

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE

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W/4a & b

May 19, 1997

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: Tami Grove, District Director
Rick Hyman, Coastal Planner

SUBJECTS: **STAFF RECOMMENDATION AND PROPOSED FINDINGS
FOR COUNTY OF SANTA CRUZ CATEGORICAL EXCLUSION
NO. E-82-4-A5 AND SANTA CRUZ COUNTY LOCAL COASTAL
PROGRAM MAJOR AMENDMENT NO. 3-96 Part B**
For Public Hearing and Commission action at its
meeting of June 11, 1997, to be held at the Marin
County Civic Center, Room 322, San Rafael.

SUMMARY OF STAFF REPORT**Description of Exclusion and Amendment Requests**

Included in this submittal of proposed major amendments to Santa Cruz County Local Coastal Program's (LCP) Implementation Plan is an exclusion request, because the County proposes to eliminate soil-dependent greenhouses from coastal permitting requirements (Section 13.20.073 of the Implementation Plan). The County already has a limited exclusion covering some expansions and improvements of greenhouses. The proposal would slightly broaden the current exclusion to further exclude all soil-dependent greenhouses that meet certain design, parking, drainage, water conservation, energy conservation, and other standards.

Both the standard of review and the voting requirements are significantly different for LCP amendments and for categorical exclusion requests. The standard of review of the proposed LCP implementation amendments is consistency with and adequacy to carry out the County's certified Land Use Plan. A majority of the Commission members present at the hearing is needed to reject an implementation plan amendment. For categorical exclusion requests the standards which must be met in order to approve the proposal are very high -- (1) the development(s) proposed for exclusion must have no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and (2) that such exclusion will not impair the ability of local government to prepare a Local Coastal Program. A categorical exclusion may only be adopted after a public hearing and by a two-thirds vote of the appointed members.

Complementing the proposed exclusion language to remove soil-dependent greenhouses from the coastal permit process (Section 13.20.073 of Implementation Program), the proposed LCP amendment also:

Changes level of processing for excluded soil-dependent greenhouses from "Level 5" (Public Hearing) to "Level 4" (Public notice only) or "Level 3" (Administrative approval after field visit), depending on project size; adds definition of "soil-dependent;" clarifies processing limit of 2000 square feet for agricultural support facilities is an aggregate limit and adds alternative limit of 100 square feet per acre (Section 13.10.312 of Implementation Plan).

The following chart summarizes the history of the proposed processing changes of the exclusion and amendment.

Permitted Greenhouses In Santa Cruz County within Coastal Zone, Outside of Appeal Zone

Greenhouse Category	Certified LCP pre-1994	1994 Amendment Proposal	1994 certified LCP (accepting Commission modifications)	1-95 Amendment proposal	Commission action 1996	1-97 Amendment proposal (approval recommended)
< 500 sq ft (non-accessory)	non-appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP (2)	non-appealable CDP	non-appealable CDP
non-soil dependent 500-20,000 sq ft (CA/AP zone)	non-appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP (3)	non-appealable CDP	non-appealable CDP
non-soil dependent 500-20,000 sq ft (A zone)	appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP (4)	non-appealable CDP	non-appealable CDP
soil-dependent 500 - 20,000 sq ft (CA/AP/A zone)	non-appealable CDP	non-appealable CDP	non-appealable CDP	excluded from CDP (3)	non-appealable CDP	excluded from CDP (3)
non-soil dependent >20,000 sq ft	appealable CDP	non-appealable CDP	appealable CDP	excluded from CDP (4)	appealable CDP	appealable CDP
soil dependent >20,000 sq ft	appealable CDP	non-appealable CDP	appealable CDP	excluded from CDP (4)	appealable CDP	excluded from CDP (4)
expansions by lesser of 25% or to 10,000 sq ft	excluded from CDP (2/3/5)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)	excluded from CDP (2/3/4)

Notes: applies to CA, A, and AP zones unless otherwise noted; CDP = Coastal Development Permit; Numbers in parentheses refer to processing level; all CDPs are processed at Level 5 (Public hearing); lower processing levels (administrative review, no public hearing), occur if project is excluded from CDP requirements.

Staff Recommendation:

Staff recommends that the Commission:

1. approve Exclusion No. E-82-4-A5 with conditions and the accompanying Negative Declaration and adopt the supporting findings beginning on page 5 and

2. approve Major Amendment #3-96 (Part B) as submitted and adopt the supporting findings beginning on page 7 pursuant to the motions and resolution on the following page.

Note: A Negative Declaration has been prepared for this exclusion request. The Commission must certify a Negative Declaration (or EIR) in order to approve the exclusion request.

Summary of Unresolved Issues:

There are no known unresolved issues; this proposal has been modified to address the Commission's concerns with an earlier, broader request.

Public Participation Comments and Concerns (see Exhibit D: Correspondence):

Santa Cruz County Farm Bureau: Desires the exclusion and amendment request be approved as submitted as a means to expedite worthy agricultural project decisions because there are other ample procedures and policies to address any coastal resource concerns.

Regional Water Quality Control Board: Water quality permit and other regulatory requirements still must be followed, as applicable.

No comments were received during the public review period for the Negative Declaration.

Additional Information

For further information about this report or the amendment and exclusion processes, please contact Rick Hyman at the Coastal Commission, Central Coast Area, 725 Front Street, Suite 300, Santa Cruz, CA 95060, Tel.: (408) 427-4863.

Exhibits

- A. Proposed Amendment and Exclusion Language
- B. Negative Declaration with Location Map and Referenced Code Sections concerning greenhouse standards
- C. Previous Exclusion Orders (excerpts).
- D. Correspondence

STAFF RECOMMENDATION

I. MOTIONS , EXCLUSION ORDER AND RESOLUTION

A. APPROVAL OF EXCLUSION REQUEST AS SUBMITTED and NEGATIVE DECLARATION

MOTION :

"I move that the Coastal Commission adopt the attached Negative Declaration pursuant to the California Environmental Quality Act and **APPROVE** the exclusion request."

Staff Recommends a "YES" vote.

The exclusion will be denied unless eight or more Commissioners vote to approve it (i.e., vote "YES").

ORDER FOR THE FOLLOWING CATEGORY OF DEVELOPMENT:

The construction, improvement or expansion of soil-dependent greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636 of the Santa Cruz County Code..

The Commission by a two-thirds vote of its appointed members hereby adopts an order, pursuant to Public Resources Code Section 30610(e) and 30610.5(b), which conditionally excludes the above category of development in the designated areas of the coastal zone of the County of Santa Cruz from the permit requirements of the of the California Coastal Act of 1976. However, no development located on tide or submerged lands, beaches, lots immediately adjacent to the inland extent of any beach, or the mean high tide line of the sea where there is no beach and all lands and water subject or potentially subject to the public trust is excluded by this order. The Commission hereby orders that the above developments within the excludable area shall not require a coastal development permit.

B. APPROVAL OF IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED

MOTION:

"I move that the Commission reject Major Amendment #3-96 Part B, to the Implementation Plan of Santa Cruz County's LCP as submitted by the County."

Staff recommends a "no" vote which would result in **APPROVAL** of these amendments as submitted. Only an affirmative (yes) vote by a majority of the appointed Commissioners present can result in rejection of the amendment.

RESOLUTION:

The Commission hereby approves Major Amendment 3-96 Part B, to the Implementation Plan of the Santa Cruz County Local Coastal Program for the specific reasons discussed in the following finding, on the grounds that the amendment conforms with and is adequate to carry out the provisions of the certified Land Use Plan. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval of these implementation measures will have on the environment.

II. RECOMMENDED EXCLUSION CONDITIONS

This Order of Categorical Exclusion is subject to all of the following terms and conditions pursuant to the referenced sections of the Coastal Act:

1. This Order, pursuant to Public Resources Code Section 30610, shall not become effective until the Executive Director of the Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the California Code of Administrative Regulations (i.e., acknowledges receipt of this order and agrees to these conditions).
2. All conditions of Exclusion Order E-82-4, as modified by Exclusion Orders E-83-3, E-90-1, E-82-4-A, E-82-4-A-2, and E-82-4-A-4, remain in full force and effect and apply to this revised excluded category of development as well (see Exhibit C).
3. This exclusion is only for soil-dependent greenhouses that meet the criteria contained in the County Code as of the date of Commission adoption of this order, especially Sections 13.10.312, 13.10.313(a), and 13.10.636 and Chapters 16.22 regarding "Erosion Control," 16.10 regarding "Geological Hazards," 16.32 regarding "Sensitive

Habitat Protection," and 16.40 regarding "Native American Cultural Sites." If any amendments are made to any County Code sections which currently apply to soil-dependent greenhouses that diminish their application or level of resource protection, then they shall be also submitted to the Commission to consider as an amendment to this Exclusion Order before they take effect.

III. RESCISSION AND REVOCATION

Pursuant to Title 14 of the California Administrative Code Section 13243(e), the Commission hereby declares that the order granting this exclusion amendment may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that there terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this order may be revoked at any time that the terms and conditions are violated.

IV. RECOMMENDED FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. CATEGORICAL EXCLUSION FINDING

The Commission hereby finds and declares for the following reasons, pursuant to Public Resources Code Section 30610(e), that this proposed exclusion amendment presents no potential for significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

1. Description of Exclusion Request

The County of Santa Cruz has requested that the following categories of development, within certain geographic areas, be excluded from the coastal development permit requirements:

13.20.073 AGRICULTURALLY RELATED DEVELOPMENT EXCLUSION

Agriculturally related development as listed below is excluded on all lands designated agriculture on the [Santa Cruz County] General Plan and Local Coastal Program Land Use Plan maps, except within one hundred feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea [i.e., the appeal zone]; or on parcels less than 10 acres in size:

- (a) Greenhouses, soil dependent: The construction, improvement or expansion of soil-dependent greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636.

Referenced Section 13.10.313(a) includes site area standards, height limits (40 feet) and setbacks. Referenced Section 13.10.636 includes visual mitigation, on-site drainage retention, covering disposal, on-site parking, soil removal, flooring, energy-efficiency, ventilation, and water conservation standards for greenhouses. (see Exhibit B: Exhibit 2 of Negative Declaration: Referenced ordinance provisions).

The maximum area that the exclusion would apply to is shown in Exhibit B (on Exhibit 1 of the Negative Declaration). This map outlines all agriculturally designated lands inland of the nearest public road paralleling the sea. Within the outlined area, parcels under 10 acres in size or within 100 feet of water bodies would not be excluded. As such, the exclusion does not apply to any areas where County-approved development is appealable to the Coastal Commission (pursuant to the Coastal Act). Within the Coastal Zone (including the appeal area)

about 27% of the land (18,812 out of 70,022 acres) is designated agricultural. Most of this land is in production; only a few hundred acres at most is covered with greenhouses.

2. Review Criteria

The Coastal Act defines "development" and requires that a coastal development permit be obtained in order to undertake any development. Once a local coastal program is certified, the local government is responsible for issuing coastal permits. However, Public Resources Code Section 30610(e) authorizes the Coastal Commission to exclude from the permit requirements of the Coastal Act any category of development within a specifically defined geographic area if certain findings are made. To approve this request the Commission must find (1) that such an exclusion will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and (2) that such exclusion will not impair the ability of local government to prepare a Local Coastal Program (LCP). The latter criteria is not applicable to this request since Santa Cruz County's LCP is completed. A categorical exclusion may only be adopted after a public hearing and by a two-thirds vote of the appointed members. Also, to approve a categorical exclusion the Coastal Commission must complete the environmental review process under the California Environmental Quality Act; i.e., issue a "Negative Declaration" or certify an environmental impact report.

3. History and Reason for this Request

The Coastal Commission certified Santa Cruz County's Local Coastal Program (LCP) on January 14, 1983, and since that time the County has been issuing coastal permits for proposed developments. The Commission has already adopted Order E-82-4 on November 19, 1982, and later adopted Orders E-83-3, E-90-1, E-82-4-A, E-82-4-A2 and E-82-4-A4 excluding various developments such as certain residential dwellings, greenhouse expansions, other agricultural facilities, wells, tree removal, land clearing, and lot line adjustments from the Coastal Permit process in the County.

