new development.</i></p> <p><b><i>TCP Policy WW-TC-3:</i></b> <i>Development in Toro Canyon shall incorporate appropriate water efficient design, technology and landscaping.</i></p> <p><b><i>TCP Policy WW-TC-1:</i></b> <i>Development and infrastructure shall achieve a high level of</i></p>	<p><b>Consistent:</b> The site would have all the necessary public and private services to serve the project. The site is accessed from Foothill Road (State Route 192), a public road, via a private driveway, which is adequate to serve the site. The Addendum to the EIR (Attachment D) provides a full discussion of the traffic issues and impacts associated with the proposed project. In sum, roadways and intersections within the Toro Canyon Plan area that are in the vicinity of the project site, including Cravens Lane/Highway 192, are operating at LOS B or better. Thus, the project would be consistent with Toro Canyon Plan circulation policies and, therefore, consistent with CLUP Policy 2-6.</p> <p>Irrigation water is supplied by the Carpinteria Valley Water District and an agricultural well located on the adjacent lot to the east (APN 005-310-026), which is also owned by the applicant. The property would continue to be served by the Carpinteria Valley Water District through its existing meter (letter dated May 17, 2010) and the agricultural well. A drip irrigation system is used and would continue to be employed in the greenhouse. The system uses water efficiently; thus, conserving water resources consistent with these policies.</p> <p>Restroom facilities are located on the adjacent Ocean Breeze Nursery properties (APNs 005-310-026, 005-430-042 and 005-430-043), which are under the same ownership and operations as the subject parcel. Therefore, the project does not have and does not propose a wastewater disposal system at this time. Environmental Health Services will not require one at this time because facilities are available under the same ownership and operation on the adjacent parcels (Paul Jenzen, November 7, 2013). However, if the subject property were</p>

REQUIREMENT	DISCUSSION
<p><i>wastewater treatment, in order to best serve the public health and welfare.</i></p>	<p>to come under separate ownership and operation at some time in the future, there would be no onsite restroom facility available to the employees. Therefore, a condition of approval has been added to the project that requires the owner to modify the Development Plan to develop an onsite restroom and wastewater disposal system (Condition No. 8). As conditioned, the project would be consistent with wastewater treatment policies.</p>
<p><b><u>Agriculture</u></b>  <b><i>Coastal Act 30243.</i></b> <i>The long-term productivity of soils and timberlands shall be protected ...</i></p> <p><b><i>Agricultural Element GOAL I.</i></b> <i>Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara Country. Agriculture shall be encouraged. Where conditions allow, (taking into account environmental impacts) expansion and intensification shall be supported.</i></p> <p><b><i>Agricultural Element Policy I.B.</i></b> <i>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.</i></p>	<p><b>Consistent:</b> Soils on the site consist of Elder Sandy Loam, a Class II prime soil. The site is mapped on the California State Important Farmlands Map as prime agricultural land. However, the site is not subject to an Agricultural Preserve contract under the Williamson Act. Consistent with the cited policies, the proposed project would use and preserve the prime soils on the site. With the proposed project, the crop type has changed from avocado orchards to cut flowers grown in greenhouses. However, the applicant would continue to use growing techniques to maintain long-term productivity including drip irrigation systems and targeted applications of fertilizers. Cultivation would continue to be in the ground using the native soil. Consistent with the project’s compliance with the CA Overlay, which took into account and addressed environmental impacts (see the EIR Addendum Attachment D), the intensification of agriculture from orchard to greenhouse, with in ground cultivation, is consistent with these policies.</p>
<p><b><u>Agriculture-Greenhouse Development</u></b>  <b><i>CLUP Policy 8-5:</i></b> <i>(in relevant part) All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet, shall be subject to County discretionary approval and, therefore, subject</i></p>	<p><b>Consistent.</b> The proposed project is substantially larger than 20,000 sq. ft. The project has undergone environmental review pursuant to County CEQA Guidelines, and all significant adverse impacts have been identified and mitigated. Please refer to the EIR Addendum, Attachment D.</p> <p>The proposed greenhouse project is not located</p>

REQUIREMENT	DISCUSSION
<p><i>to environmental review under County CEQA guidelines. Prior to issuance of a coastal development permit, the County shall make the finding based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development have been identified and mitigated.</i></p> <p><b>CLUP Policy 8-6:</b> <i>(in relevant part) No greenhouse, hothouse, or accessory structure shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows. ... Within the Carpinteria Agricultural Overlay District the following lot coverage, height and setback requirements shall apply:</i></p> <p><i>1) Lot Coverage. Lot coverage shall be calculated to include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas.</i></p> <p><i>a. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.</i></p> <p><i>2) Height.</i></p> <p><i>a. The maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than thirty (30) feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be no greater than twelve (12) feet above natural grade.</i></p> <p><i>b. Within view corridors the maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no</i></p>	<p>adjacent to, or within 100 feet of, a lot zoned residential. With approval of the Zoning Map Amendment, which would remove the view corridor designation from the subject parcel, the total proposed greenhouse development on the parcel would result in 65% lot coverage. This level of development would be consistent with Policy 8-6 as the policy does not set a lot coverage limitation for parcels not identified as view corridor parcels.</p> <p>The maximum height of the greenhouses would be 17 feet 7 inches, and would therefore comply with the CA Overlay maximum height of 30 feet.</p> <p>The subject property is an interior lot; therefore, the applicable setback is 20 feet from all property lines and the proposed project would comply with this requirement. The adjacent parcel to the east has a dwelling located approximately 50 feet from the parcel boundary. However, the existing permitted greenhouses located nearest the dwelling, which is 30 feet from the common parcel boundary at the closest point, were permitted between 1968 and 1971, predating the CA Overlay setback requirements by several decades; the greenhouses are thus considered nonconforming as to setbacks. The unpermitted greenhouse would be located at least 150 feet from the parcel boundary to the east; thus, meeting the minimum 50-foot setback requirement. At its closest point, the proposed (unpermitted) greenhouse is located approximately 103 feet from the top-of-bank and edge of riparian habitat of Arroyo Paredon, a natural creek channel and is therefore consistent with CLUP Policy 8-6 in this regard as well.</p> <p>Landscape screening already exists on the project site, including remnant avocado orchard along the northern extent of the parcel</p>

REQUIREMENT	DISCUSSION
<p><i>greater than twenty-five (25) feet above finished grade.</i></p> <p>3) <i>Setbacks. The following setbacks for greenhouses, packing and shipping facilities, shade and hoop structures and related structures shall apply:</i></p> <p><i>a. Front: Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from the right of way.</i></p> <p><i>c. Interior Lot: Twenty (20) feet from the lot lines on which the building or structure is located.</i></p> <p><i>d. One hundred (100) feet from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.</i></p> <p><i>e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.</i></p> <p><b>CLUP Policy 8-7:</b> <i>Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.</i></p> <p><b>TCP DevStd LUA-TC-2.2:</b> <i>To the maximum extent feasible, hardscaped areas associated with agricultural and greenhouse development (i.e., parking lots, loading bays, interior walkways in greenhouses, and accessory building footprints) shall be minimized in order to preserve the maximum amount of prime agricultural soils. Minimizing the covering of soils shall be accomplished through efficient site and building design and the use of pervious surfaces wherever feasible.</i></p>	<p>(closest to the nearest public road), bamboo along the west property line and cypress along the south. A project condition of approval would be required to maintain screening landscape for the life of the project (Condition No. 7).</p> <p>Finally, the project has been designed to minimize hardscape and maintain the maximum amount of prime soils within the greenhouse in cultivation. Three parallel concrete-paved areas, 17 feet by 393 feet each, would provide access for small farm vehicles within the 264,500 sq. ft. greenhouse (located along the north and south ends of the greenhouse and one through the center). Onsite parking would be unpaved. No other paving is proposed.</p>

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<p><b><u>Biological Resources</u></b>  <b><i>CLUP Policy 9-1:</i></b> <i>Prior to the issuance of a development permit, all projects on parcels shown on the land use plan and/or resource maps with a Habitat Area overlay designation or within 250 feet of such designation or projects affecting an environmentally sensitive habitat area shall be found to be in conformity with the applicable habitat protection policies of the land use plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by the proposed project. Projects which could adversely impact an environmentally sensitive habitat area may be subject to a site inspection by a qualified biologist to be selected jointly by the County and the applicant.</i></p> <p><b><i>CLUP Policy 9-37:</i></b> <i>The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis.</i>  ...  <b><i>TCP Policy BIO-TC-1:</i></b> <i>Environmentally Sensitive Habitat (ESH) areas shall be protected and, where appropriate, enhanced.</i></p> <p><b><i>TCP DevStd BIO-TC-1.4:</i></b> <i>(COASTAL) Development shall be required to include the following buffer areas from the boundaries of Environmentally Sensitive Habitat (ESH):</i></p> <ul style="list-style-type: none"> <li>• <i>Southern Coast Live Oak Riparian Forest corridors and streams - 100 feet in Rural areas and 50 feet in Urban areas and Rural Neighborhoods, as measured from the outer edge of the canopy or the top of creek bank, whichever is greater; ...</i></li> </ul> <p><b><i>TCP Policy BIO-TC-4:</i></b> <i>(COASTAL) Development within the Coastal Zone boundary shall be consistent with the Resource</i></p>	<p><b>Consistent:</b> The northern property line of the subject parcel more or less coincides with the centerline of Arroyo Paredon, a coastal stream that is designated as riparian Environmentally Sensitive Habitat (ESH). The habitat is depicted on project plans. Between the top-of-bank/edge of the riparian canopy and the greenhouse development on the site there is an existing private driveway (12-14 feet in width) that provides legal access to property west of the subject parcel. The driveway pre-dates the adoption of the Coastal Act and the establishment of the ESH with the certification of the County’s Local Coastal Program. South of the driveway and north of the greenhouses is a remnant of the avocado orchard (70-120 feet in width) that was the primary crop cultivated on the site before the conversion to cut flowers and greenhouse development.</p> <p>At its closest point, the greenhouse development on the parcel is located approximately 103 ft. from the top-of-bank and edge of riparian habitat of Arroyo Paredon. Development has been sited and designed to avoid ESH areas and buffers, and is of an appropriate scale to avoid disruption and fragmentation of biological resources. The development does not require the removal of any native vegetation. Therefore, the project is consistent with the minimum riparian habitat buffer strip in rural areas (100 feet) and no adjustments are necessary.</p>

REQUIREMENT	DISCUSSION
<p><i>Protection and Development Policies of the County Local Coastal Program.</i></p> <p><b>TCP DevStd BIO-TC-4.1: (COASTAL)</b>  <i>Development shall be sited and designed at an appropriate scale (size of main structure footprint, size and number of accessory structures/uses, and total areas of paving, motorcourts and landscaping) to avoid disruption and fragmentation of biological resources in ESH areas, avoid or minimize removal of significant native vegetation and trees, preserve wildlife corridors, minimize fugitive lighting into ESH areas, and redirect development runoff/drainage away from ESH. Where appropriate, development applications for properties that contain or are adjacent to ESH shall use development envelopes and/or other mapping tools and site delineation to protect the resource.</i></p>	
<p><b>TCP DevStd BIO-TC-1.5:</b> <i>Where documented zoning violations result in the degradation of an ESH the applicant shall be required to prepare and implement a habitat restoration plan. In Inland areas, this regulation shall apply to violations that occur after Plan adoption. However, in Coastal areas this development standard shall apply to ESH degraded in violation of the Local Coastal Program.</i></p>	<p><b>Consistent:</b> Although the proposed project is the result of a documented zoning violation, the unpermitted development of the structures did not result in degradation of the riparian ESH. Therefore, the applicant is not required to prepare and implement a habitat restoration plan.</p>
<p><b>TCP DevStd BIO-TC-1.7: (COASTAL)</b>  <i>Development in or adjacent to ESH or ESH Buffer shall meet the following standards:</i></p> <p><i>a. Wherever lighting associated with development adjacent to ESH cannot be avoided, exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESH in order to minimize impacts on wildlife. High intensity perimeter lighting or other light sources, e.g., lighting for sports courts or other private recreational facilities in ESH, ESH buffer, or where night lighting would increase illumination</i></p>	<p><b>Consistent:</b> The project does not include exterior lighting. In the event exterior lighting becomes necessary for safety and security and/or to comply with the building code, the project would be conditioned such that lighting would be the minimum necessary and fully shielded and directed downward and away from Arroyo Paredon (Condition No. 4). The 264,500 sq. ft. greenhouse would include interior “grow” lights, and installation and operation of blackout screening is required to block light escape at night when the grow lights are employed. The project would be conditioned to ensure compliance with these</p>

<b>REQUIREMENT</b>	<b>DISCUSSION</b>
<p><i>in ESH shall be prohibited.</i></p> <p>b. <i>New public accessways and trails located within or adjacent to ESH shall be sited to minimize impacts to ESH to the maximum extent feasible. ...</i></p> <p>c. <i>The use of insecticides, herbicides, or any toxic chemical substance which has the potential to significantly degrade Environmentally Sensitive Habitat, shall be prohibited within and adjacent to ESH, where application of such substances would impact the ESH, except where no other feasible alternative exists and where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. Application of such chemical substances shall not take place during the breeding/nesting season of sensitive species that may be affected by the proposed activities, winter season, or when rain is predicted within a week of application.</i></p> <p>d. <i>As a condition of approval of new development adjacent to coastal sage scrub and native grassland, the applicant shall plant the associated ESH buffer areas with appropriate locally native plants.</i></p>	<p>requirements (Condition No. 5).</p> <p>No public access ways or trails are proposed for, or would be located on, the project site.</p> <p>The project is a greenhouse with in ground cultivation of cut flowers inside the greenhouses. The agricultural operation employs some pesticides, herbicides, one fungicide and fertilizers within the greenhouses. All of these chemicals are regulated by the County’s Agricultural Commissioner. Fertilizers are applied via the drip irrigation system using a fertilizer injection system. As a result, fertilizers do not run off the site and do not impact the adjacent ESH. Because the growing fields are enclosed by the greenhouses, application of these chemicals occurs within the structures, which minimizes the potential for drift and effects on the nearby riparian habitat. The greenhouses prevent storm water runoff from falling on the growing area and carrying any agricultural chemicals off the site or into the creek.</p> <p>None of the agricultural chemicals used within the greenhouses are stored on the subject property. Storage is located on the adjoining Ocean Breeze properties and only those quantities to be used are transported to the site at times of use.</p> <p>The site is not located on, adjacent to, or near coastal sage scrub or native grassland.</p>
<p><b><u>Flood Hazards</u></b>  <b><i>CLUP Policy 3-11: 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</i></b></p>	<p><b>Consistent:</b> The project site is not located within a floodway, the floodway fringe or 100-year floodplain. A 100-year floodplain is mapped nearby, east-southeast of the project site and another is located within the banks of Arroyo Paredon to the north.</p> <p>The site is generally level but slopes slightly to the southwest (less than 1%), away from Arroyo Paredon and away from the floodplain</p>



REQUIREMENT	DISCUSSION
<p><i>requirements are met and finish floor elevations are above the projected 100-year flood elevation, as specified in the Flood Plain Management Ordinance.</i></p> <p><b>CLUP Policy 3-12:</b> <i>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.</i></p> <p><b>TCP DevStd FLD-TC-1.1:</b> <i>Development shall not be allowed within floodways except in conformance with Chapters 15A and 15B of the County Code, any other applicable statutes or ordinances, and all applicable policies of the Comprehensive Plan and Local Coastal Program including but not limited to policies regarding biological resources.</i></p> <p><b>TCP DevStd FLD-TC-1.2:</b> <i>(COASTAL) No development shall be permitted within the floodplains of Toro, Picay, Garrapata, or Arroyo Paredon Creeks unless such development would be necessary to permit reasonable use of property while mitigating to the maximum extent feasible the disturbance or removal of significant riparian/wetland vegetation. In the Coastal Zone, floodplain development also must be consistent with the state Coastal Act and the county's Local Coastal Program.</i></p> <p><b>TCP DevStd FLD-TC-1.4:</b> <i>Development within floodplain areas or with potential drainage issues shall be subject to Flood Control District review and approval.</i></p> <p><b>TCP DevStd FLD-TC-2.2:</b> <i>Grading and drainage plans shall be submitted with any application for development that would increase total runoff from the site or substantially alter drainage patterns on the site or in its vicinity. The purpose of such plan(s)</i></p>	<p>to the east. The site generally drains by sheet flow to the southwest. Although the development will not require additional grading, the unpermitted greenhouse covers 264,500 sq. ft. of the site with an impermeable roof and this development is required to meet Flood Control District requirements. The older greenhouses, permitted and constructed between 1968 and 1971 are not required to comply with these more recent regulations.</p> <p>Consistent with the policies cited herein, the project includes a series of four retention basins to retain storm water from the unpermitted greenhouse and discharge it from the site with a regime that approximates the pre-developed condition. The basins were constructed at the same time as the unpermitted greenhouse. The County Flood Control District has reviewed the design and calculations of the retention basins and finds them to be generally consistent with the Flood Plain Management Ordinance. Inclusion of the Flood Control District's condition letter dated June 20, 2010, under Condition No. 18 will ensure the project does not cause or contribute to flood hazards.</p>

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<p><i>shall be to avoid or minimize hazards including but not limited to flooding, erosion, landslides, and soil creep.</i></p>	
<p><b><u>Hillside and Watershed Protection</u></b>  <b><i>CLUP Policy 3-13:</i></b> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p> <p><b><i>CLUP Policy 3-14:</i></b> All development 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 for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p><b>Consistent:</b> The project is located on a level site with minimal slope (less than 1%) and the majority of grading occurred to excavate the retention basins. The project has been designed to fit the topography. No additional grading will be required. No native trees were removed to develop the greenhouses. No area of the site is unsuitable for greenhouse development.</p>
<p><b><u>Water Quality</u></b>  <b><i>CLUP Policy 3-19:</i></b> 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.</p> <p><b><i>TCP Policy WW-TC-2:</i></b> Pollution of surface, ground and ocean waters shall be avoided. Where avoidance is not feasible, pollution shall be minimized.</p> <p><b><i>TCP DevStd WW-TC-2.9:</i></b> Development shall be designed to reduce runoff from the site by minimizing impervious surfaces, using pervious or porous surfaces, and minimizing contiguous impervious areas.</p>	<p><b>Consistent:</b> The unpermitted development replaced an avocado orchard with the in-ground cultivation of cut flowers within a greenhouse structure. The agricultural operation uses a drip irrigation system that eliminates agricultural runoff. Because the growing area is covered by a greenhouse, no storm water runoff leaving the site would carry agricultural chemicals. Regardless, additional storm water runoff from the impermeable roof surfaces would occur during rain storms.</p> <p>To address the increase in storm runoff from the impervious surfaces and its associated water quality issues, the project includes a series of retention basins to reduce the rate at which runoff leaves the site. The basins have been designed to allow runoff to infiltrate into the ground. The basins have been reviewed by Project Clean Water staff who has determined that the basins have the capacity to address</p>

REQUIREMENT	DISCUSSION
<p><b>TCP DevStd WW-TC-2.10:</b> <i>Development shall incorporate best management practices (BMPs) to reduce pollutants in storm water runoff. The BMPs can include, but are not limited to dry wells for roof drainage or other roof downspout infiltration systems, modular paving, unit pavers on sand or other porous pavement for driveways, patios or parking areas, multiple-purpose detention systems, cisterns, structural devices (e.g., grease, silt, sediment, and trash traps), sand filters, or vegetated treatment systems (e.g. bioswales/filters).</i></p> <p><b>TCP Policy WW-TC-4: (COASTAL)</b></p> <p>a. <i>Development shall avoid the introduction of pollutants into surface, ground and ocean waters. Where avoidance is not feasible, the introduction of pollutants shall be minimized to the maximum extent feasible.</i></p> <p>b. <i>Confined animal facilities shall be sited, designed, ...</i></p> <p>c. <i>Development shall avoid, to the maximum extent feasible, adverse impacts to the biological productivity and quality of coastal streams, wetlands, and the ocean. This shall be accomplished through the implementation of the County’s Draft Storm Water Management Program (SWMP) dated August 8, 2003, as updated and approved by the Regional Water Quality Control Board, which is hereby incorporated by reference into this LCP amendment. Any proposed changes to the SWMP shall be submitted to the Coastal Commission Executive Director for review and comment as part of the annual SWMP review process. Any changes to the SWMP that substantively change the LCP provisions for coastal water quality protection within the Toro Canyon Plan area, as determined by the Executive Director, shall be submitted to the CCC on</i></p>	<p>required water quality treatment parameters associated with retaining and treating storm water runoff from the development (Cathleen Garnand, October 8, 2010, and September 19, 2013).</p> <p>The proposed project does not include confined animal facilities. The development would avoid adverse impacts to the biological productivity and quality of coastal streams because the site slopes away from the adjacent creek, Arroyo Paredon. Drainage patterns would be similar to predevelopment patterns using the retention basins to retard the increased runoff resulting from the impervious greenhouse roofs.</p>

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<p><i>an annual basis as proposed LCP amendments.</i></p> <p><i>d. Development shall protect the absorption, purification, and retention functions of natural drainage systems that exist on the site. Where feasible, drainage and project plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner.</i></p>	
<p><b><u>Visual Resources</u></b></p> <p><b><i>CLUP Policy 4-2:</i></b> All commercial, industrial, planned development, and greenhouse projects shall be required to submit a landscaping plan to the County for approval.</p> <p><b><i>CLUP Policy 4-3:</i></b> 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.</p> <p><b><i>TCP Policy VIS-TC-1:</i></b> Development shall be sited and designed to protect public views.</p> <p><b><i>TCP DevStd VIS-TC-1.1:</i></b> Development shall be sited and designed to minimize the obstruction or degradation of public views.</p>	<p><b>Consistent:</b> The applicant submitted a landscape plan to provide visual screening of the site. The plan has been reviewed by the SBAR at the conceptual level and found to be adequate (Attachment E). Condition No. 3 requires that the project receive final approval by the SBAR, including approval of the landscape screening prior to approval of the follow-on Land Use Permit to effectuate the project.</p> <p>The parcel is minimally visible from public viewing places, which include Via Real/Highway 101 and not visible from Foothill Road. Of the eight view corridor parcels between Nidever Road and Cravens Lane, the subject parcel is the furthest away from Highway 101 and Via Real. It is not visible from Via Real and is only marginally visible in the distant background as seen from the Highway 101/Santa Claus Lane overpass. Due to the high speed of travel on Highway 101, one must look carefully to glimpse the parcel. The lot does not abut Foothill Road. Public views from Foothill Road traveling westbound are screened by existing development and agricultural uses. Traveling eastbound, the site is screened by the remnant avocado orchard on the site and the existing riparian vegetation of Arroyo Paredon. This riparian corridor is protected by its designation as Environmentally Sensitive Habitat and maintains a visual barrier to public views of</p>

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	<p>the site.</p> <p>In general, greenhouse development has technical requirements that dictate a simple rectangular design and construction. However, in this instance the structures also follow the natural contours of the land because the site is level (less than 1% slope). The unpermitted greenhouse at 17 feet 7 inches in height and the permitted greenhouses at 15 feet in height are compatible with the surrounding natural environment as the structures are similar to adjacent agricultural operations and are screened by the nearby riparian tree canopy associated with Arroyo Paredon. The development is located such that it does not obstruct or degrade public views and does not intrude into the skyline as seen from public viewing places described above.</p>

### 6.3 Zoning: Article II

#### 6.3.1 Compliance with Article II, Coastal Zoning Ordinance

New greenhouse development in the Carpinteria Valley is required to comply with the regulations of the Carpinteria Agricultural (CA) Overlay, Section 35-102F of Article II. The CA Overlay designates appropriate lands in the Carpinteria Valley for future greenhouse development and provides development standards by which land use and other environmental impacts resulting from construction and operations of greenhouse development are minimized, while promoting and enhancing the continuation of open field agriculture. Area A, the expansion area for new greenhouse development, promotes expansion and infill within and adjacent to historic greenhouse clusters while ensuring the continuation of open field agriculture, which is more heavily concentrated in Area B.

