

ATTACHMENT H: 4-7-2010 COUNTY PLANNING COMMISSION MEMO



COUNTY OF SANTA BARBARA PLANNING AND DEVELOPMENT MEMORANDUM

Date: April 7, 2010
To: County Planning Commission
From: Pat Saley and Noel Langle
Subject: **Agricultural Permit Streamlining LUDC Ordinance Amendment – Final recommendation to Board of Supervisors**

The Planning Commission held public hearings on February 17th and March 3rd, 2010 on proposed amendments to the planning process for agricultural projects. At the second hearing, your Commission took conceptual action to modify the agricultural permit process as shown in the summary table on the following page and described below. The draft ordinance amendment is included as Attachment 4 to this memo. Specific ordinance section references are provided to allow your Commission to see the exact language proposed.

Planning Commission Recommendations from March 3, 2010 meeting:

1. **Agricultural Accessory Structures in AG-II zones** – Two changes were made by your Commission on March 3rd that would allow certain agricultural accessory structures to shift from a Land Use Permit to Zoning Clearance:
 - Increased the size of structures that could shift from a Land Use Permit to a Zoning Clearance from 3,000 sq. ft. to 5,000 sq. ft. (Subsection C.1 of SECTION 6).
 - Added new visual and biological development standards. See Subsection C.7 of SECTION 6.
2. **Entrance gate posts, cross-members and livestock loading ramps in AG-II zones** – Several changes were made to address which of these structures would be exempt from permits:
 - Increased the allowed thickness of the cross-member from 18 inches to two feet (Subsection a.(3) of SECTION 5).
 - Restricted signs associated with the entrance gate to those that are compatible with the style and size of the entrance gate (Subsections a.(6) of SECTION 5).
 - Added new visual and biological development standards (Subsections a.(4) and a.(7) of SECTION 5).
3. **Housing for up to four farm employees and their families in AG-I and AG-II zones** – New visual and biological development standards were added in order for a project to qualify for a Land Use Permit instead of a Minor Conditional Use Permit (Subsection B.6 of SECTION 7).
4. **Detached residential second units in AG-I-5, -10 and -20 zones** – New visual and biological development standards were added in order for a project to qualify for a Land Use Permit instead of a Minor Conditional Use Permit (Subsection 4 of SECTION 8).
5. **Development Plan Threshold changes in AG-II zones** – The following changes were made relating to those projects that would or would not require a Development Plan (DP) due to

cumulative square footage on a lot:

- If the maximum size of a single agricultural or non-agricultural building exceeds 15,000 sq. ft., a DP would be required (Subsection D.2.b.(1) of SECTION 3).
- The threshold listed in the table below would not include the following agricultural structures:
 - Structures currently exempt from a planning permit, e.g., pole barns less than 500 sq. ft., buildings less than 120 sq. ft., structures that are valued at less than \$2,000 (Subsection D.2.b.(3)(a) of SECTION 3).
 - Up to 10,000 sq. ft. of agricultural structures having no more than three provided no individual structure exceeds 2,000 sq. ft. (Subsection D.2.b.(3) (b) of SECTION 3).
- New visual and biological development standards would apply to projects that would not require a DP due to the structural floor area not exceeding the threshold (Subsection D.2.b.(4) b) of SECTION 3 and Subsection C of SECTION 4).

Your Commission agreed that the proposed DP thresholds should be:

Proposed Development Plan Thresholds – AG-II Zone only

Lot Size (acres)	Threshold (sq. ft.)
Less than 40	20,000
40 to less than 100	25,000
100 to less than 200	30,000
200 to less than 320	40,000
320 or more	50,000

Revised Proposed Final Negative Declaration

Staff has also revised the Initial Study and Negative Declaration to reflect the Planning Commission’s conceptual motions (see Attachment 3). The project description has been revised and minor changes were made to the impact discussion; however, the conclusions have not changed.

Recommended Planning Commission action

Staff is recommending the Planning Commission take the following actions:

- A. Recommend that the Board of Supervisors adopt the findings, including CEQA findings, for approval of the proposed amendment (Attachment 2);
- B. Recommend that the Board of Supervisors approve the Final Negative Declaration 09NGD-00000-00007 (Attachment 3); and,
- C. Recommend that the Board of Supervisors adopt Case No. 09ORD-00000-00009, an amendment to Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code (Attachment 4).

Attachments:

- 1. Summary of PC Recommended Changes to Agricultural Permits (from March 3, 2010 meeting)
- 2. Findings
- 3. Proposed Final Negative Declaration
- 4. Proposed ordinance amendment