The Coastal Commission first adopted an exclusion for various agricultural facilities in 1979 (E-79-7). For parcels over ten acres in certain rural areas, agricultural support facilities up to 10,000 square feet and meeting certain criteria were excluded from coastal permit requirements, but not greenhouses or agricultural processing plants. Only limited improvements and expansions of (not new) greenhouses and processing plants up to 10,000 square feet or 25% ground coverage were also excluded. This exclusion terminated upon certification of Santa Cruz County's LCP. However, the County requested, and the Commission approved, nearly identical exclusion language, which remains in effect (see Section 13.20.073 in Exhibit A prior to strike-outs and underlines).

Similar exclusions were approved for Santa Cruz City and San Mateo County. Somewhat different exclusions were approved elsewhere; for example:

- Humboldt County: all greenhouses, except those with concrete slabs over prime agricultural soil (no size or numerical limitation);
- Del Norte County: one greenhouse per parcel in agricultural zoning districts without prime soils.

The impetus for this subject proposal emanates from the Santa Cruz County Farm Bureau. The Bureau is concerned with processing times for permits and the ability of the public to stall projects that the farmers want quick decisions on. Under current rules and practice, those soil-dependent greenhouses that are not excluded require "Level 5 Coastal Permits." These permits are heard by the Zoning Administrator, and then may be appealed to the Planning Commission and then to the Board of Supervisors, and finally to the Coastal Commission. Under the proposed exclusion, County permits would still be required, but a public hearing is not mandated. The projects could, however, be appealed locally. The Farm Bureau hopes that under such a streamlined process, the time period to approve the projects would be quicker.

4. No Potential for Adverse Effects on Coastal Resources

As noted, the Coastal Act sets a high standard for approving exclusions: that they will not result in a potential for any significant adverse effect, either individually or cumulatively, on coastal resources. The Commission prepared and circulated an Initial Study/Draft Mitigated Negative Declaration, pursuant to the California Environmental Quality Act (CEQA). The document's detailing of these resource impact issues is incorporated by reference into these findings (see Exhibit B). Basically, agricultural operations in the soil are permitted uses in the subject area, generally not regulated under the Coastal Act. Under this exclusion some operations which use the soil could be placed under structures (i.e., greenhouses). On balance, the structures do not have potential for any adverse impacts. While there may be some additional concerns associated with the greenhouses (e.g., lighting, visual intrusion), the structures can just as easily minimize these or other concerns (e.g., stop dust, muffle noise). Cumulatively, the various geographic criteria limit the maximum proliferation of greenhouses, while economic factors would further govern their proliferation. Since the exclusion is for soil-dependent greenhouses only, it is possible that they will be erected and dismantled over time depending on crop choices and needs, with little long-term effect on agricultural soils.

The Negative Declaration notes that although there will no longer be a coastal permit requirement for soil-dependent greenhouses, other County regulations which ensure against adverse impacts remain in place and will still govern. Therefore, it is necessary to condition this approval to insure continued conformance with the current standards already in place. If the standards change in a way where soil-dependent greenhouses can be erected without following them, then adverse impacts could result. These regulations are contained in the certified Local Coastal Program, which means that any amendments must be approved by the Coastal Commission. As conditioned, if any of these amendments could lessen resource protection associated with soil-dependent greenhouses, then this exclusion order would have to be reexamined. As conditioned, this exclusion is approved because it presents no potential for significant adverse effects, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

5. California Environmental Quality Act (CEQA) Compliance for Categorical Exclusion

Santa Cruz County found the proposed amendments to be categorically exempt from the requirements of the California Environmental Quality Act because they constituted a change in regulations affecting the process of development review which will not have a potential for significant effect on the environment. Additionally, the Commission had to prepare an Initial Study (see Exhibit B) which, based upon its independent judgment, finds no potential for significant adverse impacts if the identified mitigation measures are included. (The Commission's functional equivalency exemption from CEQA does not apply to Exclusion Orders.) No comments were received on the Initial Study/Negative Declaration which was circulated to relevant agencies through the State Clearinghouse as of the date of the staff report. Any comments received during the balance of the required 30-day review period will be responded to at the hearing. Thus, the Commission adopts a Negative Declaration for the exclusion request.

6. Department of Fish and Game Fees

The Commission, as lead agency under CEQA and pursuant to Section 711.4 of the Fish and Game Code, is required to collect fees for the Department of Fish and Game whenever a project has an impact on wildlife resources. If a project (in this case, a categorical exclusion order) has an inconsequential or de minimis effect on wildlife, then no fee is required. No comments have been received from the Department of Fish and Game on the proposed categorical exclusion order or the Negative Declaration. As conditioned, the categorical exclusion order does not apply to tidelands, submerged lands, environmentally sensitive habitat areas (such as streams, wetlands, or areas having rare and/or endangered plant and/or animal species), or to any area within 100 feet of the upland limit of any stream, wetland, marsh or estuary, whether mapped or unmapped. Therefore, those areas which have

the highest potential for wildlife use will not be subject to the exclusion order. Therefore, the Commission finds that the proposed categorical exclusion order will have an inconsequential or de minimis effect on wildlife resources, and no fee is required.

B. LCP AMENDMENT FINDING

The Commission finds and declares the following for Santa Cruz County Local Coastal Program Major Amendment #3-96 (Part B), which:

- 1. Changes the exclusion language as described in the Exclusion finding above (Section 13.20.073 of the Implementation Plan);**
- 2. Changes level of processing for excluded soil-dependent greenhouses from "Level 5" (Public Hearing) to "Level 4" (Public notice only) or "Level 3" (Administrative approval after field visit), depending on project size; adds definition of "soil-dependent;" clarifies processing limit of 2,000 square feet for agricultural support facilities is an aggregate limit and adds alternative limit of 100 square feet per acre (Section 13.10.312 of Implementation Plan).**

Background

A more sweeping version of this amendment was originally submitted in 1994 as part of a comprehensive General Plan/Land Use Plan update (LCP Amendment #2-94; see page 2 Table, third column). The County wished to change the processing level for most greenhouses and other agricultural support facilities (e.g., processing plants) so that they would no longer require coastal permits. This amendment was denied by the Commission, with the understanding that it could be submitted again on its own for further scrutiny (see page 2 Table, fourth column). Accordingly, a resubmittal was received on June 7, 1995 (see page 2 Table, fifth column). It was filed on December 18, 1995 after additional information was generated in the environmental review process. The Commission extended the time limits for approval at its February 9, 1996 meeting at the County's request. The amendment (#1-96) was unanimously denied on April 10, 1996 (see page 2 Table, sixth column). This second resubmittal was filed on December 31, 1996 with the same proposals as had been denied. Time limits were waived at the Commission's February 6, 1997 meeting. (The other portions of Amendment 3-96 labeled "Part A" were approved on February 6th.) The County then further amended the request to address the concerns previously raised by the Coastal Commission (see page 2 Table, seventh column).

As the proposed amendment has now been reworked, it does not change processing requirements for other than certain soil-dependent greenhouses (see last column in Table on page 2). Soil-dependent is to be defined as using the in situ soils as a growing medium for crops. Greenhouses that are not excluded still require coastal permits with public hearings, and those over 20,000 square feet in size still are appealable to the Coastal Commission.

Analysis: Consistency With Certified Land Use Plan:

For soil-dependent greenhouses which will now be excluded, the amendment includes lower processing levels than the coastal permit does (i.e., no public hearing). Despite the exclusion from coastal permit requirements, the level of processing is of some concern because the exclusion is tied to a number of criteria that still must be applied and enforced by the County. Although no coastal permit is involved, a development permit is still required. Under the proposed amendment, excluded soil-dependent greenhouses over 20,000 square feet in size would be processed at Level IV and those smaller would be processed at Level III.

According to Section 18.10.112a of the County Code (which is part of the certified Local Coastal Program):

Processing Level IV (Public Notice) includes those projects for which _____ plans are required, field visits are conducted, and for which public notice is provided in the form of a posting of the property, a published _____

newspaper announcement of the pending project, notice to each member of the Board of Supervisors, and a mailed notice to surrounding property owners as well as to occupants of the subject property prior to administrative action on permits.

A County staff report of April 14, 1995 further explains:

Appeals to the Planning Director may be made to the issuance of a Development Permit at Level IV; the Planning Director's decision on an appeal is final, unless the Director refers the application for hearing by the Zoning Administrator or Planning Commission, or unless the permit is set for special consideration by the Board of Supervisors at the request of a member of the Board.

Thus, there appears to be ample review authority to ensure that the relevant criteria are applied to large soil-dependent greenhouses.

Similarly for excluded soil-dependent greenhouses less than 20,000 square feet in size which would be processed at Level III, the Code states:

Processing Level III (Field visit required) includes planning review that involves one or more visits to the site by staff planners in conjunction with review of the project description and plans prior to administrative action on permits.

Thus, there is ample opportunity to ensure that all the relevant criteria are applied for these smaller soil-dependent greenhouses, as well. What is absent is a public process. In large part such lack of process is why the Commission denied the previous, much broader exclusion request. However, since the Commission is approving this more narrowly-defined proposal, it follows that no public hearing is necessary. The Commission notes that currently no greenhouses less than 20,000 square feet (outside of the designated appeal area) are appealable to the Commission; therefore, this amendment involves no change in the process that the Commission has available to the public. And the public still has the right to appeal Level III decisions through the local process, in the same manner as described above for Level IV permits.

In addition to these processing level changes, this proposed amendment includes some additional small changes that are consistent with the *Land Use Plan* and by themselves would be considered "minor" as they raise no issues (see Exhibit A).

In conclusion, the certified *Land Use Plan* allows the subject soil-dependent and related agricultural facilities. The proposed amendment is limited to permit processing changes that are consistent with the exclusion just adopted. They are approved as being consistent with and adequate to carry out Santa Cruz County's certified coastal *Land Use Plan*.

California Environmental Quality Act (CEQA) Finding For LCP Amendment:

Santa Cruz County found the proposed amendments to be categorically exempt from the requirements of the California Environmental Quality Act because they constituted a change in regulations affecting the process of development review which will not have a potential for significant effect on the environment. Additionally, the Commission had to perform its own CEQA review for the related categorical exclusion which found no potential for significant adverse impacts. (see Finding A.5 above.) This documentation demonstrates that the proposed Local Coastal Program amendment results in no significant adverse environmental impacts within the meaning of CEQA.

EXHIBIT A

FULL TEXT OF PROPOSED AMENDMENTS

CHANGES SHOWN BY ARROWS IN MARGIN (⇒)

CHANGES INDICATED BY STRIKE-OUTS (OF LANGUAGE TO BE DELETED) AND UNDERLINES (OF NEW LANGUAGE)

SECTION 13.20.073 INCLUDES THE EXCLUSION

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 13.10.312 and 13.20.073
OF THE SANTA CRUZ COUNTY CODE RELATING TO
AGRICULTURAL GREENHOUSES AND AGRICULTURAL SUPPORT FACILITIES

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.312 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.312 -- USES IN AGRICULTURAL DISTRICTS(a) Principal Permitted Uses

- (1) In the Coastal Zone, the principal permitted uses in the agricultural districts Coastal-Zone shall be as follows:

"CA" and "AP": agricultural pursuits for the commercial cultivation of plant crops, including food, fiber, flower or other ornamental crops and the commercial raising of animals, including grazing and livestock production, and apiculture and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

"A": agricultural pursuits, including the noncommercial or commercial cultivation of plant crops or raising of animals, including apiculture, single family residential and accessory uses and structures, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

- (2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter "P" in the Agricultural Use Chart contained in paragraph (b) below. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal

Zone permits, and in some cases, as specified in Section Chapter 13.20, any development is appealable.

- (b) Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the Agricultural Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level", required for each use in each of the agricultural zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 PERMIT AND APPROVAL PROCEDURES. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123. All Level V or higher Approvals in the "CA" and "AP" zone districts are subject to the special findings required by Section 13.10.314(a) in addition to those required in Section 18.10.230.