The CA Overlay also identifies 11 parcels as “view corridor parcels.” The purpose of the designation is to: 1) minimize impacts to public views, and 2) minimize fragmentation of large blocks of contiguous open field agricultural land. Additional restrictions established for parcels identified with the view corridor designation include 25% maximum lot coverage, absolute building height of 25 ft. (instead of 30 ft.), setback of 250 ft. from a public right-of-way and clustering of development to the maximum extent feasible.

The subject property is located within Area A, the greenhouse development expansion area. In addition, the property has been designated as a view corridor parcel on the CA Overlay map. If the Zoning Map Amendment is approved and the view corridor designation is removed, then the

proposed greenhouse development, as conditioned, would be consistent with the provisions of Article II, including the provisions of the CA Overlay.

Removal of the view corridor designation from the subject parcel would eliminate the 25% lot coverage restriction on this parcel. This would allow approval of the 264,500 sq. ft. greenhouse as built, which combined with the permitted greenhouses, would total 65% lot coverage. Removal of the CA Overlay view corridor designation would not create any adverse effects on the community, and as discussed in the EIR Addendum dated December 4, 2013, it would not create new environmental impacts or increase the severity of impacts identified in the Revised Final EIR (99-EIR-02 RV1).

Of the 11 parcels identified as view corridor parcels, the subject parcel is unique. It is the least visible from public viewing areas. Of the eight view corridor parcels between Nidever Road and Cravens Lane, it is the furthest away from Highway 101 and Via Real. It is not visible from Via Real and is only marginally visible in the distant background as seen from the Highway 101/Santa Claus Lane overpass. Due to the high speed of travel on Highway 101, one must look carefully to glimpse the parcel. Unlike the view corridor parcels between Cravens Lane and Santa Monica Road, the lot does not abut Foothill Road. Public views from Foothill Road traveling westbound are screened by existing development and agricultural uses; traveling eastbound, the site is screened by the remnant avocado orchard on the site and the existing riparian vegetation of Arroyo Paredon. This riparian corridor is protected by its designation as Environmentally Sensitive Habitat. The subject parcel's contribution to the contiguous block of open field agriculture is less critical than the other seven parcels in the block because it is located on the edge of the block and is not critically visible as are the other parcels. Thus, removal of the designation would not fragment this block of open field agriculture.

Prior to construction of the unpermitted 264,500 sq. ft. greenhouse, the parcel was already developed with 122,100 sq. ft. of greenhouses permitted between 1968 and 1971. The remainder of the parcel was cultivated with an avocado orchard. Application of the 25% lot coverage limitation under the view corridor designation would limit total greenhouse development on this parcel to 148,703 sq. ft. The CA Overlay also recognizes greenhouse production as a vital component of the County's agricultural base and its important contribution to the local and statewide economies. It promotes infill and clustering of greenhouse development within and adjacent to historic greenhouse clusters while protecting the unique coastal resources and preservation of the semi-rural character of the Carpinteria Valley. The request would allow the intensification of agricultural uses on the site, clustering the development adjacent to decades old greenhouses on the same parcel, and maximizing the greenhouse production on the site. The request does not adversely affect the community benefits resulting from the adoption of the CA Overlay and the CA Overlay map.

The CA Overlay places a development cap of 2.75 million sq. ft. on new greenhouse development permitted after the effective date of the overlay (April 20, 2004). The proposed Development Plan incorporates 122,100 sq. ft. of greenhouses that were permitted and constructed between 1968 and 1971 and would permit the 264,500 sq. ft. greenhouse that was constructed circa 2004 without permits. Only the unpermitted 264,500 sq. ft. greenhouse would

count toward the cap. Since the overlay was implemented only one Development Plan for greenhouse development has been approved, and the permit subsequently expired. Thus, the project would bring cumulative development to 9.6% of the development cap.

The existing greenhouse development permitted between 1968 and 1971 (122,100 sq. ft.) was not required to have a Development Plan at the time it was permitted. Furthermore, pursuant to Section 35-102F.3 of the CA Overlay, “legally permitted greenhouses, greenhouse related development, packing and shipping facilities, shade structures and hoop structures existing on the effective date of ordinance adoption will be considered conforming uses.” Thus, the existing greenhouse development is included in the Development Plan solely to conform to other Article II provisions that now require greenhouse development to have a Development Plan. The existing permitted greenhouse development is not required to conform to the more recent provisions of the CA Overlay. For example, the adjacent parcel to the east has a dwelling located approximately 50 feet from the parcel boundary and the CA Overlay requires a setback of “50 feet from an adjacent parcel where there is an approved residential dwelling located within 50 feet of the parcel boundary.” The existing permitted greenhouses are located 30-32 ft. from this parcel boundary. The permitted development meets all of the other current CA Overlay requirements, including height limits and interior lot setbacks (see Section 5.3 Statistics).

The CA Overlay contains 26 development standards and the proposed project, as conditioned, would comply with all of them. The standards applicable to this proposal are discussed below.

**Development Standard #1** requires submittal of a landscape plan which includes a requirement that perimeter orchard trees and windrows be preserved to the maximum extent to provide visual screening when greenhouse development is proposed within orchards and adjacent to windrows. Consistent with this standard, avocado trees have been preserved along the northern perimeter along with a windrow of cypresses along the southern boundary. These plant materials are compatible with the surrounding area, which includes avocado orchards and some open field agriculture, and screen the development without impeding views of scenic areas. At conceptual review of the project on January 21, 2011, the SBAR found the proposed landscape to be acceptable. The project would be conditioned to obtain final approval from the SBAR (Condition No. 3) and to maintain the landscape screening for the life of the project (Condition No. 7). A performance security would not be required for this project as the landscape screening is already in place, mature, and screens the site.

**Development Standard #2** requires that retention basins be included in the project, subject to certain design criteria, to reduce the rate of post-development peak storm water runoff from the site. The basins and other storm water drainage facilities shall be designed in conformance with this and other County Flood Control District and Project Clean Water standards, which may be more protective. Preliminary review by these agencies has confirmed that the project will comply with this development standard. The project would also be conditioned for final review and compliance pursuant to Flood Control District and Project Clean Water letters incorporated under Condition No. 18.

**Development Standard #3** requires the applicant set aside an adequate area for wastewater disposal system components including a 100% expansion area for a wastewater disposal field. Although no wastewater disposal is currently proposed with this project as the site is being operated in conjunction with the adjacent Ocean Breeze Nursery properties under the same ownership, in the future if the ownership changes and the site is no longer operated as one with the adjacent nursery then per Condition No. 8 the Development Plan shall be modified to develop an onsite restroom and wastewater disposal system.

**Development Standards # 4 and 5** require Carpinteria-Summerland Fire Protection District review and approval of storage areas for pesticides, herbicides and fertilizers, and that these areas minimize generation of polluted runoff. Storage of these materials will not occur on the property but on an adjacent property under the same ownership and operation (Van Wingerden/Ocean Breeze Nursery). Only the amounts necessary for application at any one time would be brought to the project site at times of application. Ocean Breeze currently has a Hazardous Materials Business Plan (HMBP) on file with the Fire District.

**Development Standard #7** states that exterior night lighting is only allowed when required for specific safety purposes. The proposed project does not include exterior lighting. However, Condition No. 4 has been included in the event the Building Code requires lighting for safety or security. The condition requires exterior lighting to be minimal, in compliance with this standard, shielded and directed downward into the property and away from the ESH associated with Arroyo Paredon.

**Development Standard #8** requires the greenhouse orientation such that the roof axis will be aligned from north to south to reduce glare. As built, the project complies.

**Development Standard #9** requires hardscape to be minimized and **Development Standard #10** requires vegetative cover to be provided in areas without structural development. The proposed project complies because all exterior areas around the greenhouses are unpaved or covered by vegetation (e.g., orchards north of the greenhouses). Parking is proposed to remain unpaved. In addition, within the newer 264,500 sq. ft. greenhouse paving is limited to three areas (17 feet by 393 feet each) which provide access for small farm vehicles within the structure. The vast majority of the interior of the greenhouse is unpaved with cut flowers in cultivation in the ground.

**Development Standard #12** requires that industrial fans and heaters be designed such that exterior sound levels do not exceed 65 dB(A) at the property line. No heaters or paging or broadcast systems are used on the property; the applicant uses cell phones to contact employees. Fans are employed and are fully contained within the greenhouses. The fans' decibel rating is 56 dB(A)<sup>4</sup>; consistent with this development standard.

**Development Standard #16** requires a mechanized black out screen system to be used when the greenhouse would employ night lighting to enhance plant growth. Such lighting is proposed and

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<sup>4</sup> Bradley Miles, agent for the owner. October 4, 2010.



the applicant has included a blackout screen system. Condition No. 5 ensures that the screen will be installed and functional prior to Final Building Inspection Clearance and that it will be maintained for the life of the project.

**Development Standards #18 and 19** require the greenhouse development to be sited and designed to minimize adverse impacts to scenic areas, public views of ridgelines, and other natural features, with a preference to choose better design alternatives rather than rely on landscape screening. The project site is only marginally visible from the only public viewshed from the south (Highway 101/Santa Claus Lane overpass). The lot does not abut Foothill Road and the unpermitted greenhouse is approximately 340 feet away from Foothill Road, where the mature riparian canopy of Arroyo Pardon, a protected Environmentally Sensitive Habitat, and remnant avocado orchard limit views into the site. At 15 feet and 17 feet 7 inches the structures are relatively low in height and do not intrude into the skyline as seen from public viewing areas. The site is not on a ridgeline and the project would not affect other natural features open to public views.

**Development Standards #20 and 21** require the implementation of post-construction structural treatment control Best Management Practices (BMPs) if determined necessary for the protection of water quality by the County, and preparation by the applicant of a Water Quality Management Plan (WQMP). Post-construction BMPs will be incorporated into the retention basins and preliminary review indicates they will be consistent with all requirements, including County Flood Control District and Project Clean Water standards and guidelines and those of the Regional Water Quality Control Board. The applicant submitted a WQMP, which has been reviewed by Planning and Development in consultation Project Clean Water staff. The plan includes the requirements of these standards, as applicable (e.g., no grading or construction will occur; thus, no erosion and sediment control plan or other construction site best management practices would be required). The project utilizes best management practices including a water efficient delivery system, which minimizes surface water transport and eliminates irrigation runoff. The project also includes a fertilizer injector system that maximizes the efficiency of nutrient delivery. A final plan is required by Project Clean Water (letter dated June 21, 2010) prior to zoning clearance and is incorporated into Condition No. 18.

**Development Standard #23** requires groundwater testing and monitoring when required by the Carpinteria Valley Water District. Because groundwater infiltration within the cultivated area of the proposed project is minimal due to the use of water efficient irrigation, the potential to affect groundwater quality would also be minimized and the Carpinteria Valley Water District would not require groundwater monitoring for this project.

**Development Standard #24** requires the applicant to sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). The property owner must also submit an application for demolition of the applicable greenhouse development and restoration of agricultural lands to ensure continued agricultural productivity. Project conditions include this requirement (Condition No. 17).

**Development Standard #26** requires that new greenhouses, greenhouse related development and packing and shipping facilities contributing peak hour trips to the Santa Monica/Via Real/U.S. 101 northbound interchange and the Linden Avenue/U.S. 101 southbound off-ramp interchange shall pay a pro-rata contribution towards future interchange improvements. This development standard arose from Mitigation T1 of the Greenhouse Program EIR. To implement it the County must adopt a Transportation Improvement Plan (TIP) for the Carpinteria area in cooperation with the City of Carpinteria to identify intersection improvements and determine the specific mitigation fees for those improvements. A TIP has not been completed; therefore, the development standard currently has no force or effect.

Separate from this development standard, the County established a transportation impact mitigation fee program requiring payment of a transportation impact mitigation fee for new development. This fee program was adopted by the Board of Supervisors for projects on the South Coast of Santa Barbara County. The fee is calculated based on the total number of afternoon peak hour trips generated by a project.

A complete analysis of traffic generation and distribution is included in the EIR Addendum (Attachment D). In sum, a total of 8 morning peak hour trips and 16 afternoon peak hour trips would be generated by the project. Given the location of the project site, no trips would be distributed to the Linden Avenue/South Bound Highway 101 intersection. Two morning peak hour trips and four afternoon peak hour trips would be distributed to the Santa Monica/Via Real/Highway 101 intersection. As only the County's transportation impact mitigation fee program is in effect, a fee would be required for the total 16 afternoon peak hour trips. This requirement is included as conditions of approval for the Development Plan (Condition Nos. 16 and 18).

### ***6.3.2 Environmentally Sensitive Habitat Overlay***

Section 35-97.19 of Article II provides six development standards for stream habitats of which only a 100-foot minimum buffer strip in rural areas applies. The northern property line of the subject parcel more or less coincides with the centerline of Arroyo Paredon, a coastal stream that is designated as riparian Environmentally Sensitive Habitat (ESH). The habitat is depicted on project plans. Between the top-of-bank and the edge of the riparian canopy and the greenhouse development on the site there is an existing private driveway (12-14 feet in width) that provides legal access (40 ft. access easement) to property west of the subject parcel. The driveway pre-dates the adoption of the Coastal Act and the establishment of the ESH with the certification of the County's Local Coastal Program. South of the driveway and north of the greenhouses is a remnant of the avocado orchard that was the primary crop cultivated on the site before the conversion to cut flowers and greenhouse development.

At its closest point, the greenhouse development on the parcel is located approximately 103 ft. from the top-of-bank and edge of riparian habitat of Arroyo Paredon. Development has been sited and designed to avoid ESH areas and buffers, and is of an appropriate scale to avoid disruption and fragmentation of biological resources. The development does not require the removal of any native vegetation. Therefore, the project is consistent with the minimum buffer strip in rural areas and no adjustments are necessary.

### **6.3.3 Other Requested Modifications**

The applicant has requested Development Plan modifications pursuant to Section 35-174.8.1 for several parking requirements. First, Section 35-113 requires two parking spaces per acre of greenhouse development, which would result in a requirement of 18 parking spaces for the proposed project. The applicant requests the modification to reduce the required parking to 11 spaces. The applicant prepared a parking needs analysis based on the number of employees required to adequately farm within the greenhouses on the project site. Based on the data submitted by the applicant regarding the existing use, the request appears to be reasonable. Under an independent farming operation, the number of employees needed to farm within the greenhouses would not necessitate the number of parking spaces required by Section 35-113, thereby justifying the requested modification for the number of parking spaces provided. The other modifications would allow the uncovered parking to be unpaved and to waive design specifications for marking and striping the parking spaces pursuant to Section 35-68.10.2. The applicant proposes to create the 11 parking spaces in the northwest corner of the site, south of the entrance driveway. The parking would be located beneath the canopy of the remnant avocado orchard, would not be visible from any public viewing area, and would serve an agricultural operation on agriculturally zoned land. These modifications would not cause any environmental impacts and the proposed 11 parking spaces would be adequate in size, location, and physical characteristics to accommodate the density and level of development proposed.

### **6.4 Subdivision/Development Review Committee**

The Subdivision/Development Review Committee reviewed the proposed project on June 17, 2010. Additional review was conducted by various departments during the processing of the application on an as needed basis. Departmental letters requiring conditions have been incorporated into the permit conditions of approval as Condition No. 18.

### **6.5 Design Review**

Design review is required for all Development Plans. Of particular importance for greenhouse development is an adequate landscape plan that screens the greenhouse development. The proposed project was reviewed by the South Board of Architectural Review (SBAR) on January 21, 2011. The SBAR commented that the site is not publically visible and did not request any additional screening vegetation beyond what is already provided on the site (i.e., remnant avocado orchard on the north side of the property, bamboo along the west property boundary and cypress along the south). The SBAR required the applicant make the retention basins attractive and suggested vegetating the swales in order to do so.

### **6.6 Agricultural Preserve Advisory Committee**

The property is not enrolled in the Williamson Act and not subject to an Agricultural Preserve contract; therefore, the project was not reviewed by the Agricultural Preserve Advisory committee.

### **6.7 Development Impact Mitigation Fees**

A series of ordinances and resolutions adopted by the County Board of Supervisors require the payment of various development impact mitigation fees. This project is subject to the fees as shown in the following table. The amounts shown are estimates only. The actual amounts will be calculated in accordance with the fee resolutions in effect when the fees are paid.

<b>Estimated Countywide Development Impact Mitigation Fees</b>			
<b>Fee Program</b>	<b>Base Fee (per unit or 1,000 sq. ft.)</b>	<b>Estimated Fee</b>	<b>Fee due at</b>
Transportation	\$2,047.00 per peak hour trip (16 trips for this project)	\$32,752.00	Land Use Permit

The developer of a project that is required to pay development impact mitigation fees may appeal to the Board of Supervisors for a reduction, adjustment, or waiver of any of those fees based on the absence of a reasonable relationship between the impacts of the proposed project and the fee category for which fees have been assessed. The appeal must be in writing and must state the factual basis on which the particular fee or fees should be reduced, adjusted or waived. The appeal must be submitted to the director(s) of the relevant departments within 15 calendar days following the determination of the fee amount(s). For a discretionary project, the date of determination of fee amounts is the date on which the decision-maker adopts the conditions of approval and approves the project.

## **7.0 APPEALS PROCEDURE**

A Zoning Map Amendment recommended for approval is automatically forwarded to the Board of Supervisors for final action, therefore no appeal is required.

A Zoning Map Amendment denied by the Commission must be appealed to the Board within five days after the Commission's report is filed with the Clerk of the Board of Supervisors.

## **ATTACHMENTS**

- A. Findings
- B. Development Plan Conditions of Approval with attached Departmental Letters
- C. Coastal Development Permit with attached Departmental Letters
- D. 15164 EIR Addendum Letter (CD-ROMs of 99-EIR-02 RV 1 were provided to Planning Commissioners. The EIR is also available at <http://www.sbcountyplanning.org/projects/11RZN-00001Greenhouses/index.cfm>)
- E. SBAR Comments - January 21, 2011
- F. PC Resolution to Board of Supervisors and Zoning Map Amendment (Ordinance)

Van Wingerden Greenhouses/Case Nos. 11RZN-00000-00001, 10DVP-00000-00010 & 11CDP-00000-00009  
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G. CA Overlay/View Corridor Subject Parcel

H. Site Plan and Elevations

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## **ATTACHMENT A: FINDINGS**

### **1.0 CEQA FINDINGS**

#### **1. Consideration of the Addendum and Full Disclosure**

The Planning Commission has considered the Addendum dated December 4, 2013, together with the previously certified Revised Final EIR (99-EIR-02 RV1), for the Van Wingerden Greenhouses. The Addendum reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA. The Addendum, together with the Revised Final EIR (99-EIR-02 RV1), is adequate for this proposal. On the basis of the whole record, including the Addendum, the previously certified Revised Final EIR (99-EIR-02 RV1), and any public comments received, the Planning Commission finds that the project changes described in the Addendum are only minor technical changes or additions. Since none of the following have occurred, as discussed in Section 6.1 of the Staff Report dated November 14, 2013, herein incorporated by reference, no subsequent environmental review shall be prepared according to CEQA Guidelines Section 15162 and 15164: there are no substantial changes proposed in the project which will require major revisions to the EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance.

