

CALIFORNIA COASTAL COMMISSION

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RECORD PACKET COPY

DATE: December 29, 2003
TO: Commissioners and Interested Persons
FROM: Charles Damm, Senior Deputy Director
Gary Timm, District Manager
Melanie Hale, Supervisor, Planning and Regulation
Shana Gray, Coastal Program Analyst
SUBJECT: Santa Barbara County Local Coastal Program Amendment No. MAJ-2-02 (Carpinteria Valley Greenhouse) for Public Hearing and Commission Action at the January 14, 2004, Commission Meeting in Laguna Beach.

DESCRIPTION OF THE SUBMITTAL

Santa Barbara County is requesting an amendment to the Land Use Plan and Implementation Plan portions of its certified Local Coastal Program (LCP) to modify greenhouse policies and add an overlay district to all agricultural parcels zoned Agriculture I (AG-I) within the unincorporated areas of the coastal zone of the Carpinteria Valley (Exhibit 12). The purpose of the amendment is to regulate greenhouses, greenhouse related development, packing and shipping facilities, and shade and hoop structures, and to relieve the County and applicants of the requirement of obtaining a Conditional Use Permit (CUP), appealable to the Commission for greenhouse development in the Carpinteria Valley if the LCP amendment is certified. The CUP requirement was established in the LCP in 1981 at the time of LUP certification.

STAFF NOTE: This LCP amendment was continued by the Commission from the April 10, 2003 hearing. The one-year time extension expires February 10, 2004 and ***therefore the Commission must act upon the subject LCP amendment at the January hearing.***

MOTIONS AND RESOLUTIONS: Pages 9-11.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing, ***deny*** the amendment to the certified LCP as submitted; then ***approve, only if modified***, the amendment to the LCP. The modifications are necessary because, as submitted, the LCP amendment is not adequate to ensure consistency with the policies of the certified Land Use Plan and applicable policies of the Coastal Act.

The pending LCP amendment stems from a provision of Santa Barbara County's certified LCP, incorporated in the LCP at the time of Commission certification (1982) that states in pertinent part:

... In order to adequately assess the potential individual and cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental impact assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 8-5) shall automatically become a conditional use on Agriculture I designated lands in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

The Carpinteria Valley has attributes that make it particularly suitable for agricultural, including mild climatic conditions, prime agricultural soils, available water sources, and proximity to major markets. These conditions are similarly advantageous to growers using greenhouse methods because of the solar exposure and mild climate which contribute to easier and cheaper regulation of greenhouse temperature. Thus greenhouse agriculture has been most intensively developed in the Carpinteria Valley though demand has begun to spread to other County areas and may increase in the wake of this LCP amendment, as discussed in the findings.

The proposed amendment will result in the addition of an overlay district to identify the location and intensity of greenhouse development in the Carpinteria Valley where unique public viewsheds, prime agriculture, natural assets and community character require protection under the Coastal Act. The overlay district is also intended to designate areas of agricultural lands in the Carpinteria Valley appropriate to support future greenhouse development.

The overlay district is applied differently in Area "A" and Area "B" of the overlay district. Area "A" of the Carpinteria Agricultural (CA) Overlay District encompasses approximately 664 acres of AG-I zoned land located south of Highway 192, east of Nidever Road and west of Linden Avenue (Exhibit 12). Area "A" within the CA Overlay District allows for future expansion of greenhouses and greenhouse related development with a development cap of 2.75 million sq. ft. (63 acres) for all greenhouse and greenhouse-related development, with the exception of shade structures. Approximately 9.1 million sq. ft. of greenhouse development have previously been constructed in Area A, and pursuant to the pending LCP amendment, 2.75 million additional square feet would be allowed.

Area "B" of the CA Overlay District is comprised of all remaining parcels not covered by Area "A" in the Overlay District, encompassing approximately 4,972 acres of AG-I zoned land (Exhibit 12). Area "B" limits the area per lot that may be utilized for new greenhouses, greenhouse related development, packing and shipping facilities, shade structures, and hoop structures to *less than 20,000 sq. ft.* of cumulative development. Approximately 5.8 million sq. ft. of greenhouse development have previously been constructed in Area B (including greenhouse development much larger than 20,000 sq. ft. that would be "grandfathered" under the pending amendment). The County has not quantified the additional sq. ft. of greenhouse development that would result from buildout in Area B.

At 14.9 million square feet, the Carpinteria Valley Planning area is a predominate greenhouse area in Santa Barbara County. This was a big issue during the development of the LCP in the late 1970's and early 1980s due to the growth of greenhouse development that was already evident in the Carpinteria Valley. At the time of the LCP certification, greenhouse and greenhouse related development in the Carpinteria Valley was approximately eight million square feet. The total has nearly doubled since certification. Because of the adverse impacts to the environment from this structural agriculture, the certified LCP had special provisions for Carpinteria Valley. The most important of these provisions was that if the County did not undertake substantive review of the impacts of greenhouse agriculture, including cumulative impacts, on the Carpinteria Valley, within three years of LUP certification (by approximately 1985), then all further greenhouse projects were to require a CUP, appealable to the Commission.

The County overlooked this requirement until advised by the Commission in 1998 that CUPs were not only required but that the Commission would likely appeal each one processed until the County addressed greenhouse development in the manner set forth in the certified LCP. Subsequently, and with Commission funding, the County initiated the planning project that resulted in the pending LCP amendment.

The potential buildout of greenhouse development in the Carpinteria Valley, if it continues under present trends and regulation, has the potential to transform the rural valley to a structured, quasi-industrial landscape. The incremental conversion of the open space to a structural developed landscape, if not controlled, has the potential to adversely impact the scenic and visual qualities and overall rural character of the Carpinteria Valley.

The issues associated with the growth and expansion of greenhouse development is not limited to the Carpinteria Valley alone within the Santa Barbara County coastal zone. This issue must be considered in the broader context of the entire LCP geographic jurisdiction, particularly all areas designated for agricultural development. It is clear, based on prior history of greenhouse development within the Carpinteria Valley, concerns raised by growers relative to proposed limitations (i.e. development cap) on greenhouse development, technological reasons for utilizing greenhouses relative to climate and productivity, and more recent proposals for greenhouse

development along Patterson Avenue (1.5 million sq. ft. of greenhouse development) that the demand for greenhouse development will increase in the future. While more than 2.75 million sq. ft. of additional greenhouse development will be allowed in Area A of the Carpinteria Valley as a result of this amendment this additional capacity will not meet all future demand for greenhouse development within the County. Further, as provided in the subject LCP amendment, greenhouse development in the Carpinteria Valley will be subject to additional policies and regulations to address and mitigate the potential adverse impacts on maintaining the productivity of prime agricultural lands, visual resources, and water quality. Although the County's LCP does contain policies which address these issues, no specific policies that address these issues relative to greenhouse development in particular exist within the LCP for agricultural areas outside of the Carpinteria Valley. Because of the demand driven potential for expansion of greenhouse development in the County and the unique nature of the impacts and issues associated with greenhouses, as demonstrated by development within the Carpinteria Valley over the past 20 years, it is important that the LCP recognize and address these issues throughout the County coastal zone and not just within the Carpinteria Valley. Therefore, additional modifications are proposed which add a policy that requires a Conditional Use Permit, along with specific findings which must be made in order to approve the CUP, for any proposed greenhouse or greenhouse related development that exceeds 20,000 sq. ft. in size on any parcel within the County's LCP jurisdiction outside of the Carpinteria Valley.

SUBSTANTIVE FILE DOCUMENTS

Resolution No. 02-061 of the Board of Supervisors, County of Santa Barbara, State of California, *In the matter of adopting amendments to the Santa Barbara County Local Coastal Program to adopt the Carpinteria Valley Greenhouse Program*, passed, approved, and adopted by the Board of Supervisors February 19, 2002; Ordinance 4446, *Case Number 99-RZ-009*, adopted by Board of Supervisors February 19, 2002; Ordinance 4445, *Case Number 99-OA-005*, adopted by the Board of Supervisors February 19, 2002; Carpinteria Valley Greenhouse Study Options Paper (Santa Barbara County Planning and Development, February 5, 1999); Carpinteria Valley Greenhouse Program Revised Final Environmental Impact Report (Santa Barbara County Planning & Development, February 2002);

Additional Information: Please contact Shana Gray, California Coastal Commission, South Central Coast Area, 89 So. California St., Second Floor, Ventura, CA. (805) 585-1800.

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LIST OF EXHIBITS

- Exhibit 1. County Resolution 02-061; Proposed LUP Amendments**
- Exhibit 2. Proposed Zoning Ordinance Amendments (Ordinance No. 4445)**
- Exhibit 3. Proposed Zoning Map Amendment (Ordinance No. 4446)**
- Exhibit 4. Zoning Code Section 35-172 Conditional Use Permits**
- Exhibit 5. Zoning Code Section 35-174 Development Plans**
- Exhibit 6. LUP Section 3.8 Agriculture**
- Exhibit 7. Zoning Code Section 35-68 Agriculture I**
- Exhibit 8. Zoning Code Section 35-162 Nonconforming Buildings and Structures**
- Exhibit 9. Central Coast RWQCB Staff Report**
- Exhibit 10. Regional Location Map**
- Exhibit 11. Carpinteria Valley Greenhouse Program Study Area Map**
- Exhibit 12. Proposed LCP Amendment Map**
- Exhibit 13. Soils Map**
- Exhibit 14. Slope Map**

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 30513(c))

The Coastal Act further provides:

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...

The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30514)

The standard of review that the Commission uses in reviewing the adequacy of the land use plan is whether the land use plan is consistent with the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Implementation Plan of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is that the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified Santa Barbara County Local Coastal Program. In addition, all Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified County LUP as guiding policies pursuant to Policy 1-1 of the LUP.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The County held a series of public hearings (Planning Commission Hearings 11/8/99, 1/19/00, 3/30/00, 6/7/00, 7/17/00, 8/16/00, 9/18/00, and 10/4/00 and Board of Supervisors Hearings 2/20/01, 3/19/01, 4/24/01, 8/13/01, 11/05/01, 12/03/01 and 2/19/02) and received written comments regarding the project from concerned parties and members of the public. The hearings were noticed to the public consistent with Sections 13552 and 13551 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of the California Code of Regulations, the County resolution for submittal may submit a Local Coastal Program Amendment that will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. In this case, because this approval is subject to suggested modifications by the Commission, if the Commission approves this Amendment, the County must act to accept the certified suggested modifications within six months from the date of Commission action in order for the Amendment to become effective (Section 13544.5; Section 13537 by reference;). Pursuant to Section 13544, the Executive Director shall determine whether the County's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. If the Commission denies the LCP Amendment, as submitted, no further action is required by either the Commission or the County.

II. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. DENIAL AS SUBMITTED

MOTION I: *I move that the Commission **CERTIFY** Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan), as submitted by the County of Santa Barbara.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the land use plan as submitted and adoption of the following resolution. The motion to certify as submitted passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY CERTIFICATION OF THE LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan) and adopts the findings set forth below on grounds that the land use plan as submitted does not meet the requirements of and is not in conformity with the policies of Chapter 3 of the Coastal

Act. Certification of the land use plan would not meet the requirements of the California Environmental Quality Act, as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the land use plan as submitted.

B. CERTIFICATION WITH SUGGESTED MODIFICATIONS

MOTION II: *I move that the Commission CERTIFY Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan), if modified as suggested in this staff report.*

STAFF RECOMMENDATION TO CERTIFY IF MODIFIED:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the land use plan with suggested modifications and adoption of the following resolution and findings. The motion to certify with suggested modifications passes only upon an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY THE LAND USE PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies Amendment STB-MAJ-2-02 to the County of Santa Barbara Land Use Plan (Coastal Plan) if modified as suggested and adopts the findings set forth below on grounds that the land use plan with the suggested modifications will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the land use plan if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the land use plan if modified.

III. STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO)

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided just prior to each resolution.

A. DENIAL AS SUBMITTED

MOTION III: *I move that the Commission reject the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 as submitted.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted

B. CERTIFICATION WITH SUGGESTED MODIFICATIONS

MOTION IV: *I move that the Commission certify County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment STB-MAJ-2-02 if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program with the suggested modifications conforms with, and is adequate to carry out,

the provisions of the certified Land Use Plan as amended, if modified as suggested herein. Certification of the Implementation Program if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

IV. SUGGESTED MODIFICATIONS ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)

The staff recommends the Commission certify the following, with the modifications as shown below. The proposed amended language to the certified LUP is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

1. Development Location

Add the follow to the end of Section 3.2, Development:

Carpinteria Valley Greenhouse Development Policies

Policy 2-24: All greenhouse and greenhouse related development of 20,000 sq. ft. or greater, cumulative per parcel, within the Carpinteria Valley area shall be located within, contiguous with, or in close proximity to any existing greenhouse development to preserve the scenic values and rural character of the Carpinteria Valley.

2. Lot coverage

Policy 8-6

1. Lot Coverage

Lot coverage shall be calculated to include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved and unpaved driveways and parking areas.

a. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.

b. In Area B, the maximum cumulative lot coverage shall be 20,000 square feet.

3. Maximum Slope

Add the follow to the end of Section 3.3.4, Hillside and Watershed Protection:

Policy 3-23: In order to protect scenic resources, water quality, and community character, and reduce landform alteration, greenhouses and greenhouse related development shall be prohibited on slopes in excess of 10 percent within Area B of the Carpinteria Agricultural Overlay District. Greenhouse or greenhouse related development may be approved on slopes between 5 and 10 percent, subject to a Conditional Use Permit.

4. Prime Agricultural Soils

Add the follow to the end of Section 3.8, Agriculture:

Policy 8-11: The following requirements shall apply to greenhouse and greenhouse related development within the Carpinteria Valley to protect the long-term productivity of prime agricultural soils:

- a. Greenhouse operations on prime agricultural soils shall encourage use of in-soil cultivation methods.
- b. Prime agricultural soils shall not be modified with sterilants or other chemicals that would adversely affect the long-term productivity of the soil.
- c. The removal of prime agricultural soils shall be prohibited, including removal of indigenous prime soils used as a growing medium for container plants which are sold intact.

5. Subdivision Intensification

Add the follow to the end of Section 3.8, Agriculture:

Policy 8-12: No increase in greenhouses or greenhouse related development within the Carpinteria Valley shall result from divisions or redivisions of land, redesignations or rezonings of AG-I or AG-II, or other land uses, subsequent to the date of Commission action on LCP amendment STB-MAJ-2-02.

6. Alternative Transportation

Policy 8-5(I)

When the County adopts a Transportation Improvement Plan (TIP) for the Montecito-Summerland-Carpinteria and Toro Canyon Plan areas, it shall include areas of Carpinteria Valley where appropriate. The TIP shall address any necessary long-term improvements to roadways and alternative transportation facilities, including any appropriate traffic calming measures, designed to maintain

public safety and acceptable levels of service on roadways and intersections on an area-wide basis. The TIP shall include a bicycle route improvement plan that will address conflicts with greenhouse related truck traffic trips. The TIP shall be an integrated plan for capital improvements of roads and intersections as well as alternative transportation facilities.

The TIP shall include a comprehensive traffic management program to address problems related to increased vehicular and truck traffic traveling through residential areas. The County Public Works and Planning and Development Departments shall work cooperatively with the City of Carpinteria and the Santa Barbara Flower Growers Association to identify appropriate neighborhood traffic solutions, which may include identification of appropriate truck routes which provide access to greenhouse development while minimizing travel through residential neighborhoods.

Identified improvements shall be funded through collection of traffic mitigation fees and/or grants, and implemented through the TIP. The TIP shall contain a list of transportation projects to be undertaken and include projected costs for each funded and unfunded improvement. The County shall also revise the Transportation Impact Fee based upon the projected cost of transportation system improvements identified in the TIP.