AGRICULTURAL USES CHART

KEY:

A = Use must be ancillary and incidental to a principal permitted use on the site

P = Principal permitted use (see Section 13.10.312(a)); no use approval necessary if "P" appears alone

1 = Approval Level I (administrative, no plans required)

2 = Approval Level II (administrative, plans required)

3 = Approval Level III (administrative, field visit required)

4 = Approval Level IV (administrative, public notice required)

5 = Approval Level V (public hearing by Zoning Administrator required)

6 = Approval Level VI (public hearing by Planning Commission required)

7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

- = Use not allowed in this zone district

* = Level IV for projects of less than 2,000 square feet

Level V for projects of 2,000 to 20,000 square feet

Level VI for projects of 20,000 square feet and larger

** = For purposes of this section, "on-site" shall mean on the parcel on which the use is located, plus any other parcel(s) owned, leased and/or rented by the farm operator in this County or adjoining counties.

*** = Processed as a level 5 Coastal Zone Permit project when within the geographic area defined by Section 13.20.073.

**** = soil dependent agricultural uses are those uses which use the in situ soils as the growing medium for all crops

BP = Building Permit only

AGRICULTURAL USES CHART

USE	CA	A	AP
<u>Agricultural activities: crops and livestock</u>			
Apiculture (beekeeping)	P	P	P
Berry and other vine crops	P	P	P
Commercial dairying, subject to the provisions of Section 16.22.060	3	5	3
Field crops, including hay, grain, seed, and turf crops	P	P	P
Livestock raising for food, fiber or animal production, including rabbits and other small animals under 100 per acre	P	P	P
Livestock raising involving hog farming or small animals over 100 per acre, subject to the provisions of Section 16.22.060	3	5	3
Nursery crops limited to open field grown ornamental plants, flowers and Christmas trees	P	P	P
Nursery crops, outdoor container grown, covering an area larger than 1 acre	5	5	5
Orchards, including tree fruit and nut crops	P	P	P
Poultry and other fowl raising, including egg production, under 100 birds per acre (see also "Barn" below)	P	P	P
Poultry and other fowl raising involving more than 100 birds per acre	P	5	P
Row crops, including fruit and vegetable raising	P	P	P

ORDINANCE NO. _____

USE	CA	A	AP
<u>Agricultural Support and Other Uses and Related Facilities</u>			
Agricultural custom work occupations subject to the provisions of Section 13.10.638	P/4	P/4	P/4
Agricultural support facilities for processing, packing, drying, storage and refrigeration of produce above a total aggregate size of 2,000 square feet or 100 square feet per acre on-site* (whichever is greater) subject to the provisions of Section 13.10.632. Maximum aggregate size of such facilities shall be 50,000 square feet. Inside the coastal zone agricultural support facilities greater than 2,000 square feet shall be processed at Level 5 and shall not be considered a principal permitted use.			
⇒ Up to and including a maximum <u>aggregate of 2,000 sq.ft. or 100 sq. ft. per acre on-site** (which ever is greater)</u>	3	3	3
Greater than <u>an aggregate of 2,000 sq. ft. or 100 sq. ft. per acre on-site** (which ever is greater)</u>	4	4	4
Agricultural Service Establishments subject to the provisions of Section 13.10.633 (see Section 13.10.700-A definition)	--	5	--
Aquaculture and Aquacultural Facilities	5	5	5
Barns, corrals, or pens used for animal husbandry, subject to the provisions of Section 16.22.060	3	3	3
Caretaker's quarters, permanent, subject to the provisions of Section 13.10.631	5	5	5
Commercial boarding of animals, subject to the provisions of Section 13.10.641(b)	P/5	P/5	P/5

USE	CA	A	AP
Consumer harvesting, on site**	P	P	P
Dwelling unit, one detached single-family family per parcel, subject to the provisions of Section 13.10.314			
Inside the Coastal Zone	5	3	5
Outside the Coastal Zone	3	3	3
Dwelling unit, one detached single family for the owner, lessee or an employee of the owner or lessee of the land, not to exceed one dwelling unit for each forty acres of total site area, subject to the provisions of Section 13.10.314			
Inside the Coastal Zone	--	--	5
Outside the Coastal Zone	--	--	3
Dwelling unit, one detached single-family per parcel, 7,000 square feet or larger, inclusive of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of Sections 13.10.314 and 13.10.325	5	5	5
Dwelling units, accessory to the main dwelling used as agricultural caretakers' quarters subject to Section 13.10.631			
1 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Dwelling units, dwelling groups subject to the provisions of Sections 13.10.313(f) and 13.10.314			
2 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Energy facilities, community, subject to the provisions of Section 13.10.661 and .700-E(definition)	5	5	5
Facilities for fish and wildlife enhancement and preservation	P	P	P

USE	CA	A	AP
Farm worker housing subject to Section 13.10.631 (see Caretakers Quarters, Dwelling units, accessory; mobile homes and farm worker camps)	3-7	3-7	3-7
⇒ Farm outbuildings and other <u>agricultural</u> accessory structures for storage or equipment with or without a single room containing lavatory facilities	3	3	3
Fences, subject to the provisions of Section 13.10.525	P/3/5	P/3/5	P/3/5
Fire protection facilities	--	5	--
Flood control works, including channel rectification and alteration; dams, canals and aqueducts of any public water project	5	5	5
Foster homes for 6 or fewer children, not including those of the proprietary family (see Section 13.10.700-F definition)	P	P	P
Foster homes for seven or more children, not including those of the proprietary family (see Section 13.10.700-F definition)	5	5	5
Fuel storage tanks and pumps	2	2	2
Greenhouse structures, as accessory structures, under 500 square feet in area	2	2	2
⇒ <u>Greenhouse structures, over-500-square feet-in-area outside the coastal zone, subject to the provisions of Section 13.10.636(a).</u> Inside-the-coastal-zone, greenhouses greater-than-20,000-square-feet-shall-be-processed-at-Level-5-and-shall-not-be-considered-a-principal-permitted-use.			
500 - 20,000 square feet	3	4	3
over 20,000 square feet	4	4	4

ORDINANCE NO. _____

USE	CA	A	AP
<u>Greenhouse structures, soil dependent****, ever-500-square-feet-in-area inside the coastal zone, subject to the provisions of Section 13.10.636(a) and 13.20.073.</u>			
<u>500 - 20,000 square feet over 20,000 square feet</u>	<u>3</u> <u>P/4</u>	<u>3</u> <u>P/4</u>	<u>3</u> <u>P/4</u>
<u>Greenhouses, improvements and expansions up to 10,000 square feet in area, inside the coastal zone, subject to the provisions of Sections 13.10.636(a) and 13.20.073.</u>	<u>3</u>	<u>4</u>	<u>3</u>
<u>Greenhouses, all others in the coastal zone.</u>			
<u>up to 20,000 square feet greater than 20,000 square feet</u>	<u>P/5</u> <u>5</u>	<u>P/5</u> <u>5</u>	<u>P/5</u> <u>5</u>
<u>Greenhouse replacement, reconstruction or structural alteration, pursuant to Section 13.10.636(b) and (c)</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Habitable accessory structure, 640 square feet or less subject to the provisions of Sections 13.10.611 and 13.10.612</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Habitable accessory structures greater than 640 feet, subject to the provisions of Sections 13.10.611 and 13.10.612 (see farm outbuildings)</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Non-habitable accessory structure when incidental to a residential use and not for agricultural purposes (subject to the provisions of Section 13.10.611 and 13.10.313 (a)).</u>			
<u>Total area of 1000 square feet or less</u>	<u>BP</u> <u>Only</u>	<u>BP</u> <u>Only</u>	<u>BP</u> <u>Only</u>
<u>Total area of more than 1,000 square feet</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Home occupations subject to the provisions of Section 13.10.613</u>	<u>P</u>	<u>P</u>	<u>P</u>

EXHIBIT A cont

USE	CA	A	AP
Kennels, commercial or private, for five or more dogs or cats over the age of four months subject to the provision of 13.10.323	5	5	5
Farm Worker camps subject to the provisions of Section 13.10.631			
1 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Lumber Mills	--	5	--
Manufactured homes, as farm labor housing, subject to the provisions of Section 13.10.631			
1 - 4 Units	5	5	5
5 - 19 Units	6	6	6
20+ Units	7	7	7
Manufactured home, as a single-family dwelling unit, subject to the provisions of Section 13.10.682			
Inside the Coastal Zone	5	5	5
Outside the Coastal Zone	3	3	3
Manufactured homes, for temporary occupancy as a caretaker's or watchman's quarters subject to the provisions of Section 13.10.631	3	3	3
Mushroom farms and other agriculture within structures, subject to the provisions of Section 13.10.634			
Additions, 500 - 20,000 square feet	3	5	3
New development and additions over 20,000 square feet	5	5	5
Offices within existing structures operated in conjunction with an allowed use	2	2	2
Public utility facilities; energy facilities (see Section 13.10.700-E definition)	--	5	--
Publicly owned and operated sanitary landfill either by contract or by public forces, subject to the provisions of Section 13.10.639	7	7	7

USE	CA	A	AP
Recreational activities: playfields not involving permanent structures or paving. Within the coastal zone allow this use only in the A (Non-commercial Agriculture) zone district.	5	5	5
Reservoirs or ponds	3	3	3
Riding academies or public stables, subject to the provisions of Section 16.22.060	5	5	5
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter 7.42 and that are located outside the Coastal Zone	--	4	--
Signs in conjunction with principal permitted uses as described in Section 13.10.580(a) and (b)	P	P	P
Signs in conjunction with non-principal permitted uses as described in Section 13.10.580(c) and (d)	2	2	2
Stands for the display and sale of agricultural commodities produced on-site**	2	2	2
Veterinary offices and animal hospitals subject to the provisions of Section 13.10.642	5	5	5
Visitor Accommodations, such as: Bed and breakfast inns (subject to Section 13.10.691)	--	5	--
Water pollution control facilities for agricultural purposes constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board, or erosion control facilities constructed to comply with County ordinances	3	3	3

USE	CA	A	AP
Water wells, storage tanks and distribution lines, well covers and small pump houses utilized strictly for on-site agriculturally related activities	1***	1***	1***
Wineries under 1,000 gallons annual production as a home occupation, subject to the provisions of Section 13.10.637	P	P	P
Wineries, subject to the provisions of Section 13.10.637			..
Under 1,000 gallons and not a home occupation	3	3	3
Over 1,000 gallons and under 20,000 gallons annual production:			
On parcels under 2.5 acres in size	3	5	3
On parcels 2.5 acres or larger	3	3	3
Over 20,000 gallons and under 50,000 gallons annual production:			
On parcels under 10 acres in size	5	5	5
On parcels 10 acres or larger	3	3	3
Over 50,000 gallons and under 100,000 gallons annual production and on size parcel	5	5	5
Over 100,000 gallons annual production on any size parcel	6	6	6
Zoos and natural science museums	--	5	--

SECTION II

Section 13.20.073 of the Santa Cruz County Code is hereby amended to read as follows:

13.20.073 AGRICULTURALLY RELATED DEVELOPMENT EXCLUSION

Agriculturally related development as listed below is excluded on all lands designated agriculture on the General Plan and Local Coastal Program Land Use Plan maps, except within one hundred feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea; or on parcels less than 10 acres in size:

ORDINANCE NO. _____

- (a) Greenhouses, soil dependent: The construction, improvement or expansion of soil dependent greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636.
- (b) {a} Agricultural Support Facilities: The construction, improvement, or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site provided that such buildings will not exceed 40 feet in height; will not cover more than 10,000 square feet of ground area including paving; and will not include agricultural processing plants, greenhouses or mushroom farms. Building construction or expansions of more than 2000 square feet of ground area in rural scenic corridors shall comply with 13.20.130(c)4.
- (c) {b} Greenhouses and mushroom farms: Improvement and expansion of existing agriculturally-related-processing-plants, mushroom farms or and greenhouses provided that such improvements will not exceed 40 feet in height, and will not increase ground coverage by more than 25 percent or 10,000 square feet, whichever is less. Building expansions of more than 2000 square feet in rural scenic corridors shall comply with 13.20.130(c)4. This type of development may be excluded only one time per recorded parcel of land. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a Coastal Zone Approval must be obtained for the subsequent development.
- (d) {e} Paving: Paving in association with development listed in paragraphs (a), (b) and (c) {b}, above, provided it will not exceed ten percent of the ground area covered by the development.
- (e) {d} Fencing: Fences for farm or ranch purposes, except any fences which would block existing equestrian and/or pedestrian trails.
- (f) {e} Water Supply Facilities: Water wells, well covers, pump houses, water storage tanks of less than 10,000 gallons capacity and water distribution lines, including up to 50 cubic yards of associated grading, provided that such water facilities are not in a water shortage area as designated pursuant to Section 11.90.130 of the County Code pertaining to a Water Shortage Emergency and will be used for on-site agriculturally-related purposes only.
- (g) {f} Water Impoundments: Water impoundments in conformance with the Grading Ordinance, (Chapter 16.20 of the Santa Cruz County Code) provided that no portion of the body of water will inundate either temporarily or permanently any drainage areas defined as riparian corridors in Chapter 16.30 (Riparian Corridor Protection), and provided that such impoundments will not exceed 25 acre feet in capacity and will not be in a designated water shortage area.
- (h) {g} Water Pollution Control Facilities: Water Pollution control facilities for agricultural purposes if constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.



CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
 725 FRONT STREET, SUITE 300
 SANTA CRUZ, CA 95060
 (408) 427-4883
 HEARING IMPAIRED: (415) 904-5200



April 15, 1997

NOTICE OF PROPOSED MITIGATED NEGATIVE DECLARATION

To: State Clearinghouse
 Office of Planning and Research
 1400 Tenth Street
 Sacramento, CA 95814

From: California Coastal Commission
 Central Coast District
 725 Front Street, Suite 300
 Santa Cruz, CA 95060

Project Title: County of Santa Cruz Categorical Exclusion #E-2-84-A-5

Project Applicant: County of Santa Cruz

Project Location:

Parcels of a least ten acres in size, located inland of the nearest public road and the sea on agriculturally-zoned portions of the Coastal Zone in unincorporated Santa Cruz County (see attached map in Exhibit 2).

Project Description:

The following category of development, within the above-described location, is proposed to be excluded from the requirement to be authorized by coastal development permits:

Greenhouses: The construction, improvement or expansion of soil-dependent greenhouses which comply with the requirements of Sections 13.10.313(a) and 13.10.636 [of the Santa Cruz County Code].

Referenced Section 13.10.313(a) includes site area standards, height limits (40 feet) and setbacks. Referenced Section 13.10.636 includes visual mitigation, on-site drainage retention, covering disposal, on-site parking, soil removal, flooring, energy-efficiency, ventilation, and water conservation standards for greenhouses. (see attached ordinance provisions in Exhibit 2).

Background:

The California Coastal Act establishes a coastal zone and a process for most proposed developments to be authorized pursuant to coastal development permits. For those jurisdictions, such as Santa Cruz County, that have certified local coastal programs, the local government is the responsible entity for issuing coastal permits.

Public Resources Code, Section 30610(e) authorizes the Coastal Commission to exclude from these permit requirements of the Coastal Act, any category of development within a specifically defined geographic area, if certain findings are made. The Commission must find (1) that such an exclusion will not result in

EXHIBIT NO. B
APPLICATION NO. E-82-4-A5
Negative Declaration

a potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast; and (2) that such exclusion will not impair the ability of the local government to prepare a local coastal program. A categorical exclusion may only be adopted after public hearing and by a two-thirds vote of the appointed members. Note that the first test is a stricter standard than the California Environmental Quality Act's (CEQA); therefore, adoption of this mitigated negative declaration under CEQA does not bind the Commission to adopt the exclusion.

Proposed Finding:

The Coastal Commission finds that this exclusion, with the following mitigation measures, will not have a significant effect on the environment for purposes of the California Environmental Quality Act of 1970.

Proposed Mitigation Measures

In order to mitigate any potential adverse effects, the exclusion, if approved, will be conditioned as follows:

1. This exclusion is only for soil-dependent greenhouses that meet the criteria contained in the County Code as of the date of Commission adoption of the Exclusion Order, especially Ch. 16.22 regarding "Erosion Control," Ch. 16.10 regarding "Geologic Hazards," and Ch. 16.32 regarding "Sensitive Habitat Protection." If any changes are made to any County Code sections that currently apply to soil-dependent greenhouses that diminish their application or level of resource protection, then the Coastal Commission shall have a right to modify or revoke this exclusion order.

FOLLOWING ARE ELABORATIONS TO THE CHECKED RESPONSES:

I. LAND USE: Installation of soil-dependent greenhouses will change the specific land use to some extent but not the general category of planned land use, which is agricultural. That is because greenhouse operations have been defined by the County as agricultural uses. The agriculturally-designated area to which this exclusion applies has various uses. Some is in production; some is used for grazing and non-agricultural uses or is vacant. Thus, some land use conversion may occur as a result of this proposal, but the underlying soil will not be significantly affected. Installation of soil-dependent greenhouses may have some minor impacts on the native soil, where the sidings or footing are placed. There may or may not be less cultivated area under a greenhouse than under the open sky, but it would not be a significant difference.

There are some residences within and adjacent to agriculturally-designated land. Potential incompatibilities are from odor, noise, and lighting and are discussed below. However, these impacts may be balanced by the fact that in moving some operations indoors, there would be less noise and dust.

II.b, XV.a HOUSING AND PARKS: Operation of soil-dependent greenhouses will entail use of employees, which could create demand for additional housing and possibly parks. Farm labor has increased in the County although cultivated land has not; recent trends in crops being planted now require more labor per acre. In some cases, a greenhouse operation might increase labor requirements, in other

cases it might not. In any event, housing employees and providing parks are not legal responsibilities of greenhouse operators. Any mitigation would occur through the private sector, general planning process, farmworker housing assistance programs, park dedications ordinances, park development programs and the like.

III. a,b,c GEOLOGY: Construction of soil-dependent greenhouses in geologic hazard areas may expose workers to seismic risks. The County has regulations which should adequately mitigate any such impacts (County Code Chapter 16.10). As long as these measures remain applicable to soil-dependent greenhouses (see mitigation measure #1) then no significant geologic impacts are anticipated.

III.f EROSION: Construction of soil-dependent greenhouses may result in on-site or off-site soil erosion. Operation of soil-dependent greenhouses may result in soil erosion from uncontrolled runoff. Soil-dependent greenhouses are not allowed to produce more runoff than pre-site development by the County under this proposal. Thus, erosional impacts should not be significant.

Greenhouses are unlikely to be built on very sloping land, provided the land is not graded. The County has an erosion control ordinance (County Code Chapter 16.22), which would apply necessary mitigation measures to ensure no significant adverse impacts. As long as the erosion control ordinance remains applicable to soil-dependent greenhouses (see mitigation measure #1) then no significant erosional impacts are anticipated.

IV.a,c; XII.e DRAINAGE: Soil-dependent greenhouses may result in excess water use and runoff. The off-site runoff rate is not to exceed pre-project levels under the County's proposal, thus drainage impacts should not be significant.

IV.f,i; II.g WATER: Greenhouses require substantial water use. However, a Santa Barbara County study examining ten reference documents found

it is difficult to develop standard figures for water use projections as such estimates range from 1.0 - 7.0 afy[acre feet per year]/acre for various nursery and greenhouse operations. The Carpinteria County Water District utilizes estimates of 1.2 afy/acre for mums while MCR Services supports a figure of 2.0 afy/acre. Until now [1986], the County Resource Management Department has routinely used a figure of 4.0 afy/acre to project water use in environmental documents for greenhouse projects.

In most of the project area the supply will be from the groundwater. Some operations (such as on the North Coast of Santa Cruz and eventually in the Pajaro Valley) may use a public supply. Soil-dependent greenhouse irrigation systems must be water-conserving under the County proposal. Soil-dependent greenhouses offer opportunities for water reuse and careful conservation beyond that which would be or is typically practiced in open field agriculture. Thus in some cases where open field agriculture is converted to greenhouses, water use may decline. In other cases, where greenhouses are established on non-irrigated lands, water use would obviously increase. On balance, the impact is not expected to be significant. Where groundwater overdraft or saltwater intrusion is at issue, avenues other than the coastal permit

process would be established to mitigate water supply impacts (for example, the Pajaro Valley Water Management Agency is formulating measures to address such problems).

V.b,d **AIR QUALITY:** Soil-dependent greenhouses may include pesticide use or decayed matter that produces objectionable odors. Soil-dependent greenhouses are required by the County to provide ventilation under this proposal, but there are no specifically-required odor control measures. While there could be some impact experienced by adjacent residences or schools, the source of the impact is designated agricultural land. Absent a soil-dependent greenhouse, there could still be some impact from farming practices and in some cases, the greenhouse may act to shield any odors. On balance, therefore, no significant air quality impact is anticipated.

VI.a **TRAFFIC:** Operation of some soil-dependent greenhouses may involve truck traffic to and from the site, potentially impacting coastal access roads such as San Andreas Road and Highway One. However, it is unlikely on balance that erection of soil-dependent greenhouses will significantly increase the amount of traffic.

VI.d **PARKING:** Operation of greenhouse and agricultural support facilities entails workers who may drive to the site and hence require parking. Under the County proposal on-site parking shall be provided commensurate with the need created by the proposed use. Some additional standards are contained in the County's parking regulations (County Code Ch. 13.10). Thus, no impacts are expected due to this proposal.

VII. **BIOLOGICAL RESOURCES:** Construction of soil-dependent greenhouses may impact sensitive species or habitats. Although most farmland is already in production, some designated land is not and may contain special status species, such as the Santa Cruz tarplant. However, the County already has regulations governing removal of sensitive species. (County Code Ch. 16.32). These rules apply to all "development", which would include greenhouses. As long as these regulations remain applicable to soil-dependent greenhouses (see mitigation measure #1) then no significant biologic impacts are anticipated. Also, State and Federal endangered species laws are in effect to further guard against any adverse biologic impacts.

VIII.b; XII.a **ENERGY:** Greenhouses and support facilities may use energy for light, for irrigation, to power equipment, etc. Under the County proposal greenhouses shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible. No mitigation is necessary given these requirements and the availability of various energy resources at this time.

IX.a, IV.h **HAZARDOUS MATERIAL:** Soil-dependent greenhouses may entail storage and/or use of pesticides, chemicals, and other hazardous substances. If not properly stored, used, or disposed, they could pose health, surface water, and groundwater hazards. Fertilizers and pesticides used in soil-dependent greenhouses can percolate into and contaminate the groundwater basin. The County has existing regulations (e.g., Chapters 7.96 and 7.100 of the Santa Cruz County Code) that address storage and disposal, but not application. In San Mateo County operators claim that floriculture causes fewer

problems than open field agriculture because the chemicals are milder and drift is contained. Pesticide and herbicide use is regulated by the Agricultural Commissioner's Office. Their use in soil-dependent greenhouses should not result in any significant unregulated impacts.

X.a NOISE: Construction and operation of soil-dependent greenhouses could result in increasing existing noise levels, through use of mechanized equipment, fans, etc. which could affect neighboring residences or schools. On the other hand, the greenhouse may shield noise that would otherwise be generated on-site. The exclusion covers only agriculturally-designated land. On balance, noise impacts are expected to be insignificant.

XI.a; IX.e FIRE PROTECTION: Agricultural support facilities and greenhouses could be subject to fire or hazardous material problems, thus necessitating fire protection services. The County is served by various fire districts or where there is none, the California Department of Forestry and Fire Protection and has fire hazard reduction policies in Ch. 6.5 of its General Plan. As long as these policies are applied to support facilities and greenhouses, no further mitigation is required. (See mitigation measure #1).

XIII.a,b AESTHETICS: VIEWS: Greenhouses and agricultural support facilities may create adverse visual impacts. A San Mateo County evaluation for the Pescadero area found:

The architectural features, construction material, colors and siting of these buildings are often considered unattractive and industrial in appearance. Typically, greenhouses are rectangular or cylindrical in shape, up to 300 feet long, 20-45 feet wide, up to 18 feet in peak height, and have glass or plastic walls and roofs that are clear or painted white. Greenhouses are usually developed as uniformly aligned groupings and are located in level, sunny, open areas. Because the appearance and siting of these structures is dissimilar to surrounding natural landscape features, the visual effect is often considered obtrusive.