#### **2. Location of Documents**

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Secretary of the Planning Commission of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

#### **3. Environmental Reporting and Monitoring Program**

Public Resources Code Section 21081.6 and CEQA Guidelines Section 15091(d) require the County to adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of approval in order to avoid or substantially lessen significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the reporting and monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

#### **4. Findings Addressing Addendum Issue Areas**

The Addendum prepared for the project, dated December 4, 2013, addresses the following issues: Visual Resources, Water Quality and Groundwater, Flooding and Drainage, Land Use and Agriculture, Traffic, Air Quality, Noise, and Biological Resources. The Addendum dated December 4, 2013, herein incorporated by reference, finds that the Revised Final EIR, 99-EIR-02 RV1, as amended, may be used to fulfill the environmental review requirements of the current project. Since none of the following have occurred, as discussed in Section 6.1 of the Staff Report dated November 14, 2013, herein incorporated by reference, no subsequent environmental review shall be prepared according to CEQA Guidelines Section 15162 and 15164: there are no substantial changes proposed in the project which will require major revisions to the EIR; no

substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance.

## **2.0 ADMINISTRATIVE FINDINGS**

### **2.1 AMENDMENT TO ARTICLE II, LCP OR ZONING MAP AMENDMENT (REZONE) FINDINGS**

**Findings required for all Amendments to the Article II Zoning Ordinance, the Local Coastal Program, and the County Zoning Map.** In compliance with Section 35-180.6 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Amendment to the Article II Zoning Ordinance, the Local Coastal Program or the County Zoning Map the review authority shall first make all of the following findings:

*1. The request is in the interests of the general community welfare.*

The project entails the permitting of greenhouse development constructed without permits. The project includes a Zoning Map Amendment to remove the Carpinteria Agricultural (CA) Overlay view corridor designation from the subject parcel. As a result, it will eliminate the 25% lot coverage restriction, which will allow approval of the 264,500 sq. ft. greenhouse as built. Removal of the CA Overlay view corridor designation does not create any adverse effects on the community, and as discussed in the EIR Addendum dated December 4, 2013, herein incorporated by reference, it does not create new environmental impacts or increase the severity of impacts identified in the Revised Final EIR (99-EIR-02 RV1).

In addition to the discussion under Section 6.3.1 of the staff report dated November 14, 2013, herein incorporated by reference, the subject parcel is the least visible from public viewing areas and removal of the view corridor designation would not impact public views, nor would it fragment this block of open field agriculture. Application of the 25% lot coverage limitation under the view corridor designation would limit total greenhouse development on this parcel to 148,703 sq. ft. Removal of the limitation will allow all the greenhouses on the site to remain, totaling 386,600 sq. ft. However, the CA Overlay also recognizes greenhouse production as a vital component of the County's agricultural base and its important contribution to the local and statewide economies. It promotes infill and clustering of greenhouse development within and adjacent to historic greenhouse clusters while protecting the unique coastal resources and preservation of the semi-rural character of the Carpinteria Valley. The request to remove the 25% lot coverage limitation from this parcel will allow the intensification of agricultural uses on this site, clustering the development adjacent to decades old greenhouses, and maximizing the greenhouse production on the parcel. Consistent with Goal I of the Agricultural Element, which states that Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County, it is in the interest of the general community welfare when expansion and intensification of agricultural uses can be accommodated where conditions allow, taking into account environmental impacts. In this unique instance, the request will not adversely affect the community benefits resulting from the adoption of the CA

Overlay and the CA Overlay map. Therefore, the request can be found in the interest of the general community welfare.

2. *The request is consistent with the Comprehensive Plan, the Coastal Land Use Plan, the requirements of the State planning and zoning laws, and this Article.*

The project entails the permitting of greenhouse development constructed without permits. The project includes a request to amend the CA Overlay map to remove the view corridor designation from the subject parcel. As discussed in Sections 6.2 and 6.3 of the staff report dated November 14, 2013, herein incorporated by reference, the request is consistent with the Comprehensive Plan, including the Coastal Land Use Plan and Toro Canyon Plan, and the requirements of State planning and zoning laws and this Article (Article II).

3. *The request is consistent with good zoning and planning practices.*

The requested Zoning Map Amendment to remove the CA Overlay view corridor designation from the subject parcel would allow the intensification of greenhouse agricultural on the site, and would cluster it adjacent to decades old greenhouses on the same parcel. The parcel is the least visible of any of the parcels identified as CA Overlay view corridor parcels. Therefore, the request is a logical change to the map and consistent with good zoning and planning practices.

## 2.2 DEVELOPMENT PLAN FINDINGS

**Findings required for all Preliminary and Final Development Plans.** In compliance with Section 35-174.7.1 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Preliminary or Final Development Plan the review authority shall first make all of the following findings, as applicable:

1. *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.*

The project site is of adequate size (13.655 acres gross and net), shape (rectangular), and physical characteristics (essentially level with less than 1% slope) to accommodate the density and level of development proposed. The project is located near Foothill Road and is accessed via a private driveway across the intervening lot. Although Arroyo Paredon abuts the property on the north, the project as proposed and conditioned is not constrained by it. The Development Plan recognizes and incorporates the existing 122,100 sq. ft. of greenhouses permitted between 1968 and 1971 as well as the 264,500 sq. ft. of unpermitted greenhouse development. Total greenhouse development will be 386,600 sq. ft. or 65% of the gross area of the lot. Therefore, this finding can be made.

2. *That adverse impacts are mitigated to the maximum extent feasible.*

As discussed in detail in the Addendum to the Greenhouse Program Revised Final EIR 99-EIR-02 RV1 (Attachment D of the staff report to the Planning Commission dated November 14, 2013),



herein incorporated by reference, the project would not result in new potentially significant impacts or increase the severity of impacts identified in the certified Revised Final EIR. All significant impacts identified in the previous EIR were mitigated to the maximum extent feasible. The Board of Supervisors adopted Findings of Overriding Consideration for significant impacts associated with buildout under the Greenhouse Program (Carpinteria Agricultural Overlay) which could not be reduced to less than significant levels through incorporation of mitigation measures identified in 99-EIR-02 RV1. The proposed project would not increase the buildout approved under the Greenhouse Program. Therefore, this finding can be made.

- 3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.*

The street system surrounding the project site is adequate to accommodate the proposed development. As discussed in the Addendum to the Greenhouse Program Revised Final EIR (Attachment D of the staff report to the Planning Commission dated November 14, 2013), according to greenhouse traffic generation factors, the proposed project could generate 72 average daily trips and 16 afternoon peak hour trips. This increase in traffic on the nearby roadway network will not result in a noticeable change in traffic volume, will not exceed County or City of Carpinteria traffic thresholds for roadway segments or intersections, and therefore, will not cause significant environmental impacts. Thus, the existing street network is adequate to carry the type and quantity of traffic generated by the proposed project and this finding can be made.

- 4. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.*

As discussed in Section 6.2 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, adequate public services are available to serve the project. Fire protection is provided by the Carpinteria/Summerland Fire Protection District and the site is located within the five-minute response zone of Station No. 1. Agriculture water is currently supplied by the Carpinteria Valley Water District, which will continue in the future, and supplemental water from a well located on the adjacent parcel to the east, which is under the same ownership as the subject parcel. Sewage disposal is not proposed or required. The greenhouses on the property are owned and operated by Ocean Breeze Nursery, the company owned and operated by the owners of the subject parcel, who own and operate the nursery on several adjoining parcels. Restroom facilities are located on the adjoining parcels. However, if the subject property were to come under separate ownership and operation at some time in the future, there would be no onsite restroom facility available to the employees. Therefore, a condition of approval has been added to the project to modify the Development Plan to develop a new restroom and wastewater disposal system if this should occur (Condition No. 8). Existing police protection by the County Sheriff would be adequate for the proposed project. Therefore, this finding can be made.

- 5. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.*

The project will not be detrimental to the neighborhood. The existing greenhouses are of a similar nature to those in the surrounding area. The older permitted greenhouses are 15 feet in height. The newer greenhouse is 17 feet 7 inches in height, lower than the maximum allowed 30 feet. In addition, the greenhouses as built are not visible to the public; the avocado trees along the northern side of the parcel shall be retained along with the Arroyo Paredon riparian corridor, to assist in screening the site. Regarding onsite use of pesticides, herbicides and fertilizers only the amounts necessary for application at any one time will be brought to the project site at times of application. Fertilizer will be applied via drip irrigation using a fertilizer injection system. As a result, irrigation with fertilization will not generate runoff that would affect surface water quality, nor will there be significant percolation into the ground. Because the growing area will be covered by a greenhouse, no storm water runoff will carry agricultural chemicals. Storage of these materials will not occur on the property but on an adjacent property under the same ownership and operation (Van Wingerden/Ocean Breeze Nursery). Ocean Breeze currently has a Hazardous Materials Business Plan (HMBP) on file with the Carpinteria-Summerland Fire Protection District. Thus, the project, as conditioned, will not result in any impacts that would adversely affect the health, safety, comfort, convenience or general welfare of the neighborhood. Therefore, this finding can be made.

6. *That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions of this Article and/or the project falls with the limited exception allowed under Section 35-161.7.*

As discussed in Sections 6.2 and 6.3 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the proposed project, including the Development Plan modification to parking requirements discussed in Section 6.3.3, herein incorporated by reference, will be consistent with all applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and the Toro Canyon Plan, and will be consistent with the applicable provisions of Article II, including the CA Overlay. Therefore, this finding can be made.

7. *That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.*

The project is located in a designated rural area. As discussed in Sections 6.2 and 6.3 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the proposed use (greenhouse agriculture) is compatible with the agricultural and rural character of the area. The surrounding area includes a mix of agricultural uses, including both greenhouses and orchards, as well as a mix of residential uses on agricultural lots. The older greenhouses (122,100 sq. ft.) are 15 feet high and the newer greenhouse (264,500 sq. ft.) is 17 feet, 7 inches high. Both are subordinate to the distant views of the mountains as seen from the south (U.S. Highway 101/Santa Clause Lane overpass) and are not visible from Foothill Road. The project also retains avocado trees from the preexisting orchard, which will be compatible with adjacent avocado orchards. Therefore, this finding can be made.

8. *That the project will not conflict with any easements required for public access through, or public use of a portion of the property.*

There are no public access easements through, and no public use of, the property. Therefore, this finding can be made.

## 2.3 COASTAL DEVELOPMENT PERMIT FINDINGS

***Finding required for all Coastal Development Permits.*** *In compliance with Section 35-60.5 of the Article II Zoning Ordinance, prior to issuance of a Coastal Development Permit, the County shall make the finding, based on information provided by environmental documents, staff analysis, and/or the applicant, that adequate public or private services and resources (i.e., water, sewer, roads, etc.) are available to serve the proposed development.*

As discussed in Section 6.2 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, adequate services and resources are available to serve the project. Fire protection is provided by the Carpinteria/Summerland Fire Protection District and the site is located within the five-minute response zone of Station No. 1. Agricultural water is currently supplied by the Carpinteria Valley Water District, which will continue in the future, and by supplemental water from a well located on the adjacent parcel to the east, which is under the same ownership as the subject parcel. Sewage disposal is not proposed or required. The greenhouses on the property are owned and operated by Ocean Breeze Nursery, the company owned and operated by the owners of the subject parcel, who own and operate the nursery on several adjoining parcels. Restroom facilities are located on the adjoining parcels. However, if the subject property were to come under separate ownership and operation at some time in the future, there would be no onsite restroom facility available to the employees. Therefore, a condition of approval has been added to the project to modify the Development Plan to develop a new restroom and wastewater disposal system if this should occur (Condition No. 8). Existing police protection by the County Sheriff would be adequate for the proposed project. Therefore, this finding can be made.

**2.3.A *Findings required for Coastal Development Permit applications subject to Section 35-169.4.3 for development that may not be appealed to the Coastal Commission.*** *In compliance with Section 35-169.5.3 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for a Coastal Development subject to Section 35-169.4.3 for development that may not be appealed to the Coastal Commission the review authority shall first make all of the following findings:*

1. *The development conforms:*
  - a. *To the applicable provisions of the Comprehensive Plan, including the Coastal Land Use Plan;*

As discussed in Section 6.2 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the development conforms to the applicable policies of the Comprehensive Plan, including the Coastal Land Use Plan and the Toro Canyon Plan. Therefore, this finding can be made.

- b. The applicable provisions of this Article or the project falls within the limited exceptions allowed in compliance with Section 161 (Nonconforming Use of Land, Buildings and Structures).*

As discussed in Section 6.3 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the development, including the modification to parking requirements, conforms to all applicable provisions of Article II, including the CA Overlay. Therefore, this finding can be made.

2. *The development is located on a legally created lot.*

The development is located on a legally created lot by PM 14,440 recorded on August 7, 2000, in Book 54 of Parcel Maps, Pages 81-84. Therefore, this finding can be made.

3. *The subject property and development on the property is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, setbacks and any other applicable provisions of this Article, and any applicable zoning violation enforcement fees and processing fees have been paid. This subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Division 10 (Nonconforming Structures and Uses).*

As discussed in Section 6.3 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the development, including the modification to parking requirements, complies with all applicable provisions of Article II, including the CA Overlay. Approval of the project will bring the property into full compliance with Article II by permitting the 264,500 sq. ft. greenhouse, which was constructed without permits. Applicable zoning violation enforcement fees and processing fees have been or will be paid. Therefore, this finding can be made.

**2.3.B Additional finding required for sites zoned Environmentally Sensitive Habitat (ESH) Overlay.**  
*In compliance with Section 35-97.6 of the Article II Zoning Ordinance, prior to the issuance of a Coastal Development Permit for sites designated with the ESH Overlay zone the review authority shall first find that the proposed development meets all applicable development standards in Section 35-97.8 through Section 97.19.*

An ESH Overlay associated with Arroyo Paredon affects the northern boundary of the parcel. As discussed in Section 6.3.2 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the project complies with all applicable standards for sites zoned with an ESH Overlay. Therefore, this finding can be made.

## **2.4 TORO CANYON PLAN OVERLAY FINDING**

*In addition to the findings that are required for approval of a development project (as development is defined in this Article), as identified in each section of Division 11 – Permit Procedures of Article II, a finding shall also be made that the project meets all applicable policies and development standards included in the Toro Canyon Plan.*

As discussed in Section 6.2 and 6.3 of the staff report to the Planning Commission dated November 14, 2013, herein incorporated by reference, the project complies with all of the applicable policies and development standards included in the Toro Canyon Plan.

## **ATTACHMENT B: DEVELOPMENT PLAN CONDITIONS OF APPROVAL**

- 1. Proj Des-01 Project Description.** This Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits 1 and 2, dated December 4, 2013, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project will validate the unpermitted construction of a 264,500 sq. ft. greenhouse (9.6% of the CA Overlay development cap); three existing permitted greenhouses on the site will be incorporated into the Development Plan. The three existing permitted greenhouses total approximately 122,100 sq. ft. and were permitted between 1968 and 1971. At project completion, total greenhouse development on the lot will be approximately 386,600 sq. ft. for total lot coverage of 65.0%. The currently unpermitted greenhouse is 17 feet 7 inches in height. The previously permitted greenhouses are 15 feet high. There will be no change to the height of any greenhouse structure.

All cultivation will be in the ground using the native soil. Three parallel concrete-paved areas, 17 feet by 393 feet each, will provide access for small farm vehicles within the 264,500 sq. ft. greenhouse. The paved areas will be located along the north and south ends of the greenhouse and one through the center. No other paving is proposed. A drip irrigation system will be employed. No heaters or boilers are proposed or will be used. The new greenhouse will include interior “grow” lights, and black shade cloth will be installed to block light escape at night when the grow lights are employed. No exterior night-lighting is proposed. Fans will be employed inside the greenhouses to provide air circulation.

The greenhouses are operated by Ocean Breeze Nursery, a company owned by the property owners and applicants Rene and June Van Wingerden. Ocean Breeze Nursery is a flower-growing operation located on this and several adjacent and nearby parcels (APNs 005-310-026, 005-430-042 and 005-430-043). The greenhouses on the site employ 11 people who also work at the adjacent Ocean Breeze Nursery properties.

### Access and Parking

Direct access to the site is provided by a private driveway from Foothill Road. The applicant requests a Development Plan modification pursuant to Article II Section 35-174.8.1, to modify the parking requirements for the greenhouses; specifically, to reduce the zoning ordinance requirement of 18 parking spaces to 11 spaces, to allow the uncovered parking to be unpaved, and to waive certain design specifications for marking and striping. The parking would be located no closer than 100 feet from the top-of-bank of Arroyo Paredon. The reason for the modification request is based on the operational/employee needs for the existing greenhouse development: current employee and visitor parking is accommodated on the nearby Ocean Breeze Nursery properties (APNs 005-430-042 and 005-430-043); access to the project site by employees is via internal circulation on foot or by electric cart from the adjacent Ocean Breeze properties; and all products grown on the subject lot are moved by internal circulation to the adjacent property for packing and

shipping. The provision of 11 parking spaces instead of 18 is based on the actual labor and number of employees needed to staff the nursery operation in the greenhouses on the subject property, as described by the applicant and agent.

#### Grading and Drainage

No grading is proposed. The project includes a series of four retention basins to slow the rate of storm water runoff leaving the site.

#### Landscaping/Screening

A band of avocado trees approximately 70-120 feet wide (part of the pre-existing avocado orchard on the property) would remain in place along the northern extent of the property between the development and Arroyo Paredon. Existing bamboo lines the west property line and existing cypress trees are located along the south property line. These plant materials would remain in place to provide screening of the greenhouses.

#### Public Services

Irrigation water is supplied by the Carpinteria Valley Water District and an agricultural well located on the adjacent lot to the east (APN 005-310-026), which is under the same ownership. The agricultural well was permitted in 1991 to provide supplemental agricultural water only. A subsequent lot split, the well to continue to provide water to both parcels. The property will continue to be served by the Carpinteria Valley Water District, the agricultural well, and the Carpinteria-Summerland Fire Protection District. Sewage disposal is not proposed; employees use restroom facilities located on the adjacent Ocean Breeze Nursery properties (APNs 005-310-026, 005-430-042 and 005-430-043).

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

### **PROJECT SPECIFIC CONDITIONS**

3. **Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design and landscape screening. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development.

**TIMING:** The Owner/Applicant shall submit elevations of the project for review and shall obtain final BAR approval prior to approval of the follow on Land Use Permit.

4. **Aest-10 Lighting-Special.** Any new exterior night lighting installed on the project site shall be limited to the minimum needed for safety and security purposes pursuant to the Building Code. If the exterior lighting is required, it shall be of low intensity, low glare design, of minimum height, and shall be hooded to direct light downward onto the subject parcel and prevent spill-over into the Arroyo Paredon Environmentally Sensitive Habitat or onto adjacent parcels.

**PLAN REQUIREMENTS:** If exterior night lighting is required, the Owner/Applicant shall develop a Lighting Plan for P&D approval incorporating these requirements, showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture, and provisions for dimming lights after 10:00 p.m. .

**TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

**MONITORING:** P&D shall review the Lighting Plan for compliance with this measure prior to approval of a Land Use Permit for structures. Building and Safety staff shall inspect to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

5. **Aest-10 Lighting/Blackout Screens-Special.** The Owner/Applicant shall install and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (“grow lights”) from being visible outside the greenhouses.

**PLAN REQUIREMENTS AND TIMING:** The mechanized blackout screen system shall be noted on plans submitted for follow on Land Use Permit approval. The system shall be installed prior to Final Building Inspection Clearance.

**MONITORING:** The Owner/Applicant shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance. P&D staff may conduct site inspections as necessary to respond to complaints and ensure that landscaping is maintained for the life of the project.

6. **Bio-07 Habitat Setback.** All greenhouse development, required parking and removal of native vegetation shall be prohibited within a 100-foot setback from the top-of-bank of Arroyo Paredon creek, a sensitive riparian habitat area.

**PLAN REQUIREMENTS:** The riparian habitat setback area shall be shown on all plans.

7. **Landscp-01a Landscape for Life.** The Owner/Applicant shall maintain landscape screening, including existing vegetation, for the life of the project. The Owner or designee shall permit the County to conduct site inspections as necessary to respond to complaints.

**TIMING:** Prior to approval of the follow on Land Use Permit the Owner/Applicant shall record a buyer notification that repeats the condition requirement above.

**MONITORING:** P&D staff may conduct site inspections as necessary to respond to complaints and ensure that landscaping is maintained for the life of the project.

8. **Wastewater Special.** In the event the subject parcel comes under new and/or separate ownership such that it is no longer operated in conjunction with the adjacent nursery operations, the property



owner shall submit an application to modify the Development Plan to address onsite wastewater disposal and parking.