7. Conditional Use Permit

The following modifications shall be added to the text on page 106, under Section 3.8.2 Planning Issues, Impact of Greenhouse Development on Coastal Resources:

The industrial appearance of greenhouses as viewed from Highway 101 and other public streets in the Valley can detract from the visual quality of the coastal area if not appropriately landscaped. The County has instituted landscaping requirements which have been effective in most cases in minimizing the visual impact of greenhouses. According to the requirements in A-I-X zone, a landscaping plan must be approved by the County Planning and Development Resource Management Department and such landscaping must be capable of screening greenhouse structures and parking areas within five years. These measures are may be adequate to protect coastal visual resources. However, in rural areas, such as open field agricultural, ranch lands and open space, visual impacts may not be adequately mitigated through landscaping.

Policy 8-5 shall be modified:

All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet,

shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.

Prior to issuance of a coastal development permit, the County shall make the findings based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development as addressed in paragraphs "a" through "e" below have been identified and mitigated.

Except for greenhouse development subject to the Carpinteria Agricultural Overlay District, all greenhouses and greenhouse related development (e.g., packing sheds, driveways, parking, etc.), including all additions to existing greenhouse or greenhouse related development, that result in a total of 20,000 sq. ft. or more of cumulative development per parcel, shall require a Major CUP in any agriculturally designated zone district. A Major CUP shall also be required for greenhouse development of any size where greenhouse or greenhouse related development is proposed on slopes greater than five percent. A CUP shall only be approved when findings are made consistent with the requirements in Sec. 35-68.12 and Sec. 35-69.9 of the Zoning Code.

V. SUGGESTED MODIFICATIONS ON THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO)

The staff recommends the Commission certify the following, with the modifications as shown below. The proposed amended language to the certified LCP Implementation Plan is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

8. Area Boundaries

Carpinteria Agricultural District Overlay Map

The Carpinteria Agricultural District Overlay Map shall be modified to illustrate that all AG-1 parcels that are not identified as Area A shall be designated as Area B.

9. Processing

Sec. 35-102E.5. Processing.

2. The following types of development shall require a Development Plan (Sec. 35-174) and a Coastal Development Permit (Sec. 35-169):

- a. In Area A, development of new greenhouses, greenhouse related development, packing and shipping facilities, additions or alterations to existing greenhouses or greenhouse related development, and conversions of shade or hoop structures to greenhouses or greenhouse related

development, where the cumulative lot coverage would total 20,000 square feet or more (see Section 35-102E.5.3 for additional requirements for packing and shipping facilities).

4. Greenhouse and greenhouse related development on 5 to 10% slopes shall require a Major Conditional Use Permit. Prior to approval of such development, the approving body shall make findings described in Sec. 35-68.12 and Sec. 35-69.9.

10. Submittal Requirements

Sec. 35-102E.6. Submittal Requirements

1. In addition to the application requirements of Sec. 35-169, applications for a coastal development permit for any greenhouse, greenhouse related development, packing and shipping facilities, and/or shade or hoop structure in the CA Overlay District shall include:

a. A complete listing of the types, and quantities and frequencies of application of chemicals (fertilizers, salts, corrosion inhibitors, etc.) that are expected to be used in the greenhouse operation.

...

e. Determination of the extent and location of prime agricultural soils (pursuant to the definition of prime agricultural lands in Section 35-58 of the Zoning Code) in the project area.

...

i. A water quality management plan, required for all greenhouses, greenhouse related development, and hoop structures, to consist of the components listed in Sec. 35-102E.9.

2. In addition to the application requirements in item 1 above and Sec. 35-174 (Development Plans), applications for a development plan or conditional use permit for any greenhouse, greenhouse related development, and/or hoop structure in the CA Overlay District shall include the items below. These items may not be required for a new shade structure with no other greenhouse development on site.

~~a. A water quality management plan to consist of the components listed in Sec. 35-102E.9.~~

a. ~~b.~~ A Traffic Management Plan to consist of the components listed in Sec. 35-102E.9.

11. Lot Coverage

Sec. 35-102E.8. General Requirements

1. Lot Coverage

Lot coverage shall include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas.

- a. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.
- b. In Area B, the maximum cumulative lot coverage shall be 20,000 square feet.

12. Maximum Slope

Sec. 35-102E.8. General Requirements

4. Maximum Slope

a. In Area B, greenhouses and greenhouse related development shall be prohibited on slopes in excess of 10 percent within the Carpinteria Valley. Greenhouse and greenhouse related development on 5 to 10% slopes shall require a Major Conditional Use Permit. Prior to approval of such development, the approving body shall make findings described in Sec. 35-68.12 and Sec. 35-69.9.

13. Prime Agricultural Soils

Sec. 35-102E.8. General Requirements

5. Prime Agricultural Soils

- a. Greenhouse operations on prime agricultural soils shall encourage use of in-soil cultivation methods.
- b. Prime agricultural soils shall not be modified with sterilants or other chemicals that would adversely affect the long-term productivity of the soil.
- c. The removal of prime agricultural soils shall be prohibited, including removal of indigenous prime soils used as a growing medium for container plants which are sold intact.

14. Subdivision Intensification

Add new Sec. 35-102E.10. Subdivisions

No increase in greenhouses or greenhouse related development within the Carpinteria Valley shall result from divisions or redivisions of land, redesignations or rezonings of AG-I or AG-II, or other land uses, subsequent to the date of Commission action on LCP amendment STB-MAJ-2-02.

15. Development Standards Landscaping

Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

A. Prior to approval of a coastal development permit for any greenhouse, related development, packing and shipping facility, shade or hoop structure, within the CA Overlay District, the proposed development shall meet the following development standards where applicable.

1. A landscaping plan shall be required which provides, to the maximum extent feasible, visual screening of all structures and parking areas from all adjacent public roads and view corridors. The landscape plan shall include the following:

...

b. Landscaping within front setbacks shall gradually increase in height away from public roadways. Solid wall fencing shall not be relied upon as a primary means of screening. Solid wall or dark chain-link security fencing shall be screened from public view corridors by dense landscaping and/or covered with attractive climbing vines.

...

d. Landscaping, fences, and walls shall not impede views of scenic areas from public roads, parks, beaches, or other public viewing areas.

16. Visual Resources

The following shall be added to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

18. Greenhouse development shall be sited and designed to minimize adverse impacts on scenic areas, and public views of the ridgelines and natural features visible from public roadways or other public viewing areas to the maximum extent feasible. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas and public views of ridgeline and natural features visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, reducing maximum height standards, breaking up the mass of new structures, clustering new structures with existing greenhouse development along the edges of the properties to maintain maximum through-view corridor, and incorporating landscape elements.

19. Avoidance of impacts to visual resources through site selection and design alternatives is the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including re-siting, or reducing the height or bulk of the greenhouse development.

Update Numbering Sequence for Subsection A and Subsection B.

17. Development Standards Water Quality

Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

2. ~~Unless otherwise exempted by the Flood Control District, a~~ All new greenhouses, development and greenhouse related development, packing and shipping facilities and hoop structures shall be required to mitigate for increased storm water runoff from development of the project site. Post-development peak runoff rate shall not exceed 75% of the calculated pre-development peak runoff rate for 5-100 year events. Where required, retention basins and other storm water drainage facilities shall be designed in conformance with the County Flood Control District and County Water Agency¹ standards and guidelines.

3. Where wastewater flows from ~~new greenhouses, development~~ greenhouse related development, hoop structures and packing and shipping facilities are proposed to be disposed through a private septic system, adequate undeveloped area shall be maintained to accommodate the septic system components, including 100% expansion areas, and required setbacks from buildings, property lines, wells, storm water retention facilities, streams, etc. No development shall be placed above the septic system components.

4. Compost, fertilizer and pesticides shall be stored in a manner that minimizes generation of leachate and polluted runoff. The storage area must have a covering to minimize the exposure of these materials to stormwater. In addition, Leachate controls include covering compost piles and fertilizer storage with a roof and areas shall be locating located storage areas outside of the 100-year flood plain. ~~Uncovered storage areas shall be located at least 250 feet from a waterway (i.e., storm drain, creek, salt marsh or ocean) unless it can be demonstrated that no adverse effect on water quality will result. Should any discharge occur that could impair the water quality of the receiving body, then a discharge permit will be required from the Regional Water Quality Control Board.~~

5. The Carpinteria-Summerland Fire Protection District shall review and approve storage areas for pesticides, herbicides and fertilizers. Storage areas shall be designed with the following mandatory components, and or other requirements deemed necessary by the District:

- a. A low berm shall be designated around the interior floor to prevent migration of materials in the event of a spill. Any spilled material shall be disposed of in

¹ In cases where the County Water Agency (CWA) does not maintain authority over the regulation of greenhouse development, policy references to the CWA denote that greenhouse development must be consistent with the water quality design *standards* adopted by the County Water Agency.

accordance with Carpinteria-Summerland Fire Protection District requirements.

- b. The floor shall be a concrete slab.
- c. The storage area must have a covering.
- d. The berm shall be designed to provide 100% containment of any stored liquids in the event of a spill.
- e. In the event that storage, handling or use of hazardous materials within the provisions of AB 2185/2187 occurs on site, the applicant shall implement a Hazardous Materials Business Plan (HMBP).

~~6. High saline brines shall not be discharged to the storm drain or allowed to percolate into the groundwater unless it can be demonstrated that no adverse effect on water quality will result. Waste brine shall be contained and disposed of in accordance with federal, state, county and local regulations and requirements. Should any discharge occur that could impair the water quality of the receiving body.~~ If any discharge of high saline brines is proposed, then the discharger shall consult with a discharge permit will be required from the Regional Water Quality Control Board (RWQCB) staff to determine the appropriate regulatory requirements for the specific discharge.

9. To the maximum extent feasible, hardscaped areas (i.e., parking lots, driveways, loading bays, interior walkways in greenhouses, packing and shipping facilities, and accessory building footprints) shall be minimized in order to preserve the maximum amount of agricultural soils and reduce the potential for adverse impacts to water quality.

The following shall be added to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

20. Greenhouses, greenhouse related development, and hoop structures shall be required to implement post-construction structural treatment control Best Management Practices (BMPs) if determined necessary for the protection of water quality by the County on a case-by-case basis. Where required, these post-construction structural treatment control BMPs shall be designed and installed consistent with County Flood Control District and County Water Agency standards and guidelines, including accommodating rainfall events up to 1.2 inches in volume or 0.3 inches per hour. These post-construction structural treatment control BMPs can be stand-alone devices or integrated into the storm water drainage facilities used to control the 5-100 year events as described in Sec. 35-102E.9.2.

The following shall be moved from Subsection B of Sec. 35-102E.9. to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

2021. Applicants shall prepare a Water Quality Management Plan (WQMP) for review and approval by Planning and Development and consultation by

Environmental Health Services, the Regional Water Quality Control Board and the Carpinteria Valley Water District. ~~The Water Quality Management Plan~~ WQMP shall be required for all greenhouses, greenhouse related development, and hoop structures and shall consist of the following components:

- a. An erosion and sediment control plan, including a description of BMPs that will be implemented during the construction phase of development to prevent water quality degradation.
- b. The location, description and design of all post-construction BMPs.
- c. A flow diagram of the proposed water system to be used, including average and maximum daily flows.
- d. The mapped location of all existing and proposed surface and sub-surface drainage facilities.
- e. Information on the proposed water and nutrient delivery systems, specifying water conservation measures and a comprehensive nutrient management plan designed to minimize nutrient loss.
- f. Pesticide Best Management Practices that minimize the use of pesticides as defined and required by the County Agricultural Commissioner.
- g. The location and type of treatment and disposal facilities for irrigation, washwater, boiler blowdown, water softener regeneration brines, and retention basins.
- h. Best Management Practices (BMPs) designed to eliminate or minimize polluted runoff, including but not limited to the following:
 - i) Use of water systems that minimize surface water transport (i.e., trickle, drip, mist, hydroponic irrigation systems).
 - iii) Use of water and nutrient recycling technologies.
 - iv) Use of soil conservation techniques that reduce erosion and sedimentation and remove solids and associated pollutants in runoff.
 - v) Employment of fertilization methods that maximize the efficiency of nutrient delivery and uptake such as controlled-release fertilizers (CRF) or liquid fertilizer (LF).
 - vi) Implementation of Integrated Pest Management techniques.

All greenhouses, greenhouse related development, and hoop structures should implement measures to eliminate the need for discharge of wastewater (i.e. irrigation runoff). Should any discharge occur that could impair the water quality of the receiving body, if any type of discharge to land, groundwater, or surface water of wastewater is proposed, then the discharger shall submit a Report of Waste Discharge to a discharge permit will be required from the Regional Water Quality Control Board (RWQCB) staff. The Water Quality Management Plan

shall indicate any discharge requirements determined necessary by the RWQCB.

The approved Water Quality Management Plan shall be implemented by the applicant for the proposed greenhouse development and greenhouse related development.

2422. Irrigation Water Detention System: If deemed necessary by Planning and Development, in consultation with the Regional Water Quality Control Board staff, to further reduce potential water quality impacts, all excess surface irrigation process water shall be collected and routed to a sealed bottom, irrigation water detention basin. The detention basin shall function as a water bank during low rainfall periods (i.e. May to November) for water conservation and reuse. The irrigation water detention basin shall be separate from and not connected to any required flood control retention basin. The irrigation water detention basin shall be designed in accordance with Santa Barbara County Flood Control and Water Conservation District and County Water Agency requirements.

~~2223. Applicants shall reimburse t~~The Carpinteria Valley Water District (CVWD) shall determine, pursuant to adopted criteria, the necessary groundwater testing and reporting required to monitor nitrate loading of groundwater caused by the applicant's development ~~for costs related to additional groundwater testing and reporting as deemed necessary by CVWD, pursuant to adopted criteria, to monitor nitrate loading of groundwater caused by applicant's development. The applicant shall install any monitoring wells as required by CVWD, or shall reimburse CVWD for the cost of installation of these wells. The applicant shall conduct groundwater testing and reporting as required by CVWD, or shall reimburse CVWD for the cost of this testing and reporting. Said costs may also include those caused by the installation of monitoring wells deemed necessary by CVWD. All monitoring data and reports prepared by CVWD shall be submitted as public record to the CVWD Board of Directors and the County Planning & Development Department. Nitrate loading found to be in excess of District standards, as a result of the groundwater testing conducted or required by CVWD, shall cause a subsequent review of the greenhouse facility and operations by CVWD, in consultation with Planning & Development. All subsequent review costs shall be paid for by the applicant. If District standards continue to be exceeded, the applicant must implement a plan, approved by CVWD and the County, to modify its operations to address the nitrate loading. In addition, CVWD may take enforcement action, as applicable. Compliance with the requirements of this paragraph shall be imposed as a condition of approval of the CDP.~~

Update numbering sequence for Subsection A and Subsection B.

18. Development Standards for Residential Setbacks

Sec. 35-102E.9. Development Standards for Greenhouses and Related Development

15. To the maximum extent feasible, packing and distribution facilities, loading docks, and delivery bays shall be centrally located within individual greenhouse operations. When packing and distribution facilities are centrally located, the driveway to reach such a facility shall not be counted toward the CA Overlay development cap. Idling of trucks shall be prohibited between the hours of 9:00 p.m. and 7:00 a.m. A minimum 100-foot setback shall be maintained between loading/unloading areas, driveways and parking areas and adjacent residential properties ~~unless it can be determined that shielding or other measures can provide sufficient attenuation to reduce noise at the property line to less than 65 dB(A) CNEL.~~

19. Abandonment

The following shall be added to the end of Subsection A of Sec. 35-102E.9. Development Standards for Greenhouses and Related Development

24. Prior to approval of any project, the property owner must sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days within the subsequent 1 year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and restoration of agricultural lands suitable to ensure continued agricultural productivity. The removal shall occur within 180 days of issuance of a coastal development permit for removal. Conversion of greenhouse development to non-agricultural uses shall not be considered in lieu of demolition and removal.