Comparisons of County Land Use Plan and visual resource maps show some overlapping with agriculturally-designated land. Under the Santa Cruz County proposal maximum allowed heights are 40 feet; maximum coverage approaches 100% (20 foot side and rear yard setbacks are required). Additionally, the proposed exclusion states that mitigations shall be required for any adverse visual impacts which will be visible from designated scenic roads, beaches, or recreation facilities. Therefore, no significant adverse impacts are expected.

XII.c AESTHETICS: LIGHT AND GLARE: Agricultural support facilities, and especially greenhouses, will produce additional light in rural areas. Adjacent residences will also be affected. According to an analysis prepared for the Pescadero area of San Mateo County:

Supplemental greenhouse lighting (i.e., grow lights) increases agricultural productivity, reduces crop growing time, and produces consistently high quality plants throughout the year. Grow lights are effective in extending daytime light exposure or interrupting nighttime darkness. Growers typically use supplemental lighting to increase their yield of high quality crops when the market

price is most favorable. High intensity sodium lamps are used most frequently for lighting larger greenhouses.

The light intensity emitted from grow lights ranges between 185 and 1,000-foot candles per greenhouse operation. Grow lights are usually placed above the plant for maximum direct light exposure. Typically, a shielding apparatus is not used to screen back light or reflected light.

For certain plants, growers place opaque film or cloth screening above the crop to control sunlight exposure. Such technique could be designed to screen back light or reflected from the light sources.

Depending on the soil-dependent greenhouse material, there may also be increased glare. Under this proposal the County may require a structural material that causes less glare. Thus, this impact is not expected to be significant.

XIV. CULTURAL RESOURCES: Construction of soil-dependent greenhouses may disturb archaeological resources and possibly historic resources or sacred sites. The County already has regulations governing protection of cultural resources. (County Code Chapters 16.40, 16.42, and 16.44). A mitigation measure to assure that these provisions remain in effect and applicable to agricultural structures would address any impacts.

XVI. CONCLUSION: MANDATORY FINDINGS OF SIGNIFICANCE: This proposal means that certain soil-dependent greenhouses will no longer need coastal permits to be approved on parcels at least 10 acres in size landward of the nearest through public road along the shoreline. The coastal permit process entails an evaluation based on the adopted Local Coastal Program provisions through a public hearing process. The proposed exclusion is for soil-dependent greenhouses that have a Use Permit. A use permit may be issued without a public hearing, under one of four levels of administrative review. Excluded soil-dependent greenhouses (i.e., not subject to the coastal permit process) would still have to meet certain criteria regarding visual mitigation, on-site runoff control, and parking, as discussed above. What could be lacking under the proposed exclusion is the individual consideration that a soil-dependent greenhouse would receive under a public hearing/coastal permit process, which could result in special conditions tailored to specific circumstances and based on public input. Examples of issues whose resolution is more subjective and thus possibly less-assured through this exclusion are odors and noise. On the other hand, even with this exclusion there will be more scrutiny afforded to agricultural operations within greenhouses (considered to be "development") than similar operations in the open air (which are generally not considered to be "development," and, hence, not subject to coastal permit regulation). Since this exclusion request is limited to soil-dependent greenhouses, the types of activities undertaken within them should not significantly differ than those that take place in the open.

As noted, any impacts are not expected to be significant. There are also provisions available to address many potential impacts outside of the Coastal permit process (e.g., hazardous waste, water supply, as discussed above). Under the worst case scenario, all eligible agriculturally-designated land (which as noted is not all agriculturally-designated land in the County's coastal zone), would be covered with soil-dependent greenhouses. This could pose some potentially significant cumulatively impacts, primarily on the public viewshed. However, for a scenario like this to occur would mean that soil-dependent greenhouses were the only way to economically conduct farming activities. In such a case, the cumulative

visual impact would not be significant when compared to the alternative of losing farmland to other structural development. In conclusion, overall this limited exclusion request should not result in any significant individual or cumulative adverse environmental impacts..

SOURCES USED INCLUDE:

San Mateo County Environmental Services Agency, "Greenhouse Land Use Compatibility -- Issues and Options." May 1992.

Santa Barbara County Department of Resource Management: *Greenhouse Development in the Carpinteria Valley. A Compilation and Assessment of Existing Information 1977-85*, April 1986.

1994 General Plan and Local Coastal Program for the County of Santa Cruz, California.

Santa Cruz County Code.

DOCUMENT AVAILABILITY AND REVIEW PROCESS

This draft mitigated Negative Declaration will be available for public review and comment for 30 days commencing April 18, 1997. A copy of the draft is available on file with the Coastal Commission, 725 Front Street, Suite 300, Santa Cruz, CA 95060. Any person wishing to comment may do so in writing within thirty (30) days of this notice by providing written comments to Rick Hyman at the indicated address. All written comments received by May 19, 1997 will be responded to by the Commission's staff as part of the staff's recommendation on the draft mitigated Negative Declaration.

The draft Negative Declaration will be considered by the Commission at a hearing tentatively scheduled for June 10-13, 1997 at the Marin County Board of Supervisors Chambers, Rm 322, Marin County Civic Center, San Rafael, 94903. Hearings usually begin at 9:00 a.m. Any person desiring written notice of the hearing should contact the Commission at the Santa Cruz address.

Appendix I (continued)

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- Land Use and Planning
- Transportation/Circulation
- Public Services
- Population and Housing
- Biological Resources
- Utilities and Service Systems
- Geological Problems
- Energy and Mineral Resources
- Aesthetics
- Water
- Hazards
- Cultural Resources
- Air Quality
- Noise
- Recreation
- Mandatory Findings of Significance

Determination.

(To be completed by the Lead Agency.)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Lee Otter
Signature

April 15, 1997
Date

Lee Otter
Printed Name

California Coastal Commission
For

Appendix I (continued)

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Potentially Significant Unless Mitigated Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. See the sample question below. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) This is only a suggested form, and lead agencies are free to use different ones.

Sample Question:

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the proposal result in potential impacts involving:				
Landslides or mudslides? (1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Attached source list explains that 1 is the general plan, and 6 is a USGS topo map. This answer would probably not need further explanation.)				

I. LAND USE AND PLANNING. Would the proposal:

a) Conflict with general plan designation or zoning? (source #(s):)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix I (continued)

Issues (and Supporting Information Sources):	Potentially Significant			Significant
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. POPULATION AND HOUSING. Would the proposal:				
a) Cumulatively exceed official regional or local population projections? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace existing housing, especially affordable housing? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:				
a) Fault rupture? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Seismic ground shaking? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Seismic ground failure, including liquefaction? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or mudflows? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Subsidence of the land? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. WATER. Would the proposal result in:				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Changes in the amount of surface water in any water body? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Appendix I (continued)

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

V. AIR QUALITY. Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose sensitive receptors to pollutants? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VI. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

a) Increased vehicle trips or traffic congestion? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Inadequate emergency access or access to nearby uses? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity on-site or off-site? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES.

Would the proposal result in impacts to:

a) Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)? ()	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Locally designated species (e.g., heritage trees)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix I (continued)

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Wildlife dispersal or migration corridors? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES.

Would the proposal:

a) Conflict with adopted energy conservation plans? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use non-renewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS. Would the proposal involve:

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. NOISE. Would the proposal result in:

a) Increases in existing noise levels? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to severe noise levels? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

a) Fire protection? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other governmental services? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Appendix I (continued)

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
a) Power or natural gas? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Communications systems? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Solid waste disposal? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XIII. AESTHETICS. Would the proposal:				
a) Affect a scenic vista or scenic highway? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a demonstrable negative aesthetic effect? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create light or glare? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XIV. CULTURAL RESOURCES. Would the proposal:				
a) Disturb paleontological resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Affect historical resources? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XV. RECREATION. Would the proposal:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect existing recreational opportunities? ()	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix I (continued)

Issues (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

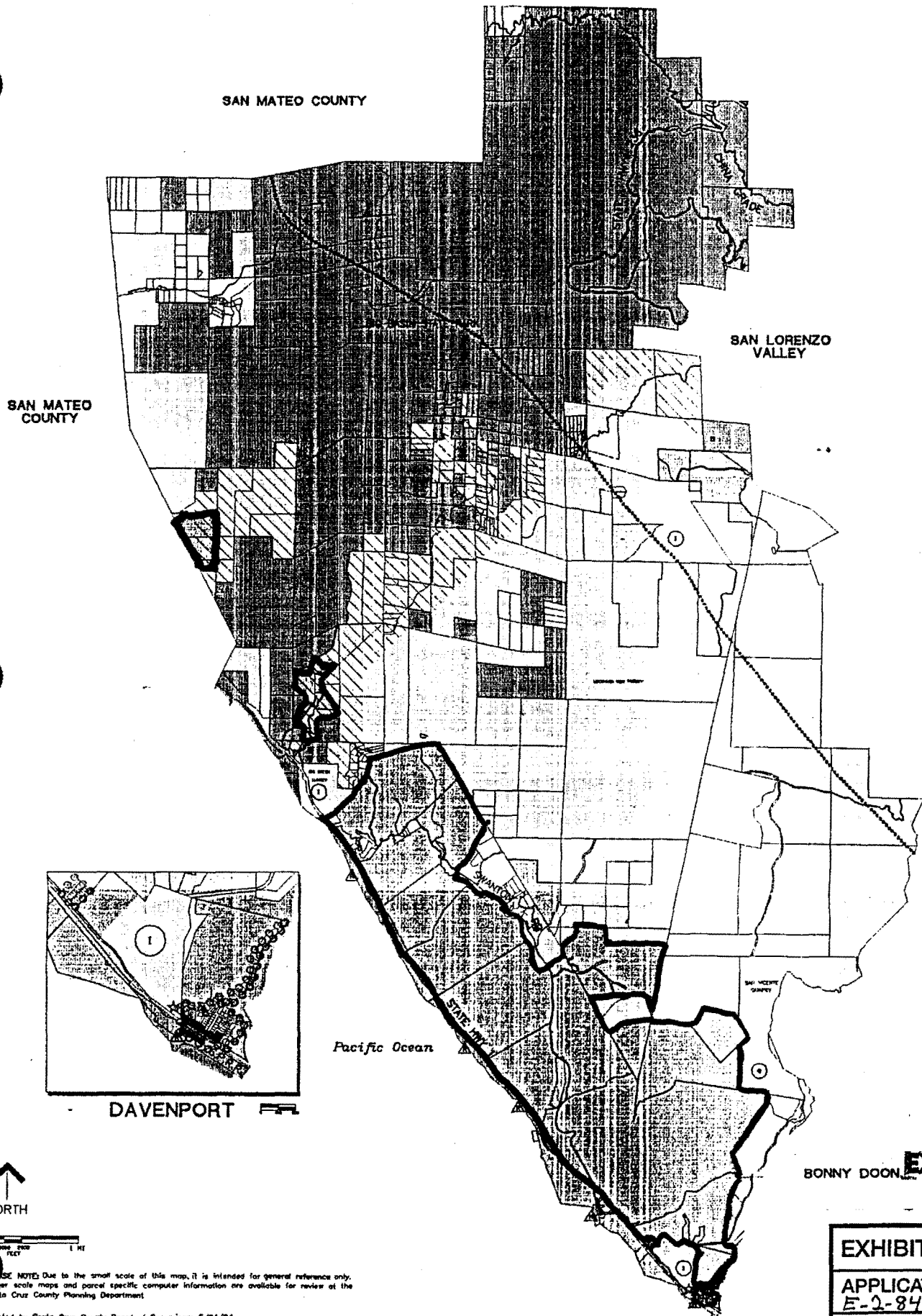
XVII EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

- a) **Earlier analyses used.** Identify earlier analyses and state where they are available for review.
- b) **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21087.

Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151; *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, 222 Cal.App.3d 1337 (1990).