## COUNTY RULES AND REGULATIONS

9. **Rules-01 Effective Date-Not Appealable to CCC.** This Development Plan shall not be deemed effective until final action by Coastal Commission is taken to approve the Zoning Map Amendment (Case No. 11RZN-00000-000010. No entitlement for the use or development shall be granted before the effective date of the planning permit.
10. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained, including the Coastal Development Permit and the follow-on Land Use Permit and Building Permit. Before any permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
11. **Rules-04 Additional Approvals Required.** Approval of this Development Plan is subject to the California Coastal Commission approving the required Zoning Map Amendment (Case No. 11RZN-00000-00001).
12. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
13. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit 1 and 2 , dated December 4, 2013.
14. **Rules-14 Final DVP Expiration.** Final Development Plans shall expire five years after the effective date unless substantial physical construction has been completed on the development or unless a time extension is approved in compliance with County rules and regulations.
15. **Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
16. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total DIMF amount for Transportation is currently assessed at \$32,752.00

(December 4, 2013). This is based on a greenhouse project type and traffic generation of 16 new Peak Hour Trips in the afternoon peak hour.

**TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to approval of the follow on Land Use Permit and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1<sup>st</sup>).

17. **Rules-28 NTPO Condition.** The Owner shall sign a written agreement with the County (i.e., a Notice to Property Owner) to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.  
**TIMING:** The Owner shall sign and record the Notice to Property Owner agreeing to this requirement of Article II (or any successor regulations, if the CA Overlay is amended) prior to approval of the follow on Land Use Permit.
18. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters shall be required as follows:
  - a. Air Pollution Control District dated June 25, 2010;
  - b. Environmental Health Services Division dated November 12, 2013;
  - c. Flood Control District dated June 22, 2010;
  - d. Project Clean Water dated June 21, 2010;
  - e. Transportation Division dated November 14, 2013.
19. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
20. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner/Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
21. **Rules-37 Time Extensions-All Projects.** The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with

jurisdiction over the project may, upon good cause shown, grant a time extension in compliance with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.

Santa Barbara County  
**PUBLIC Health**  
DEPARTMENT

**Environmental Health Services**

2125 S. Centerpointe Pkwy. #333 + Santa Maria, CA  
93455-1340 805/346-8460 + FAX 805/346-8485

Larry Fay, Director of Environmental Health

Takashi M. Wada, MD, MPH Director/Health Officer  
Anne M. Fearon Deputy Director  
Suzanne Jacobson, CPA Chief Financial Officer  
Susan Klein-Rothschild Deputy Director  
Elizabeth Snyder, MHA Deputy Director

TO: Julie Harris, Planner  
Planning & Development Department  
Development Review Division

FROM: Paul Jenzen  
Environmental Health Services

DATE: November 12, 2013

SUBJECT: Case No. 10DVP-00000-00010

Carpinteria Area

Applicant: Rene Van Wingerden  
4444 Foothill Road  
Carpinteria, CA. 93013

Property Location: Assessor's Parcel No. 005-310-024, zoned AG-I-10, located at 3383 Foothill Road.

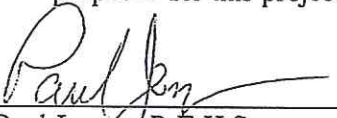
Case No. 10DVP-00000-00010 represents a request to validate the unpermitted construction of greenhouse space. Part of the project would be the construction of four retention basins.

Domestic water supply is provided by the Carpinteria Valley Water District.

Sewage disposal is proposed to be provided by bathroom facilities located on an adjacent plant shelter under common ownership. No further information would be required by Environmental Health Services.


Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Issuance of Zoning Clearance, Environmental Health Services shall review a Mosquito Management Plan or service contract to control the breeding of mosquitoes in the retention basins proposed for this project has been approved.

  
Paul Jenzen, R.E.H.S.  
Senior Environmental Health Specialist

cc: Applicant  
Agent, Bradley Miles, P.O. Box 183, Carpinteria, CA. 93014



Santa Barbara County Public Works Department  
Flood Control  Water Agency

June 22, 2010

Julie Harris, Planner  
County of Santa Barbara  
Planning & Development Department  
123 E. Anapamu St.  
Santa Barbara, CA 93101

Re: **10DVP-00000-00010; Van Wingerden Greenhouses**  
**APN: 005-310-024; Carpinteria**

RECEIVED  
JUN 23 2010  
S.B. COUNTY  
PLANNING & DEVELOPMENT *cc*

**This letter supersedes the previous letter of June 17, 2010**

Dear Ms. Harris:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated February 2010 (<http://www.countyofsb.org/uploadedFiles/pwd/Water/StdConditionsFeb2010.pdf>).
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.

2. Prior to Issuance of Development Permits

- a. Projects near a watercourse shall be designed in compliance with the setback requirements described in Chapter 15B of the Santa Barbara County Code.
- b. The applicant shall submit all grading plans, drainage plans, drainage studies, and landscape plans to the District for review and approval.
- c. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- d. Detention basins are required and shall be designed such that the post-development peak discharge rate does not exceed 75% of the pre-development rate for the 2-year through 100-year storm events.

- e. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.
- f. The applicant shall acquire and supply proof of drainage easements for any off-site drainage conveyances.
- g. The applicant shall sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement).
- h. The applicant shall post surety bonds for drainage improvements in amounts approved by the Public Works Director.
- i. The applicant shall submit to the District electronic drawings in PDF format of the approved grading plans, drainage plans, drainage studies and landscape plans on a compact disc along with one hard copy of each.

3. Prior to Occupancy Clearance

- a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
- b. The applicant shall submit a Project Summary Report in PDF format to the District.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: \_\_\_\_\_



Nick Bruckbauer  
Development Review Engineer

Cc: Rene Van Wingerden, 444 Foothill Road, Carpinteria, CA 93014  
Bradley Miles, P.O. Box 183, Carpinteria, CA 93014



County of Santa Barbara Public Works Department  
 Project Clean Water  
 123 E. Anapamu Street, Suite 240, Santa Barbara, CA 93101  
 (805) 568-3440 FAX (805) 568-3434  
 Website: www.countyofsb.org/project\_cleanwater



**SCOTT D. MCGOLPIN**  
 Director

**THOMAS D. FAYRAM**  
 Deputy Director

June 21, 2010

Julie Harris  
 County of Santa Barbara  
 Planning & Development Department  
 123 E. Anapamu St.  
 Santa Barbara, CA 93101

RECEIVED

JUN 23 2010  
 S.B. COUNTY  
 PLANNING & DEVELOPMENT *cc*

**Re: 10DVP-00000-00010 Van Wingerden Greenhouses, Carpinteria  
 APN 005-310-024**

Dear Ms. Harris,

The above referenced project is subject to the County of Santa Barbara's Standard Conditions for Project Plan Approval – Water Quality Best Management Practices (BMPs). The conditions apply because the project is more than 0.5 acre of commercial development. These conditions require appropriate treatment of the design storm runoff (1.2"/24 hrs) from impervious surfaces to remove potential pollutants. See attached Standard Conditions.

The following provisions apply to this application:

1. For application completeness, the applicant must submit additional information identifying how runoff is treated for the design storm using acceptable BMP measures. The information must show the tributary areas that generate runoff, show either the Water Quality Flow Rate or the Water Quality Design Volume per BMP, and verify that adequate space is available and reserved for these measures. Consistent with County policy, infiltration as a treatment control BMP will be expected for a portion of the runoff volume for this project.

For a description of the level of detail needed for application completeness , please see [http://www.sbprojectcleanwater.org/Application\\_Completeness.html](http://www.sbprojectcleanwater.org/Application_Completeness.html).

2. Prior to issuance of Zoning Clearance or Building or Grading Permits, the applicant shall submit to the Water Resources Division (attention: Project Clean Water) for review and approval either A) improvement plans, grading & drainage plans, landscape plans, and a

drainage study or B) a Storm Water Quality Management Plan or its equivalent that includes relevant details on the location and function of treatment control BMPs.

At a minimum, the submittal(s) must:

- a. show the locations of all treatment facilities and their drainage (treatment) areas,
  - b. demonstrate how the treatment facilities comply with the conditions by treating runoff from the design storm, and
  - c. include a long-term maintenance plan appropriate for the proposed facilities.
3. Prior to issuance of Zoning Clearance or Building or Grading Permits, applicant shall submit the long-term maintenance plan for review and approval. The maintenance plan must identify the party responsible for maintenance of all required storm water runoff treatment control facilities and assure perpetual maintenance of the facilities.
4. Prior to issuance of Occupancy Clearance, all drainage improvements required as part of the above conditions shall be constructed in accordance with the approved plans and certified by a Registered Civil Engineer. A set of As-Built plans shall be submitted to Water Resources Division. A Drainage Improvement Certificate shall be signed and stamped by the engineer of record and be submitted to the Water Resources Division.

Note that the applicant will be required to pay the current plan check fee deposit at the time the Storm Water Quality Management Plan or equivalent is submitted for review and approval. The plan check fee is payable to County of Santa Barbara Public Works Department and can be submitted along with the plans to Water Resources Division, Public Works, 123 E. Anapamu St. Santa Barbara, CA 93101.

I would be happy to work with you and the applicant on ways to meet the recommendations and conditions set forth in this letter. Please don't hesitate to contact me at (805) 568-3561.

Sincerely,



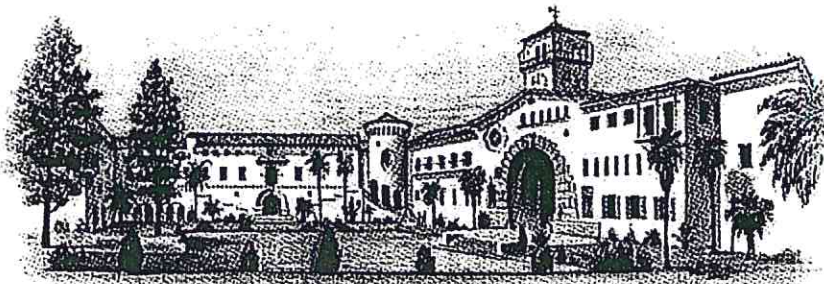
Cathleen Garnand  
Civil Engineering Associate

Attachment Standard Conditions

cc: Rene Van Wingerden 4444 Foothill Road, Carpinteria, CA 93013  
Bradley Miles, P.O. Box 183 Carpinteria, CA 93014



COUNTY OF SANTA BARBARA  
PUBLIC WORKS DEPARTMENT  
3 East Anapamu Street  
Santa Barbara, California 93101  
805/568-3232 FAX 805/568-3222



November 14, 2013

TO: Julie Harris, Planner  
Development Review

FROM: William Robertson, Transportation Planner  
Public Works, Transportation Division

SUBJECT: **Conditions of Approval (1 page)**  
**Van Wingerden Greenhouses**  
11RZN-00000-00001, 10DVP-00000-00010, 11CDP-00000-00009  
APN: 005-310-024, -026, 005-430-042, -043/ Carpinteria

Traffic Mitigation Fees

Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Carpinteria Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$32,752 (16 newly generated peak hour trips (PHT) x \$2,047/PHT). The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. **Fees are due prior to zoning clearance and shall be based on the fee schedule in effect when paid.** This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2<sup>nd</sup> Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

 11/14/2013

William T. Robertson

Date

cc: 10DVP-00000-00010  
Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department  
G:\Transportation\Traffic\Transportation Planning\Development Review\Carpinteria\Van Wingerden Greenhouses 10DVP-Cond.doc



COUNTY OF SANTA BARBARA

## Planning and Development

### COASTAL DEVELOPMENT PERMIT

**Case No.:** 11CDP-00000-00009

**Project Name:** Van Wingerden Greenhouses

**Project Address:** unassigned Foothill Road

**Assessor's Parcel No.:** 005-310-024

**Applicant Name:** Rene and June Van Wingerden

The Board of Supervisors hereby approves this Coastal Development Permit for the development described below, based upon the required findings and subject to the attached terms and conditions.

**Associated Case Number(s):** 10DVP-00000-00010, 11RZN-00000-00001, 10BAR-00000-00207

**Project Description Summary:** Approve 264,500 sq. ft. greenhouse constructed without permits and incorporate existing 122,100 sq. ft. of permitted greenhouses into the Development Plan.

**Project Specific Conditions:** See Attachment A

**Permit Compliance Case:** \_\_\_ Yes     No

**Permit Compliance Case No.:** \_\_\_\_\_

**Appeals:** The final action by the County on this Coastal Development Permit may be appealed to the California Coastal Commission after the appellant has exhausted all local appeals.

**Terms of Permit Issuance:**

- 1. Work Prohibited Prior to Permit Issuance.** No work, development, or use intended to be authorized pursuant to this approval shall commence prior to issuance of this Coastal Development Permit and/or any other required permit (e.g., Building Permit). **Warning! This is not a Building/Grading Permit.**
- 2. Date of Permit Issuance.** This Permit shall be deemed effective and issued provided an appeal of this approval has not been filed and the Coastal Commission certifies the proposed Zoning Map Amendment (Case No. 11RZN-00000-00001) and all prior to issuance conditions have been met.
- 3. Time Limit.** The approval of this Coastal Development Permit shall be valid for one year from the date of approval. Failure to obtain a required construction, demolition, or grading permit and to lawfully commence development within two years of permit issuance shall render this Coastal Development Permit null and void.

**NOTE:** Approval and issuance of a Coastal Development Permit for this project does not allow construction or use outside of the project description, terms or conditions; nor shall it be construed to be an approval of a violation of any provision of any County Policy, Ordinance or other governmental regulation.



## **ATTACHMENT A: PROJECT SPECIFIC CONDITIONS**

1. **Proj Des-01 Project Description.** This Development Plan is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits 1 and 2, dated December 4, 2013, and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project will validate the unpermitted construction of a 264,500 sq. ft. greenhouse (9.6% of the CA Overlay development cap); three existing permitted greenhouses on the site will be incorporated into the Development Plan. The three existing permitted greenhouses total approximately 122,100 sq. ft. and were permitted between 1968 and 1971. At project completion, total greenhouse development on the lot will be approximately 386,600 sq. ft. for total lot coverage of 65.0%. The currently unpermitted greenhouse is 17 feet 7 inches in height. The previously permitted greenhouses are 15 feet high. There will be no change to the height of any greenhouse structure.

All cultivation will be in the ground using the native soil. Three parallel concrete-paved areas, 17 feet by 393 feet each, will provide access for small farm vehicles within the 264,500 sq. ft. greenhouse. The paved areas will be located along the north and south ends of the greenhouse and one through the center. No other paving is proposed. A drip irrigation system will be employed. No heaters or boilers are proposed or will be used. The new greenhouse will include interior “grow” lights, and black shade cloth will be installed to block light escape at night when the grow lights are employed. No exterior night-lighting is proposed. Fans will be employed inside the greenhouses to provide air circulation.

The greenhouses are operated by Ocean Breeze Nursery, a company owned by the property owners and applicants Rene and June Van Wingerden. Ocean Breeze Nursery is a flower-growing operation located on this and several adjacent and nearby parcels (APNs 005-310-026, 005-430-042 and 005-430-043). The greenhouses on the site employ 11 people who also work at the adjacent Ocean Breeze Nursery properties.

### Access and Parking

Direct access to the site is provided by a private driveway from Foothill Road. The applicant requests a Development Plan modification pursuant to Article II Section 35-174.8.1, to modify the parking requirements for the greenhouses; specifically, to reduce the zoning ordinance requirement of 18 parking spaces to 11 spaces, to allow the uncovered parking to be unpaved, and to waive certain design specifications for marking and striping. The parking would be located no closer than 100 feet from the top-of-bank of Arroyo Paredon. The reason for the modification request is based on the operational/employee needs for the existing greenhouse development: current employee and visitor parking is accommodated on the nearby Ocean Breeze Nursery properties (APNs 005-430-042 and 005-430-043); access to the project site by employees is via internal circulation on foot or by electric cart from the adjacent Ocean Breeze properties; and all products grown on the subject lot are moved by internal circulation to the adjacent property for packing and shipping. The provision of 11 parking spaces instead of 18 is based on the actual labor and number of employees needed to staff the nursery operation in the greenhouses on the subject property, as described by the applicant and agent.

### Grading and Drainage

No grading is proposed. The project includes a series of four retention basins to slow the rate of storm water runoff leaving the site.

### Landscaping/Screening

A band of avocado trees approximately 70-120 feet wide (part of the pre-existing avocado orchard on the property) would remain in place along the northern extent of the property between the development and Arroyo Paredon. Existing bamboo lines the west property line and existing cypress trees are located along the south property line. These plant materials would remain in place to provide screening of the greenhouses.

### Public Services

Irrigation water is supplied by the Carpinteria Valley Water District and an agricultural well located on the adjacent lot to the east (APN 005-310-026), which is under the same ownership. The agricultural well was permitted in 1991 to provide supplemental agricultural water only. A subsequent lot split, the well to continue to provide water to both parcels. The property will continue to be served by the Carpinteria Valley Water District, the agricultural well, and the Carpinteria-Summerland Fire Protection District. Sewage disposal is not proposed; employees use restroom facilities located on the adjacent Ocean Breeze Nursery properties (APNs 005-310-026, 005-430-042 and 005-430-043).

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

## **PROJECT SPECIFIC CONDITIONS**

3. **Aest-04 BAR Required.** The Owner/Applicant shall obtain Board of Architectural Review (BAR) approval for project design and landscape screening. All project elements (e.g., design, scale, character, colors, materials and landscaping shall be compatible with vicinity development.  
**TIMING:** The Owner/Applicant shall submit elevations of the project for review and shall obtain final BAR approval prior to approval of the follow on Land Use Permit.
4. **Aest-10 Lighting-Special.** Any new exterior night lighting installed on the project site shall be limited to the minimum needed for safety and security purposes pursuant to the Building Code. If the exterior lighting is required, it shall be of low intensity, low glare design, of minimum height,

and shall be hooded to direct light downward onto the subject parcel and prevent spill-over into the Arroyo Paredon Environmentally Sensitive Habitat or onto adjacent parcels.

**PLAN REQUIREMENTS:** If exterior night lighting is required, the Owner/Applicant shall develop a Lighting Plan for P&D approval incorporating these requirements, showing locations and height of all exterior lighting fixtures with arrows showing the direction of light being cast by each fixture, and provisions for dimming lights after 10:00 p.m. .

**TIMING:** Lighting shall be installed in compliance with this measure prior to Final Building Inspection Clearance.

**MONITORING:** P&D shall review the Lighting Plan for compliance with this measure prior to approval of a Land Use Permit for structures. Building and Safety staff shall inspect to ensure that exterior lighting fixtures have been installed consistent with their depiction on the final Lighting Plan.

5. **Aest-10 Lighting/Blackout Screens-Special.** The Owner/Applicant shall install and maintain a mechanized blackout screening system within growing areas to prevent interior night lighting (“grow lights”) from being visible outside the greenhouses.

**PLAN REQUIREMENTS AND TIMING:** The mechanized blackout screen system shall be noted on plans submitted for follow on Land Use Permit approval. The system shall be installed prior to Final Building Inspection Clearance.

**MONITORING:** The Owner/Applicant shall demonstrate proper installation and functioning prior to Final Building Inspection Clearance. P&D staff may conduct site inspections as necessary to respond to complaints and ensure that landscaping is maintained for the life of the project.

6. **Bio-07 Habitat Setback.** All greenhouse development, required parking and removal of native vegetation shall be prohibited within a 100-foot setback from the top-of-bank of Arroyo Paredon creek, a sensitive riparian habitat area.

**PLAN REQUIREMENTS:** The riparian habitat setback area shall be shown on all plans.

7. **Landscp-01a Landscape for Life.** The Owner/Applicant shall maintain landscape screening, including existing vegetation, for the life of the project. The Owner or designee shall permit the County to conduct site inspections as necessary to respond to complaints.

**TIMING:** Prior to approval of the follow on Land Use Permit the Owner/Applicant shall record a buyer notification that repeats the condition requirement above.

**MONITORING:** P&D staff may conduct site inspections as necessary to respond to complaints and ensure that landscaping is maintained for the life of the project.

8. **Wastewater Special.** In the event the subject parcel comes under new and/or separate ownership such that it is no longer operated in conjunction with the adjacent nursery operations, the property owner shall submit an application to modify the Development Plan to address onsite wastewater disposal and parking.

## COUNTY RULES AND REGULATIONS

9. **Rules-01 Effective Date-Not Appealable to CCC.** This Coastal Development Permit shall not be deemed effective until final action by Coastal Commission is taken to approve the Zoning Map

Amendment (Case No. 11RZN-00000-000010). No entitlement for the use or development shall be granted before the effective date of the planning permit.

10. **Rules-03 Additional Permits Required.** The use and/or construction of any structures or improvements authorized by this approval shall not commence until the all necessary planning and building permits are obtained, including this Coastal Development Permit and the follow-on Land Use Permit and Building Permit. Before any permit will be issued by Planning and Development, the Owner/Applicant must obtain written clearance from all departments having conditions; such clearance shall indicate that the Owner/Applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Development.
11. **Rules-04 Additional Approvals Required.** Approval of this Coastal Development Permit is subject to the California Coastal Commission approving the required Zoning Map Amendment (Case No. 11RZN-00000-00001).
12. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
13. **Rules-07 DP Conformance.** No permits for development, including grading, shall be issued except in conformance with an approved Final Development Plan. The size, shape, arrangement, use, and location of structures, walkways, parking areas, and landscaped areas shall be developed in conformity with the approved development plan marked Exhibit 1 and 2 , dated December 4, 2013.
14. **Rules-11 CDP Expiration-With DVP.** The approval or conditional approval of a Coastal Development Permit shall be valid for one year from the date of decision-maker action. Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made. Prior to the expiration of a time extension approved in compliance with Subsection a. above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35-169.5 can still be made.  
A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit. A Coastal Development Permit whose expiration date has been extended in compliance with the above will nevertheless expire at the earlier of: (1) the expiration of the most recent time extension or (2) the expiration of the associated Development Plan (as modified by any extension thereto).
15. **Rules-23 Processing Fees Required.** Prior to issuance of the Coastal Development Permit, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
16. **DIMF-24g DIMF Fees-Transportation.** In compliance with the provisions of ordinances and resolutions adopted by the County, the Owner/Applicant shall be required to pay development impact mitigation fees to finance the development of facilities for transportation. Required

mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total DIMF amount for Transportation is currently assessed at \$32,752.00 (December 4, 2013). This is based on a greenhouse project type and traffic generation of 16 new Peak Hour Trips in the afternoon peak hour.