Update the Number Sequence for Subsection A and B of Section 35-102E.9 correspondingly.

20. Conditional Use Permit

Modify AG-I Zone District, Sec. 35-68.3 Permitted Uses

5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; ~~however, for any development of 20,000 square feet or more and all additions which when added to existing development total less than 20,000 square feet on slopes five percent or less or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).~~ For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Sec. 35-102E) shall apply.

Add to Section 35-68.4 Uses Permitted with a Major Conditional Use Permit

5. Greenhouses and greenhouse related development (e.g., packing shed, parking, driveways, etc.) including all additions to existing greenhouse or greenhouse related development that results in a total of 20,000 square feet or more of cumulative development per parcel, and which are not included in the Carpinteria Agricultural Overlay District. No exception to this requirement, such as that stated under subsection (3) above, shall apply.

6. Greenhouses and greenhouse related development of any size on slopes in excess of five percent. No exception to this requirement, such as that stated under subsection (3) above, shall apply.

Add new Sec. 35-68.12

Sec. 35-68.12. Findings for Major Conditional Use Permit for Greenhouse Development

No greenhouse or greenhouse related development, including additions to existing greenhouse or greenhouse related development, that results in a total of 20,000 sq. ft. or more of cumulative development per parcel, or of lesser size on slopes in excess of five percent, shall be approved unless the decision-maker makes the following findings, in addition to the findings required pursuant to Section 35-172.8 (Conditional Use Permits):

1. That the project is not proposed on a slope greater than 10 percent.
2. That the project meets the development standards for water quality as described in Sec. 35-102E.9(A)(2), (3), (4), (6), (9), (10), (20), (21) and (22).
3. That the project will not require the extension of water and sewage disposal mainlines.
4. That the project will not adversely affect public coastal views, alter the character of rural open space and open field agricultural and grazing areas, or contribute light pollution to night skies in rural areas.
5. That the conversion of foraging habitat to structural development is fully mitigated.
6. That the project will not adversely affect coastal access and recreation through increased traffic conflicts.
7. That development is located within, contiguous with, or in close proximity to existing greenhouse development to preserve scenic value and rural character.

Modify AG-II Zone District, Sec. 35-69.3 Permitted Uses

7. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; ~~however, for any development of 20,000 square feet or more and all additions which when added to existing development total less than 20,000 square feet on slopes five percent or~~

~~less or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).~~

Add to Section 35-69.4 Uses Permitted with a Major Conditional Use Permit

10. Greenhouses and greenhouse related development (e.g., packing shed, parking, driveways, etc.) including all additions to existing greenhouse or greenhouse related development that results in a total of 20,000 square feet or more of cumulative development per parcel.

11. Greenhouses and greenhouse related development of any size on slopes in excess of five percent.

Add new Sec. 35-69.9

Sec. 35-69.9. Findings for Major Conditional Use Permit for Greenhouse Development

No greenhouse or greenhouse related development, including additions to existing greenhouse or greenhouse related development, that results in a total of 20,000 sq. ft. or more of cumulative development per parcel, or of lesser size on slopes in excess of five percent, shall be approved unless the decision-maker makes the following findings, in addition to the findings required pursuant to Section 35-172.8 (Conditional Use Permits):

1. That the project is not proposed on a slope greater than 10 percent.
2. That the project meets the development standards for water quality as described in Sec. 35-102E.9(A)(2), (3), (4), (6), (9), (10), (20), (21) and (22).
3. That the project will not require the extension of water and sewage disposal mainlines.
4. That the project will not adversely affect public coastal views, alter the character of rural open space and open field agricultural and grazing areas, or contribute light pollution to night skies in rural areas.
5. That the conversion of foraging habitat to structural development is fully mitigated.
6. That the project will not adversely affect coastal access and recreation through increased traffic conflicts.
7. That development is located within, contiguous with, or in close proximity to existing greenhouse development to preserve scenic value and rural character.

VI. FINDINGS FOR DENIAL AS SUBMITTED AND APPROVAL OF THE LOCAL COASTAL PROGRAM IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the LCP amendment as submitted, and approval of the LCP amendment if modified as indicated in Section IV and V (*Suggested Modifications*) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

Santa Barbara County is requesting an amendment to the Land Use Plan and Implementation Plan portions of its certified Local Coastal Program (LCP) to modify greenhouse policies and add an overlay district to all agricultural parcels zoned AG-I within the unincorporated areas of the coastal zone of the Carpinteria Valley (Exhibit 10 and 11) to regulate greenhouses and greenhouse related development, which includes packing and shipping facilities, and shade and hoop structures.

The overlay district is applied differently in Area "A" and Area "B" of the overlay district. Area "A" of the Carpinteria Agricultural (CA) Overlay District encompasses 88 parcels (approximately 664 acres) of AG-I zoned land located south of Highway 192, east of Nidever Road and west of Linden Avenue (Exhibit 12). Area A allows for future expansion of greenhouses and greenhouse related development with a development cap of 2.75 million sq. ft. (63 acres) for all greenhouses and greenhouse-related development, with the exception of shade structures. Without the cap, approximately 8.6 million sq. ft. of additional greenhouse development could occur in Area A based solely on the ability to build out to the applied setback allowances and the 25% maximum lot coverage for view corridor parcels. A total of 14.9 million square feet of greenhouse and greenhouse related development on approximately 750 acres is estimated to be present within the Carpinteria Valley. The County estimates that approximately 9.1 million sq. ft. of that amount is located south of State Highway 192 between Nidever Road and Linden Avenue (Area A). Under this amendment, 2.75 million sq. ft. of additional greenhouse and greenhouse related development is proposed over the 664 acres comprising Area A. The revised Final EIR (February 2002) states "Area A provides a logical greenhouse expansion boundary for the continuation of highly productive coastal agriculture opportunities, while preserving the scenic values and rural character of the Carpinteria Valley."

Area B of the CA Overlay District is comprised of all remaining parcels not covered by Area A in the Overlay District, encompassing approximately 4,972 acres of AG-I zoned land (Exhibit 12). Area B limits new greenhouses, greenhouse related development, packing and shipping facilities, shade structures, and hoop structures to *less than 20,000 sq. ft.* of cumulative development per lot.

The County proposes to:

1. Amend the Land Use Plan portion of its LCP: (a) *LUP Policy 8-5* (regarding the identification and mitigation of all significant adverse impacts as a result of greenhouse projects of 20,000 or more square feet); (b) Amend *LUP Policy 8-6* (regarding setback and maximum lot coverage requirements); and (c) Insert additional descriptive text to *Section 4.2.2* describing greenhouse development. (See Exhibit 1)
2. Amend Section 35-58, *Definitions*, of the Zoning Code to define *Greenhouse*, *Greenhouse Related Development*, *Shade Structure*, and *Hoop Structure*. (See Exhibit 2)
3. Amend Section 35-68, *AG-1 Agriculture 1*, of the Zoning Code to apply additional regulations to any greenhouse or related development in the Carpinteria Valley pursuant to the Carpinteria Agricultural (CA) Overlay District. (See Exhibit 2)
4. Add Section 35-102E, *CA Carpinteria Agricultural Overlay District*, to the Zoning Code. Section 35-102E establishes (a) the purpose and intent of the CA overlay district; (b) the effect on non-conforming uses; (c) the development cap for greenhouse and greenhouse related development; (d) the processing requirements; (e) submittal requirements; (f) general standards; and (g) specific greenhouse and related development standards. (See Exhibit 2)
5. Amend Section 35-162, *Nonconforming Buildings and Structures*, of the Zoning Code to allow greenhouses, packing and shipping facilities, shade and hoop structures, and greenhouse related development in the CA Overlay District that is damaged by natural disaster, to an extent of 75% or more of the replacement cost at the time of damage, to be reconstructed in accordance with the provisions of Sec. 35-102E thereby becoming conforming structures. (See Exhibit 2)
6. Amend the Zoning Map to add the Carpinteria Agricultural Overlay District. (See Exhibit 3)

1. LUP Amendment

The County proposes to amend Policy 8-5(e) to reference the new Carpinteria Agricultural Overlay District (see Exhibit 1, page 3). The amendment also includes the addition of subsections (f), (g), (h), (i), (j), (k), and (l) to Policy 8-5 (see Exhibit 1, pages 4-6). Policy 8-5(f) requires the County to complete an updated assessment of the effects of the existing greenhouse development on coastal resources, including assessment of surface and groundwater quality, visual resources, prime agricultural soils, and biological studies, prior to processing any amendment to the Carpinteria Agricultural Overlay District or the proposed development cap. The assessment shall include an assessment of the effectiveness of the County's greenhouse permit process. Policy 8-5(f) also requires the updated assessment to be reviewed by Citizens Advisory Committee and for that Committee to provide recommendation to the Board of Supervisors. Policy 8-5(g) addresses identification of appropriate sites for farm

employee housing. Policy 8-5(h) requires the establishment of a Watershed Management Program to protect surface water quality and the ecological functions of the Carpinteria Salt Marsh. Policy 8-5(i) requires the County to coordinate with the Environmental Protection Agency and Regional Water Quality Control Board to establish Total Maximum Daily Loads for nitrates entering Carpinteria Salt Marsh and Carpinteria Creek. Policy 8-5(j) requires contributions towards future interchange improvements where new greenhouse development contributes to peak hour trips at the Santa Monica/Via Real/U.S. 101 northbound ramp interchange or the Linden Avenue/U.S. 101 south bound ramp interchange. Policy 8-5(k) allows for additional investigation and corrective action at two intersections identified as experiencing elevated collision rates, Route 192/Cravens Lane and Route 192/Linden Avenue. Policy 8-5(k) further requires the relocation of a utility pole at Route 192/Casitas Pass Road intersection. Policy 8-5(l) outlines issues related to greenhouses in Carpinteria Valley that must be addressed during the adoption of a Transportation Improvement Plan for the Montecito-Summerland-Carpinteria and Toro Canyon Plan area. The County also proposes to amend Policy 8-6 to specify the lot coverage, height, and setback requirements for greenhouse development within the Carpinteria Agricultural Overlay District.

2. IP/CZO Amendment

The County proposes to insert the following definitions into Section 35-58 of the County Zoning Ordinance:

GREENHOUSE: A structure with permanent structural elements (e.g., footings, foundations, plumbing, electrical wiring, etc.) used for cultivation and to shade or protect plants from climatic variations. Any hothouse or plant protection structure that does not fall within the definition of shade structure or hoop structure shall be included in the definition of greenhouse.

GREENHOUSE RELATED DEVELOPMENT: Permanent development associated with and accessory to greenhouses, shade structures and hoop structures. Such development includes packing and shipping facilities, paved parking and driveways, and associated accessory structures (e.g., boiler rooms, storage sheds, etc.).

SHADE STRUCTURE: A structure consisting of a frame with no permanent structural elements (e.g., footings, foundations, plumbing, electrical wiring, etc.) and a dark, permeable, removable covering (e.g., netting) used to shade plants grown in the soil or in containers upon the soil.

HOOP STRUCTURE: A structures consisting of a light-weight, arched frame with no permanent structural elements (e.g. footings, foundations, plumbing, electrical wiring, etc.) and an impermeable, removable covering used to protect plants grown in the soil or in containers upon the soil. Includes structures commonly known as berry hoops and hoop houses.

The proposed Carpinteria Agricultural Overlay District is differentiated into two areas, Area "A" allows for intensive greenhouse development and Area "B," comprised of the remaining agricultural areas, limits cumulative lot coverage of greenhouse development to 20,000 square feet. The proposed overlay district applies greenhouse development requirements with regard to setbacks, height, and lot coverage (see Table 1, below). In addition, the overlay district applies development standards related to water quality, landscaping, lighting and glare, air quality, noise, prime soils, hazards, and traffic.

Table 1. Proposed Greenhouse Requirements for Lot Coverage, Height, and Setbacks.

Lot Coverage	Height	Setbacks
<p>Lot coverage shall include all greenhouses, shade and hoop structures, and greenhouse related development, including accessory buildings, packing and shipping facilities, and associated paved driveways and parking areas.</p> <p>For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the extent feasible.</p>	<p>The maximum absolute height of any greenhouse or greenhouse related development, including packing and shipping facilities, shall be no greater than thirty (30) feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be no greater than twelve (12) feet above natural grade.</p> <p>Within view corridors the maximum absolute height of any greenhouse or greenhouse related development, including packing and shipping facilities, shall be no greater than twenty-five (25) feet above finished grade.</p>	<p>The following setbacks for greenhouses and related structures shall apply:</p> <p>a. <i>Front</i>: Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from right of way.</p> <p>b. <i>Side and Rear</i>: Thirty (30) feet from the lot lines on which the building or structure is located.</p> <p>c. <i>Interior Lot</i>: Twenty (20) feet from the lot lines on which the building or structure is located.</p> <p>d. One hundred (100) feet from a residentially zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.</p> <p>e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.</p>

The overlay district defines which greenhouse development projects require a Coastal Development Permit (ministerial under the certified LCP) and which projects require a Coastal Development Permit and a Development Plan (requiring discretionary review by the County). There are special requirements for packing and shipping facilities. These are discussed detail below.

Projects that require a CDP include:

- (1) greenhouse and greenhouse related development with cumulative lot coverage of less than 20,000 sq. ft.
- (2) shade or hoop structures with cumulative lot (cumulative lot coverage includes all greenhouse related development) coverage of less than 20,000 sq. ft.; and

(3) minor alterations or additions to existing greenhouse or related development, including retrofit of aging structures if structures are:

- (a) legally permitted;
- (b) do not conflict with project condition of approval for existing structure;
- (c) alterations do not reduce effectiveness of landscaping screening, result in the removal of specimen trees, or disrupt ESH;
- (d) if alterations incorporate all development standards required under the proposed overlay; and
- (e) if additions do not result in a cumulative lot coverage of 20,000 sq. ft. or more, or an increase of 1,000 sq. ft. or 5% or building coverage of all existing structures, whichever is less.

Projects that require a Development Plan and a CDP include: (1) In Area "A," all new greenhouse and greenhouse related development, additions or alterations to existing greenhouse and greenhouse related development, conversion of shade or hoop structures to greenhouses, where the cumulative lot coverage would total 20,000 sq. ft. or more and (2) In Area "A" development of new shade structures or hoop structures where the cumulative lot coverage would total 20,000 sq. ft. or more.

Packing and shipping facilities, other than the following shall require a Minor Conditional Use Permit. Packing and shipping facilities of less than 5,000 sq. ft. may be processed by a CDP only, provided there are no existing greenhouses or greenhouse related development on the lot.

The proposed CA Overlay also includes provisions to allow existing legally permitted, nonconforming greenhouse development to continue in perpetuity with minor alterations and additions, including retrofit of aging structures. The structures would be encouraged over time to comply with the height and setback requirements, and all applicable development standards of the overlay district. The CA Overlay District requirements provide special consideration for existing greenhouses that are in excess of the 20,000 sq. ft. per parcel cumulative development limit in Area B. The amendment proposes to grandfather the size (cumulative lot coverage) of all legally permitted greenhouse development in Area B. Greenhouse development of greater than 20,000 sq. ft. in Area B, which meets all other provisions of the CA Overlay District is considered a conforming structure. Greenhouse development of greater than 20,000 sq. ft. in Area B which does *not* meet the other provisions of the CA Overlay District is considered a nonconforming structure and the property owner would be permitted to: remodel and/or rebuild the development at the same size in the same general location consistent with the provision of the proposed overlay district; construct minor additions up to a maximum of 1,000 sq. ft.; and rebuild the same size facility in the same general location to meet CA Overlay District requirements if the structure was destroyed (damaged at 75% or more of the replacement cost) by natural disaster.