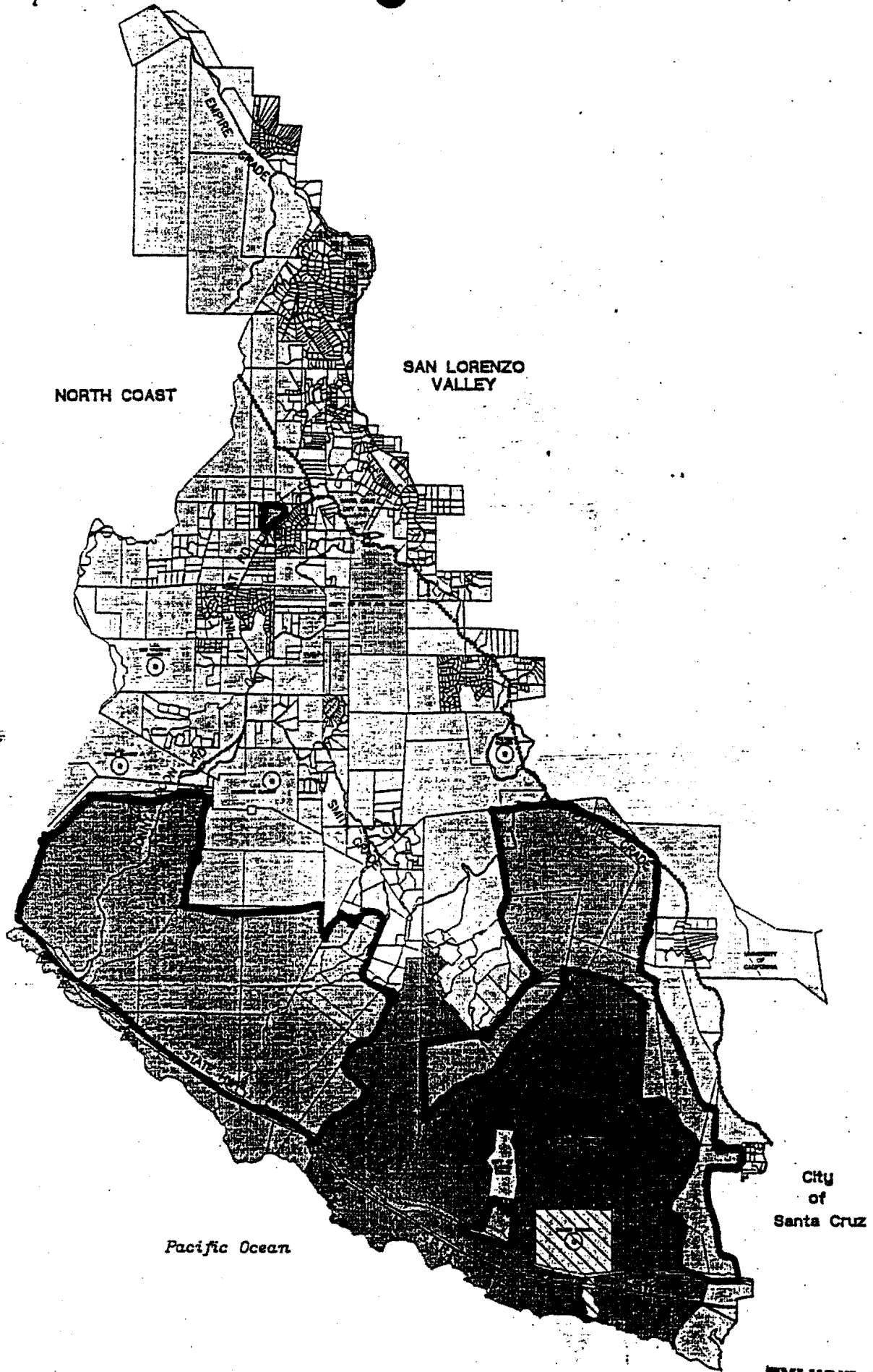


BONNY DOON, EXHIBIT B cont

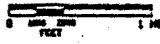
EXHIBIT NO. 1
APPLICATION NO. E-2-84-A-5
Santa Cruz Co exclusion, Area it applies to

DISCLAIMER NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

Adopted by Santa Cruz County Board of Supervisors 5/24/94
 Certified by California Coastal Commission 12/18/94
 Effective Date 12/10/94



NORTH

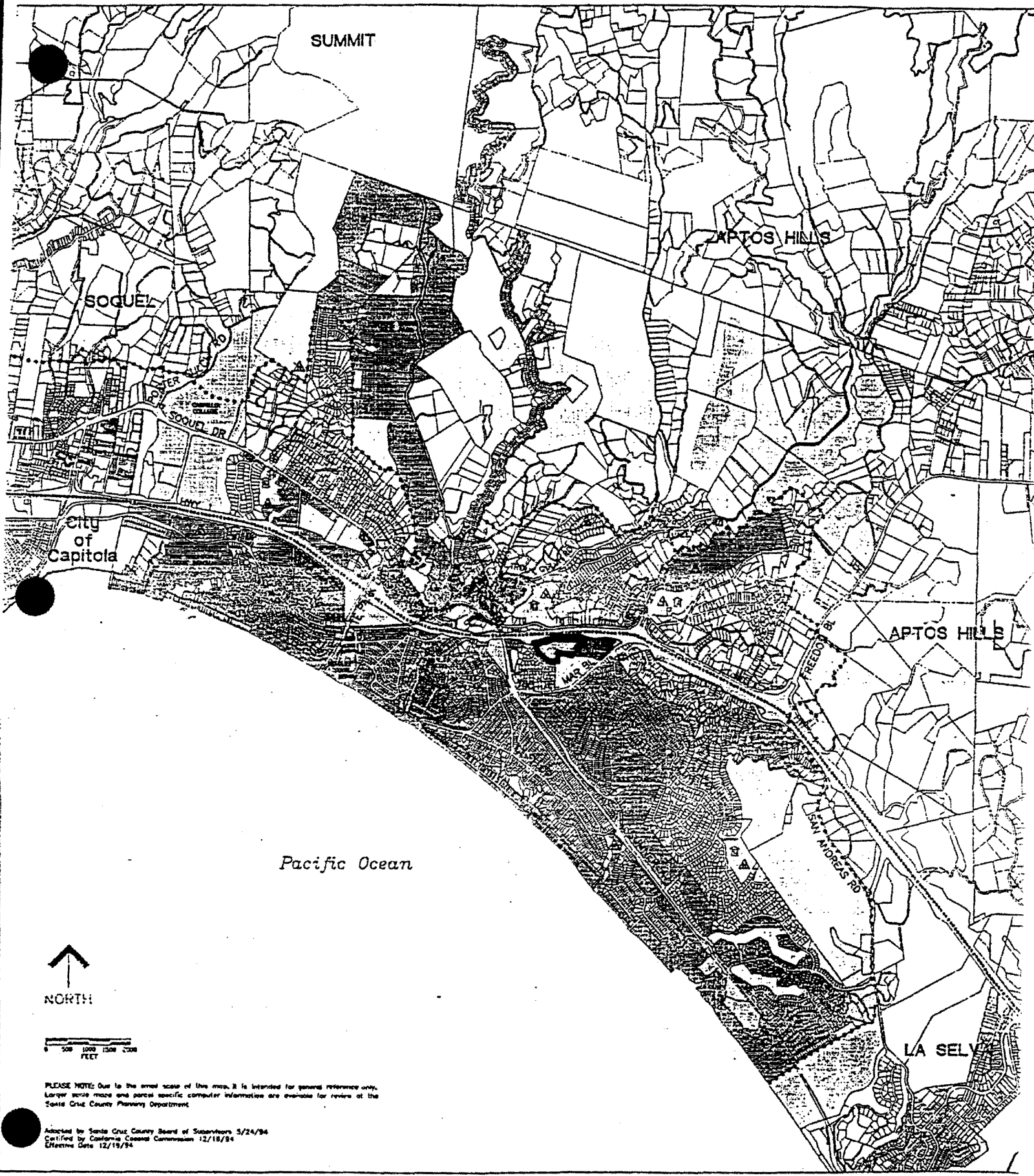


PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

Adopted by Santa Cruz County Board of Supervisors 5/24/94
 Certified by California Coastal Commission 12/16/94
 Effective Date 12/16/94

EXHIBIT B cont.

Ex 1 cont.



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FEET

PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

Adopted by Santa Cruz County Board of Supervisors 5/24/94
Certified by California Coastal Commission 12/18/94
Effective Date 12/19/94

Ex 1 cont
of EXHIBIT B cont.

