

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
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TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF DECEMBER 4, 2013

**RE: Van Wingerden Greenhouses; 11RZN-00000-00001, 10DVP-00000-00010,
11CDP-00000-00009**

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

- a) **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) **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 add 264,500 square feet of unpermitted greenhouse development to 122,100 square feet of permitted greenhouses on the property;
- c) **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 add 264,500 square feet of unpermitted greenhouse development to 122,100 square feet of permitted greenhouses on the property; and

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 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. The site does not have an assigned address number.

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of December 4, 2013, Commissioner Cooney moved, seconded by Commissioner Blough and carried by a vote of 5 to 0 to:

1. Recommend that the Board of Supervisors make the required findings for approval of the project specified in Attachment A of the staff report, dated November 14, 2013, including CEQA findings;
2. After considering the environmental review documents (Addendum dated December 4, 2013, included as Attachment D of the staff report, dated November 14, 2013, 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 the staff report, dated November 14, 2013; and
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 the staff report, dated November 14, 2013.

Sincerely,



Dianne M. Black
Secretary Planning Commission

cc: Case File: 11RZN-00000-00001, 10DVP-00000-00010, 11CDP-00000-00009
Planning Commission File
Dianne M. Black, Director Development Review
Agent: Bradley R. Miles, Permit and Land Use Consultant, P.O. Box 183, Carpinteria, CA 93014
Owner: Rene and June Van Wingerden, Ocean Breeze Nursery, 4444 Foothill Road, Carpinteria, CA 93013
Jenna Richardson, Deputy County Counsel
Julie Harris, Planner

Attachments: **Attachment A - Findings**
 Attachment B - Development Plan Conditions of Approval
 Attachment C - Coastal Development Permit
 Attachment F - PC Resolution to Board of Supervisors and Zoning Map
 Amendment (Ordinance)

DMB/dmv

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 Sherriff 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 1st).
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) 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.

Sincerely,

Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

cc: Project File
TEA Chron File

Santa Barbara County
PUBLIC Health
DEPARTMENT

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

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

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.

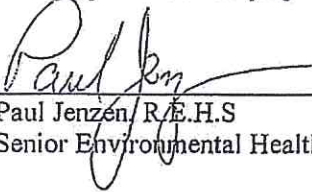
Case No. 10DVP-00000-00010 represents a request to validate the unpermitted construction of greenhouse space. Part of the project would be the construction of four retention basins.

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

LU-5190



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

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

RECEIVED

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

JUN 23 2010
 S.B. COUNTY CC
 PLANNING & DEVELOPMENT

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.

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,

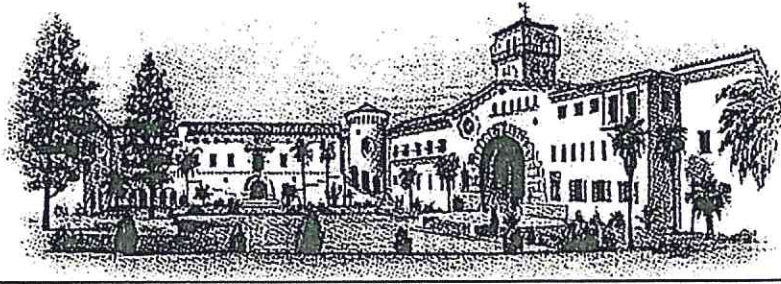


Cathleen Garnand
Civil Engineering Associate

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/ Caprinteria

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., 2nd 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 Grehouses 10DVP-Cond.doc

ATTACHMENT C



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.

Owner/Applicant Acknowledgement: Undersigned permittee acknowledges receipt of this pending approval and agrees to abide by all terms and conditions thereof.

Print Name Signature / Date

Date of County Approval: _____

Planning and Development Department Issuance by:

Print Name Signature / Date

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

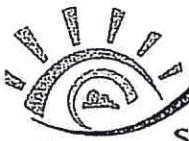
mitigation fees shall be as determined by adopted mitigation fee resolutions and ordinances and applicable law. The total DIMF amount for Transportation is currently assessed at \$32,752.00 (December 4, 2013). This is based on a greenhouse project type and traffic generation of 16 new Peak Hour Trips 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 1st).

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

Case No.: 11CDP-00000-00009
Project Name: Van Wingerden Greenhouses
Project Address: unassigned Foothill Road
APN: 005-310-024
Attachment A, Page 6

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.sbcapcd.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@sbcapcd.org.

Sincerely,

Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

cc: Project File
TEA Chron File

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. 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.

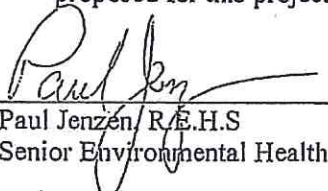
Case No. 10DVP-00000-00010 represents a request to validate the unpermitted construction of greenhouse space. Part of the project would be the construction of four retention basins.

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

LU-5190



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



SCOTT D. MCGOLPIN
 Director

THOMAS D. FAYRAM
 Deputy Director

June 21, 2010

RECEIVED

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

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

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.

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., 2nd 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 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 - 21
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 4th day of December, 2013, by the following vote:

AYES: Cooney, Brown, Hartmann, Ferini, Blough

NOES:

ABSTAIN:

ABSENT:



JOAN HARTMANN, Chair
Santa Barbara County Planning Commission

ATTEST:



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:

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