The proposed amendment includes special provisions for nonconforming structures that are damaged by fire, flood, earthquake or other natural disaster. According to the certified language in the LCP, if the damage is less than 75% of the replacement cost at the time of damage, non-conforming structures may be restored to the same or lesser size in the same general footprint location. Under this amendment, if the damage is more than 75% of the replacement cost at the time of damage, the structure may be reconstructed in accordance with the overlay district requirements, thereby becoming a conforming structure.

The CA Overlay also includes an amnesty program allowing existing unpermitted greenhouse development constructed prior to April 22, 1999 (the date of the Notice of Preparation for the Environmental Impact Report for this project) to be legalized through application for a development permit if such structures conform to the provisions of the overlay district. There is one exception, however, for structures over 20,000 sq. ft. in Area B. These larger developments will be allowed to be same or lesser size providing they meet all other provisions of the overlay district. Under the County's proposal, structures legalized during the two-year amnesty would not be counted towards the development cap.

B. BACKGROUND AND PURPOSE

The Carpinteria Valley Greenhouse Study Area encompasses the majority of the Carpinteria Valley and contains approximately 7,196 acres or 11.2 square miles (see Exhibit 11). The study area is bounded by the Summerland Community Plan boundary to the west, Ventura County to the east (i.e., Rincon Creek), the coastal zone boundary to the north (roughly the 1,000-foot elevation contour) and U.S. Highway 101 to the south. The study area includes the Carpinteria Salt Marsh but excludes the City of Carpinteria with the southern boundary of the study area surrounding the City of Carpinteria. The interface of the City and the study area consists primarily of residential subdivisions, although some commercial/industrial uses also exist in the eastern end of the Valley.

The Carpinteria greenhouse industry has grown rapidly since first introduced in 1962. Starting with approximately 100,000 square feet of greenhouses and related development, greenhouse use grew to three million square feet by 1970, eight million square feet by 1982, and the current 14.9 million square feet in 1999. The majority of greenhouse development has occurred in the western portion of the study area, south of Highway 192, east of Nidever Road, and west of Linden Avenue. In this area, approximately 9.1 million square feet (209 acres) of greenhouses and related facilities have been developed, which is approximately 60% of the total greenhouse development in the study area.

The demand for new greenhouse space has resulted primarily from the ability of growers to control growing conditions within the structures. Within modern greenhouses, water and fertilizer use, pest control measures, humidity levels, and light exposure can be carefully controlled. This allows growers to produce hard-to-grow plant

varieties, increase plant yields, and substantially increase the production value per acre.

According to the Final EIR, the Carpinteria Valley has 42 separate greenhouse growers, producing a variety of crops. The most common product (grown by 40% of greenhouse growers) is cut flowers, which includes chrysanthemums, gerbera daisies, roses, lilies, and numerous other varieties. Orchids are grown by nearly 19% of growers, with 15% of growers devoting their operations to potted plants (flowers, greenery, and herbs) and 15% to landscape and nursery plants. Other products include fruits and vegetables (9%, mostly lettuce, tomatoes, cucumbers), starter plants (1 grower) and a distribution center where plants are transported and sold.

The purpose of the overlay district is to identify the location and intensity of greenhouse development in the Carpinteria Valley where unique public viewsheds, prime agriculture, natural assets and community character require protection under the Coastal Act and the County's certified LCP. The stated intent of the CA Overlay is to designate geographic areas of Agriculture I (AG-I) zoned lands in the Carpinteria Valley appropriate to support future greenhouse development and to designate areas appropriate for the preservation of open field agricultural uses. The intent is to ensure well-designed greenhouse development and limit the loss of open field agricultural areas from piecemeal greenhouse expansion by providing well-crafted development standards that protect the water quality, visual resources, and the rural character of the Carpinteria Valley.

Policy 8-5 of the certified LUP calls for the preparation of a master environmental impact review (MEIR) for the valley to adequately assess the potential individual and cumulative impacts of greenhouse development on coastal resources. This is the County's implementation of the MEIR.

C. PAST COMMISSION ACTION

The location and intensity of greenhouse development has a long and controversial history in the Carpinteria Valley. Greenhouse development in Carpinteria Valley was an important issue discussed during the development of a certified Land Use Plan in the early 1980s. In the revised findings (January 14, 1981), the Commission found:

Greenhouses have far greater adverse impacts on coastal resources than open-field operations; due to associated paving, greenhouses on prime soils do not assure that the maximum amount of prime agricultural land is kept in production as required by Section 30241 of the Act... because of their greater water use, greenhouses threaten the entire agricultural viability of the Valley by reducing the water supply available for agricultural flexibility and leading to overdraft of the groundwater basin which could result in degraded irrigation water quality, increased pumping costs and increased pressures for imported water which traditional agricultural operations may not be able to afford. Also, because of the large amount of coverage by impervious surfaces, greenhouses can contribute to flooding and limit the ability of the

groundwater basin to recharge when constructed in the recharge area. And, finally, because greenhouses tend to appear like industrial buildings, they have an adverse impact on scenic coastal views from public roads in the foothills which cannot be mitigated, whereas open field agriculture generally enhances scenic open space values.

In 1997, the Carpinteria Valley Association (CVA) appealed the County's approval of a 171,000 sq. ft. greenhouse project (Mountain Side Flowers) to the Coastal Commission. In July 1998, the CCC denied the appeal filed by CVA; however, the Commission directed the County to require a Conditional Use Permit (CUP) for all new greenhouse development over 20,000 sq. ft. until a cumulative impact analysis is completed and the CCC formally agrees to any land use designation or policy changes relating to greenhouse development, as required by Policy 8-5(e) of the certified LCP.

The July 1998 letter to the Board of Supervisors from Commission staff clearly states that:

"Until a cumulative impact assessment is completed, and the Commission formally agrees to any land use designation or policy changes relating to greenhouse development,...greenhouse facilities over 20,000 sq. ft. in size must receive a CUP from the County and are appealable to the Commission."

This Carpinteria Valley Greenhouse Program LCP amendment is in response to the need for a cumulative impact assessment, thereby eliminating the requirement for Conditional Use Permits for greenhouse development over 20,000 sq. ft.

D. AGRICULTURE

1. Coastal Act Policies

Section 30113 of the Coastal Act defines "prime agricultural land" as

...those lands defined in paragraph (1), (2), (3), or (4) of subdivision (c) of Section 51201 of the Government Code.

Section 51201(c) states in relevant part:

"Prime agricultural land" means any of the following:

All land that qualifies for rating as class I or class II in the Natural Resources Conservation Service land use capability classifications.

Land which qualifies for rating 80 through 100 in the Storie Index Rating.

Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.

Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the

production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.

Section 30241 of the Coastal Act states:

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

Section 30242 of the Coastal Act states:

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250 such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Section 30243 of the Coastal Act states:

The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Section 30250 of the Coastal Act states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

2. Existing LUP Policies

Policy 8-4 of the LCP states that:

As a requirement for approval of any proposed land division of agricultural land designated as Agriculture I or II in the land use plan, the County shall make a finding that the long-term agricultural productivity of the property will not be diminished by the proposed division.

Policy 8-5 of the LUP states:

All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet, shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.

Prior to issuance of a development permit, the County shall make the findings based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development as addressed in paragraphs "a" through "e" below have been identified and mitigated.

Action

The County Resource Management Department shall develop procedures and standards for the environmental impact analysis of greenhouse developments. This action is necessary to ensure that all significant adverse impacts on coastal resources are identified and that mitigation measures are attached to projects as a condition of approval to mitigate individual and cumulative impacts. Such guidelines shall include an evaluation of the following factors for each project:

- a. An assessment of the individual and cumulative increases in the amount and rate of runoff that would be caused by the proposed project and the potential impact on downstream watercourses. Mitigating measures shall be required to prevent runoff waters from entering overburdened water courses by directing runoff to water courses capable of handling the*

increased flow, or to collect the runoff and provide for drainage systems adequate to handle the increased flow.

- b. If the project is located in a groundwater recharge area, a determination of the amount and rate of recharge that would occur if the site were uncovered and the net loss of recharge that will result from the project. Projects will be required to provide for the net potential loss of recharge that will result from the project through the use of impoundment basin where feasible or other means of collecting, storing, and percolating water for the purpose of recharging the groundwater basin.**
- c. Assessment of the impact of materials used for coverage and amount of coverage on the long-term productivity of soils.**
- d. Assessment of the potential adverse impacts of the project on the water quality of affected water bodies and groundwater basins.**

To this end, the following information shall be required for each greenhouse project:

- 1. the volume of water runoff or discharge during normal operating conditions and during the rainy season of the year.**
- 2. the types and amounts of pesticides and fertilizers contained in the runoff or discharge.**
- 3. the method for disposing of the runoff or discharge, i.e., a drainage plan, irrigation plan, or other means of determining how the runoff will be managed.**

The County shall request the Regional Water Quality Control Board to review each greenhouse project for conformance with applicable State statutes and policies and to recommend mitigating measures where necessary. No discharge shall be permitted into enclosed bays and estuaries unless it can be shown that such discharge will not degrade the quality of the receiving waters. In addition, no detectable level of pesticide shall be discharged into surface waters. Mitigation means may include suspension of the runoff and redirection away from the affected waters, treatment of the runoff to remove toxicants and nutrients present, and/or monitoring of discharge from individual greenhouse projects.

To implement this policy in the Carpinteria Valley, a program for regular monitoring of the water quality of the Carpinteria Marsh and streams affected by greenhouse development shall be established (see also Recommendation 8, paragraph b(1), Section 3.9)

- e. Assessment of the potential adverse impacts of the climate control aspects of the project on air quality.**

In addition to the mitigating measures listed above, other measures necessary to mitigate any adverse impact identified as a result of the evaluation of these and other factors shall be required as a condition of project approval. In order to adequately assess the potential individual and cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental impact assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 8-5) shall automatically become a conditional use on Agriculture I designated lands in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

Policy 8-6 states:

No greenhouse, hothouse, or accessory structures shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

Policy 8-7 states:

Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.

3. Existing IP/CZO Provisions

Sec. 35-68.7 Setbacks for Buildings and Structures for AG-I Zone District

- 1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.**
- 2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.**
- 3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single Family Residential District.**
- 4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.**

Sec. 35-68.8 Lot Coverage for AG-I Zone District

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent
10 acre or more	65 percent

Sec. 35-68.9 Height Limit for AG-I Zone District

No building or structure shall exceed a height of thirty-five (35) feet.

Sec. 35-68.11 Landscaping for AG-I Zone District

None, except that for commercial hothouses, greenhouses, or other plant protection structures, or as otherwise required in the provisions of this district, a landscaping plan must be approved by the Planning and Development Department. Said plan shall include landscaping which, within five years, will reasonably block the view of said structures and on-site parking areas from the nearest public road(s). Said plan shall also include landscaping along all streets. The landscaping plan shall consist of plant material and said plant material shall be compatible with plants grown on the property. All landscaping shall be installed within six months of project completion.

Prior to the issuance of any permits, a performance security, in an amount determined by the Planning and Development Department, to insure installation and maintenance for two years, shall be filed with the Clerk of the Board of Supervisors. Said performance security shall be released by said Clerk upon a written statement from the County Planning and Development Department that the landscaping, in accordance with the approved landscaping plan has been installed and maintained for two years.

35-169.2 CDP Applicability.

j. The following improvements and structures shall be exempt provided that the parcel on which they are located is not within 300 feet of the edge of a coastal bluff or the inland extent of any beach, or not within or contiguous to an Environmentally Sensitive Habitat (ESH) area:

vii. In the RR, A-I, and A-II districts, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and have no plumbing or electrical facilities.

4. Discussion

Most of the parcels within the Carpinteria Valley area have a land use designation of "Agriculture I" and are zoned "Agriculture-I" (AG-I). A range of parcel sizes is permitted in the AG-I zone. Most of the parcels that are zoned AG-I-5 and AG-I-10 (five and ten acre minimum parcel sizes) are located in the central and southern portions of the study area where the topography is generally level. Most of the parcels that are zoned AG-I-20 and AG-I-40 (twenty and forty acre minimum parcel sizes) are located in the northern portion of the study area where the topography is moderately to steeply sloping. Properties within the study area that have agricultural zoning designations comprise approximately 5,600 acres of the 7,196-acre study area.

Land uses in the project study area consist of open field and orchard agricultural operations, greenhouses and related structures, and residences. Throughout the study area, residential uses are located adjacent to agricultural operations. Many of the residences that are adjacent to greenhouses and open field agricultural operations are within the City of Carpinteria, along the southern border of the project study area. Several small residential communities are also located within the study area, including Serena Park, La Mirada, Ocean Oaks, and Shepard Mesa communities. Within and to the north of the study area, there are numerous individual houses that have been developed on lots that are generally five acres or greater in size.

The combination of mild climatic conditions, prime agricultural soils, available water sources, and proximity to major markets, makes the project study area a valuable agricultural resource. The ability to grow a diverse range of high-yield specialty crops, such as avocados, kiwis, cherimoyas, cut flowers, and nursery stock plants, provides growers with the flexibility to respond to market and environmental changes. Greenhouse production is more intensive and efficient than open field production, resulting in a better quality product and higher yields per acre.

Open field agriculture production in the project study area is dominated by avocado orchards. However, the Valley's unique climate also results in the area being one of the State Leaders in high-yield specialty crops including citrus, cherimoyas, passion fruit, kiwis, bananas and other sub-tropical fruits. Numerous small open field operations are located within the Shepard Mesa area in the eastern end of the Valley and are engaged in the viable production of these specialty crops. Numerous open field growers also use

the Valley's unique resources to produce high quality cut flowers and nursery products in the lower reaches of the foothills and throughout the valley flat land. This diversity of crops contributes to the overall agricultural productivity of the area by providing growers with the flexibility to respond to market and environmental changes.

Greenhouse development is currently allowed in each of the AG-I zone designations. However, the majority of greenhouse development has occurred on lands zoned AG-I-5 and AG-I-10 since most AG-I-20 and AG-I-40 parcels occur on steep slopes that are not suitable for greenhouse development. The Revised EIR reports that there are approximately 42 greenhouse growers in the Valley, with farms ranging from small operations (e.g., mostly open fields with one small greenhouse or plant protection structure) to large (entire production in greenhouses). Crop production includes cut flowers and ornamental nursery products including chrysanthemums, gerbera daisies, asters, lilies, orchids and roses, and other products such as potted plants, vegetables, seeds, bulbs, and vegetable seedlings. Greenhouses contribute substantially to the county's overall agricultural production. While occupying less than 0.1 percent of the County's total harvested acreage, Carpinteria Valley greenhouses produce approximately 12 percent of the total agricultural value, or approximately \$76 million annually (Revised EIR, February 2002 citing 1997 County Agricultural Product Report in SB County, 1999). Greenhouse operations also account for approximately 72 percent of all agricultural employment in the Carpinteria Valley (approximately 913 employees; Revised EIR, February 2002 citing Carpinteria Economic Profile in SB County, 1999).