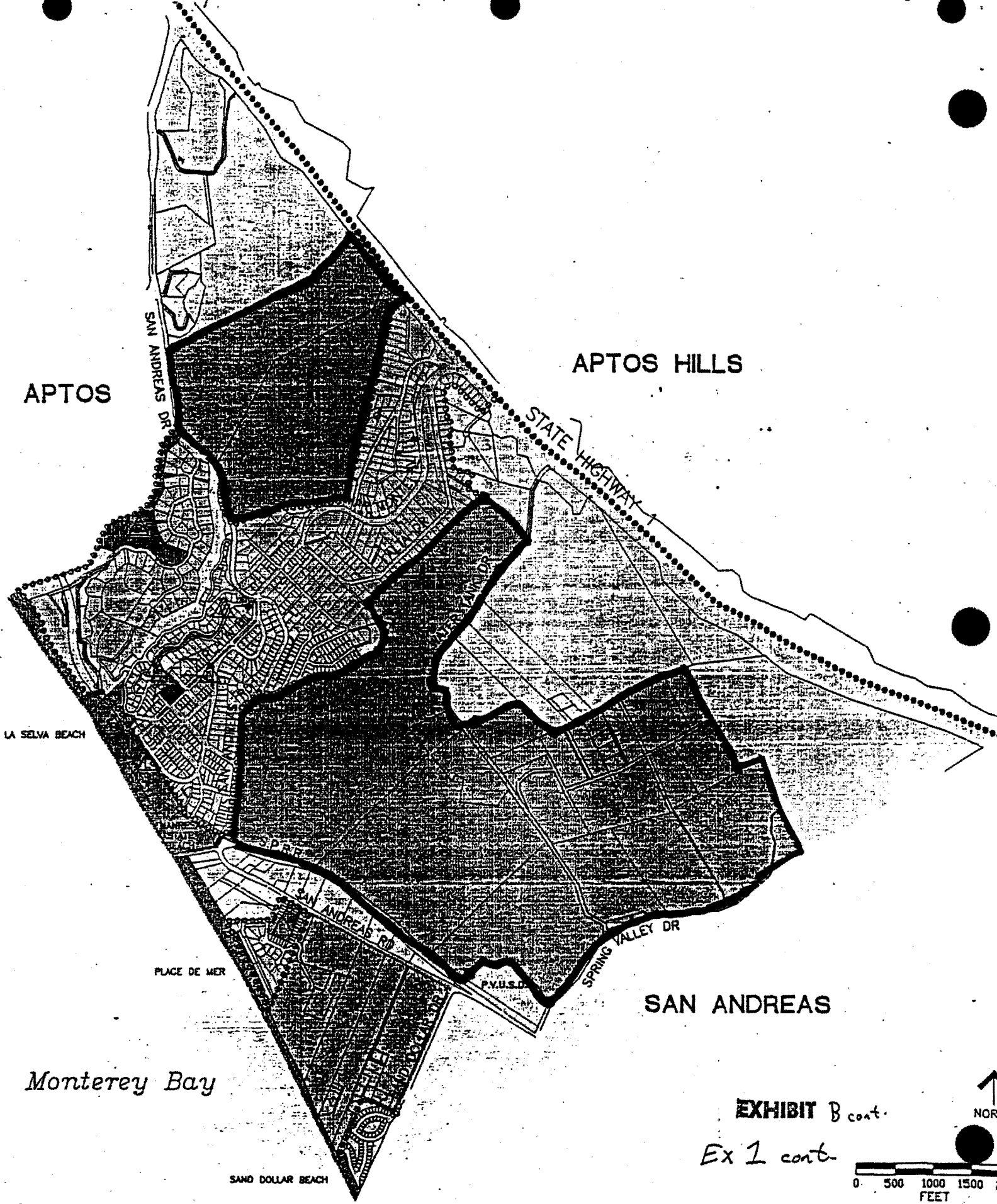
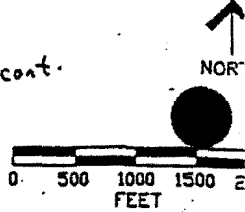
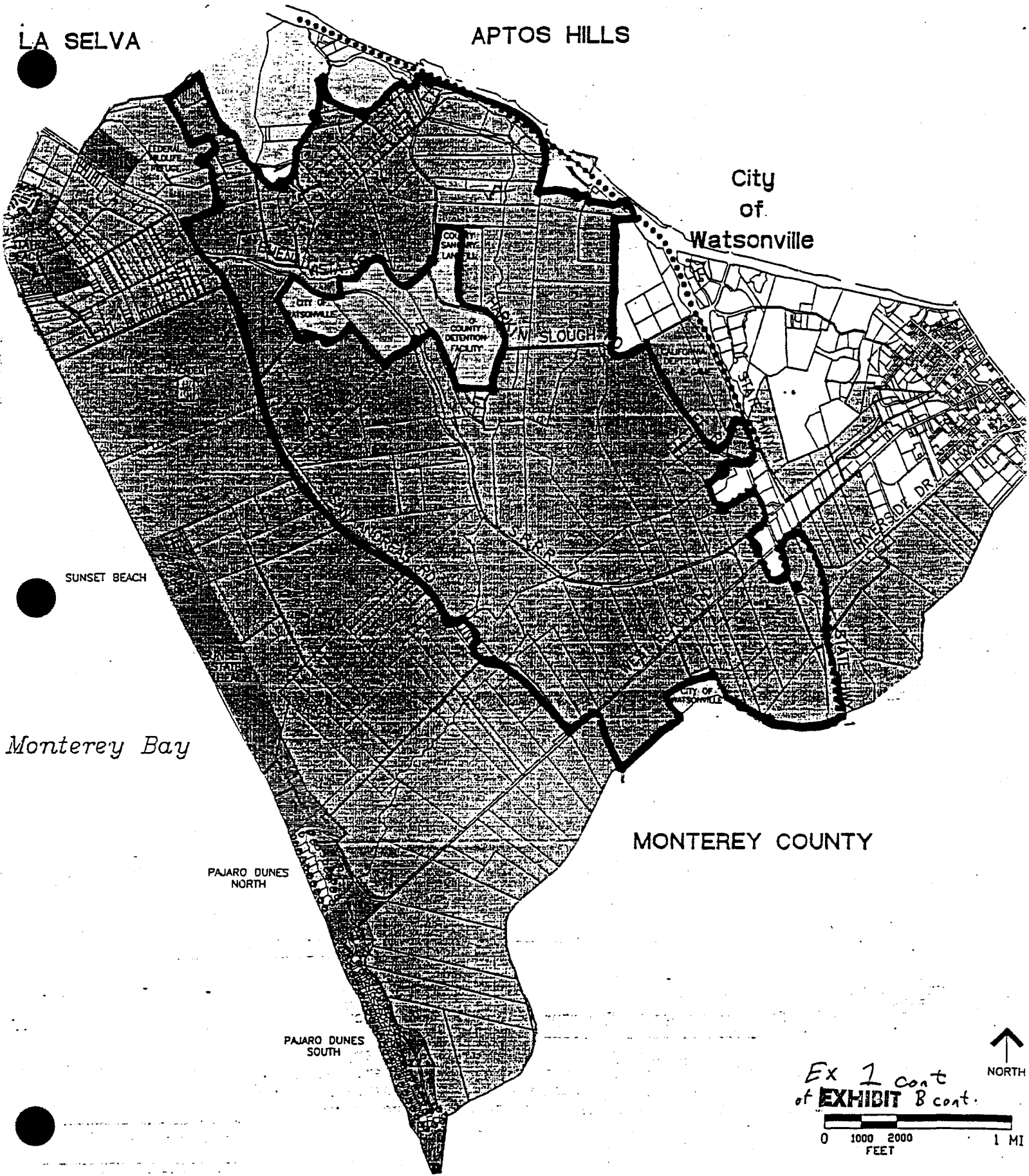


EXHIBIT B cont.

Ex 1 cont.



PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.



Ex 1 cont
of EXHIBIT B cont.



PLEASE NOTE: Due to the small scale of this map, it is intended for general reference only. Larger scale maps and parcel specific computer information are available for review at the Santa Cruz County Planning Department.

13.10.313 DEVELOPMENT STANDARDS

(a) Site and Structural Dimensions.

1. General. The following site area per dwelling

unit, site width, frontage, yard dimensions, and building height limits shall apply to all agricultural zone districts except that maximum height limits and exceptions therefrom for residential structures in all agricultural districts shall be determined in accordance with the provisions of Section 13.10.323 applicable to parcels in the Residential Zone Districts. On legal lots of record less than 2.5 acres in size, all site and structural dimensions of the residential districts as indicated in Section 13.10.323, shall apply, based on the pre-existing parcel size. (Ord. 3755, 4/22/86; 4097, 12/11/90)

AGRICULTURAL SITE AND STRUCTURAL DIMENSIONS CHART

Designation	Parcel Size	Width	Frontage	Yard Front
A	Less than 5 ac	100'	60'	20'
A	5 ac or more	300'	100'	20'
CA	(A11)	300'	100'	20'
AP	(A11)	300'	100'	20'

Designation	Setbacks Side	Rear	Max. Bldg. Hgt. for Structure	Max. Bldg. Hgt. for Structure
A	20'	20'	40'	25'
A	20'	20'	40'	25'
CA	20'	20'	40'	25'
AP	20'	20'	40'	25'

2. Size and Design of Structures - Exceptions. No

residential structure shall be constructed or enlarged which will result in 4500 square feet of floor area or larger, inclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of Section 13.10.325.

EXHIBIT B cont.

EXHIBIT NO. 2
APPLICATION NO. E-2-84-A-5
Santa Cruz Co exclusion
Referenced ordinances

13.10.636 GREENHOUSES.

(a) New Greenhouse Development. New greenhouses over 500 square feet in area, where allowed pursuant to a Use Approval in the basic zone district, shall be developed and maintained to the following standards:

1. Mitigations shall be required for any adverse visual impacts of greenhouses which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Greenhouses shall not be located where they would block public ocean views. Mitigations shall be compatible with light and ventilation needs of the greenhouse operations.
2. Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained onsite such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.
3. Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant.
4. On-site parking shall be provided commensurate with the need created by the proposed use.
5. The removal of indigenous prime farmland soil used as a growing medium for container plants which are sold intact shall not be allowed.
6. Flooring or impervious surfacing within the greenhouse structure which impairs long-term soil capabilities shall be limited to the minimum area needed for access, loading and storage. The use of long-term sterilants under impervious surfacing shall not be allowed.
7. Greenhouse structures shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible.

8. Open ventilation shall be provided, when feasible. When exhaust fans are shown to be necessary, the fans should be located away from nonagricultural land uses and should maximize energy efficiency.

9. Irrigation systems shall be water conserving.

(b) Conforming Greenhouse Replacement. The following

Conditions must be met in order for an existing conforming greenhouse to be reconstructed, replaced or structurally altered without a prior Use Approval:

1. The new or altered greenhouse must conform to the existing setbacks and height limits of the zone district.

2. The project must be accompanied by plans, which may be prepared by the applicant, for drainage, screening of outdoor storage and adequate on-site parking relative to the proposed use.

3. Discarded greenhouse coverings must be disposed of promptly according to plans submitted by the applicant.

(c) Non-conforming Greenhouse Replacement. The replacement,

reconstruction or structural alteration of a non-conforming greenhouse of any size in any zone district shall be allowed without the requirement of a Use Approval provided that the replacement, reconstruction or structural alteration meets the following conditions:

1. The new or altered greenhouse shall cover an area no larger than that of the original greenhouse.

2. The new or altered greenhouse shall be no higher than 22 feet and in no case obstruct the existing solar access for habitable structures or agricultural uses on adjoining properties.

3. The project shall be accompanied by plans, which may be prepared by the applicant, for drainage, for screening of any outdoor storage, and for adequate on-site parking relative to the proposed use.

4. Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant.

(Ord. 839, 11/28/62; 1156, 2/15/66; 1682, 2/15/72; 2769, 9/11/79; 2822, 12/4/79; 3015, 12/2/80; 3051, 3/10/81; 3186, 1/12/82; 3223, 4/27/82; 3344, 11/23/82; 3432, 8/23/83)

ADOPTED

Coastal Act of 1976.

5. Boundary adjustments which do not result in an increase in the number of building sites, buildable lots, or density of permitted development.
6. Grading of less than 50 cubic yards in rural areas, and grading of less than 100 cubic yards in urban areas, as defined by the Urban/Rural Boundary established by the certified Land Use Plan maps.

This type of development is not exempt from coastal permit requirements in the following cases:

- a. Within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff or any area defined as "riparian habitat", sensitive habitats", or their buffer zones by the certified Land Use Plan and so designated on the Land Use Plan maps,
 - b. On natural slopes greater than 25%.
7. Development authorized by the following permits:
 - a. Encroachment Permits, outside of the appeal jurisdiction of the California Coastal Commission.
 - b. Street Closure Permits, outside of the appeal jurisdiction of the California Coastal Commission.

II. CONDITIONS

1. This exclusion shall not become effective until the County of Santa Cruz has a fully-certified Local Coastal Program and permitting authority has been delegated by the Commission pursuant to section 30519 of the Coastal Act.
2. Agriculturally-Related Development

Building construction or expansions of more than 2000 square feet of ground area in rural scenic corridors shall comply with Section 13.21.140(c)4 of the County Code, "Design Criteria for Coastal Zone Developments" and any local authorization of this type of development must include a finding that the proposed development does comply with Section 13.21.140(c)4 of the County Code.

Notwithstanding the above, agriculturally-related development which include land clearing, grading or removal or major vegetation is not exempt from coastal permit requirements unless the proposed land

EXHIBIT NO. C
APPLICATION NO. E-82-4-A5
Previously Adopted
Final Conditions

clearing, grading or removal of major vegetation is also categorically excluded under the terms of this order.

The improvement and expansion of existing agriculturally-related processing plants, mushroom farms or greenhouses may be exempted from coastal permit requirements only one time per record parcel of land pursuant to this exclusion. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a coastal development permit must be obtained for the subsequent development.

The water pollution control facilities may be exempted from coastal permit requirements so long as any grading, land clearing or other landform alteration required as a part of the development is itself exempt under the terms of this order.

3. Mapping

This order of categorical exclusion shall not be implemented until the County submits to the Executive Director of the Coastal Commission and the Executive Director approves, in writing, a map depicting all of the following:

- a. The geographic area excluded by Commission order,
- b. The zoning designations of the excluded area,
- c. The areas of potential public trust (areas subject to the public trust are seaward of the line of potential public trust and will be adequately depicted),
- d. All coastal bodies of water, riparian corridors, and wetlands as may be shown on any Land Use Plan Resources Maps, or Background Studies,
- e. The boundaries of all lots immediately adjacent to the inland extent of any beach, or of the mean high tide line of the sea where there is no beach,
- f. A map note which clearly indicates that the written terms of this order should be consulted for a complete listing of non-excludable developments. The note shall, to the maximum extent practicable, indicate the topical areas which are non-excludable. It shall state that no development within one hundred feet from the upland limit of any stream, wetland, marsh, estuary, or lake, is excluded by the terms of this order, regardless of whether such coastal waters are depicted on the exclusion map, or not. The map note shall further state that where the natural resource, environmentally sensitive habitat, open space or other similar policies of the certified Local Coastal Program specify a geographically larger area of concern for natural resources, then no development shall occur in the area described in the Local Coastal Program unless authorized by a coastal development permit.

EXHIBIT

C. Coastal

ADOPTED

4. Determination by Executive Director

The order granting a categorical exclusion for these categories of development in the County of Santa Cruz, pursuant to Public Resources Section 30610, shall not become effective until the Executive Director of the State Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the Coastal Commission regulations.

5. Exclusion Limited to Coastal Permits

This exclusion shall apply to the permit requirements of the Coastal Act of 1976, pursuant to Public Resources Code Section 30610(e) and 30610.5(b), and shall not be construed to exempt any person from the permit requirements of any other federal, state or local government agency.