**TIMING:** Transportation DIMFs shall be paid to the County Public Works Department-Transportation Division prior to approval of the follow on Land Use Permit and shall be based on the fee schedules in effect when paid, which may increase at the beginning of each fiscal year (July 1<sup>st</sup>).

17. **Rules-28 NTPO Condition.** The Owner shall sign a written agreement with the County (i.e., a Notice to Property Owner) to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent one year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a Coastal Development Permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition or removal.  
**TIMING:** The Owner shall sign and record the Notice to Property Owner agreeing to this requirement of Article II (or any successor regulations, if the CA Overlay is amended) prior to approval of the follow on Land Use Permit.
18. **Rules-29 Other Dept Conditions.** Compliance with Departmental/Division letters shall be required as follows:
  - a. Air Pollution Control District dated June 25, 2010;
  - b. Environmental Health Services Division dated November 12, 2013;
  - c. Flood Control District dated June 22, 2010;
  - d. Project Clean Water dated June 21, 2010;
  - e. Transportation Division dated November 14, 2013.
19. **Rules-30 Plans Requirements.** The Owner/Applicant shall ensure all applicable final conditions of approval are printed in their entirety on applicable pages of grading/construction or building plans submitted to P&D or Building and Safety Division. These shall be graphically illustrated where feasible.
20. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner/Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.
21. **Rules-37 Time Extensions-All Projects.** The Owner/Applicant may request a time extension prior to the expiration of the permit or entitlement for development. The review authority with jurisdiction over the project may, upon good cause shown, grant a time extension in compliance



with County rules and regulations, which include reflecting changed circumstances and ensuring compliance with CEQA. If the Owner/Applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts.



**Santa Barbara County  
Pollution Control District**

June 25, 2010

Julie Harris  
Santa Barbara County  
Planning and Development  
123 E. Anapamu Street  
Santa Barbara, CA 93101

RECEIVED

JUN 23 2010

S.B. COUNTY cc  
PLANNING & DEVELOPMENT

Re: **APCD comments Vanwingerden Greenhouses, 10DVP-00000-00010**

Dear Ms. Harris:

The Air Pollution Control District (APCD) has reviewed the referenced case, which consists of permitting an as-built 264,500 square foot greenhouse. The subject property, a 13.7-acre parcel zoned AG-I-10 and identified in the Assessor Parcel Map Book as APN 005-310-024, is located at 3383 Foothill Road in the unincorporated Carpinteria area.

Air Pollution Control District staff offers the following suggested conditions:

1. Should the project involve the dismantling of existing greenhouses, the applicant should consult with APCD's Engineering and Compliance Division, (805) 961-8800, to determine whether this triggers asbestos notification requirements. The applicant may be required to complete the "Asbestos Demolition/Renovation Notification" form (which can be downloaded from the APCD website at [www.sbapcd.org/biz/asbestos.htm](http://www.sbapcd.org/biz/asbestos.htm)) for each regulated structure to be demolished or renovated, regardless of whether asbestos is present or not. The completed form should be mailed to the Santa Barbara County Air Pollution Control District no later than 10 working days prior to starting work on the regulated structure.

If you or the project applicant have any questions, please feel free to contact me at (805) 961-8893 or via email at [edg@sbapcd.org](mailto:edg@sbapcd.org).

Sincerely,

Eric Gage,  
Air Quality Specialist  
Technology and Environmental Assessment Division

cc: Project File  
TEA Chron File

**PUBLIC Health**  
DEPARTMENT

**Environmental Health Services**

2125 S. Centerpointe Pkwy. #333 • Santa Maria, CA  
93455-1340 805/346-8460 • FAX 805/346-8485

Larry Fay, Director of Environmental Health

Takashi M. Wada, MD, MPH Director/Health Officer  
Anne M. Fehron Deputy Director  
Suzanne Jacobson, CPA Chief Financial Officer  
Susan Klein-Rothschild Deputy Director  
Elizabeth Snyder, MHA Deputy Director

TO: Julie Harris, Planner  
Planning & Development Department  
Development Review Division

FROM: Paul Jenzen  
Environmental Health Services

DATE: November 12, 2013

SUBJECT: Case No. 10DVP-00000-00010 Carpinteria Area

Applicant: Rene Van Wingerden  
4444 Foothill Road  
Carpinteria, CA. 93013

Property Location: Assessor's Parcel No. 005-310-024, zoned AG-I-10, located at 3383 Foothill Road.

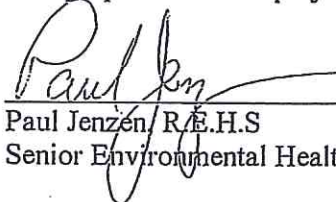
Case No. 10DVP-00000-00010 represents a request to validate the unpermitted construction of greenhouse space. Part of the project would be the construction of four retention basins.

Domestic water supply is provided by the Carpinteria Valley Water District.

Sewage disposal is proposed to be provided by bathroom facilities located on an adjacent plant shelter under common ownership. No further information would be required by Environmental Health Services.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Issuance of Zoning Clearance, Environmental Health Services shall review a **Mosquito Management Plan** or service contract to control the breeding of mosquitoes in the retention basins proposed for this project has been approved.

  
\_\_\_\_\_  
Paul Jenzen/R.E.H.S  
Senior Environmental Health Specialist

cc: Applicant  
Agent, Bradley Miles, P.O. Box 183, Carpinteria, CA. 93014



Santa Barbara County Public Works Department  
Flood Control & Water Agency

June 22, 2010

Julie Harris, Planner  
County of Santa Barbara  
Planning & Development Department  
123 E. Anapamu St.  
Santa Barbara, CA 93101

RECEIVED

JUN 23 2010

S.B. COUNTY  
PLANNING & DEVELOPMENT

Re: 10DVP-00000-00010; Van Wingerden Greenhouses  
APN: 005-310-024; Carpinteria

**This letter supersedes the previous letter of June 17, 2010**

Dear Ms. Harris:

The District recommends that approval of the above referenced project be subject to the following conditions:

1. General

- a. The applicant shall comply with the Santa Barbara County Flood Control District Standard Conditions of Approval dated February 2010 (<http://www.countyofsb.org/uploadedFiles/pwd/Water/StdConditionsFeb2010.pdf>).
- b. The applicant shall provide a site plan of the proposed development following the guidelines provided in the Standard Conditions of Approval.

2. Prior to Issuance of Development Permits

- a. Projects near a watercourse shall be designed in compliance with the setback requirements described in Chapter 15B of the Santa Barbara County Code.
- b. The applicant shall submit all grading plans, drainage plans, drainage studies, and landscape plans to the District for review and approval.
- c. The applicant shall acquire and submit all required data, forms and certifications as described in the Standard Conditions of Approval.
- d. Detention basins are required and shall be designed such that the post-development peak discharge rate does not exceed 75% of the pre-development rate for the 2-year through 100-year storm events.

- e. The applicant shall sign the Agreement for Payment of Plan Check Fees (attached to the Standard Conditions of Approval) and pay the appropriate plan check fee deposit at the time of the initial submittal of maps, plans and studies.
  - f. The applicant shall acquire and supply proof of drainage easements for any off-site drainage conveyances.
  - g. The applicant shall sign and return the Maintenance Agreement (Subdivider's or Owner's Agreement).
  - h. The applicant shall post surety bonds for drainage improvements in amounts approved by the Public Works Director.
  - i. The applicant shall submit to the District electronic drawings in PDF format of the approved grading plans, drainage plans, drainage studies and landscape plans on a compact disc along with one hard copy of each.
3. Prior to Occupancy Clearance
- a. The engineer of record shall submit a Drainage Improvement Certification (attached to the Standard Conditions of Approval).
  - b. The applicant shall submit a Project Summary Report in PDF format to the District.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: \_\_\_\_\_



Nick Bruckbauer  
Development Review Engineer

Cc: Rene Van Wingerden, 444 Foothill Road, Carpinteria, CA 93014  
Bradley Miles, P.O. Box 183, Carpinteria, CA 93014



County of Santa Barbara Public Works Department  
 Project Clean Water  
 123 E. Anapamu Street, Suite 240, Santa Barbara, CA 93101  
 (805) 568-3440 FAX (805) 568-3434  
 Website: [www.countyofsb.org/project\\_cleanwater](http://www.countyofsb.org/project_cleanwater)



SCOTT D. MCGOLPIN  
 Director

THOMAS D. FAYRAM  
 Deputy Director

June 21, 2010

Julie Harris  
 County of Santa Barbara  
 Planning & Development Department  
 123 E. Anapamu St.  
 Santa Barbara, CA 93101

RECEIVED  
 JUN 23 2010  
 S.B. COUNTY  
 PLANNING & DEVELOPMENT *cc*

Re: 10DVP-00000-00010 Van Wingerden Greenhouses, Carpinteria  
 APN 005-310-024

Dear Ms. Harris,

The above referenced project is subject to the County of Santa Barbara's Standard Conditions for Project Plan Approval – Water Quality Best Management Practices (BMPs). The conditions apply because the project is more than 0.5 acre of commercial development. These conditions require appropriate treatment of the design storm runoff (1.2"/24 hrs) from impervious surfaces to remove potential pollutants. See attached Standard Conditions.

The following provisions apply to this application:

1. For application completeness, the applicant must submit additional information identifying how runoff is treated for the design storm using acceptable BMP measures. The information must show the tributary areas that generate runoff, show either the Water Quality Flow Rate or the Water Quality Design Volume per BMP, and verify that adequate space is available and reserved for these measures. Consistent with County policy, infiltration as a treatment control BMP will be expected for a portion of the runoff volume for this project.

For a description of the level of detail needed for application completeness , please see [http://www.sbprojectcleanwater.org/Application\\_Completeness.html](http://www.sbprojectcleanwater.org/Application_Completeness.html).

2. Prior to issuance of Zoning Clearance or Building or Grading Permits, the applicant shall submit to the Water Resources Division (attention: Project Clean Water) for review and approval either A) improvement plans, grading & drainage plans, landscape plans, and a

drainage study or B) a Storm Water Quality Management Plan or its equivalent that includes relevant details on the location and function of treatment control BMPs.

At a minimum, the submittal(s) must:

- a. show the locations of all treatment facilities and their drainage (treatment) areas,
  - b. demonstrate how the treatment facilities comply with the conditions by treating runoff from the design storm, and
  - c. include a long-term maintenance plan appropriate for the proposed facilities.
3. Prior to issuance of Zoning Clearance or Building or Grading Permits, applicant shall submit the long-term maintenance plan for review and approval. The maintenance plan must identify the party responsible for maintenance of all required storm water runoff treatment control facilities and assure perpetual maintenance of the facilities.
4. Prior to issuance of Occupancy Clearance, all drainage improvements required as part of the above conditions shall be constructed in accordance with the approved plans and certified by a Registered Civil Engineer. A set of As-Built plans shall be submitted to Water Resources Division. A Drainage Improvement Certificate shall be signed and stamped by the engineer of record and be submitted to the Water Resources Division.

Note that the applicant will be required to pay the current plan check fee deposit at the time the Storm Water Quality Management Plan or equivalent is submitted for review and approval. The plan check fee is payable to County of Santa Barbara Public Works Department and can be submitted along with the plans to Water Resources Division, Public Works, 123 E. Anapamu St. Santa Barbara, CA 93101.

I would be happy to work with you and the applicant on ways to meet the recommendations and conditions set forth in this letter. Please don't hesitate to contact me at (805) 568-3561.

Sincerely,

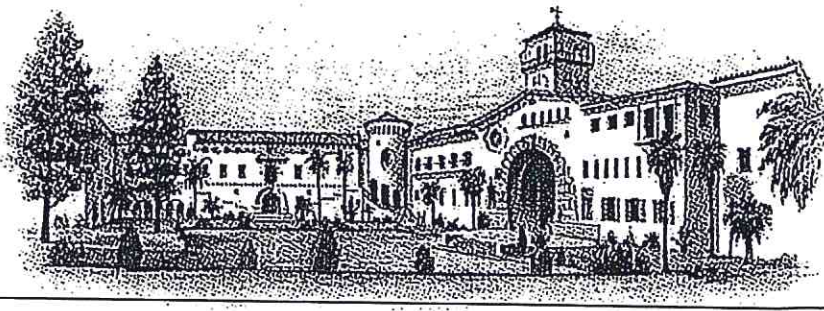


Cathleen Garnand  
Civil Engineering Associate

Attachment Standard Conditions

cc: Rene Van Wingerden 4444 Foothill Road, Carpinteria, CA 93013  
Bradley Miles, P.O. Box 183 Carpinteria, CA 93014

COUNTY OF SANTA BARBARA  
PUBLIC WORKS DEPARTMENT  
123 East Anapamu Street  
Santa Barbara, California 93101  
805/568-3232 FAX 805/568-3222



November 14, 2013

TO: Julie Harris, Planner  
Development Review

FROM: William Robertson, Transportation Planner  
Public Works, Transportation Division

SUBJECT: Conditions of Approval (1 page)  
Van Wingerden Greenhouses  
11RZN-00000-00001, 10DVP-00000-00010, 11CDP-00000-00009  
APN: 005-310-024, -026, 005-430-042, -043/ Carpinteria

Traffic Mitigation Fees

Pursuant to Ordinance No. 4270 regarding Transportation Impact Fees, the applicant will be required to pay a fee for each new peak hour trip (PHT), for the purpose of funding transportation facilities within the Unincorporated Carpinteria Planning Area of the County.

Based on the current fee schedule, the total estimated fee for the proposed project is \$32,752 (16 newly generated peak hour trips (PHT) x \$2,047/PHT). The Transportation Impact Mitigation Fee Program is designed to collect fees from any project that generates more than one additional peak hour trip. Fees are due prior to zoning clearance and shall be based on the fee schedule in effect when paid. This office will not accept payment or process a check received prior to project approval.

Fees are payable to the County of Santa Barbara, and may be paid in person or mailed to: Santa Barbara County Transportation Division, 123 E. Anapamu St., 2<sup>nd</sup> Floor, Santa Barbara, CA 93101 or Santa Barbara County Transportation Division North, 620 West Foster Road, Santa Maria, CA 93455. Please phone this office prior to payment if unsure as to the final fee required.

If you have any questions, please contact me at 739-8785.

Sincerely,

 11/14/2013

William T. Robertson

Date

cc: 10DVP-00000-00010

Chris Sneddon, Transportation Manager, County of Santa Barbara, Public Works Department

G:\Transportation\Traffic\Transportation Planning\Development Review\Carpinteria\Van Wingerden Greenhouses 10DVP-Cond.doc



## ATTACHMENT D EIR ADDENDUM

TO: Planning Commission

FROM: Anne Almy, Supervising Planner  
Development Review South Division, Planning and Development  
Staff Contact: Julie Harris

DATE: December 4, 2013

RE: CEQA Determination: Finding that CEQA Guidelines Section 15164 (Addendum) applies to the Van Wingerden Greenhouses, Case Numbers 11RZN-00000-00001, 10DVP-00000-00010 and 11CDP-00000-00009. CEQA Guidelines Section 15164 allows an addendum to be prepared when only minor technical changes or changes which do not create new significant impacts would result. The Environmental Impact Report (99-EIR-02 RV 1), prepared for the Carpinteria Valley Greenhouse Program, Case Numbers 99-GP-007, 99-OA-005 and 99-RZ-009, is hereby amended by this 15164 letter for Case Numbers 11RZN-00000-00001, 10DVP-00000-00010 and 11CDP-00000-00009.

### 1.0 INTRODUCTION AND BACKGROUND

The California Environmental Quality Act (CEQA) requires analysis of environmental impacts that could occur as a result of project development. State CEQA Guidelines Section 15164 provides for the preparation of an addendum to a previously certified Environmental Impact Report (EIR) when only minor technical changes or additions are necessary to make the EIR under consideration adequate under CEQA for the current project, and the changes to the EIR made by the addendum do not raise important new issues about the significant effects of the project on the environment and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred..

The Carpinteria Valley Greenhouse Program Revised Final EIR (99-EIR-02 RV 1) analyzed impacts associated with the creation and implementation of the Carpinteria Agricultural Overlay District (CA Overlay). The CA Overlay created two zoning overlay areas within the agricultural lands of the Carpinteria Valley: Area A allows greenhouse development and expansion with approval of a Development Plan, subject to specific development standards. Area B limits new greenhouse development to no more than 20,000 sq. ft. of cumulative greenhouse development per legal lot, while greenhouses legally-permitted as of the effective date of the ordinance<sup>1</sup> would be allowed to continue as conforming structures. Within Area A, the CA Overlay includes a development cap of 2.75 million sq. ft. of new greenhouse development beginning with the effective date of the ordinance. In addition, 11 parcels within Area A were given a view corridor designation that includes additional development standards, the most relevant of which are a 25% lot coverage limit instead of no limit, and a 25 ft. maximum height instead of a 30 ft. maximum height.

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<sup>1</sup> The effective date of the ordinance was April 20, 2004, when the Board of Supervisors accepted the Coastal Commission's approval with modifications.

The EIR identified unavoidable significant impacts (Class I) with full buildout under the CA Overlay in the areas of Visual Resources, Land Use and Agriculture, and Traffic. The EIR also identified significant environmental impacts that can be feasibly mitigated or avoided (Class II) in the areas of Visual Resources, Water Quality and Groundwater, Flooding and Drainage, Land Use and Agriculture, Air Quality, Noise, and Biological Resources. The EIR included mitigation measures to address these impacts. These measures were incorporated as ordinance requirements and development standards of the CA Overlay.

The Board of Supervisors found that adverse impacts identified in the Carpinteria Valley Greenhouse Program EIR have been mitigated to the maximum extent feasible, and to the extent these impacts remain significant and unavoidable after implementation of mitigation measures, such impacts are acceptable when weighed against the overriding social, economic, and other considerations set forth in a Statement of Overriding Considerations adopted by the Board of Supervisors for the Carpinteria Valley Greenhouse Program (dated February 19, 2002).

The proposed project consists of two separate but related activities. The first is a Zoning Map Amendment (Case No. 11RZN-00000-00001) that would revise the CA Overlay map to remove the view corridor designation from the subject parcel, which is located in Area A. This is the only proposed change to the Carpinteria Valley Greenhouse Program. The second part of the project is a Development Plan (Case Nos. 10DVP-00000-00010 and 11CDP-00000-00009) to allow the construction of approximately 264,500 sq. ft. of greenhouse development on the subject lot, which would be consistent with the requirements of the CA Overlay and the CA Overlay map (if amended by 11RZN-00000-00001).

This Addendum to the Carpinteria Valley Greenhouse Program Revised Final EIR includes two parts. The first addresses the potential impacts of the specific change associated with the proposed Zoning Map Amendment. The second analyzes the potential impacts associated with the proposed Development Plan. This Addendum has been prepared pursuant to CEQA Guidelines §15164. CEQA Guidelines §15164 does not require circulation of addenda. This Addendum, together with 99-EIR-02 RV 1, will be utilized by County decision-makers during consideration of the proposed project.

The Carpinteria Valley Greenhouse Program Revised Final EIR (99-EIR-02 RV 1) is available for review at Santa Barbara County Planning and Development, 123 E. Anapamu Street, Santa Barbara, California and on the Planning and Development website at <http://www.sbcountyplanning.org/projects/11RZN-00001Greenhouses/index.cfm>. The State Clearinghouse identification number for 99-EIR-02 RV 1 is 99-041114.

## **2.0 LOCATION**

The project site is a 13.655-acre parcel located south of Foothill Road (State Route 192) between Nidever Road to the west and Cravens Lane to the east, located south of Foothill Road in the Carpinteria area, First Supervisorial District, Assessor's Parcel Number (APN) 005-310-024. The site does not have an assigned address number.

### **3.0 CHANGES TO THE PROJECT (PROJECT DESCRIPTION)**

The project includes two applications to validate the unpermitted construction of a greenhouse in the AG-I-10 zone, thereby abating a zoning violation (10ZEV-00000-00002). The project is composed of the following elements: a Zoning Map Amendment (Rezone); and a Development Plan and Coastal Development Permit.

#### Zoning Map Amendment

A Zoning Map Amendment (11RZN-00000-00001) is proposed to amend the CA Overlay map to remove the view corridor designation from a 13.655-acre parcel, APN 005-310-024. Removal of the view corridor designation from this parcel would allow greenhouse development to exceed 25% coverage of the lot and would allow greenhouses to be constructed up to a maximum of 30 ft. in height instead of 25 ft. in height. There are no changes proposed to the text of the Coastal Land Use Plan or the Coastal Zoning Ordinance.

#### Development Plan and Coastal Development Permit

A Development Plan (Case No. 10DVP-00000-00010) and Coastal Development Permit (11CDP-00000-00009) are proposed to validate the unpermitted construction of a 264,500 sq. ft. greenhouse (9.6% of the CA Overlay development cap); three existing permitted greenhouses on the site would be incorporated into the Development Plan. The three existing permitted greenhouses total approximately 122,100 sq. ft. and were permitted between 1968 and 1971.<sup>2</sup> At project completion, total greenhouse development on the lot would be approximately 386,600 sq. ft. for total lot coverage of 65.0%. The currently unpermitted greenhouse is 17 feet 7 inches in height. The previously permitted greenhouses are 15 feet high. There would be no change to the height of any greenhouse structure.

