


COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Santa Barbara County Planning Commission

FROM: Daniel T. Klemann, Deputy Director 
Long Range Planning Division

DATE: October 30, 2018

RE: Hoops Structures Ordinance Amendment
November 7, 2018, County Planning Commission Hearing
Case No. 17ORD-00000-00005

On August 29, 2018, the County Planning Commission (Commission) reviewed staff's presentation and memo, received public testimony, and provided direction to staff to revise the environmental impact report (EIR) to reject three mitigation measures as infeasible (MM-VIS-1, MM-VIS-2, MM-VIS-3), delete two mitigation measures as unnecessary due to new substantial evidence submitted into the record (MM-WR-1, MM-BIO-2), and modify one mitigation measure (MM-BIO-1) so that it only mitigates potentially significant impacts to California tiger salamander (*Ambystoma californiense*) habitat. On October 9, 2018, the Board of Supervisors discussed the status of the project and took no action.

Attached to this memo are the revised documents necessary for the Commission to make a recommendation to the Board of Supervisors to approve the project pursuant to the Commission's direction on August 29, 2018. The revised documents include the following:

- Revised Findings for Approval (including CEQA findings and Statement of Overriding Considerations, Attachment A)
- EIR Revision Document (Attachment C)
- Revised Land Use and Development Code Amendment (Attachment D, Exhibit 1)
- Revised Policy Consistency Analysis (Attachment E)

A revised flowchart is also included that illustrates the pathway to a permit exemption or permit requirement pursuant to the Commission's direction (Attachment F). The staff memo below presents one additional revision that the Commission should consider as it relates to aesthetics/visual resources.

I. Size Limit within Critical Viewshed Corridor Overlay of Gaviota Coast Plan Area

Given the Commission's direction to reject MM-VIS-3 (size limit of 4,000 square feet in the Design Control Overlay of the Santa Ynez Valley Community Plan area) as infeasible, there is a similar provision in the proposed project description (Section 2.5.1 and Appendix B of the Final EIR) that the Commission has not considered. The proposed project description includes a size limit of 4,000 square feet for crop protection structures that would be located within the Critical Viewshed Corridor (CVC) Overlay of the Gaviota Coast Plan area. The CVC Overlay, adopted as part of the Gaviota Coast Plan on November 8, 2016, is applied to property in the Gaviota Coast Plan area to provide enhanced protection to the critical coastal viewsheds of the Gaviota Coast from inappropriate development. The intent is to ensure that development is sited and/or screened in a manner that will reduce impacts to the public viewshed while allowing for reasonable development. The current CVC Overlay limits the size of greenhouses to 4,000 square feet per lot (LUDC 35.28.070.E.1).

The Hoops Structures Ordinance Amendment project description includes a proposed size limit of 4,000 square feet for crop protection structures that would be located within the CVC Overlay; similar to the existing CVC Overlay limit on greenhouses. However, a crop protection structure size limit of 4,000 square feet may create similar concerns for agricultural operations as could result from MM-VIS-3. One of the reasons for amending the LUDC is to provide flexibility for agricultural operations including crop choice and rapid response to changing situations. Crop protection structures are typically not employed on such a small scale, and limiting the size to 4,000 square feet would limit a farmer's flexibility on CVC Overlay lands.

Staff recommends that the Commission consider the proposed CVC Overlay size limit and provide direction to staff to either retain, delete, or modify the requirement. Staff has revised the attached documents to remove the proposed 4,000 square foot size limit for crop protection structures in the CVC Overlay from the project description. However, should your Commission retain the proposed size limit, staff can revise the documents to reflect the Commission's direction before the hearing adjourns.

II. Recommendations and Procedures

Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No. 17ORD-00000-00005 based upon the project's consistency with the Comprehensive Plan, and based on the ability to make the required findings. The Commission's motion should include the following:

1. Make the required findings for approval, including CEQA findings, and recommend that the Board of Supervisors make the required findings for approval of the proposed amendment, including CEQA findings and Statement of Overriding Considerations (Attachment A).
2. Recommend that the Board of Supervisors certify the Hoop Structures Ordinance Amendment Program Environmental Impact Report (17EIR-00000-00004) (State

Clearinghouse No. 2017101040) (Attachment B), as modified by the EIR Revision Document RV 01 dated November 7, 2018 (Attachment C).

3. Adopt a resolution (Attachment D) recommending that the Board of Supervisors approve the Hoop Structures Ordinance Amendment by adopting an ordinance amending the County Land Use and Development Code (Case No. 17ORD-00000-00005), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, to address permitting requirements for hoop structures and shade structures (Attachment D, Exhibit 1).

Please refer the matter to staff if your Commission takes other than the recommended actions for the development of appropriate materials.

ATTACHMENTS

- A. Findings for Approval
- B. Final Environmental Impact Report
- C. EIR Revision Document RV 01 dated November 7, 2018
- D. Resolution of the County Planning Commission
Exhibit 1. Board of Supervisors Ordinance Case No. 17ORD-00000-00005
- E. Policy Consistency Analysis
- F. Permit Exemption or Requirement Flowchart Revised