The Carpinteria greenhouse industry has grown rapidly since first introduced in 1962. Starting with approximately 100,000 square feet of greenhouses and related development, greenhouse use grew to three million square feet by 1970, eight million square feet by 1982, and the current 14.9 million square feet in 1999. The majority of greenhouse development has occurred in the western portion of the study area, south of Highway 192, east of Nidever Road, and west of Linden Avenue. In this area, approximately 9.1 million square feet (209 acres) of greenhouses and related facilities have been developed, which is approximately 60% of the total greenhouse development in the study area. Table 2, below is excerpted from the Revised EIR (February 2002) and summarizes the acreage of greenhouse development associated within each zone district:

The Revised EIR states that it is estimated that approximately 25% of the greenhouses in the project area use hydroponics systems to grow plants and do not use the natural soil resources (Revised EIR, February 2002 citing Santa Barbara County, 1999). The use of hydroponics systems is reported to allow the precise application of plant nutrients, require less labor, reduce water use, and increase plant yields. Other greenhouses in the project study area grow plants in containers, which also results in the production of plant products that do not rely on the use of natural soils resources.

Table 2. Acreage Within Each Zone District (Revised EIR, February 2002)

Zoning	AG-Zoned Parcels within Study Area		Existing Greenhouse and Related Development on AG-Zoned Parcels						
	No. of Parcels	Acres (approx)	No. of Developed Parcels	Parcel Acres	Greenhouse Development (approx. sf)	Plant Protection Structure	Shade Structure	Accessory Use	Total Square Footage
AG-I-5	49	329	26	196	3,289,000	445,400	425,300	122,900	4,282,600
AG-I-10	388	3500	52	546	8,826,000	507,900	1,020,000	320,800	10,674,700
AG-I-20	3	53	0	0	0	0	0	0	0
AG-I-40	92	1754	0	0	0	0	0	0	0
Totals	526¹	5,636	78	742	12,115,000	953,300	1,445,300	443,700	14,957,300

¹ Six parcels have split zoning (either AG-I-40/10 or AG-I-40/20). These parcels have been incorporated into individual zoning categories in order to demonstrate acreage in each zone district. Therefore, the total number of agriculture parcels is 526 rather than 532.

Unlike open field or orchard operations, greenhouse agriculture requires the construction of permanent structures and a substantial amount of paving and accessory structures. As the greenhouse industry has expanded, this development has resulted in a significant visual change in the rural character of the valley and has raised issues related to increased traffic, flooding potential, groundwater recharge, impacts on the Carpinteria Marsh, and conflicts with adjacent residential uses.

It has been argued by growers that one agricultural use is the same as any other agricultural use, and therefore development of greenhouses should be unlimited within agriculturally zoned lands. However, there are clear distinctions between open field agricultural production and greenhouse agricultural production. Greenhouses and related development have a structural presence that is visually similar to a typical commercial/industrial development rather than the open fields traditionally associated with agriculture. Because of their structural nature, greenhouses have readily identifiable impacts, similar to any other type of building, including the potential to impact public views, interfere with public access, increase runoff, cover agricultural soils, reduce foraging habitat, increase glare and light pollution, modify landforms and change rural character. It is notable that trends in the greenhouse design have been changing over time, as illustrated in the Carpinteria Valley. For instance, older greenhouses in the Valley are generally smaller in overall size and height. The older structures generally range in height from 12 to 20 feet, however, growers are moving to taller structures in the 25 to 30-foot range in order to increase the efficiency of temperature regulation. Additionally, growers have moved away from greenhouses at a size that are accessory to open field agriculture to greenhouses of sizes that can stand alone and produce higher rates of return.

In addition to the physical similarities, greenhouse operation is comparable to factory operations, with 24-hour, 7-day-per-week operations, additional traffic, use of energy, lighting, loading/unloading operations, and the need for permanent facilities for employees such as parking and restrooms. Thus in many ways these greenhouses function like an industrial agricultural use, rather than a traditional agricultural use.

As proposed, the LCP amendment includes the addition of the Carpinteria Agricultural Overlay District to identify the location and intensity of future greenhouse development of over 20,000 sq. ft. and provide siting and design standards to ensure protection of coastal resources. The proposed amendment would regulate the conversion of open field agriculture to greenhouses and greenhouse-related development (e.g., packing houses, driveways, office space, parking).

The certified LCP includes several policies that provide for the long-term protection of agricultural resources (Exhibit 6). Specifically, the LCP incorporates Section 30241, 30242, and 30243 of the Coastal Act as guiding principles. Sections 30241, 30242, and 30243 of the Coastal Act provide for the protection of agricultural *land* and *soils*. Section 30241 calls for the maximum amount of prime agricultural *land* to be maintained in agricultural production. Section 30242 restricts the conversion of *lands* suitable for agricultural use. Section 30243 requires the protection of the long-term productivity of *soils*. The structural nature of greenhouses does not lend itself to the protection of *land* and *soils* in the same way as open field agriculture, nor does it provide for maintaining agricultural land in production when containers or hydroponics or other growing techniques are used which do not rely on in-ground cultivation methods. Greenhouse development incrementally displaces agricultural land, which could otherwise be put into production, for foundations, footings, walkways, storage areas, boilers, or other ancillary uses. In addition, greenhouse related development may include packing sheds, paved parking and driveways, loading/unloading facilities. Each of these uses contributes to the removal of agricultural land that would not occur under traditional open field farming operations. Even greenhouses that utilize in-ground cultivation measures displace agricultural land to some degree. In addition to the cumulative removal of agricultural land from production, greenhouse development covers agricultural soils with hardscape or other surfaces to varying degrees.

As a result of the incremental removal of land from agricultural production and the covering of soils, the Commission finds that the wholesale conversion of open field agriculture to greenhouse development would be detrimental to the long-term maintenance and protection of agricultural land and soils required by Coastal Act Sections 30241, 30242, and 30243. Therefore the Commission finds that the proposed Area A (greenhouse expansion area) and Area B (rural open fields) will serve to concentrate greenhouse development and limit the density of greenhouse development in the Carpinteria Valley to ensure that agricultural land is maintained in production and the long-term productivity of soils is protected to the maximum extent feasible.

As mentioned above, Section 30241 requires that the maximum amount of prime agricultural land be maintained in agricultural production to protect the area's agricultural economy and that conflicts be minimized between agricultural and urban land uses. Although there is a quasi-industrial component, greenhouses have traditionally been considered an agricultural use to the extent that agricultural products historically grown in soil are the result of a greenhouse operation. Greenhouse development maintains agricultural land in production in the long run providing that the prime soils are utilized or protected in place and not adversely impacted by the

greenhouse development itself. Section 30241 requires the *long-term* maintenance of agricultural production and protection of the agricultural economy.

The Carpinteria Valley is uniquely suited to sustain agricultural activities, given the mild year-around temperatures, unique microclimates, extensive areas with prime agricultural soils, available and adequate labor, and excellent solar exposure resulting from its south-facing orientation. The policies of the LUP and Coastal Act require the long-term protection of these agricultural resources and the area's agricultural economy.

The purpose of the proposed LCP amendment is to identify the appropriate area for the location and intensity of greenhouse development in the Carpinteria Valley. In addition to the areas of expansion identified pursuant to Area A, the proposed overlay district allows for a maximum of 20,000 sq. ft. per parcel on other AG-I zoned lots within the Planning Area designated as Area B. By balancing open field agricultural operations with greenhouse development to preserve flexibility and maintain the maximum amount of agricultural soil in production, the Commission finds that identifying the appropriate area for the location and intensity of future greenhouse development will benefit the maintenance of long-term agricultural production in the Carpinteria Valley and protect the coastal resources identified in Sections 30241, 30242, and 30243. However, to uphold a consistent strategy of designating greenhouse development areas and to ensure consistent implementation of the greenhouse development standards, the Commission finds that Suggested Modification Eight (8) is necessary to ensure that all agriculturally-zoned parcels within the Carpinteria Valley Planning Area have been identified within Area A or Area B. Presently, the County's proposed Overlay District does not show seven agricultural parcels along Foothill Road to be subject to the Overlay District. This is due to a separate LCP amendment (SBV-MAJ-3-02 Toro Canyon) which proposed conversion of these parcels from agriculture to residential. This conversion was denied by the Commission on November 6, 2003. As a result, these parcels were not included in the Overlay District greenhouse requirements.

Future subdivision of AG-I lands would contribute to further intensification of greenhouse development in Area B because the 20,000 sq. ft limit is assigned on a per parcel basis. Area B is intended to preserve open agricultural operations and the rural character of the Carpinteria Valley. An analysis of the parcels in Area B which have the potential to be subdivided (based solely on the lot size and zoning) and which are located on slopes of five percent or less, indicated that there is a potential cumulative buildout of an additional 27 parcels in Area B. If each of these new parcels are constructed with 20,000 sq. ft. of greenhouse development, this would translate to 540,000 sq. ft. of additional greenhouse development in the area intended to protect rural character (Area B). It has been argued that subdivision of agricultural parcels require the County to make a finding that the long-term agricultural productivity of the property will not be diminished by the proposed division. In general, this requirement serves as an impediment to further subdivision of agricultural lands in order to protect the long-term agricultural viability of an area. However, the County interprets greenhouses as agriculture and while greenhouses may be an agricultural development

they are also a special subsection of the industry that require structural development similar in appearance and operation to that of commercial/industrial developments. Therefore, the Commission recognizes that greenhouses do not employ the traditional characteristics of agricultural operations, and future interpretations of the "long-term agricultural of the property" may receive separate interpretation. The LCP provisions for the protection of rural character are necessarily subjective and therefore not definitive in their interpretation.

As a result, the potential for subdivision is exists and the Commission finds that the further intensification of Area B through subdivision is contrary to the long-term preservation and flexibility of agricultural production consistent with Section 30241 of the Coastal Act. Therefore, the Commission finds that Modifications Five (5) and Fourteen (14) are necessary to require greenhouse development be approved consistent with the parcels as configured on the date of Commission action on this amendment. Modifications 5 and 14 do not allow additional greenhouse entitlements as a result of divisions of land or rezoning.

Additionally, Section 30241 requires the minimization of conflicts between agricultural and urban land uses. Section 30241 (a) through (e) concern the minimization of conflicts and therefore apply to all agricultural lands. Section 30241 (a) requires conflicts be minimized by establishing stable boundaries separating urban and rural areas, including where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban uses. In addition, Section 30250 requires that new development be located "within, contiguous with, or in close proximity to, existing developed areas able to accommodate it... and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources."

The urban-rural boundary in the Carpinteria Valley area is coterminous with the limits of the City of Carpinteria at the southern end of the proposed Carpinteria Agricultural Overlay District. The interface of this area is highly developed, primarily with residential uses on the urban side and a significant amount of adjacent greenhouse development on the rural side. The urban-rural boundary in the Carpinteria area is already experiencing significant pressure to allow additional urban growth. This is evidenced by the City of Carpinteria's General Plan and recent comprehensive update of the certified Land Use Plan. In Carpinteria's LCP submittal and pursuant to the General Plan Map (not a certified component of the LCP), the City asserted that four areas adjacent to the city merited inclusion in the city because they are either already developed in urban use or, are a "logical extension" of city boundaries given the existing pattern of development or need for public services. During the Comprehensive Plan update process, the City cited the pressing need for housing as a situation of overriding concern.

The Commission recognizes that the pressure for the City to expand its limits will increase as the demand for housing rises. As the pressure to relocate the urban-rural boundary line continues to build, Coastal Act requirements to preserve and protect the maximum amount of coastal agriculture are increasingly jeopardized. In certain cases, under the Coastal Act, land suitable for agriculture may be converted where the viability

of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development. As proposed under this amendment, the County states that restricting major greenhouse development north of Highway 192 and east of Linden Avenue creates a defined, logical greenhouse expansion boundary that maintains development with, and adjacent to, historic clusters and preserves the rural character of the valley. This "logical" boundary essentially dictates the boundary between the structural agricultural associated with greenhouse development and the rural agricultural and foothill area, similar to the concept of the urban-rural boundary for urban and agricultural uses.

As a result of the aforementioned development pressures along the urban-rural boundary in the Carpinteria Valley, the Commission finds that maintaining stable boundaries and clearly defined buffer areas must be maintained to avoid conflicts between agriculture and urban uses. The proposed Overlay District provides additional setbacks from greenhouse development adjacent to residential areas, requiring a one hundred-foot setback from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within 50 feet of the parcel boundary. One provision of the Overlay District makes exception to the setback requirements, such that the minimum one hundred-foot setback need not be maintained between loading/unloading areas, driveways and parking areas and adjacent residential properties if shielding or other measures can provide sufficient attenuation to reduce noise at the property line to less than 65 db(A) CNEL. The Commission finds that there are other considerations besides noise as to the compatibility of greenhouse and residential uses, such as the proximity to pesticides or other greenhouse related chemicals and night lighting. Furthermore, the standard to reduce the 100-foot setback requirement does not state how much the setback may be reduced. To ensure that urban and residential uses do not conflict consistent with Sections 30241 and 30250 of the Coastal Act as incorporated by reference into the certified LUP, the Commission suggests Modification Eighteen (18) to delete the text that allows a reduction in the 100-foot setback.

Section 30241 of the Coastal Act requires that the maximum amount of prime agricultural land be maintained in agricultural production, and Section 30243 of the Coastal Act states "the long-term productivity of soils...shall be protected..." These policies are incorporated as guiding principles of the certified LUP agricultural policies. Combined, these policies require maximum protection of prime soils and the productivity of these soils.

Many of the parcels located in the project study area have soils that are classified as being prime (Class I or II) agricultural soils, comprising approximately 1,900 acres of the 7,196-acre study area (Exhibit 13). The remainder of the study area has soils that have been classified as non-prime soils (Class III or IV). Prime agricultural land is determined by four criteria, any of which qualifies the parcel as prime. The first test requires Class I or II soils. The second test requires a Storie Rating Index between 80 and 100. The third test requires the ability to support one livestock animal unit per acre. The fourth

test requires land planted with fruit-bearing trees and other crops to return not less than \$200 per acre annually.

The Revised EIR (February 2002) states that the majority of greenhouse owners cultivate in the native soil, maintaining prime soils in agricultural production. Other greenhouse operations, depending upon crop type, use containers or hydroponic systems, foregoing the use of native soils. Although greenhouse operations are considered an agricultural activity, many greenhouse operations do not grow plants in the ground but rather in pots.

The economy can be protected, in part, by allowing continued flexibility to growers. However, indiscriminate expansion of greenhouse development could actually reduce the long-term flexibility of the agricultural resources by building out the valley with large structures and impervious surfaces. Unlimited greenhouse development would create a structural landscape on agricultural lands, including those that are presently in open field agricultural production. While limited greenhouse development may serve to augment existing open field agricultural, the mass conversion of open field agriculture to greenhouse development may undermine the long-term flexibility of crop types and methods. Though it has been stated that greenhouses can be removed and the open field agricultural operations reinitiated, this is arguably an expensive and time-consuming process. Furthermore the native soils may be modified in a manner that no longer allows them to be readily competitive with respect to agricultural productivity.

The impact of greenhouse development on the productivity of prime soils is specifically addressed in the certified LUP. The LUP states that:

Under the Coastal Act, greenhouses, although an agricultural activity, are also a type of development and must be evaluated in terms of their impact on the long-term productivity of soils and the preservation of an area's agricultural economy. Issues such as the contribution of greenhouses to increased runoff, loss of groundwater recharge, the effects of soil coverage and compaction, and impacts on visual quality need to be addressed.

Greenhouse operations vary in the amount of structural and related land coverage required for production. In the Carpinteria Valley, approximately 60 percent of greenhouse production takes place directly in the underlying soil, the remainder taking place in pots or containers. However, aside from the land reserved for growing, asphalt or concrete coverage is generally used for storage, packing and loading areas, walkways, driveways and parking. The cost of removing greenhouse structures and related coverage can be prohibitive, foreclosing the possibility of returning the land to other types of open field agriculture. In some cases, gravel or sand is substituted as a covering for driveways and parking areas; but this type of coverage can also be detrimental to the future productivity of the soil because of compaction and penetration into the topsoil.