6. Records

The County shall maintain a record of any other permits which may be required for categorically excluded development which shall be made available to the Commission or any interested person upon request, pursuant to Section

7. Notice

Within five (5) working days of the issuance of a permit in conformity with this order of categorical exclusion the County shall provide notification of such issuance on a form containing the following information to the office of the Central Coast District Office, and to any persons who in writing requested such notice. Unless the County provides such notification to the District Office, the development will not be exempted from coastal development permit requirements under this order.

- i) developer's name,
- ii) street address and assessor's parcel number of property on which development is proposed
- iii) brief description of development
- iv) date of application for other local permit(s)
- v) all terms and conditions of development imposed by local government in granting its approval.

8. Conformity with LCP

Development under this exclusion shall conform with the County of Santa Cruz Local Coastal Program in effect on the date this exclusion is adopted by the Commission or to the terms and conditions of this

EXHIBIT

ADOPTED

exclusion where such terms and conditions specify more restrictive development criteria.

9. Amendment of LCP

In the event an amendment of the Local Coastal Program of the County of Santa Cruz is certified by the Coastal Commission pursuant to section 30514 of the Coastal Act, development under this order shall comply with the amended Local Coastal Program, except where the terms and conditions of this order specify more restrictive development criteria. However, such amendment shall not authorize the exclusion of any category of development not excluded herein, nor shall such amendment alter the geographic areas of the exclusion.

10. Non-exclusion of Buffer Zone

This order does not exempt any development within one hundred feet, measured horizontally, from the high water mark of any coastal body of water, stream, wetland, estuary, or lake, regardless of whether such coastal waters are depicted on the exclusion map, or not.

11. Limitation

Any development not falling within this exclusion remains subject to the coastal development permit requirements of the Coastal Act of 1976.

III. FINDINGS AND DECLARATIONS

The Commission hereby finds, for the reasons set forth below, that this exclusion, as conditioned, presents no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along the coast.

The Commission finds that for the same reasons that this exclusion will have no potential for any significant effect, either individually or cumulatively, on coastal resources, this exclusion will have no significant effect on the environment for purposes of the California Environmental Quality Act of 1970.

The Commission further finds and declares as follows:

1. Provisions for Categorical Exclusions

Specifically, Public Resources Code Section 30610(d) states that no coastal development permit shall be required for...

"Any category of development within a specifically defined geographic area, that the Commission, by regulation, after public hearing, and by two-thirds vote of its appointed members, has described or identified with respect to which the Commission has found that there is no potential for any significant, adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along the coast and that such

EXHIBIT

COUNTY OF SANTA CRUZ
CATEGORICAL EXCLUSION ORDER E-82-4-A

The Commission by a two-thirds vote of its appointed members hereby adopts an order, pursuant to Public Resource Code Section 30610(e) and 30610.5(b) which excludes the following category of development in the designated areas of the coastal zone of the County of Santa Cruz from the permit requirements of the California Coastal Act of 1976. However, no development located on tide or submerged lands, beaches, lots immediately adjacent to the inland extent of any beach, or the mean high tide line of the sea where there is no beach and all lands and water subject or potentially subject to the public trust is excluded by this order. The Commission hereby orders that the following developments within the excludable area shall not require a coastal development permit.

I. CATEGORY OF EXCLUDED DEVELOPMENT

Lot line adjustments, as defined by Section 14.01.105-L of the County Code, not resulting in an increase in the number of building sites, buildable lots, or density of permitted development.

II. ADOPTED CONDITIONS

This Order of Categorical Exclusion is subject to all of the following terms and conditions pursuant to the referenced sections of the Coastal Act.

1. This Order, pursuant to Public Resources Code Section 30610, shall not become effective until the Executive Director of the Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the Coastal Commission regulations (i.e., acknowledges receipt of this order and agrees to these conditions).
2. All conditions of Exclusion Order E-82-4, as modified by Exclusion Orders E-83-3 and E-90-1 remain in full force and effect and apply to this revised excluded category of development as well (see attachment).
3. Any revisions to Section 14.01.105-L or others of the Santa Cruz County Code affecting the definition of "Lot Line Adjustment" shall be submitted to the Commission to consider as an amendment to this Exclusion Order before they take effect.

2. All conditions of Exclusion Order E-82-4, as modified by Exclusion Order E-83-3 remain in full force and effect and apply to this additional excluded category of development as well (see attachment). The map submitted in compliance with Condition #3 of E-82-4 (notarized March 30, 1983) shall suffice to serve as the map for this exclusion provided the following note regarding non-excludable developments is added to all sheets: "Wells for single-family dwellings: groundwater emergency areas, areas subject to saltwater intrusion, sensitive habitats, urban areas."

III. RECISION AND REVOCATION

Pursuant to Title 14 of the California Administrative Code Section 13243(e) the Commission hereby declares that the order granting this exclusion may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that the terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this order may be revoked at any time that the terms and conditions are violated.

IV. RECOMMENDED FINDINGS AND DECLARATIONS

The Commission hereby finds and declares for the following reasons, that this exclusion, as conditioned presents no potential for significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast:

1. Public Access

Public Resources Code Sections 30211 and 30212 require that existing public access be protected and that new development along the shoreline provide access. The exclusion applies only to non-appealable areas, i.e., those located inland of the first public road paralleling the sea. Furthermore, wells should not have any impact on access. Accordingly, the Commission finds that the exclusion order presents no potential for any significant adverse effect either individually or cumulatively on public access to or along the coast and therefore, the order is consistent with the Coastal Act's public access policies.

2. Environmentally Sensitive Habitats

Public Resources Code Section 30240(a) provides that environmentally sensitive habitat shall be protected from significant disruption and that only those uses dependent upon the resources within the habitat may be allowed in such areas. In addition, Section 30240(b) requires that development in areas adjacent to environmentally sensitive habitats be sited and designed to protect the habitat.

ADOPTED

1. This Order, pursuant to Public Resources Code Section 30610, shall not become effective until the Executive Director of the Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to section 13244 of the Coastal Commission regulations (i.e., acknowledges receipt of this order and agrees to these conditions).
2. All conditions of Exclusion Order E-82-4, as modified by Exclusion Orders E-83-3, E-90-1, and E-82-4-A, remain in full force and effect and apply to this revised excluded category of development as well (see Exhibits 2, 3, 4, and 5).
3. Any revisions to Section 14.01.105-L or other sections of the Santa Cruz County Code affecting the definition of "Lot Line Adjustment" shall be submitted to the Commission to consider as an amendment to this Exclusion Order before they take effect.

III. RESCISSION AND REVOCATION

Pursuant to Title 14 of the California Administrative Code Section 13243(e), the Commission hereby declares that the order granting this exclusion amendment may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that there terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this order may be revoked at any time that the terms and conditions are violated.

IV. RECOMMENDED FINDINGS AND DECLARATIONS

The Commission hereby finds and declares for the following reasons, pursuant to Public Resources Code Section 30610(e), that this exclusion amendment, as conditioned, presents no potential for significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

The Commission previously made this finding for "Lot Line Adjustments" in exclusion order E-82-4-A, and for "Boundary Adjustments" in the original exclusion order E-82-4. The current amendment request modifies the definition of lot line adjustment by adding a general definition of what a lot line adjustment is and then further setting forth a definition of a "minor" lot line adjustment (which is included in the general definition of lot line adjustment). A minor lot line adjustment includes the following:

1. relocation of lot lines to cure a structural encroachment, whether or not the parcels involved conform to the required minimum lot size. Since by definition a lot line adjustment cannot result in the creation of a greater number of parcels that originally existed, there will be no adverse effect on coastal resources.

ADOPTED

- Previously excluded wells *outside the Urban Services Line or Rural Services Line.*

III. RECOMMENDED CONDITIONS

This Order of Categorical Exclusion is subject to all of the following terms and conditions pursuant to the referenced sections of the Coastal Act.

1. This Order, pursuant to Public Resources Code Section 30610, shall not become effective until the Executive Director of the Coastal Commission has determined in writing that the local government has taken the necessary action to carry out the exclusion order pursuant to Section 13244 of the California Code of Administrative Regulations (i.e., acknowledges receipt of this order and agrees to these conditions).
2. All conditions of Exclusion Order E-82-4, as modified by Exclusion Orders E-83-3, E-90-1, E-82-4-A, and E-82-4-A2 remain in full force and effect and apply to this revised excluded category of development as well (see Exhibit 3).
3. This exclusion applies only to the Urban and Rural Services Lines as defined in certified Section 17.020.030 of the Santa Cruz County Code (see Exhibit 2) and as mapped in the certified 1994 *General Plan and Local Coastal Program for the County of Santa Cruz* as of this date. Any revisions to these sections or maps shall be submitted to the Commission to consider as an amendment to this Exclusion Order before they take effect.

IV. RECISION AND REVOCATION

Pursuant to Title 14 of the California code of Regulations Section 13243(e), the Commission hereby declares that the order granting this exclusion amendment may be rescinded at any time, in whole or in part, if the Commission finds by a majority vote of its appointed membership after public hearing that the terms and conditions of the exclusion order no longer support the findings specified in Public Resources Code Section 30610(e). Further, the Commission declares that this order may be revoked at any time that the terms and conditions are violated.

V. RECOMMENDED FINDINGS

A. NO POTENTIAL FOR ADVERSE IMPACTS

The Commission hereby finds and declares for the following reasons, pursuant to Public Resources Code Section 30610(e), that this exclusion amendment, as conditioned, presents no potential for significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast.

The Commission previously made this finding for certain residential projects of one to four units within the urban portion of the urban/rural boundary on November 19, 1982 (see Exhibit 4). No circumstances have changed since then that would alter the findings. However, the County has since eliminated the term "urban/rural boundary." in favor of "urban service area" or "rural service area," depending on location (see Exhibit 2). The designated urban and rural service areas are exactly the same as the areas within urban portion of the urban/rural boundary when the exclusion was first adopted.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD —
CENTRAL COAST REGION

1 HIGUERA STREET, SUITE 200
SAN LUIS OBISPO, CA 93401-5427
(805) 549-3147



November 22, 1995

RECEIVED
NOV 30 1995

Rick Hyman
California Coastal Commission
725 Front Street, Ste. 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Hyman:

RESPONSE TO NEGATIVE DECLARATION, SANTA CRUZ COUNTY CATEGORICAL EXCLUSION E-82-4-A3 (SCH # 95103023)

Thank you for the opportunity to review your October 1995 Negative Declaration regarding the proposed project. The categorical exclusion would exclude greenhouses and agricultural support facilities, that meet certain requirements, from coastal permit requirements. The facilities must: 1) be located on parcels greater than 10 acres and designated for agricultural use, 2) be located inland of the first public through road paralleling the sea, and 3) meet certain site area design, drainage, on-site parking and other standards. The following comments should be considered and addressed in the proposed coastal permit exclusion:

- If any proposed construction project consists of a land disturbance greater than five acres, a National Pollutant Discharge Elimination System storm water permit is required. This permit is available through our office.
- If any project will be operating under Permits issued by the U.S. Army Corps of Engineers, a recommendation of Clean Water Act Section 401 water quality certification or waiver will be required from this office. The project proponent will be required to mitigate project impacts to beneficial uses and ensure that water quality standards are maintained.
- For the discharge of wastewater other than to a sewer system, a report of waste discharge (application) must be filed with this office no later than six months prior to operation. Based on the information submitted in the application, staff will determine whether formal regulation of the site will be necessary.
- All projects must conform to the Central Coast Basin Plan (Appendix A-18) policy regarding disposal of highway grooving residues. Waste discharge requirements may be waived, provided that highway grooving residues are confined to the trenches without overflow, trenches do not intercept ground water, and disposal activities do not occur during the rainy season (December through April).

If you have any questions, please contact John Mijares at (805) 549-3696.

Sincerely,

FOR 
Roger W. Briggs
Executive Officer

JN/coastxcl.neg /rhs/P:/cm

cc: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

EXHIBIT NO. D
APPLICATION NO. SCC Amend #7-968 Exclusion #E-2-81-A-5
Correspondence