All cultivation would be in the ground using the native soil. Three parallel concrete-paved areas, 17 feet by 393 feet each, would provide access for small farm vehicles within the new 264,500 sq. ft. greenhouse (located along the north and south ends of the greenhouse and one through the center). No other paving is proposed. A drip irrigation system would be employed. No heaters or boilers would be used or proposed. The new greenhouse would include interior “grow” lights, and black shade cloth would be installed to block light escape at night when the grow lights are employed. No exterior night-lighting is proposed. Fans would be employed inside the greenhouses to provide air circulation.

The greenhouses are operated by Ocean Breeze Nursery, a company owned by the property owners and applicants Rene and June Van Wingerden. Ocean Breeze Nursery is a flower-growing operation located on this and several adjacent and nearby parcels (APNs 005-310-026, 005-430-042 and 005-430-043). The greenhouses on the site employ 11 people who also work at the adjacent Ocean Breeze Nursery properties.

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<sup>2</sup> Three greenhouses were originally permitted by permit numbers 43977, 45586 and 49802 for a total of 123,456 sq. ft.

### Access and Parking

Direct access to the site is provided by a private driveway from Foothill Road. The applicant requests a Development Plan modification pursuant to Article II Section 35-174.8.1, to modify the parking requirements for the greenhouses; specifically, to reduce the zoning ordinance requirement of 18 parking spaces to 11 spaces, to allow the uncovered parking to be unpaved, and to waive certain design specifications for marking and striping. The parking would be located no closer than 100 feet from the top-of-bank of Arroyo Paredon. The reason for the modification request is based on the operational/employee needs for the existing greenhouse development: current employee and visitor parking is accommodated on the nearby Ocean Breeze Nursery properties (APNs 005-430-042 and 005-430-043); access to the project site by employees is via internal circulation on foot or by electric cart from the adjacent Ocean Breeze properties; and all products grown on the subject lot are moved by internal circulation to the adjacent property for packing and shipping. The provision of 11 parking spaces instead of 18 is based on the actual labor and number of employees needed to staff the nursery operation in the greenhouses on the subject property, as described by the applicant and agent.

### Grading and Drainage

No grading is proposed. The project includes a series of four retention basins to slow the rate of storm water runoff leaving the site.

### Landscaping/Screening

A band of avocado trees approximately 70-120 feet wide (part of the pre-existing avocado orchard on the property) would remain in place along the northern extent of the property between the development and Arroyo Paredon. Existing bamboo lines the west property line and existing cypress trees are located along the south property line. These plant materials would remain in place to provide screening of the greenhouses.

### Public Services

Irrigation water is supplied by the Carpinteria Valley Water District and an agricultural well located on the adjacent lot to the east (APN 005-310-026), which is under the same ownership.<sup>3</sup> The property would continue to be served by the Carpinteria Valley Water District, the agricultural well, and the Carpinteria-Summerland Fire Protection District. Sewage disposal is not proposed; employees use restroom facilities located on the adjacent Ocean Breeze Nursery properties (APNs 005-310-026, 005-430-042 and 005-430-043).

## **4.0 ENVIRONMENTAL SETTING**

*Slope/Topography* – The site is relatively level, gently sloping to the south (less than 1% slope). Drainage from the site flows to the south-southwest.

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<sup>3</sup> The agricultural well was permitted in 1991 to provide supplemental agricultural water only. A subsequent lot split, which created the subject lot and the parcel to the east, noted in the project description that the well would continue to provide water to both parcels.

*Surface Water Bodies* – Arroyo Paredon Creek comprises most of the northern property line. Arroyo Paredon is identified and mapped as riparian Environmentally Sensitive Habitat (ESH) in the Coastal Land Use Plan and on the Article II zoning overlay map. A private driveway and a remnant avocado orchard are located in an approximately 70-120 foot wide swath across the north end of the subject lot between the top-of-bank and riparian vegetation associated with the ESH and the existing permitted and unpermitted greenhouse development.

*Fauna* – No sensitive animals are known to occur on the site; however, along with other South Coast creeks, Arroyo Paredon has been identified as sensitive habitat for the endangered Steelhead Trout.

*Flora* – Riparian vegetation, including native sycamore trees and willows line the banks of Arroyo Paredon. A remnant avocado orchard is located in an approximately 70-120 foot wide swath across the north end of the subject lot between the riparian vegetation and the existing greenhouse development, while bamboo lines the west property line and cypress trees are located along the south property line. The remainder of the property undergoes agricultural cultivation.

*Archaeological Sites* – No archaeological or historic resources are known to be located on the project site.

*Soils* – Soils on the site are almost entirely Elder Sandy Loam, a Class II prime soil. The site is mapped on the California State Important Farmlands Map as prime agricultural land.

*Surrounding Land Uses* – Surrounding land uses include active agriculture (zoned AG-I-10 and AG-I-20) including a mix of orchards, open field agriculture and greenhouse development, along with scattered residences on these agricultural lands.

*Existing Structures* – Approximately 386,600 sq. ft. of greenhouses, of which 122,100 sq. ft. were permitted and constructed between 1968 and 1971. The 264,500 sq. ft. greenhouse has not been permitted. The site includes four unpermitted retention basins.

*Access* – Primary access to the site is from Foothill Road via a private driveway across the adjacent lot to the east. The private driveway traverses the north end of the subject lot between the top-of-bank and riparian vegetation to serve the adjacent property to the west.

## **5.0 CHANGES IN ENVIRONMENTAL EFFECTS – ZONING MAP AMENDMENT (11RZN-00000-00001)**

**Regulatory Setting:** The subject property is located in Area A of the CA Overlay and is designated as a view corridor parcel. Within Area A, greenhouse development is allowed subject to the requirements and development standards of the CA Overlay. Within Area A, there are three ordinance requirements particularly relevant to the proposed Zoning Map Amendment.

1. There is a development cap on new greenhouse development; no more than 2.75 million square feet may occur after adoption of the overlay district (Article II Sec. 35-102F.4).

2. There is no lot coverage restriction (Article II Sec. 35-104F.8.1).
3. There is a maximum height limit of 30 feet above finished grade (Article II Sec. 35-104F.8.2.a).

Additional requirements apply to those parcels with a view corridor designation. Within the view corridor designation, greenhouse development is limited to a maximum lot coverage of 25% (Article II Sec. 35-104F.8.1.a) and a maximum height limit of 25 feet (Article II Sec. 35-104F.8.2.b).

**Impact Discussion:** The Greenhouse Program EIR (99-EIR-02 RV 1) analyzed the impacts of full buildout under the program in the following eight issue areas:

- Visual Resources
- Water Quality and Groundwater
- Flooding and Drainage
- Land Use and Agriculture
- Traffic
- Air Quality
- Noise
- Biological Resources

The Zoning Map Amendment would remove the view corridor designation from this one parcel. As a result, the parcel could be developed with a greater square footage of greenhouse development<sup>4</sup> than allowed by the maximum 25% lot coverage under the view corridor designation. The project would not increase the overall amount of greenhouse development that could occur within Area A of the CA Overlay because the development cap would not be revised. Greenhouse development within Area A may occur on any parcel zoned for agriculture, including parcels with the view corridor designation, until such time as the 2.75 million sq. ft. development cap is reached. Thus, the Zoning Map Amendment would not increase the total amount of greenhouse development that could occur under the Greenhouse Program. The Amendment would not revise the boundaries of Area A.

With respect to Visual Resources, the proposed Zoning Map Amendment would remove a view corridor designation from one parcel within a view corridor that was identified during development and review of the Greenhouse Program. Of the 11 parcels that were given the view corridor designation, the subject parcel is unique. It is the least visible from public viewing areas. Of the view corridor parcels between Nidever Road and Cravens Lane, it is the furthest away from Highway 101 and Via Real. It is only briefly, partially visible in the distant background from the Highway 101/Santa Claus Lane overpass due to existing development in between, and only if the public is specifically looking for it. Unlike the view corridor parcels between Craven Lane and Santa Monica Road, the lot does not abut Foothill Road and public views from Foothill Road are

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<sup>4</sup> For the purposes of this discussion, “greenhouse development” refers to all greenhouses, packing and shipping facilities, shade and hoop structures and other related development (including paved areas and accessory structures), unless expressly stated otherwise.

screened by the existing riparian vegetation of Arroyo Paredon. This riparian vegetation is protected by its designation as Environmentally Sensitive Habitat. As such, the lot is not highly visible as seen from these public viewing places.

With removal of the view corridor designation and the 25% lot coverage limit, greenhouse development of up to 30 feet in height (instead of 25 feet) could occur over most of the parcel after setbacks and access are taken into consideration. The development cap would not be revised. While more development could occur on the subject parcel, a corresponding and equal square footage of greenhouse development would not occur on other parcels within Area A due to the cap. In addition, any development on the parcel would still be required to meet all of the mitigation measures identified in the Greenhouse Program EIR and CA Overlay development standards, including requirements for design review and landscape screening, among others. Given these requirements, the location of the parcel at the east edge of the larger view corridor (i.e., adjacent to existing greenhouses and parcels unlimited by the view corridor ordinance requirements) and existing limited views of the site, removal of the view corridor designation from this particular parcel would not create a new impact to Visual Resources nor would it increase the severity of impacts identified in 99-EIR-02 RV 1.

With respect to the other impacts addressed in the Greenhouse Program EIR, any new greenhouse development on the subject parcel, regardless of the quantity of development, must comply with the EIR mitigation measures and development standards adopted into the CA Overlay. The only change as a result of the proposed Zoning Map Amendment would be an increase in the allowable maximum amount of greenhouse development that could occur on this one parcel within Area A. Therefore, no new impacts would be created and no significant increase in the severity of previously identified impacts would occur with removal of the view corridor designation from this one parcel.

Therefore, the proposed Zoning Map Amendment would not create a new significant impact, nor would it increase the severity of any previously identified impact. Impacts of the Zoning Map Amendment would be less than significant.

**Mitigation Measures and Residual Impacts:** No additional mitigation is required. Residual impacts resulting from buildout under the provisions of the CA Overlay would remain the same as identified in 99-EIR-02 RV 1. The Board of Supervisors adopted a Statement of Overriding Considerations for those significant impacts to Visual Resources that could not be fully mitigated.

## **6.0 ENVIRONMENTAL EFFECTS SPECIFIC TO THE PROPOSED DEVELOPMENT PLAN (10DVP-00000-00010 AND 11CDP-00000-00009)**

This section analyzes the potential impacts of the proposed Development Plan and Coastal Development Permit (i.e., the permitting of the existing 264,500 sq. ft. unpermitted greenhouse and the potential effects of its construction and use on the environment). The three permitted greenhouses, constructed 40+ years ago, were part of the baseline of the environmental analysis for the Greenhouse Program EIR and remain part of the baseline for this Development Plan/Coastal

Development Permit. Therefore, the analysis herein focuses on the potential environmental impacts of the unpermitted greenhouse.

The majority of the impacts identified in the Greenhouse Program EIR would occur within Area A because most future greenhouse development would occur within this area (up to the 2.75 million sq. ft. allowed under the development cap). For each issue area below, applicable mitigation measures from the EIR are stated and discussed. Although already constructed and in use, the unpermitted greenhouse must comply with the applicable mitigation measures and the development standards adopted into the CA Overlay, including those that would reduce potential impacts. Either the project, as built, already complies with the identified mitigation (e.g., Visual Resources, Land Use and Agriculture) or conditions of approval would be applied to the Development Plan to ensure compliance with applicable EIR mitigation measures and the requirements of the CA Overlay.

## 6.1 Visual Resources

**Impact Discussion:** Views of the project site are minimal from the north due to the existing riparian vegetation of Arroyo Paredon between the site and Foothill Road and from the south due to the distance between the site and the public views available to travelers on Highway 101 and Via Real to the south. The Greenhouse Program EIR (99-EIR-02 RV 1) identified two potentially significant and unavoidable aesthetic impacts as a result of buildout under the CA Overlay. The following mitigation measures identified in the EIR, relevant to the proposed project, were incorporated into the final CA Overlay as ordinance requirements and development standards:

- **VIS-2** requires all new or retrofit greenhouses to install mechanized blackout screens to screen interior night lighting or state that night lighting will not be used.
- **VIS-4** limits exterior lighting to the minimal necessary for safety purposes and requires any lighting to be hooded or shielded to minimize offsite impacts to the rural nighttime character.
- **VIS-5** requires landscaping within front setbacks to gradually increase in height away from public roadways.
- **VIS-6** requires submittal of a landscape plan.
- **VIS-7** requires landscape screening be maintained for the life of the project.
- **VIS-8** requires a north-south orientation of greenhouse roof axes.
- **VIS-9** requires the preservation of perimeter trees when greenhouses are proposed on lots with existing orchards or windrows.

The Development Plan would permit an existing unpermitted 264,500 sq. ft. greenhouse and incorporate the three existing permitted greenhouses (approximately 122,100 sq. ft.) on the lot into the Development Plan. At project completion, total greenhouse development would be approximately 386,600 sq. ft. for a total lot coverage of 65%. Although the unpermitted greenhouse is already constructed and in use, it was built in compliance with the visual resources mitigation measures listed above and discussed in detail below.



The unpermitted greenhouse is 17 feet 7 inches in height, 12 feet below the maximum allowed height of 30 feet. The previously permitted greenhouses are 15 feet in height. There would be no change in height with the proposed project. The greenhouses are not visible from public viewing areas because the development is screened by existing vegetation following the standards of the CA Overlay. The unpermitted greenhouse was built on a site that was previously a cultivated orchard. A band of avocado trees 70-120 ft. wide was left in place across the northern end of the lot, which, combined with the riparian vegetation of Arroyo Paredon, screens the development from Foothill Road. In addition, bamboo along the western parcel boundary and cypress along the southern boundary screen the newer greenhouse from the more distant and limited public views from Via Real and Highway 101. The applicant included these elements as part of the proposed landscape plan, which has received conceptual review by the South Board of Architectural Review. Thus, the project has been designed and constructed consistent with measures VIS-5, VIS-6, and VIS-9.

As a result, the project would not obstruct any scenic view open to the public, would not create an aesthetically offensive site open to public view, would not change the visual character of an area, and would not result in visually incompatible structures. Project specific impacts would be less than significant.

Consistent with VIS-8, the roof axes are oriented in a north-south direction, which was determined in the Greenhouse Program EIR to reduce daytime glare. At times, night lighting is used in the interior to assist plant growth. Consistent with VIS-2, the unpermitted greenhouse is equipped with interior blackout screens, which would be employed to prevent light escape when the lights are in use. No exterior night-lighting is proposed, which would be consistent with VIS-4. Therefore, no glare or night-lighting would affect adjoining areas and project-specific impacts to visual resources would be less than significant. Although the unpermitted greenhouse is already constructed and in use, it was built in compliance with the visual resources mitigation measures listed above. Conditions of approval will be applied to ensure long-term compliance with these requirements.

**Cumulative Impacts:** The Greenhouse Program EIR found that the impacts of buildout on aesthetics would be significant and unavoidable (pp. 5.1-1 through 5.1-22 and pp. 10-12 of the Revision Document), and a Statement of Overriding Consideration was adopted. The project, as constructed, complies with all of the applicable mitigation measures and the requirements and development standards of the CA Overlay and is not visible from any public viewing areas. Therefore, the impacts associated with the development of this site would not be cumulatively considerable.

## 6.2 Water Quality and Groundwater

**Impact Discussion:** The Greenhouse Program EIR identified three potentially significant impacts to surface water quality and groundwater quality as a result of buildout under the CA Overlay. These impacts would be mitigated to less than significant levels. The following mitigation measures identified in the EIR were incorporated into the final CA Overlay as ordinance requirements and development standards:

- **W-1** requires construction grading to occur during the dry season; otherwise implement an erosion and sediment control plan.
- **W-2** requires the applicant prepare a water quality management plan to include measures to minimize potential impacts to water quality from greenhouse development and operation including; irrigation systems that minimize the potential for polluted runoff, soil conservation techniques, fertilization methods that maximize efficiency of nutrient uptake, and pesticide best management practices, among others.
- **W-3** requires groundwater monitoring when required by the Carpinteria Valley Water District.
- **W-6** requires storage areas for agricultural chemicals to be designed according to specific requirements and reviewed and approved by the Carpinteria-Summerland Fire Protection District.
- **W-7** requires implementation of a Hazardous Materials Business Plan if storage, handling or use of hazardous materials falls within the provisions of AB 2185/2187.

No future grading or construction would occur because the greenhouse is already constructed. Therefore, no impacts to water quality would result from construction activities (W-1).

#### *Surface Water and Groundwater Quality*

Although Arroyo Paredon is located along the northern property boundary, surface drainage of the site trends to the south-southwest. The applicant submitted a water quality management plan, which combined with the proposed project, complies with mitigation measure W-2. Within the unpermitted greenhouse, cultivation occurs in the ground using the native soils. The project uses a micro-emitter/drip irrigation system that limits the amount of water used to the amounts necessary for plant growth without generating excess water or irrigation runoff. Fertilizer is applied via drip irrigation using a fertilizer injection system. As a result, irrigation and fertilization does not generate runoff that would affect surface water quality, nor is there significant percolation into the ground. In addition, because the growing field within the unpermitted greenhouse is covered by a permanent impervious roof, no storm water affects the growing area, which minimizes the potential for polluted runoff from leaving the site and affecting area surface water quality. Because groundwater infiltration within the cultivated area is minimal, the potential to affect groundwater quality is also minimized and the Carpinteria Valley Water District would not require groundwater monitoring for this project (W-3). Thus, cultivation within the greenhouse would not cause a significant impact to surface and ground water quality as it relates to this agricultural use.

Consistent with measures W-6 and W-7, the applicant has filed and maintains a Hazardous Materials Business Plan with the Carpinteria-Summerland Fire Protection District. These materials are not stored on the subject property but on the adjacent Ocean Breeze property and only those quantities to be used are transported to the site at the time of use.

The County also has adopted a project-specific threshold indicating a potentially significant impact to surface water quality when a project increases the amount of impervious surfaces on a site by 25% or more (Environmental Thresholds and Guidelines Manual, Revised September 2008). Construction of the unpermitted greenhouse resulted in a 216% increase of impervious surfaces on

the site. Thus, by definition the project could adversely affect surface water quality by increasing the volume of storm water runoff. However, to comply with Flood Control District requirements the project has already incorporated measures to reduce the amount of runoff from impervious surfaces and retard the rate of runoff by incorporating a series of unlined retention basins on the project site. The retention basins collect storm water runoff from the greenhouse roof and slow the rate of runoff. While retained in the basins, water may infiltrate into the ground and evaporate, which reduces the amount of runoff that eventually leaves the site. The basins have been reviewed by Project Clean Water staff and have been found to have more than enough capacity to meet the minimum standards for reducing storm water runoff (Cathleen Garnand, October 8, 2010). Therefore, project specific impacts to water quality would be less than significant.

### *Groundwater Resources*

The Carpinteria Valley Water District (CVWD) would continue to provide irrigation water to the property with the proposed project. Water sources for the CVWD include surface water supplies (Lake Cachuma and the State Water Project) and water wells drawing from the Carpinteria Groundwater Basin. In addition, supplemental irrigation water would continue to be provided from an existing well on the adjacent agricultural property under the same ownership. The Carpinteria Groundwater Basin is not considered to be over-drafted or over-committed and the CVWD will maintain adequate water supplies for the foreseeable future.<sup>5</sup> The County does not apply thresholds of significance to groundwater basins that are in a state of surplus.

**Cumulative Impacts:** The County's Environmental Thresholds were developed, in part, to define the point at which a project's contribution to a regionally significant impact constitutes a significant effect at the project level. In this instance, the project has been found not to exceed any threshold of significance for water resources. The project has been designed to comply with the most recent water quality standards and mitigations to address the water quality impact thresholds. Therefore, the project's contribution to the regionally significant issues of water supply and water quality is not cumulatively considerable.

The Greenhouse Program EIR found that the impacts of buildout on water quality and groundwater would be less than significant with implementation of the mitigation measures identified in the EIR (pp. 5.2-1 through 5.2-28 and pp. 12-14 of the Revision Document). The project has been designed to comply with the mitigation measures of the EIR along with newer standards adopted by the County Water Agency. In addition, the project falls within the buildout parameters of the CA Overlay (264,500 sq. ft. comprises 9.6 % of the 2.75 million sq. ft. development cap). Therefore, as proposed, impacts to water quality and groundwater would not be cumulatively considerable.

## **6.3 Flooding and Drainage**

**Impact Discussion:** The Greenhouse Program EIR identified three potentially significant impacts to flooding and drainage that could be mitigated to less than significant levels as a result of

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<sup>5</sup> *Carpinteria Groundwater Basin Annual Report for 2010*. Prepared by Fugro Consultants Inc. for the Carpinteria Valley Water District. August 3, 2011. Report available at [www.cvwd.net/water\\_supply\\_sources.htm](http://www.cvwd.net/water_supply_sources.htm).

buildout under the CA Overlay. The following mitigation measures identified in the EIR were incorporated into the final CA Overlay as ordinance requirements and development standards and are relevant to the proposed project:

- **F&D-1** requires mitigation for increased storm water runoff through the development of retention basins and other storm water drainage facilities, to be designed in conformance with County Flood Control District and Water Agency (Project Clean Water) standards.
- **F&D-2** requires all final building and drainage plans to be submitted to the County Flood Control District for review and approval.
- **F&D-3** limits post-development runoff to 75% of the calculated predevelopment runoff for 5-100 year storm events.