Greenhouse operations that do not directly utilize the native soils may adversely impact the underlying soil in a number of ways such as compaction, use of soil sterilants or other chemicals, or placement of gravel, concrete, or other hardscape within the

confines of the greenhouse structures. As proposed, the overlay district includes a development standard to minimize the covering of prime soils through effective site and building design and the use of permeable surfaces to the maximum extent feasible. This would still allow hardscape areas for necessary walkways, vehicle throughways, or other necessary greenhouse components (e.g., chemical storage areas). However, to ensure that the long-term productivity of prime agricultural soils are protected consistent with Sections 30241 and 30243 of the Coastal Act, the Commission suggests Modification Four (4) to add LUP Policy 8-11 specifying that greenhouse development use the native soil for cultivation where feasible, prohibit use of chemicals that would adversely affect the long-term productivity of the soil, and prohibit the removal of prime soils for use in container grown operations where the plants are sold intact. In addition, to ensure implementation plan consistency with suggested Modification Four (4), the Commission suggests the identical changes be made to Section 35-102E.8 by adding the prime soil protection provisions to the Article II Zoning Code, pursuant to Modification Thirteen (13).

Additionally, the Commission recognizes that the protection of prime soils will occur during the coastal development permit review process, and that the above policies and modifications can only be effectively implemented if proper evaluation of the soil condition occurs during processing. To ensure that the policies of the certified LCP are effectively implemented, the Commission suggests Modification Ten (10) to require a determination of the extent and location of prime agricultural soils in the project area as well as determination of frequency of chemical applications, as a submittal requirement.

The Commission further finds that the abandonment of greenhouse structures would contribute to a loss of productive agricultural land inconsistent with Section 30241 of the Coastal Act as incorporated by reference into the certified LUP. To ensure maximum protection of prime agricultural lands and ensure the long-term productivity of soils pursuant to Sections 30241 and 30243 of the Coastal Act, the Commission suggests Modification Nineteen (19) to require the removal the greenhouse and greenhouse related development if the greenhouse operation is abandoned (not in operation for 24 consecutive months. Specifically, Modification 19 requires that prior to approval of any project, the property owner must sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days by the subsequent 1 year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and restoration of agricultural soils in a manner suitable to ensure the site's continued agricultural productivity. This is necessary to ensure the long-term productivity of agricultural lands when the greenhouse development is no longer in use. The removal shall occur within 180 days of issuance of a coastal development permit for removal. To protect and maintain agricultural land and soils, Suggested Modification 19 further requires that greenhouse development shall not be

allowed to be converted to non-agricultural uses. Any such conversion would remove agricultural land from production inconsistent with Sections 30241, 30242, and 30243 of the Coastal Act.

Although the proposed amendment is intended to respond to the numerous issues raised by greenhouse development within the Carpinteria Valley, the issues raised by the proposed amendment relative to the protection and maintenance of prime agricultural land are not limited to the Carpinteria Valley alone. The individual and cumulative impacts associated with unregulated development of greenhouses are equally applicable to other agriculturally zoned areas within the County coastal zone, particularly if adequate mitigation or regulatory measures are not available to control the spread or growth of greenhouses to other areas, such as the Gaviota coast. As indicated above (relative to protection and maintenance of prime agricultural land) greenhouse development has taken place at a rapid rate in the Carpinteria Valley since 1986 and the demand for additional greenhouse development is unmet as demonstrated by grower testimony, an existing County application for extensive greenhouse development, and litigation over the greenhouse program (see Section G. New Development and Cumulative Impacts for details). As described above, greenhouse development may have adverse impacts on the long-term productivity of agriculture by displacing areas of agricultural land with hard surfaces and accessory structures, covering prime soils and other soils suitable for agriculture, increasing conflicts between urban and agricultural land uses, and limiting the flexibility of crop types and methods because the removal of greenhouse development could be overly burdensome.

The pressure for additional greenhouse development combined with the LCP amendment to regulate greenhouse development in Carpinteria Valley is anticipated to push demand into other locations that do not have similar restrictions and are able to accommodate such development. Hence, an unintended consequence of the proposed LCP amendment is the diversion and relocation of the cumulative impact of greenhouse development and of the cumulative impacts that come from it from the Carpinteria Valley to alternative locations. If the same requirements to protect prime agricultural soils are not applied elsewhere in the County, it creates an incentive for greenhouses to be developed outside of the Carpinteria Valley, contrary to the provisions of Sections 30241, 30242, 30243, and 30250. Moreover once the cap on new greenhouse development in carp valley is reached, greenhouse development may be proposed in other agriculturally zoned areas of the county where there is no cap and no square foot limit on greenhouse development per lot.

Therefore to ensure that the accelerated demand and accompanying impacts do not result in new areas of intensive greenhouse development countywide irrespective of the potential individual and cumulative impacts to agricultural resources, the Commission finds that Suggested Modifications Seven (7) and Twenty (20) are necessary to ensure that greenhouse development throughout the County is sited and designed to avoid adverse impacts to coastal resources. Modifications 7 and 20 require that all greenhouses and greenhouse related development, including all additions to existing

greenhouse or greenhouse related development, that result in a total of 20,000 sq. ft. or more of cumulative development per parcel, obtain a Major CUP in any agriculturally designated zone district. This requirement applies on a countywide basis, unless the area is within the Carpinteria Agricultural Overlay District. A Major CUP is also required for greenhouse development of any size where greenhouse or greenhouse related development is proposed on slopes greater than five percent. The CUP can only be approved when the approving body makes specific findings with regard to coastal resources, including slopes, water quality standards, extension of water and sewage lines, visual resources and rural character, conversion of foraging habitat, coastal access, recreation, traffic, and proximity to other greenhouse development.

The Commission therefore finds that the proposed LUP amendments as submitted are inconsistent with and inadequate to carryout the requirements of Sections 30241, 30242, 30243 and 30250 of the Coastal Act unless modified as suggested above. Furthermore, the proposed IP amendments are not consistent with or adequate to carryout the provisions of the LUP, as modified, unless modified as suggested above.

E. VISUAL RESOURCES AND PUBLIC ACCESS

1. Coastal Act Policies

Coastal Act Section 30210 states that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private

Coastal Act Section 30212.5 states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30250 of the Coastal Act states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

2. Existing LUP Policies

Policy 4-2:

All commercial, industrial, planned development, and greenhouse projects shall be required to submit a landscaping plan.

Policy 4-3:

In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public view places.

Policy 4-6:

Signs shall be of size, location, and appearance so as not to detract from scenic areas or views from public roads and other viewing points.

Policy 3-14:

All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features,

landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

Policy 7-26:

All proposed trails for the coastal zone shall be incorporated into the County's Master Plans for hiking, biking, and equestrian trails.

Policy 8-6 states:

No greenhouse, hothouse, or accessory structures shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

Policy 8-7 states:

Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.

3. Existing IP/CZO Provisions

Sec. 35-63. Development Standards: Coastal Trails.

Easements for trails shown on the Santa Barbara County Comprehensive Plan Parks, Recreation and Trails (non-motorized) maps, shall be required as a condition of project approval for that portion of the trail crossing the lot upon which the project is proposed.

Sec. 35-68.7 Setbacks for Buildings and Structures.

1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.

2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.

3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single Family Residential District.

4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.

Sec. 35-68.8 Lot Coverage.

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent
10 acre or more	65 percent

Sec. 35-68.9 Height Limit.

No building or structure shall exceed a height of thirty-five (35) feet.

Sec. 35-68.11 Landscaping.

None, except that for commercial hothouses, greenhouses, or other plant protection structures, or as otherwise required in the provisions of this district, a landscaping plan must be approved by the Planning and Development Department. Said plan shall include landscaping which, within five years, will reasonably block the view of said structures and on-site parking areas from the nearest public road(s). Said plan shall also include landscaping along all streets. The landscaping plan shall consist of plant material and said plant material shall be compatible with plants grown on the property. All landscaping shall be installed within six months of project completion.

Prior to the issuance of any permits, a performance security, in an amount determined by the Planning and Development Department, to insure installation and maintenance for two years, shall be filed with the Clerk of the Board of Supervisors. Said performance security shall be released by said Clerk upon a written statement from the County Planning and Development Department that the landscaping, in accordance with the approved landscaping plan has been installed and maintained for two years.

4. Discussion

The Carpinteria Greenhouse Program study area (Exhibit 11) encompasses most of the Carpinteria Valley, which is a long, narrow coastal plain located between the Pacific Ocean and the Santa Ynez Mountains. The Santa Ynez Mountains border the study

area to the north and views of the mid- and upper- elevations of the mountains are available from locations throughout the region. The Pacific Ocean and the Carpinteria Marsh are located on the southern border of the project area.

Agricultural operations within the study area include a mix of open fields, orchards, and greenhouse developments. Unlike open field or orchard operations, greenhouse agriculture requires the construction of permanent structures and a substantial amount of hardscape and accessory structures. As the greenhouse industry has expanded, this development has resulted in a significant visual change in the rural character of the valley. As mentioned previously, there is a notable distinction between open field agricultural production and greenhouse agricultural production. Greenhouses and related development have a significant structural component similar to a typical commercial/industrial development, rather than the traditional association of open field agriculture.

Greenhouses are typically constructed using a light-colored, opaque glass, plastic or fiberglass material to cover a frame structure. Sunlight reflecting off greenhouse roofs can generate a substantial amount of glare. Night lighting is often used in greenhouses to assist in the growth of plants. During the development of a plant crop, the lights may be used over a 6-7 week period, for approximately six hours per night. Typically, the lights are timed to be turned on late at night and to be turned off by early morning. In greenhouses, the lights are typically "cycled" or turned on for a short period of time (e.g., five minutes), then turned off for approximately 25 minutes. In open fields, night lighting is used occasionally, however, the lights are generally not "cycled" but rather left on continuously. Many of the new greenhouses are equipped with "blackout" shades that are deployed automatically and prevent light from escaping from greenhouse structures.

In addition to greenhouses, there are accessory developments associated with greenhouse operations, such as hoop structures, shade structures, packing and shipping facilities, paved parking and driveways, storage sheds, among other accessory structures. Plant protection structures, such as hoop structures, are highly variable in appearance. Plant protection structures may have wooden or PVC frames covered with plastic sheets or similar material. The cover material on the roof and sides can be removed and replaced as necessary to protect plants from sun or to the climate variations. Other plant protection structures may be similar in appearance to a greenhouse, having wooden or aluminum frames, fiberglass roofs, and canvas walls or removable walls for climate control. (Note, as proposed, any hothouse or plant protection structure that does not fall within the definition of shade structure or hoop structure shall be included in the definition of greenhouse, for the purposes of implementing the provisions of the Carpinteria Overlay District.)

Shade structures consist of a frame with no permanent structural elements that are typically covered with sheets of black (permeable) netting. These structures are used to shade plants grown in the soil or in containers upon the soil, and typically have a maximum height of 10 to 12 feet above natural grade.

Accessory and agriculture-related support structures are also associated with greenhouse development. Accessory structures include facilities such as packing sheds, offices, warehouses, and distribution centers that have been developed in support of the agricultural industry, including both greenhouse-related and not greenhouse related operations. Other types of accessory structures include refrigeration buildings, heating and cooling units, nutrient mixing tanks, water tanks, etc. The size of the buildings that have been developed for these uses can vary substantially. Offices and packing sheds may be several thousand square feet in area, while larger warehouses and distribution facilities may be 40,000 sq. ft. or more in floor area and reach heights of up to 29 feet. Perimeter landscaping for such facilities has been highly variable, ranging from no landscaping to extensive screening.

As reported in the Revised EIR, the need for large, full-service packing/distribution facilities (on-site) has been a recent trend in the greenhouse production industry that will likely continue as competition increases. Construction of these facilities adjacent to public view corridors often obstructs foreground, mid-ground, and background views of the mountains, ocean, and open field agriculture. The expansive parking lots, truck loading bays, and wide driveway entrances (necessary to accommodate truck turning radii) contribute to an industrial-like appearance.

The Carpinteria greenhouse industry has grown rapidly since first introduced in 1962. Starting with approximately 100,000 square feet of greenhouses and related development, greenhouse use grew to three million square feet by 1970, eight million square feet by 1982, and the current 14.9 million square feet in 1999. The majority of greenhouse development has occurred in the western portion of the study area, south of Highway 192, east of Nidever Road, and west of Linden Avenue. In this area, approximately 9.1 million square feet (209 acres) of greenhouses and related facilities have been developed, which is approximately 60% of the total greenhouse development in the study area.

There is variation in the appearance of the existing greenhouse developments, due to the varying ages of the structures. The older structures present generally range in height from 12 to 20 feet. As with all greenhouse development within the area, the landscape screening ranges from minimal or no screening to well-screened. However, a considerable amount of the older greenhouses and related structures, particularly those located along the Highway 192 corridor, are generally moderately to well screened from the adjacent roadway by mature landscaping. Newer greenhouses are generally taller than the older greenhouses, and may range in height from 16 to 28 feet in height. These taller structures are more difficult to screen.

Eight parcels within the block between Cravens Land and Nidever Road and three parcels fronting Highway 192 between Cravens Lane and Santa Monica Road have been identified as view corridor parcels by the County (Exhibit 12). The eight-parcel agricultural view lots were identified by the County to contain important public views of the mountains, ocean, open field agriculture, and open space as seen from Via Real,

U.S. Highway 101 and State Highway 192. The three other parcels are currently planted with mature orchards and are the last remaining open field parcels with frontage along the south side of Highway 192 between Cravens Lane and Santa Monica Road. These two agricultural view corridors represent a vestige of open field agriculture in the central study area that has not yet been infringed upon by urban or greenhouse development.

This LCP amendment proposes to protect these view corridor parcels by restricting greenhouses and greenhouse related development (including packing and shipping facilities, shade and hoop structures) on identified view corridor parcels to 25% maximum lot coverage, 25-foot absolute building height (12 feet for shade and hoop structures), and 250-foot front setbacks from the public right-of-way to minimize fragmentation of these large blocks of contiguous open field agriculture and to preserve, to the greatest extent feasible, important public view corridors. Shade structures would be subject to all applicable CA Overlay District development standards (required for CDPs), Coastal Development Permit findings, and would be applied to the 25% lot coverage for view corridor parcels.

Coastal Act Section 30251 has been incorporated as a guiding principle into the certified LUP. Section 30251 requires that visual qualities of coastal areas be protected, landform alteration be minimized, and where feasible, degraded areas shall be enhanced and restored. Section 30251 requires that development be sited and designed to protect views to and along the ocean and other scenic coastal areas. This policy also requires that development be sited and designed to be visually compatible with the character of surrounding areas. New development must also minimize the alteration of natural landforms, and, where feasible, include measures to restore and enhance visual quality where it has been degraded. In addition, Section 30250 requires that new development be located "within, contiguous with, or in close proximity to, existing developed areas able to accommodate it... and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources." Furthermore, Policy 4-3 of the certified LUP requires that new development in rural areas be compatible with the character of the surrounding natural environment in height, scale, and design.

The County has assigned a scenic value to these view corridor parcels because they represent the remaining open field agriculture in the central study area that has not yet been infringed upon by urban or greenhouse development. As proposed, these view corridor parcels would be designated for intensified greenhouse development. To address this issue, the LCP amendment proposes to apply performance standards to regulate the maximum lot coverage and height of greenhouses and greenhouse related development on these view corridors parcels. Specifically, Section 35-102E.8 of the Agricultural Overlay District assigns a maximum net lot coverage of 25% on view corridor parcels and requires new greenhouse development be clustered with existing greenhouse development to the greatest extent feasible. To provide an LUP policy basis for this requirement and to ensure adequate protection of visual resources pursuant to Policy 4-3 of the certified LUP and Section 30251 of the Coastal Act, the

Commission requires Suggested Modification One (1) which requires the location of greenhouse and greenhouse related development to be clustered with existing greenhouse areas.

