



# HOOP STRUCTURES ORDINANCE AMENDMENT

Board of Supervisors – March 12, 2019

# Hoop Structures & Shade Structures

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- County Building Code
  - ▣ Exempt from Building Permits
- County Land Use and Development Code (LUDC)
  - ▣ Lack of Clarity, Conflicting Regulations
- Board of Supervisors
  - ▣ Long Range Planning Work Program

# Planning Commission

## Recommendation Summary

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- Allow Crop Protection Structures in AG Zones
- Exempt Crop Protection Structures
  - 20 ft. or less in height
  - No permanent structural elements, lighting, plumbing, etc.
  - Located on historically intensively cultivated ag land
  - Located on slopes averaging 20% or less
  - 4,000 sq. ft. in area or less if located in:
    - Santa Ynez Valley Design Control (D) Overlay
    - Gaviota Coast Critical Viewshed Corridor (CVC) Overlay
- Otherwise – Permit is Required

# Environmental Review Overview

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- Notice of Preparation
- Program Environmental Impact Report (EIR)
- Analyzed Impacts Resulting from Placement & Use of Hoop & Shade Structures
- Did Not Analyze Impacts of Cultivation
- Key Mitigation Measures to Reduce Impacts to Level Appropriate for Permit Exemption

# EIR Impacts Summary

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- Class I – Significant and Unavoidable
  - Aesthetics/Visual Resources
  - Resources Recovery/Solid Waste
- Class II – Significant and Mitigable
  - Water Resources-Flooding
  - Biological Resources
- Class III – Less than Significant
  - Land Use
  - Agricultural Resources
  - Water Resources-Water Quality, Groundwater, Runoff

# Planning Commission Summary

## Recommended Revisions

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- Reject 2 Mitigation Measures as Infeasible
- Delete 2 Mitigation Measures as Unnecessary based on New Evidence
- Revise 3 Mitigation Measures
- Revise Critical Viewshed Corridor (CVC) Overlay Requirement
- Add Slopes Criterion

# MM-VIS-1 Height & Setback

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- 12-ft. Height Limit within 75 ft. of Public Roads to Qualify for Exemption
  - ▣ Reduces visual impacts from public roads, Scenic Highways
- **Planning Commission: Reject as Infeasible**
  - ▣ Economic burden
  - ▣ Farming inefficiencies
  - ▣ Increased costs

# MM-VIS-2 Urban Township Setback

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- Setback 400 ft. from 9 Unincorporated Townships

Unless Not Visible from Public Areas

- Reduces visual impacts to visual character of townships
- **Planning Commission: Reject as Infeasible**
  - Economic burden
  - Farming Inefficiencies
  - Increased costs



# MM-VIS-3 Design Control (D) Overlay

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- 4,000 sq. ft. Size Limit within Santa Ynez Valley  
D Overlay Unless Not Visible from Public Areas
  - ▣ Reduces visual impacts of large exempt structures in Santa Ynez Valley D Overlay
- **Planning Commission:** Revise Measure  
4,000 sq. ft. Permit Threshold
  - ▣ Exempt 4,000 sq. ft. or less
  - ▣ Permit required over 4,000 sq. ft.

# CVC Overlay Requirement

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- 4,000 sq. ft. Size Limit within Gaviota Coast Plan CVC Overlay
  - Reduces impacts to critical views from U.S. 101
- **Planning Commission:** Revise Requirement 4,000 sq. ft. Permit Threshold
  - Exempt 4,000 sq. ft. or less
  - Permit required over 4,000 sq. ft.

# MM-WR-1 Crop Protection Structures Within a Floodway

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- Not Allowed with Exemption when in a Floodway
  - Reduces flooding impacts associated with location in a floodway
- **Planning Commission:** Delete Measure based on New Evidence
  - Flood Control District Letter & Testimony
  - Does not recommend floodway regulatory measures for hoop structures
  - Measure not required

# MM-BIO-1 Limit Exemption to Historically Intensively Cultivated Agricultural Lands

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- Limit Exemption to Historically Intensively Cultivated Agricultural Lands
  - ▣ Reduces impacts to biological resources
  - ▣ Grazing lands and lands not recently intensively cultivated may support protected biological resources
- Within 3 of the Previous 5 Years
- **Planning Commission: Revise Timeframe**
  - ▣ To “1 year of the previous 3 years”
  - ▣ USFWS can support this revision
  - ▣ CDFW prefers original timeframe

# MM-BIO-2 Minimum One-Foot Gap between Ground and Plastic Cover

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- Requires Minimum 1-ft. Gap between Ground and Plastic within 1.24 miles of CA Tiger Salamander (CTS) Breeding Ponds
  - ▣ Reduces impacts to CTS
- **Planning Commission:** Delete Measure based on New Evidence
  - ▣ Additional USFWS information
  - ▣ Gap would not mitigate impacts to CTS

# MM-BIO-3 Streams and Creeks Setbacks

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- Requires Setbacks from Streams and Creeks
  - 100 ft. Rural Areas
  - 50 ft. Urban Areas, Inner-Rural Areas, EDRNs
    - Reduces impacts to riparian habitat and species that depend on riparian habitats
- **Planning Commission:** Revise Measure
  - Change Rural Area setback to 50 ft.
  - 100-ft. setback must still apply where required by community plan policy

# Add Slopes as Exemption Criterion

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- Not Part of Original Project Description or Mitigation
- **Planning Commission:** Add Slopes as Exemption

## Criterion

- Exempt on Slopes Averaging 20% or Less
- Require Permit on Slopes Greater 20%

# Planning Commission Recommendation

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- Make Findings for Approval
- Certify Final EIR with Revision Document RV 01
- Adopt Ordinance Amending LUDC

Provide Direction to Staff if Board of Supervisors  
Takes an Alternative Action





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