In addition, the Greenhouse Program EIR identified four thresholds of significance:

- Substantially alter the course or flow of flood water;
- Require the need for private or public flood control projects;
- Expose people or property to flooding by increased density within 100-year flood plains; or
- Substantially accelerate runoff.

Surface drainage of the site trends to the south-southwest, away from the creek. The project site is not located within FEMA mapped floodways or flood plains; however, adjacent and nearby lands could be affected by increases in volume of storm water runoff. Construction of the unpermitted greenhouse resulted in a 216% increase of impervious surfaces on the site and thus, the project could cause an impact to flooding and drainage by increasing the volume of storm water runoff. However, the project has already incorporated a series of unlined retention basins on the project site consistent with measure F&D-1. The applicant submitted a Preliminary Drainage Report<sup>6</sup> that analyzed the functioning of the four retention basins and concluded that the existing basins are sufficient to meet the minimum standards for retention basins. Flood Control District staff reviewed the report and concurred with this conclusion (Nick Bruckbauer, February 4, 2011) (F&D-2 and F&D-3). Therefore, impacts would be less than significant.

**Cumulative Impacts:** The Greenhouse Program EIR found that the impacts of buildout on flooding and drainage would be less than significant with implementation of the mitigation measures identified in the EIR (pp. 5.3-1 through 5.3-13 and p. 14 of the Revision Document). The project falls within the buildout parameters of the CA Overlay; therefore, with the implementation of the required measures the impacts associated with the development of the site would not be cumulatively considerable.

## 6.4 Land Use and Agriculture

**Impact Discussion:** The Greenhouse Program EIR identified three potentially significant impacts to land use and agriculture:

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<sup>6</sup> *Preliminary Drainage Report for 3883 Foothill Road, Carpinteria, CA APN: 005-310-24.* MAC Design Associates. January 31, 2011.

1. Conflicts with adjacent residential uses (significant and unavoidable);
2. Placement of permanent structures and pavement on prime soils (mitigable to less than significant levels); and
3. New greenhouses could result in physical changes to the environment that could interfere with or disrupt existing agricultural operations that are located in the study area (less than significant).

The EIR also identified a significant and unavoidable cumulative impact to land use and agriculture due to land use conflicts on a valley-wide basis. The following mitigation measures identified in the EIR were incorporated into the final CA Overlay as ordinance requirements and development standards:

- **LU/AG-1** requires additional setbacks for new greenhouse development.
- **LU/AG-2** requires a landscape plan to provide visual screening of all structures and parking areas from adjacent roadways and view corridors.
- **LU/AG-3** sets the maximum height of structures at 30 feet.
- **LU/AG-4** requires minimization of hardscape, such as parking lots, loading bays, and interior walkways within greenhouses, to preserve prime soils.

As built, the project complies with the mitigation measures that were adopted into the CA Overlay to mitigate potential, site specific land use impacts. The subject property is an interior lot, is not located adjacent to residentially-zoned property, and there is one residential dwelling located approximately 50 feet of the parcel boundary. Therefore, the applicable setbacks are 20 feet from the lot lines, 100 feet from the top-of-bank or edge of riparian habitat of natural creek channels, and 50 ft. from the parcel line near the residence. As depicted on the project plans, the project complies with all of these setbacks and thus, complies with measure LU/AG-1. The unpermitted greenhouse is 17 feet 7 inches in height and the previously permitted greenhouses are 15 feet in height (LU/AG-3). A landscape plan has been submitted (LU/AG-2) and would be consistent with the EIR-required visual resources mitigation measures discussed under Section 6.1 above. Consistent with LU/AG-4, the project has minimized hardscape by: cultivating in the native soil; limiting interior hardscape to three parallel access ways; and using unpaved parking and driveways around the project site. In addition no packing or shipping building is proposed and therefore, there would be no loading bays.

As reported by the applicant, the proposed project would not result in an increase in employment. The greenhouse is operated by Ocean Breeze International in combination with adjacent and nearby greenhouse properties. The employees of the project site report to work on the adjacent properties and travel internally to and from the site. The project would not result in a net loss of housing units and would not result in a need for new sewers or roads. Therefore, the project would not result in growth or concentration of population, would not extend sewer lines or access roads, would not result in loss of affordable dwellings or displace any existing housing, would not displace any people, would not create an economic or social effect that would result in a physical change, and would not conflict with adopted airport safety zones as there is no airport in the Carpinteria Valley. Project specific land use impacts would be less than significant.

According to the County's *Environmental Thresholds and Guidelines Manual* (revised 2006) Agricultural Resource Guidelines, if a proposed project renders a viable agricultural parcel non-viable, the project would have a significant agricultural impact. As a general guideline, an agricultural parcel is considered viable if it is of sufficient size and capability to support an agricultural enterprise independent of any other parcel. In addition, the *Thresholds* provide a numeric assessment to compare the viability of a property before and after the project. This weighted points system assigns relative values to particular physical characteristics of a site's agricultural productivity (e.g., soil type, water supply, lot size, and zoning, among others). If the formula totals 60 points or more, the property is considered agriculturally viable. A cursory assessment would indicate a point value of approximately 67-70 with no change after the project (i.e., replacing the orchard crop with a greenhouse using in ground cultivation would not change the points assigned to any physical characteristic of the property). Thus, the property is agriculturally viable and would remain so with the project. Thus, no impacts to agricultural resources on the property would result.

**Cumulative Impacts:** The Greenhouse Program EIR found that the impacts of buildout on land use and agriculture would be significant and unavoidable (pp. 5.4-1 through 5.4-20 and pp. 15-16 of the Revision Document), and a Statement of Overriding Consideration was adopted. The project falls within the buildout parameters of the CA Overlay. As constructed, it complies with all of the applicable mitigation measures and the requirements and development standards of the CA Overlay including: landscape screening, greenhouses that are more than 40% lower than the maximum allowed height, in-ground cultivation, and minimal paving. Therefore, the impacts to Land Use and Agriculture associated with the development of the site would not be cumulatively considerable.

## 6.5 Traffic

**Impact Discussion:** The Greenhouse Program EIR analyzed full buildout under the CA Overlay of 2.75 million sq. ft. of new greenhouse development within Area A, and identified two significant and unavoidable impacts to traffic and three less than significant impacts. The following mitigation measures identified in the EIR, relevant to the proposed project, were incorporated into the final CA Overlay as ordinance requirements and development standards:

- **T-1** requires payment of mitigation fees if a project contributes peak hour trips to the Santa Monica/Via Real/U.S. 101 interchange and/or the Linden Avenue/Southbound U.S. 101 interchange.
- **T-2** requires a focused traffic analysis for each greenhouse project application to assess the number of peak hour trips sent to the interchanges identified in T-1.
- **T-5** requires all parking, including employee parking and deliveries, to be accommodated on site.

### *Traffic Generation*

Based on the existing production of the unpermitted greenhouse, the applicant does not anticipate the need for additional employees and therefore increases in employee related vehicle trips would not occur. Employee and visitor parking are accommodated on the adjacent Ocean Breeze Nursery

properties (APNs 005-430-042 and 005-430-043), which take access from Via Real. Access to the project site by employees is via internal circulation on foot or by electric cart from the adjacent Ocean Breeze properties. All products grown on the subject lot are moved by internal circulation to the adjacent property for packing and shipping from an existing packing house. According to the applicant no additional trips associated with packing and shipping have been generated by the unpermitted greenhouse because the additional produce is accommodated by Ocean Breeze's pre-existing packing and shipping program.

Although the as-built unpermitted greenhouse did not generate new traffic based on the applicant's reported business operations and traffic study, submitted in compliance with measure T-2, given the greater flexibility of crop type that may be grown within a greenhouse, operations could change in the future, especially with a change in property or business ownership. Therefore, a reasonable worst case scenario traffic impact analysis must be considered using the greenhouse traffic generation factors developed in the Greenhouse Program EIR for use with these projects in the Carpinteria Valley. These traffic generation factors were developed based on data related to square footage of greenhouse structures and traffic generation for greenhouses and nurseries in the Carpinteria area. The data were collected during environmental review for the Greenhouse Program and used to determine the impacts to traffic resulting from full buildout of 2.75 million sq. ft. of new greenhouses under the CA Overlay.

Based on the size of the unpermitted greenhouse (264,500 sq. ft.), the proposed project would generate traffic using the Greenhouse Program EIR generation factors below.

**Greenhouse Traffic Generation Factors**

0.27 average daily trips (ADT) per 1,000 square feet	$0.27 \times 264.5 = 72$ ADT
0.03 a.m. peak hour trips (PHT) per 1,000 square feet	$0.03 \times 264.5 = 8$ a.m. PHT
0.06 p.m. PHT per 1,000 square feet	$0.06 \times 264.5 = 16$ p.m. PHT

The Greenhouse Program EIR identified only two intersections that would be significantly impacted: Santa Monica/Via Real/Highway 101 northbound ramp and Linden Avenue/Highway 101 southbound ramp. At the time, these intersections were determined to be operating at Levels of Service (LOS) D and E, respectively, during the afternoon peak hour. Given the location of the project site, no trips would be distributed to the Linden Avenue/South Bound Highway 101 intersection.<sup>7</sup>

More recent traffic data provided by the City of Carpinteria indicates that the Santa Monica/Via Real/Highway 101 intersection is operating at LOS E during the morning peak and LOS C during the afternoon peak.<sup>8</sup> All of the other intersections in the area were operating, and continue to operate, at acceptable Levels of Service (LOS A-C), including Cravens Lane/Highway 192 (LOS A) and Cravens Lane/Via Real (LOS B). Area roadways operate at LOS A and LOS B. No significant decreases in Levels of Service were identified.

<sup>7</sup> Will Robertson, County Public Works personal communications January 14, 2013

<sup>8</sup> Will Robertson, County Public Works personal communications February 22, 2013

The County’s adopted Environmental Thresholds and Guidelines Manual identifies a significant impact to intersections when a project would increase the volume-to-capacity by the values listed in the table below. The City of Carpinteria uses the same impact significance thresholds for each Level of Service, C through F, respectively (City of Carpinteria General Plan and Local Coastal Plan Circulation Element, April 2003). Significant impacts are typically determined based on Levels of Service during the afternoon (p.m.) peak hour.

<b>LEVEL OF SERVICE (including project)</b>	<b>INCREASE IN V/C GREATER THAN</b>
A	0.20
B	0.15
C	0.10
	Or The Addition Of:
D	15 trips
E	10 trips
F	5 trips

If the 16 p.m. peak hour trips (PHT) that would be generated by the project under the worst case scenario above are distributed onto the local street network, four PHT would be distributed to the Santa Monica/Via Real/Highway 101 intersection, below the threshold for an intersection operating at Level of Service C. Although typical traffic analyses do not consider the morning peak hour for significant impacts, the most recent data indicate that the Santa Monica/Via Real/Highway 101 intersection is operating at LOS E during the morning peak. If the eight a.m. PHT that would be generated under the worst case scenario are distributed onto the local street network, two PHT would be distributed to this intersection, also below the significance threshold for an intersection operating at LOS E.<sup>9</sup> Therefore, the project specific impacts to traffic (transportation/circulation) would be less than significant.

Mitigation T-1 from the Greenhouse Program EIR requires the payment of mitigation fees as a pro-rated contribution towards future interchange improvements for projects that distribute trips to the Santa Monica/Via Real/Highway 101 intersection. However, to implement this mitigation measure the County must adopt a Transportation Improvement Plan (TIP) for the Carpinteria area in cooperation with the City of Carpinteria to identify the improvements and determine the specific mitigation fees for those improvements. A TIP has not been completed; therefore, the mitigation measure currently has no force or effect. Separate from the determination of project specific impacts herein, and consistent with the County’s transportation thresholds, the County established a transportation impact mitigation fee program requiring payment of a transportation impact mitigation fee for new development. This fee program was adopted by the Board of Supervisors for projects on the South Coast of Santa Barbara County. The fee is calculated based on the number of afternoon PHT generated by the project. Therefore, while not a required mitigation measure pursuant to this EIR Addendum, the fee would be required as a condition of approval for the Development Plan.

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<sup>9</sup> Will Robertson, County Public Works personal communications January 14, 2013



### *Parking*

Mitigation T-5 requires that all parking be accommodated on site. The Greenhouse Program EIR did not provide a greenhouse-specific parking needs analysis; therefore, the standard parking requirements of Article II apply. Article II requires two parking spaces per acre of land in a greenhouse use. Based on the total area of greenhouses on the property (386,600 sq. ft. or 8.9 acres), 18 parking spaces would be required. However, the applicant has requested development plan modifications to reduce the parking requirement to 11 spaces, to allow the uncovered parking to be unpaved, and to waive certain design specifications for marking and striping. The reason for the modification request is based on the operational needs of the existing flower growing operation. The applicant submitted information detailing the actual labor and number of employees needed to staff the nursery operation in the greenhouses on the subject property, which would result in a need for 11 parking spaces instead of the ordinance required 18. Currently, the nursery is operated as part of the Ocean Breeze Nursery and employee and visitor parking is accommodated on the nearby Ocean Breeze Nursery properties (APNs 005-430-042 and 005-430-043). Access to the project site by employees is via internal circulation on foot or by electric cart from the adjacent Ocean Breeze properties. All products grown on the subject lot are moved by internal circulation to the adjacent property for packing and shipping. As proposed, the project would comply with Mitigation T-5 and therefore, impacts would be less than significant.

**Cumulative Impacts:** The Greenhouse Program EIR methodology assumed cumulative buildout of other projects in the area, including buildout of the Toro Canyon Plan. The EIR found that the impacts of buildout on traffic would be significant and unavoidable (pp. 5.5-1 through 5.5-24 and pp. 16-17 of the Revisions Document), and a Statement of Overriding Consideration was adopted. The project falls within the buildout parameters of the CA Overlay. As constructed, it complies with all of the applicable mitigation measures and the requirements and development standards of the CA Overlay to the extent feasible. Therefore, the impacts to traffic associated with the development of the site would not be cumulatively considerable.

## **6.6 Air Quality**

**Impact Discussion:** The Greenhouse Program EIR identified two air quality impacts, one significant but mitigable and one less than significant. The following mitigation measure identified in the EIR was incorporated into the final CA Overlay as a development standard:

- **AQ-5** requires use of low NOx boilers, heaters, etc. in new greenhouse operations.

No heaters or boilers are utilized or proposed and therefore, the greenhouse would not generate any NOx compounds. In addition, because the project would not use heaters or boilers no greenhouse gases would be generated. As a result there would be no impacts to air quality and the project complies with measure AQ-5.

**Cumulative Impacts:** The Greenhouse Program EIR found that the impacts of buildout on air quality would be less than significant with implementation of the mitigation measures identified in the EIR (pp. 5.6-1 through 5.6-10 and pp. 17-18 of the Revisions Document). The project falls within the buildout parameters of the CA Overlay, and as constructed, complies with all of the

applicable mitigation measures (listed above) and the requirements and development standards of the CA Overlay. Therefore, the impacts associated with the development of the site would not be cumulatively considerable.

## 6.7 Noise

**Impact Discussion:** The Greenhouse Program EIR identified three noise impacts, two significant but mitigable and one less than significant. The following potentially applicable mitigation measures identified in the EIR were incorporated into the final CA Overlay as ordinance requirements and development standards:

- **N-3** requires industrial fans and heaters be designed such that external sound levels do not exceed 65 dB(A) at the property line.
- **N-4** requires any paging or broadcast system within greenhouses be limited to levels that are not audible at the property line.
- **N-5** requires location of packing and distribution facilities, loading docks and delivery bays centrally within the greenhouse operation with additional minimum setback requirements.

No heaters or paging or broadcast systems are used on the property; the applicant uses cell phones to contact employees. In addition, there are no packing and distribution facilities or loading docks on site and none are proposed. All crops are transferred by cart internally to the adjacent Ocean Breeze properties for packing and distribution. Thus, the project, as designed, complies with measures N-3 and N-4. Fans, which are fully contained within the greenhouses, are used inside to provide air circulation when needed. The fans' decibel rating is 56 dB(A)<sup>10</sup>; thus, they would not generate significant noise outside and, consistent with measure N-3, would not exceed 65 dB(A) at the property line. Thus, noise impacts would be less than significant.

**Cumulative Impacts:** The Greenhouse Program EIR found that the impacts of buildout on noise would be less than significant with implementation of the mitigation measures identified in the EIR (pp. 5.7-1 through 5.7-9 and pp. 18-19 of the Revisions Document). The project falls within the buildout parameters of the CA Overlay, and as constructed, complies with all of the applicable mitigation measures (listed above) and the requirements and development standards of the CA Overlay. Therefore, the impacts associated with the development of the site would not be cumulatively considerable.

## 6.8 Biological Resources

**Impact Discussion:** The Greenhouse Program EIR identified five significant but mitigable impacts (Class II) to biological resources, one less than significant impact (Class III), and one significant and unavoidable (Class I) cumulative impact. Impacts were identified to aquatic flora and fauna, which would result from negative changes to water quality, to habitat corridors and linkages, and to foraging areas as a result of converting open field agriculture to greenhouse agriculture. The EIR concluded that mitigation measures identified elsewhere in the EIR,

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<sup>10</sup> Bradley Miles, agent for the owner. October 4, 2010.

including W-1, W-2, W-4 through W-7, F&D-1 through F&D-3, VIS-2, and VIS-4, would reduce impacts to biological resources to less than significant levels. Although the unpermitted greenhouse is already constructed and in use, it was built in compliance with those mitigation measures that would be applicable to this project, as discussed below.

The development plan would permit an existing unpermitted greenhouse that was developed in an area previously devoted to fruit orchard cultivation (avocados). Approximately 6.9 acres of orchard were removed to accommodate the new greenhouse and adjacent retention basins. On a site specific basis, the orchard may have provided some foraging and nesting areas for local fauna; however, overall habitat functions were low and the orchard did not function as habitat for threatened or endangered species. The unpermitted greenhouse meets minimum setbacks from Arroyo Paredon Creek (LU/AG-1), does not propose exterior lighting (VIS-4), and uses black screens to minimize the amount of light that could spill from the greenhouse interior when grow lights are employed (VIS-2). The greenhouse employs a drip irrigation system to minimize the amount of agricultural runoff that would leave the site (W-2) and retention basins collect storm water runoff from the greenhouse roof (F&D-1 and F&D-2). Agricultural chemicals are stored offsite and the applicant has a Hazardous Materials Business Plan on file with the Carpinteria-Summerland Fire Protection District (W-6 and W-7). Together, these measures would retard the amount of runoff, retain a more natural runoff regime, and minimize pollutants that could enter natural waterways. Thus, with all of these components already incorporated into the project as required by the Greenhouse EIR mitigation measures listed above, impacts to biological resources would be less than significant.

**Cumulative Impacts:** The Greenhouse Program EIR found that the impacts of buildout on biological resources would be significant and unavoidable (pp. 5.8-1 through 5.8-11 and pp. 19-20 of the Revision Document), and a Statement of Overriding Consideration was adopted. The project falls within the buildout parameters of the CA Overlay. As constructed, the project complies with all of the applicable mitigation measures and the requirements and development standards of the CA Overlay. Therefore, the impacts associated with the development of the site would not be cumulatively considerable.

## **6.9 Other Issue Areas**

Section 6.0 of the Greenhouse Program EIR analyzed the potential for the Greenhouse Program to cause growth-inducing impacts and irreversible environmental change. The EIR concluded that the potential to create an estimated 140 new jobs would be well within employment growth projections and would not cause substantial unplanned growth effect. The EIR also concluded that new construction of greenhouses and conversion of open field agriculture would not cause significant impacts. The proposed project falls well below the maximum buildout analyzed under the Greenhouse Program and therefore would not change these conclusions.

In addition, Section 6.0 determined impacts to be less than significant to housing, wastewater, cultural resources and hazardous materials. The proposed project would not change these conclusions because it would not induce substantial population growth, would not displace housing or people, and would not require the construction of a new wastewater disposal system as restroom

facilities for employees are available at the adjacent Ocean Breeze Nursery, which farms the project site. Based on records on file at P&D, no cultural resources are recorded within the proposed project area. Cultivation is ongoing in the native soil continuing decades of cultivated agriculture on the project site. The only hazardous materials that have been used in the past and are currently being used include several agricultural fertilizers, pesticides, herbicides, and one fungicide. As discussed in Section 5.4 of the Greenhouse Program EIR (Land Use and Agriculture), agricultural chemicals are regulated by federal and state laws and fall under the jurisdiction of the County Agricultural Commissioner's office. The applicant has filed and maintains a Hazardous Materials Business Plan with the Carpinteria-Summerland Fire Protection District consistent with federal and state laws and the development standards of the CA Overlay (mitigation measures W-6 and W-7 of the Greenhouse Program EIR). These materials are stored on the adjacent Ocean Breeze property and only those quantities to be used are transported to the site at times of use. These materials are not stored on the subject property. Therefore, the project would not cause any of the conditions described in Section 15162 of the CEQA Guidelines that call for the preparation of a subsequent EIR.