Additionally, the Commission suggests Modification Sixteen (16) to provide standards for the siting and design of greenhouse and greenhouse related development that could adversely impact scenic areas, and public views of the ridgelines and natural features visible from scenic public roadways and scenic viewing areas. Modification 16 adds a development standard such that, if there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas and public views of ridgeline and natural features visible from scenic highways or public viewing areas, through measures including, but not limited to, siting development in the least visible portion of the site, reducing maximum height standards, breaking up the mass of new structures, clustering new structures within existing greenhouse development along the edges of the properties to maintain maximum through-view corridor, and incorporating landscape elements. Modification 16 also adds development standards which require avoidance of impacts to visual resources through site selection and design alternatives as the preferred method over landscape screening. Landscape screening, as mitigation of visual impacts shall not substitute for project alternatives including re-siting, or reducing the height or bulk of the greenhouse development.

As stated above, Coastal Act Section 30251 requires new development to minimize the alteration of natural landforms, and, where feasible, include measures to restore and enhance visual quality where it has been degraded. Policy 4-3 of the certified LUP requires that structures be subordinate in appearance to natural landforms and sited so that it does not intrude into the skyline as seen from public view places. Additionally LUP Policy 3-14 requires that new development be designed to fit the topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Policy 3-14 further requires that areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

As reported in the County's Revised EIR (February, 2002):

Historically, greenhouse development in the study area has been constructed on slopes of 5% or less. Of the approximately 2,500 acres of AG-I designated land in the study area meeting this criteria, more than 99% is currently in some form of agricultural production (including greenhouse development, open field, orchards, and fallow land with evidence of historic agricultural use.) Most land that is suitable for greenhouse development has already been converted to agriculture. The remaining 3,100 acres of agriculturally zoned land occurs on slopes in excess of 5%, which is unsuitable for greenhouse development.

... Eliminating the opportunity to construct greenhouses on slopes greater than 5% will not create an incentive to bring more natural lands into

cultivation, as greenhouse development would not have occurred on these slopes anyway.

The Commission finds that greenhouse development has the potential to adversely impact visual resources of the Carpinteria Valley as a result of the significant landform alteration from grading and site preparation that would be required for a structure of up to 20,000 sq. ft. (approximately 0.5-acre), inconsistent with Coastal Act Section 30251 and the certified LUP polices. As indicated above, the County determined in its baseline analysis that greenhouses were primarily constructed on slopes of 5% or less, and agricultural lands with slopes in excess of 5% are typically unsuitable for greenhouse development. Furthermore, the County's EIR asserts that greenhouse development would not occur on slopes greater than 5%. This is because few applications are anticipated as a result of the expense required for extensive landform alteration and site preparation, and such development would require discretionary review consistent with the existing hillside, water quality, and other resource protection policies of the certified LCP. Though the County believes that greenhouse development is unlikely on these types of slopes, the Commission finds that clear guidelines are needed specifically for greenhouse development in those areas as the viability of developing greenhouses becomes more economically feasible. Therefore, to ensure that greenhouse development does not result in significant adverse impacts to the visual resources of Carpinteria Valley consistent with Section 30251 of the Coastal Act and LUP Policy 4-3, the Commission requires Modifications Three (3), Nine (9), and Twelve (12) to prohibit greenhouses and greenhouse related development on slopes in excess of 10 percent within the Carpinteria Valley. Additionally Modifications Three (3), Nine (9), and Twelve (12) allow the County to maintain discretionary approval for any size greenhouse or greenhouse related development, including development of less than 20,000 sq. ft., when located on slopes between 5 and 10 percent. Greenhouse development proposed on slopes between 5 and 10 percent may only be approved when all impacts, including impacts to visual resources, can be mitigated due to site characteristics and design. Because the proposed Area A (intensified greenhouse area) encompasses 5% slopes or less, these modifications specifically address requirements in Area B.

Pursuant to Modifications Three (3), Nine (9), and Twelve (12), greenhouse and greenhouse related development may be approved on 5-10% slopes through a Major Conditional Use Permit (CUP) only if specific findings can be made that evidence that the project will not adversely impact coastal resources, either individually or cumulatively. Three of the required CUP findings specifically address visual impacts: (1) That the project is not proposed on a slope greater than 10 percent; (2) That the project will not adversely affect public coastal views, alter the character of rural open space and open field agricultural and grazing areas, or contribute light pollution to night skies in rural areas; and (3) That development is located within, contiguous with, or in close proximity to existing greenhouse development to preserve scenic value and rural character.

As provided in the certified LUP, the scenic resources of the County's coastal zone are of incalculable value to the economic and social well-being of Santa Barbara County. The beauty of the Santa Barbara coastline is the basis of the County's strong tourist

and retirement economies and is a source of contributing pleasure for the local populaces. As the County's certified LCP notes, the County counts its beaches, sand dunes, coastal bluffs, headlands, wetlands, estuaries, islands, hillsides and canyons, upland terraces and plains, and its rivers among its significant visual resources. These resources are vulnerable to degradation through improper location and scale of building development, blockage of coastal views, alteration of natural of landforms by poor cutting, grading, and filling practices, and by poor design or placement of roadside signs and utility lines.

Views of the Santa Ynez Mountains, ocean, and open space are provided from public viewing locations throughout the study area. So far, greenhouses have been developed within the study area almost exclusively on the gently sloping coastal plain adjacent to the City of Carpinteria. Greenhouse development is concentrated largely south of Highway 192; however, some greenhouse clusters have cropped up north of Highway 192, approaching the base of the foothills (Exhibits 14 and 12). Due to the proximity of greenhouse development to U.S. Highway 101, individual and groups of greenhouses can be seen from several locations from the northbound and southbound lanes of the highway. A large concentration of greenhouses are adjacent to the north side of Highway 101 in the western portion of the Carpinteria Valley Greenhouse Program study area and are highly visible. Views from Highway 192 to the south consist of agricultural operations including open fields, greenhouses, plant protection and shade structures. Existing greenhouse development that is visible from Highway 192 is concentrated in the western and central portions of the study area, between Nidever Road and Linden Avenue, where several large development clusters of greenhouses and related structures are located primarily on the south side of the highway. Views to the north from Highway 192 are agricultural in the foreground and mountainous in the background.

Existing greenhouse development often has minimal (20-foot) building setback from the roadway. In addition, the type and effectiveness of landscaping that has been provided adjacent to greenhouse development within the study area varies considerably, ranging from no landscaping to an integrated design of block walls and dense plantings. Landscaping such as a narrow row of trees with wide spaces between each tree provides a partial visual buffer, while a dense row of tall shrubs such as oleander or myoporum provide a complete visual screen from ground level. Dense landscaping, however, can have the unintended effect of limiting or eliminating foreground and middle-ground views of open space area and may provide tunnel-like conditions when there are multiple developments with landscaping at the outer edges of the parcels, along roadways.

Many types of visual buffers have been provided adjacent to existing greenhouse development. Vegetation such as orchard trees make an excellent visual buffer, and present an appearance that is consistent and compatible with the views of other orchards in the region. A greenhouse visual screen located adjacent to Highway 101 incorporates the use of multiple types of landscaping materials, including trees, shrubs, and a block wall. The appearance of the wall could have been softened by the use of

clinging vines. In some instances along Highway 192, large shrubs, some of which have been trimmed into hedges, have been planted adjacent to the roadway to serve as a visual buffer. While this type of vegetation makes an effective visual screen for the adjacent greenhouses, the appearance of the screen itself can be somewhat imposing and has an unnatural appearance. This effect is particularly noticeable in places where dense vegetation has been installed on the north and south sides of the highway, creating a "tunnel" effect that blocks mid- and background views.

Policy 4-2 of the LUP requires that a landscape plan be submitted for all greenhouse projects. This policy combined with Policy 8-6 provides the LUP policy basis for landscape screening of greenhouse development. Policy 8-6 requires that landscape and screening be installed within six months of completion of greenhouse development, wherein such landscaping shall reasonably block views of the development within five years of project completion.

The proposed Overlay District includes detailed landscaping requirements for visual screening of all structures and parking areas from adjacent public roads and view corridors. Landscaping within the front setbacks is required to gradually increase in height away from public roadways. Solid wall fencing shall not be relied upon as a primary means of screening. If solid wall screening is implemented the walls shall be screened from public view corridors by dense landscaping and/or covered with attractive climbing vines. Additionally, the landscaping development standards require that dark chain-link security fencing to be screened from public view corridors with dense landscaping. However, there may also be adverse impacts to visual resources from any chain-link fencing in the public view corridors. Therefore the Commission requires Suggested Modification Fifteen (15) to implement visually mitigating landscaping for all chain-link fencing. Furthermore, Modification 15 requires that fences and walls be sited to avoid impeding views of scenic roads, parks, or other public view areas to ensure consistency with the certified policies, Policy 4-2 and Policy 8-6, of the LUP and Section 30251 of the Coastal Act as incorporated.

Section 30251 of the Coastal Act requires that scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Furthermore, permitted development shall be sited and designed to be visually compatible with the character of surrounding areas, and, where feasible, restore and enhance visual quality in visually degraded areas. Furthermore, pursuant to Policy 4-3, greenhouse development must be compatible with the character of the surrounding natural environment and be of a height, scale, and design to that effect.

The development of greenhouses and related structures has contributed to a change in the visual character of many of the properties that are located in the project study area. This change has occurred primarily from the conversion of open field agricultural operations to agriculture-related structures, and the resulting loss of open space. In areas where greenhouse development has occurred near roadways, fore-, mid-, and background views from the road are often obstructed by intervening structures and

landscaping. When viewed from higher elevations, such as from the foothills to the north, areas with extensive greenhouse development have a white appearance.

To address the impacts to visual resources and rural character of greenhouse development, the County proposes modifications to Policy 8-5 and Policy 8-6 of the LUP and further proposes to implement these policies through the Carpinteria Agricultural Overlay District. These policies and overlay district are devised to mitigate visual impacts and control the density of greenhouse development in the Carpinteria Valley. In addition to identifying specific locations for future intensive greenhouse development and the corresponding development capacity, the overlay district requires greenhouse development to meet height, lot coverage, setbacks, and development standards to minimize environmental impacts and ensure compatibility of land uses.

The existing zoning for greenhouse structures allows a maximum height of 35 feet above finished grade. As proposed under this LCP amendment, the maximum allowed height for greenhouse and greenhouse related development is 30 feet above finished grade, however, for designated view corridor parcels, the height is restricted to a maximum of 25 feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be limited to no greater than twelve feet above natural grade.

Lot coverage for greenhouse and accessory structures is restricted, pursuant to Policy 8-6, in a graduated scale according to parcel size: 75% maximum lot coverage for lots less than 5 acres, 70% maximum lot coverage for lots between 5 and 9.99 acres, and 65% maximum lot coverage for lots 10 acres or more. The proposed overlay district would remove the maximum percent lot coverage requirement for Area A parcels, except for designated view corridor parcels which would be allowed a maximum of 25% net lot coverage (including all impervious surfaces). In Area B, rather than implement maximum lot coverage on a percentage basis, greenhouse and greenhouse related development would be limited to a maximum cumulative total of 20,000 sq. ft. per parcel.

As proposed, setbacks will be slightly modified (see Table 1 in Section A, Amendment Description). The new setback requirements are more restrictive than required in existing Policy 8-6. The front setback will be increased from 30 feet to 75 feet, except for view corridor parcels which will be required to have a 250-foot setback from the right-of-way of any street. Additionally, greenhouse and greenhouse related development will be required to be setback 100 feet from residentially zoned parcels and 50 feet from parcels with an approved residence within 50 feet of the parcel boundary. Presently, greenhouse development is required to be setback 50 feet from a residentially zoned lot.

The Commission recognizes that there has been substantial growth in greenhouse development within Carpinteria and that there is continued trend for growth in that sector of the industry. Since the early 1980s, the valley's greenhouse development has nearly doubled to its current expanse of approximately 15 million square feet.

Greenhouses have the effect of transforming the visual character of the valley from rural, orchard and fields, into a structure-dominated character that is more representative of an urban area, reducing the rural appearance of the agricultural valley.

As dictated by their function, greenhouse structures are bulky in shape and are generally plain in appearance. On-site warehouses and distribution facilities approach heights of 30 feet and have often been constructed close to roadways for easy access. The expansive parking lots, truck loading bays, and wide driveway entrances can create a visually prominent industrial appearance that is inconsistent with the rural character of the area. In addition to the structural mass, greenhouse development contributes to daytime glare from sunlight reflecting off of greenhouse and night lighting within the structures. These impacts have the ability to reduce enjoyment of the public from public viewing areas, trails, and vistas as a result of the glare from the translucent rooftops, as seen from the hillsides.

The Commission finds that the potential buildout of greenhouse development in the Carpinteria Valley, if it continues under present trends and regulation, has the potential to transform the rural valley to a structured, quasi-industrial landscape. The incremental conversion of the open space to a structural developed landscape, if not controlled, has the potential to adversely impact the scenic and visual qualities and overall rural character of the Carpinteria Valley. The Commission finds, that by limiting the total development potential, while preserving the large blocks of existing open field agricultural areas, is protective of rural character. The proposed Overlay District delineates the level of greenhouse development in the Carpinteria Valley into two areas: (1) Area A identifies the location that will support intensified greenhouse development and (2) Area B allows a maximum total of 20,000 sq. ft. of cumulative greenhouse development per parcel (except where it meets requirements under the detailed amnesty and grandfathering provisions).

However, one aspect of this buildout potential has not been addressed under the proposed LCP amendment. Future subdivision of AG-I lands would contribute to further intensification of greenhouse development in Area B because the 20,000 sq. ft limit is assigned on a per parcel basis. Area B is intended to preserve open agricultural operations and the rural character of the Carpinteria Valley. An analysis of the parcels in Area B which have the potential to be subdivided (based solely on the lot size and zoning) and which are located on slopes of five percent or less, indicated that there is a potential cumulative buildout of an additional 27 parcels in Area B. If each of these new parcels are constructed with 20,000 sq. ft. of greenhouse development, this would translate to 540,000 sq. ft. of additional greenhouse development in the area intended to protect rural character (Area B). While greenhouses may be an agricultural development they are also a special subsection of the industry that require structural development similar in appearance and operation to that of commercial/industrial developments.

If the subdivision of agricultural parcels were to occur, this would allow an additional 20,000 sq. ft. greenhouse development per parcel in Area B, thereby contributing to incremental conversion of open field agriculture or open space to structural development. This subdivision would result in further greenhouse development intensification in Area B. The Commission finds that this intensification would be individually and cumulatively inconsistent with the protection of visual resources and community character required by Coastal Act Sections 30251 and 30250. Therefore, the Commission suggests Modifications Five (5) and Fourteen (14) which require that greenhouse development be approved consistent with the parcels as configured on the date of Commission action on this amendment. Modifications 5 and 14 do not allow additional greenhouse entitlements as a result of divisions of land or rezoning.

The Commission recognizes that locating the intensive greenhouse development appropriately, is the first step to mitigate the cumulative impacts of greenhouse development on coastal resources, including visual resources. However, the impact specific to each new development project must additionally be mitigated through applicable performance standards. In particular, the covering of agricultural lands with hardscape and structures contribute to the incremental loss of open space, and adversely impact the valley's rural character. Therefore, to ensure preservation of community character and scenic resources of the rural Carpinteria Valley consistent with Coastal Act Section 30251, as incorporated by reference into the certified LUP, the Commission suggests Modification One (1) to requires the location of greenhouse and greenhouse related development to be clustered with existing greenhouse development and Modification Two (2) to specify the 20,000 maximum square footage requirement for Area B consistent with the specification of other maximum lot coverage requirements called out within the LUP.