The project is not located within a High Fire Hazard Area, and does not involve new fire hazards. The project is located in an area with an adequate response time from fire protection services. The proposed project site does not have substantial geological constraints or slopes exceeding 20%. No structures or formal landscape features greater than 50 years in age currently exist on or adjacent to the project site or existed prior to construction of the unpermitted greenhouse. Thus, there is no potential for historic resources to be present. Existing police protection and health care service levels would be sufficient to serve the proposed project. No established recreational uses, including biking, equestrian or hiking trails, or parks are located on the proposed project site, nor would the project affect nearby proposed trail corridors as none occur on the property. Therefore, the project would not cause any of the conditions described in Section 15162 of the CEQA Guidelines that call for the preparation of a subsequent EIR.

## **6.10 Mitigation and Residual Impact**

As discussed throughout this document, the proposed project would not create any new potential environmental impacts. Therefore, no additional mitigation is required. Residual project impacts would be less than significant.

### **Findings:**

It is the finding of the Planning and Development Department that the previous EIR as herein amended may be used to fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, as discussed below, preparation of a new EIR is not required.

*15164(a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*

*15164(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

The Carpinteria Valley Greenhouse Program Revised Final EIR (99-EIR-02 RV 1) analyzed impacts associated with the creation and implementation of the Carpinteria Agricultural Overlay District (CA Overlay). The CA Overlay mapped 11 parcels with a view corridor designation that requires compliance with additional development standards. The proposed project consists of two separate but related activities. The first is a Zoning Map Amendment that would revise the CA Overlay map to remove the view corridor designation from the subject parcel. This is the only proposed change to the CA Overlay and the Carpinteria Valley Greenhouse Program that was analyzed by 99-EIR-02 RV 1. The second part of the project is a Development Plan to legalize the as-built construction of greenhouse development on the subject lot, which would be consistent with the requirements of the CA Overlay if the Zoning Map Amendment is approved.

The proposed project requires an Addendum to the certified EIR to address the changes outlined above; however, as analyzed in this addendum and discussed below, none of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.

*15162 (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

As analyzed in this addendum, the changes to the project, removal of a view corridor designation from one parcel and approval of greenhouses constructed consistent with the project for which the EIR was certified, are minor and are not substantial and do not require major revisions to the previous EIR. The subject parcel is minimally visible from U.S. Highway 101 and Via Real and not visible Foothill Road. The greenhouse, as constructed, is 7'5" lower than the maximum height of 25' allowed under the view corridor designation and 12'5" lower than the maximum height of 30' allowed with removal of the view corridor designation. As constructed the greenhouse complies with all of the other development standards of the CA Overlay adopted to mitigate significant impacts. Thus, no new significant impacts would result from the proposed changes, and there would not be a substantial increase in the severity of previously identified significant effects.

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

In this instance there have been no substantial changes to the circumstances under which the project is being undertaken. As discussed in detail in this Addendum, the visual character of the area has not changed significantly, no environmental parameters such as water quality and flood hazard areas have been provided to document deteriorating conditions, and area roadways and intersections continue to operate at acceptable levels of service. Recent traffic data indicate that there has been no substantial change to the traffic situation. Therefore, no major revisions of the EIR are necessary.

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No new information of substantial importance that was not known and could not have been known at the time the EIR was certified has been identified. Therefore, the project would not have significant effects not discussed in the EIR, significant effects previously examined will not be more severe, mitigation measures or alternatives previously found not to be feasible would not now be found feasible, and there are no mitigation measures or alternatives that would be different than those analyzed in the EIR. Thus, only the proposed change to the project has been fully analyzed in this addendum and because none of the conditions in CEQA Guidelines Section 15162 have occurred, no subsequent EIR or ND shall be prepared for this project.

Discretionary processing of the Van Wingerden Greenhouses (Case Numbers 11RZN-00000-00001, 10DVP-00000-00010 and 11CDP-00000-00009) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

## ATTACHMENT E

SOUTH BOARD OF ARCHITECTURAL REVIEW COMMITTEE MINUTES

Meeting of January 21, 2011

Page 3

### Mission Canyon/Santa Barbara/Hope Ranch Areas

3. 10BAR-00000-00204                      Grimes Demolition/New Residence                      Hope Ranch  
10MOD-00000-00003                      Jurisdiction: Ridgeline/Modification – Urban/Coastal  
10CDP-00000-00104 (Allen Bell, Planner)

Request of Peter Becker, architect for the owners, Brett and Marisa Grimes, to consider Case No. 10BAR-00000-00204 for **conceptual review of demolition of an existing residence and accessory structures and construction of a new residence of approximately 4,171 square feet, attached garage of approximately 621 square feet, loggia of approximately 460 square feet, decks of approximately 740 square feet, uncovered patios of approximately 660 square feet, driveway of approximately 5,500 square feet, pool of approximately 675 square feet, and retaining walls of approximately 410 linear feet. The project also includes a proposed modification to reduce the required front setback from 75 feet to 62 feet.** The following structures currently exist on the parcel and will be demolished: a residence of approximately 1,769 square feet, garage of approximately 330 square feet, driveway of approximately 4,600 square feet, and retaining walls of approximately 150 linear feet. The project will require approximately 960 cubic yards of cut and 960 cubic yards of fill. The property is a 35,283 square foot parcel (0.81 acres) zoned 1.5-EX-1 and shown as Assessor's Parcel Number 063-212-015, located at 4015 Corta Road in the Hope Ranch area, Second Supervisorial District.

#### COMMENTS:

- a. Big program on a very constrained site. Fairly massive. Will need a site visit with story poles to fully understand the implications of the design on the site.
- b. OK with roof height.
- c. Consider a trellis at the southern three story elevation to break the mass up further with a structure and landscape materials.
- d. Will need a landscape plan; happy to see *Eucalyptus globules* removed from south side of lot in association with undergrounding of utilities but trees will need to be replaced with lower growing trees and including at least a few specimen size trees. Show site section with trees at maturity.

Project received conceptual review only, no action was taken. Applicant to return for further conceptual review and a site visit.

### Toro Canyon/Summerland/Carpinteria Areas

4. 10BAR-00000-00207                      Van Wingerden Greenhouse                      Toro Canyon  
10DVP-00000-00010 (Julie Harris, Planner)                      Jurisdiction: CA Overlay & Toro

Request of Bradley R. Miles, agent for the owners, June and Rene Van Wingerden, to consider Case No. 10BAR-00000-00207 for **conceptual review of a greenhouse of approximately 264,500 square feet.** The following structures currently exist on the parcel: three plant shelters for a total of approximately 123,000 square feet. The proposed project will not require grading. The property is a 13.655 acre parcel zoned AG-I-10 with the CA Overlay and shown as Assessor's Parcel Number 005-310-024, located at 3889 Foothill Road in the Carpinteria/Toro Canyon area, First Supervisorial District.

#### COMMENTS:

- Because the site is not publically visible and greenhouses perpetuate the character of this area in Carpinteria, project is acceptable.
- Make retention basins attractive; consider vegetating swales.
- Try to incorporate bioremediation treatment wherever possible.
- Return for preliminary review with cut sheets of the greenhouse structures and details of the bioswales etc.

Project received conceptual review only, no action was taken. Applicant to return for preliminary approval.

**ATTACHMENT F**

**RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING TO THE )  
COUNTY BOARD OF SUPERVISORS THE ADOPTION) )  
OF AN AMENDMENT TO ARTICLE II, THE SANTA ) RESOLUTION NO.: 13 - \_\_\_\_  
BARBARA COUNTY COASTAL ZONING ) )  
ORDINANCE, OF CHAPTER 35, ZONING, OF THE ) CASE NO.: 11RZN-00000-00001  
COUNTY CODE BY AMENDING THE COASTAL ) )  
ZONING MAP IDENTIFIED AS THE TORO CANYON ) )  
AREA ZONING OVERLAY 35-54.91.0 BY DELETING ) )  
THE CARPINTERIA AGRICULTURAL OVERLAY ) )  
VIEW CORRIDOR PARCEL DESIGNATION FROM ) )  
ASSESSOR'S PARCEL NO. 005-310-024. )

WITH REFERENCE TO THE FOLLOWING:

- A. On July 19, 1982, by Ordinance 3312, the Board of Supervisors adopted the Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code, including zoning maps that delineated the boundaries of zoning districts set forth in Article II; and
- B. On February 19, 2002, by Ordinance 4446, the Board of Supervisors adopted an Ordinance applying the new Carpinteria Agricultural Overlay District to Agriculture I zoned parcels in the Coastal Zone of Carpinteria Valley to implement the Carpinteria Valley Greenhouse Program; and
- C. On January 14, 2004, the Coastal Commission certified the Carpinteria Valley Greenhouse Program; and
- D. The Carpinteria Agricultural Overlay identifies 11 parcels as “view corridor parcels,” including Assessor’s Parcel No. 005-310-024; and
- E. On April 27, 2004, by Ordinance 4533, the Board of Supervisors adopted an Ordinance for the Toro Canyon Area, including the Toro Canyon Area Zoning Overlay, which incorporated the Carpinteria Agricultural Overlay map for those parcels included in the Toro Canyon Area, including Assessor’s Parcel No. 005-310-024; and
- F. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 11RZN-00000-00001) amending the Coastal Zoning Map identified as the Toro Canyon



Area Zoning Overlay 35-54.91.0 of Article II of Chapter 35 of the Santa Barbara County Code, the Coastal Zoning Ordinance, by deleting the Carpinteria Agricultural Overlay view corridor parcel designation from Assessor's Parcel No. 005-310-024.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- G. The proposed Ordinance is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Plan, the Santa Barbara County Comprehensive Plan including the Community Plans, and the requirements of the State Planning, Zoning and Development Laws.
- H. The proposed Ordinance amendment is in the interest of the general community welfare since it promotes infill and clustering of greenhouse development within and adjacent to historic greenhouse clusters while avoiding any visual impacts and protecting the unique coastal resources and preservation of the semi-rural character of the Carpinteria Valley.
- I. This County Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated November 14, 2013.
3. The Planning Commission of the County of Santa Barbara has endorsed and transmitted to the Board of Supervisors said recommended change by resolution pursuant to Government Code Section 65354.
4. The Chair of this County Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the County Planning Commission.

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of December, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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JOAN HARTMANN, Chair  
Santa Barbara County Planning Commission

ATTEST:

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DIANNE M. BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

DENNIS A. MARSHALL  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

EXHIBITS:

1. Ordinance No. \_\_\_\_\_ Case No. 11RZN-00000-00001

**EXHIBIT 1**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING THE COASTAL ZONING MAP IDENTIFIED AS THE TORO CANYON AREA ZONING OVERLAY 35-54.91.0 BY DELETING THE CARPINTERIA AGRICULTURAL OVERLAY VIEW CORRIDOR PARCEL DESIGNATION FROM ASSESSOR'S PARCEL NO. 005-310-024.

Case No. 11RZN-00000-00001

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

**SECTION 1:**

The Santa Barbara County Coastal Zoning Map identified as the Toro Canyon Area Zoning Overlay 35-54.91.0 shall be amended by deleting the Carpinteria Agricultural Overlay view corridor parcel designation from Assessor's Parcel Number 005-310-024.

**SECTION 2:**

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

**SECTION 3:**

Except as amended by this Ordinance, the Carpinteria Agricultural Overlay of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

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SALUD CARBAJAL  
Chair, Board of Supervisors  
County of Santa Barbara

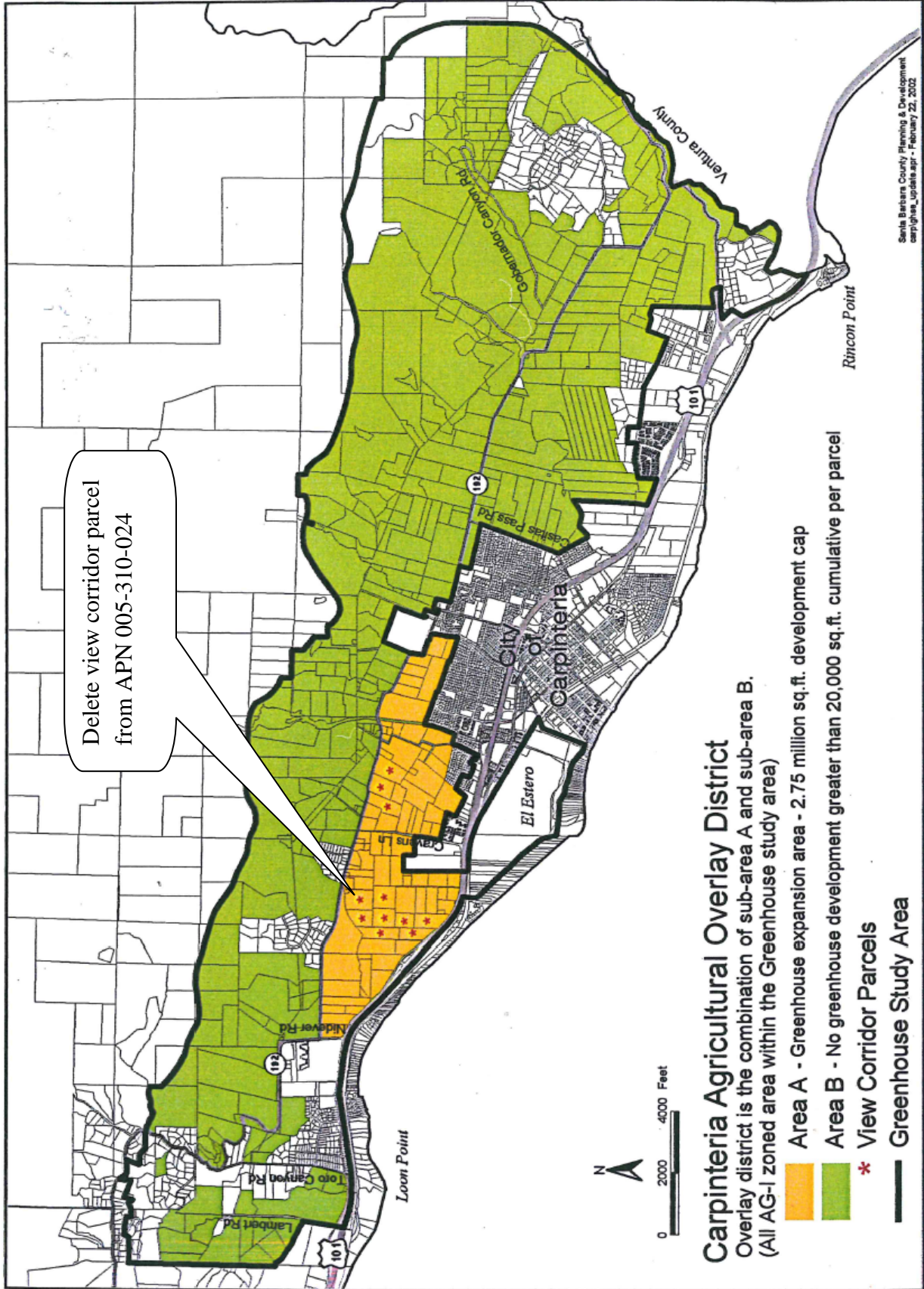
ATTEST:  
MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By \_\_\_\_\_  
Deputy Clerk

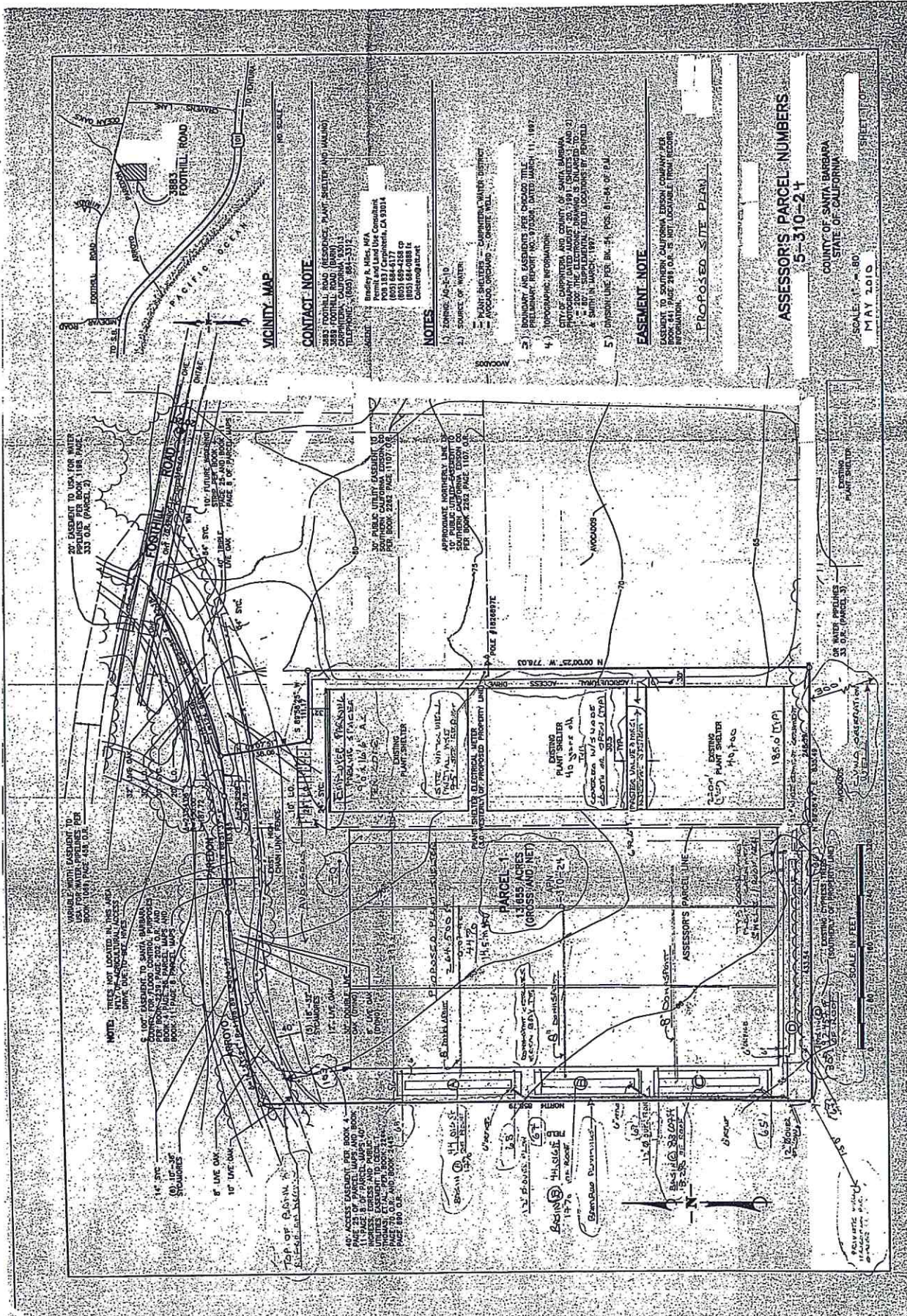
APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
County Counsel

By \_\_\_\_\_  
Deputy County Counsel

ATTACHMENT G



# ATTACHMENT H



**VICINITY MAP**

**CONTACT NOTE**

BRADLEY A. KITES, MFA  
 3888 FOOTHILL ROAD (SUITE 100)  
 CARPINTERIA, CALIFORNIA 93013  
 TELEPHONE: (805) 591-5772  
 FAX: (805) 591-5772  
 BRADLEY A. KITES, MFA  
 Permit and Land Use Consultant  
 3888 FOOTHILL ROAD (SUITE 100)  
 CARPINTERIA, CALIFORNIA 93013  
 TELEPHONE: (805) 591-5772  
 FAX: (805) 591-5772  
 GROUNDWATER

**NOTES**

- 1) Zoning: M-10
- 2) SOURCE OF WATER: PACIFIC OCEAN
- 3) PROPOSED WASTEWATER DISPOSAL: PACIFIC OCEAN
- 4) PROPOSED WASTEWATER DISPOSAL: PACIFIC OCEAN
- 5) PROPOSED WASTEWATER DISPOSAL: PACIFIC OCEAN

**EASEMENT NOTE**

EASEMENT TO SOUTHERN CALIFORNIA Edison COMPANY PER BOOK 641 PAGE 281 O.R. IS NOT LOCATABLE FROM RECORD INFORMATION.

**PROPOSED SIDE PLAN**

**ASSESSOR'S PARCEL NUMBERS**  
 5-310-24

COUNTY OF SANTA BARBARA  
 STATE OF CALIFORNIA

SCALE: 1" = 80'

MAY 2010

STREET FRONT

20' EASEMENT TO USA FOR WATER  
 PER BOOK 118 PAGE 118 O.R.

5' LOT EASEMENT TO SANTA BARBARA  
 PER BOOK 1041 PAGE 148 O.R.

14" S.W.C.  
 10" U.P.C.  
 8" LIVE OAK  
 12" LIVE OAK

APPROXIMATE PROPERTY LINE TO  
 SOUTHERN CALIFORNIA Edison CO.  
 PER BOOK 282 PAGE 1107 O.R.

PROPOSED PLANT SHED  
 110,000 SQ. FT.

13.655 ACRES  
 (GROSS AND NET)

PROPOSED ELECTRICAL METER

EXISTING PLANT SHED  
 110,000 SQ. FT.

11.0 ACRES  
 (NET)

PROPOSED SIDE PLAN

ASSESSOR'S PARCEL LINE

SCALE: 1" = 80'

PROPOSED PLANT SHED

EXISTING PLANT SHED

11.0 ACRES

PROPOSED ELECTRICAL METER

ASSESSOR'S PARCEL LINE

SCALE: 1" = 80'

PROPOSED SIDE PLAN

ASSESSOR'S PARCEL LINE

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PROPOSED PLANT SHED

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