To ensure the long-term preservation of the scenic and visual qualities of the rural Carpinteria Valley, the Commission further suggests Modification Nineteen (19) to require the removal the greenhouse and greenhouse related development if the greenhouse operation is abandoned (not in operation for 24 consecutive months). Specifically, Modification 19 requires that prior to approval of any project, the property owner must sign a written agreement with Santa Barbara County to remove greenhouse or greenhouse related development, or any portion thereof, if any component of the greenhouse development is abandoned (not in operation for 24 consecutive months). If, after 24 months of non-use for greenhouse purposes, greenhouse activities resume, such activities shall be continued without interruption for longer than 90 days by the subsequent 1 year period, or the facility shall be deemed abandoned and notice of such abandonment shall be served upon the landowner by the County. The property owner shall submit an application for demolition of the applicable development and the removal shall occur within 180 days of issuance of a coastal development permit for removal.

Through implementation of Modification 19, the County will ensure that abandoned greenhouses do not become a visual blight. Abandoned structures of any kind are often neglected, and after years of inadequate repair and maintenance and neglect of

landscaping elements, the condition may decline substantially enough to impact coastal views.

Although the proposed amendment is intended to respond to the numerous issues raised by greenhouse development within the Carpinteria Valley, the issues raised by the proposed amendment relative to the protection visual resources and rural character are not limited to the Carpinteria Valley alone. The individual and cumulative impacts associated with unregulated development of greenhouses are equally applicable to other agriculturally zoned areas within the County coastal zone, particularly if inadequate mitigation or regulatory measures are not available to control the spread or growth of greenhouses to other areas, such as the Gaviota coast. As indicated above (relative to protection of visual resources and community character) greenhouse development has taken place at a rapid rate in the Carpinteria Valley since 1986 and the demand for additional greenhouse development is unmet as demonstrated by grower testimony, an existing County application for extensive greenhouse development, and litigation over the greenhouse program (see Section G. New Development and Cumulative Impacts for details). As described above, greenhouse development may have adverse impacts on visual resources and community character by blockage or interference of public views, increase in light and glare, modification of landforms through site preparation and change to rural character as a result of the quasi-industrial structural appearance of greenhouse development.

The pressure for additional greenhouse development combined with the LCP amendment to regulate greenhouse development in Carpinteria Valley is anticipated to push demand into other locations that do not have similar restrictions and are able to accommodate such development. Hence, an unintended consequence of the proposed LCP amendment is the diversion and relocation of the cumulative impact of greenhouse development and of the cumulative impacts that come from it from the Carpinteria Valley to alternative locations. If the same requirements are not applied elsewhere in the County, it creates an incentive for greenhouses to be developed outside of the Carpinteria Valley, contrary to the provisions of Sections 30251 and 30250. Moreover once the cap on new greenhouse development in carp valley is reached, greenhouse development may be proposed in other agriculturally zoned areas of the county where there is no cap and no square foot limit on greenhouse development per lot.

Therefore to ensure that the accelerated demand and accompanying impacts do not result in new areas of intensive greenhouse development countywide irrespective of the potential cumulative impacts to visual resources and rural character, the Commission finds that Suggested Modifications Seven (7) and Twenty (20) are necessary to ensure that greenhouse development throughout the County is sited and designed to avoid adverse impacts to coastal resources. Modifications 7 and 20 require that all greenhouses and greenhouse related development, including all additions to existing greenhouse or greenhouse related development, that result in a total of 20,000 sq. ft. or more of cumulative development per parcel, obtain a Major CUP in any agriculturally designated zone district. This requirement applies on a countywide basis, unless the area is within the Carpinteria Agricultural Overlay District. A Major CUP is also required

for greenhouse development of any size where greenhouse or greenhouse related development is proposed on slopes greater than five percent. The CUP can only be approved when the decision making body makes specific findings with regard to coastal resources, including slopes, water quality standards, extension of water and sewage lines, visual resources and rural character, conversion of foraging habitat, coastal access, recreation, traffic, and proximity to other greenhouse development.

Public Access

To carry out the requirement of Section 4 of Article X of the California Constitution, PRC Section 30210 provides that maximum access and recreational opportunities be provided consistent with public safety, public rights, private property rights, and natural resource protection. Coastal Act Section 30212.5 provides that wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area. Section 30252 calls for the location and amount of new development to maintain and enhance public access to the coast, by among other ways, providing non-automobile circulation, adequate parking, and public transportation.

The proposed LCP amendment includes policy language that requires the preparation of a Transportation Improvement Plan (TIP), in a manner consistent with the area's rural and semi-rural character. The TIP will address any necessary long-term improvements to roadways and alternative transportation facilities in the Planning Area, including any appropriate traffic calming measures, designed to maintain public safety and acceptable levels of service on roadways and intersections. The network of roads within the Carpinteria Planning Area serve as alternative routes of access to the coast. Foothill Road is a significant east-west trending road connecting to several roads including Cravens Lane, Nidever Road, and Toro Canyon Road. Foothill Road is known to experience heavy use by recreational bicyclists. To maintain access, recreation, and alternative transportation to the coast, Suggested Modification Six (6) specifically requires the TIP to include a bicycle route improvement plan that will address conflicts with greenhouse related truck traffic trips.

For the reasons above, the Commission finds that the proposed LUP amendments as submitted are inconsistent with and inadequate to carryout the requirements of Sections 30210, 30212.5, 30250, 30251, and 30252 of the Coastal Act unless modified as suggested above. Furthermore, the proposed IP amendments are not consistent with or adequate to carryout the provisions of LUP Policies 4-2, 4-3, 3-14, 8-6, and Sections 30250, 30251, and 30252 of the Coastal Act, as incorporated into the certified LUP, as modified, unless modified as suggested above.

F. WATER QUALITY

1. Coastal Act Policies

Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

Section 30250 of the Coastal Act states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

2. Existing LUP Policies

Policy 2-2:

The long term integrity of groundwater basins or sub-basins located wholly within the coastal zone shall be protected. To this end, the safe yield as determined by competent hydrologic evidence of such a groundwater basin or sub-basin shall not be exceeded except on a temporary basis as part of a conjunctive use or other program managed by the appropriate water district...

Policy 2-5:

Water-conserving devices shall be used in all new development.

Policy 3-12:

Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e., dams, stream channelizations, etc.

Policy 3-14:

All development shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparations is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited for development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

Policy 3-19:

Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

Policy 9-11:

Wastewater shall not be discharged into any wetland without a permit from the Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.

Policy 9-14:

New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.

3. Existing IP/CZO Policies

Sec. 35-97.9. ESH Environmentally Sensitive Overlay District: Development Standards for Wetland Habitats (in relevant part).

...6. Wastewater shall not be discharged into any wetland without a permit from the California Regional Water Quality Control Board finding that such discharge improves the quality of the receiving water.

9. New development adjacent to or in close proximity to wetlands shall be compatible with the continuance of the habitat area and shall not result in a reduction in the biological productivity or water quality of the wetland due to runoff (carrying additional sediment or contaminants), noise, thermal pollution, or other disturbances.

Sec. 35-97.18. ESH Environmentally Sensitive Overlay District: Development Standards for Native Plant Community Habitats (in relevant part).

Examples of such native plant communities are: coastal sage scrub, chaparral, coastal bluff, closed cone pine forest, California native oak woodland (also individual oak trees), endangered and rare plant species as designated by the California Native Plant Society, and other plants of special interest such as endemics.

...2. When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. All development shall be sited, designed, and constructed to minimize impacts of grading, paving, construction of roads or structures, runoff, and erosion on native vegetation. In particular, grading and paving shall not adversely affect root zone aeration and stability of native trees.

Sec. 35-97.19. ESH Environmentally Sensitive Overlay District: Development Standards for Stream Habitats.

1. The minimum buffer strip for streams in rural areas, as defined by the Coastal Land Use Plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the California Department of Fish and Game and California Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams:

- a. Soil type and stability of stream corridors.**
- b. How surface water filters into the ground.**
- c. Slope of land on either side of the stream.**
- d. Location of the 100-year flood plain boundary.**

Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the re-establishment of riparian vegetation to its prior extent to the greatest degree possible.

2. No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects; flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route location is feasible. All development shall incorporate the best mitigation measures feasible.

3. Dams or other structures that would prevent upstream migration of anadromous fish shall not be allowed in streams targeted by the California

Department of Fish and Game unless other measures are used to allow fish to bypass obstacles. These streams include: San Antonio Creek (Los Alamos area), Santa Ynez River, Jalama Creek, Santa Anita Creek, Gaviota Creek, and Tecolote Creek.

4. All development, including dredging, filling, and grading within stream corridors shall be limited to activities necessary for the construction of uses specified in paragraph 2 of this Section, above. When such activities require removal of riparian plant species, re-vegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.

5. All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.

6. Other than projects that are currently approved and/or funded, no further concrete channelization or other major alterations of streams in the Coastal Zone shall be permitted unless consistent with the provisions of P.R.C. § 30236 of the Coastal Act.

4. Discussion

Greenhouse development and greenhouse related development has the potential to adversely impact coastal water quality through erosion and sedimentation, increase of impervious surfaces, increase of runoff, irrigation practices, waste management, the use of pesticides, fertilizers and nutrients, and the management of effluent from septic systems. The Revised EIR states that greenhouse development has historically impacted surface water quality through the discharge of nutrients and pesticides in runoff waters.

Sections 30230 and 30231 of the Coastal Act mandate that marine resources and coastal water quality shall be maintained and where feasible restored, protection shall be given to areas and species of special significance, and that uses of the marine environment shall be carried out in a manner that will sustain biological productivity of coastal waters. Section 30250 requires that development be concentrated and in a manner that does not create significant adverse impacts either individually or cumulatively on coastal resources. These Coastal Act policies are incorporated by reference into the certified LCP.

The Central Coast Regional Water Quality Control Board (CCRWQCB) has taken some recent steps to evaluate the impact of greenhouse development and greenhouse related development in Carpinteria Valley on water quality, and to minimize this impact through outreach and enforcement measures. These actions are described in a CCRWQCB Executive Officer Report dated December 13, 2002 (Exhibit 9), summarized below.

In July 2001, the Executive Officer of the CCRWQCB sent a letter to all greenhouse owners and operators that advised them of the legal requirements regarding wastewater discharges and recommended that they cease all discharges without a National Pollutant Discharge Elimination System (NPDES) permit or submit an application for an NPDES permit if they intend to continue to discharge wastewater. As a follow up, in August 2001, a Regional Board subcommittee conducted a public workshop to discuss issues raised in the July 2001 letter. Subsequently, all 51 greenhouse and nursery operators, representing more than 175 greenhouses, responded to the July 2001 letter request, and almost all stated they intended to cease discharging to surface waters and provided compliance time schedules and plans to do so. Since then, almost all of the discharges have been eliminated. Regional Board staff will continue to address the few remaining discharges.

Coastal Commission staff had recent discussions with Mike Higgins, staff member of the CCRWQCB and author of the report cited above. Mr. Higgins indicated that the CCRWQCB has received a 100% response from greenhouse owners in the Carpinteria Valley to eliminate their wastewater discharge. A majority of greenhouse operators have already done so, and the rest are in the process of working with the CCRWQCB to convert their operations to no discharge. Mr. Higgins stated that any future greenhouses that are developed and operated in Carpinteria Valley would be required to obtain a CCRWQCB permit if they have any proposed discharge.

Greenhouse development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable area therefore leads to an increase in the volume and rate of stormwater runoff that can be expected to leave the site. Therefore, greenhouse development has the potential to contribute to downstream flooding and erosion if not properly mitigated. The proposed LCP amendment requires the minimization of impervious surfaces. In addition, the proposed LCP amendment requires mitigation for increased stormwater runoff from all new greenhouse development, unless exempted by the Flood Control District. The Commission recognizes that all greenhouse development, including greenhouse related development (such as driveways and loading bays), will result in an increase in impervious surfaces, and, therefore, all greenhouse development shall require mitigation for increased stormwater runoff. To ensure that greenhouse development does not contribute to downstream flooding, erosion or water quality degradation consistent with the LUP policies, the Commission suggests Modification Seventeen (17) Sec. 35-102E.9.A.2., which deletes text that allows an exemption by the Flood Control District, adds text that requires all greenhouse development and greenhouse related development to mitigate for increased storm water runoff from development of the project site, and adds text requiring that the design of storm water drainage facilities comply with County Water Agency standards and guidelines, in addition to Flood Control District standards.

An increase of impervious surface leading to an increase in stormwater runoff volume and rate leaving the developed site also has the potential to contribute more polluted runoff to downstream areas. An increased amount of stormwater runoff can carry with

it more pollutants, and these pollutants have a reduced chance for infiltration as the stormwater passes over impermeable areas. The Revised EIR states that stormwater runoff from greenhouse operations has the potential to degrade the surface water quality of the study area and the Carpinteria Salt Marsh, and the adjacent ocean intertidal zone with elevated levels of stormwater runoff pollutants. In order to find the proposed development consistent with the LUP policies, the Commission finds it necessary to require the incorporation of Best Management Practices (BMPs) designed to control the pollutant load of stormwater leaving the developed site where the potential for water quality impacts exists. Therefore, to protect water quality consistent with the LUP policies, the Commission suggests Modification Seventeen (17) Sec. 35-102E.9.A.20, which adds language requiring the implementation of post-construction structural treatment control BMPs for greenhouse development and greenhouse related development if determined necessary for the protection of water quality by the County on a case-by-case basis. This is consistent with the County's current requirements for commercial and industrial development implemented through their Storm Water Management Program (SWMP). While these post-construction structural treatment control BMPs are primarily aimed at pollutant load reductions, they often provide runoff volume and rate control as well.

In similar types of development to greenhouses and similar areas of the coast, the Commission has previously required structural BMPs to accommodate (infiltrate, filter or treat) the amount of stormwater produced by all storms up to and including the 85th percentile, 24 hour storm event. The County of Santa Barbara has adopted standards that include sizing criteria for volume-based and flow rate-based structural treatment control BMPs, as described below in an excerpt from the Santa Barbara County Draft Storm Water Management Program.

These standard conditions will be required on all new or redevelopment projects that are one acre or larger in size for residential development, or 0.5 acre or larger in size for commercial, industrial, and transportation/vehicle development. The conditions require treatment control BMPs be installed to accommodate rainfall events up to 1.2 inches in volume, or 0.3 inches per hour. Events or flows greater than this would be by-passed. This sizing criterion is based on storm event analysis and continuous rainfall/runoff simulation (SYNOP and SWMM) on rainfall data from 1948 to 1999.

The criteria for Santa Barbara County did not analyze 24-hour storms as this typically truncates many storm events artificially (i.e., storm events often begin and end before and after midnight, respectively) and is not how storm events actually occur. The approach used to obtain the 1.2 inch sizing criteria was based on the U.S. EPA statistical rainfall analysis program SYNOP, which was used to convert the hourly rainfall data to individual storm events with inter-event mean times (the dry period used to separate and aggregate hours of rainfall into "events") of 6 hours or greater and total rainfall depth of 0.1 inches or greater (storms less than 0.1 inch were omitted because they do not typically generate creek flows or significant runoff). Thus, these values provide a more accurate value than the 85th percentile value commonly used in other communities (if converted to a percentile

approach, these values represent a range between the 70th to 90th percentile, depending on where in the County rainfall is measured).

Based on the discussion above, the Commission finds that the County design criteria standards provide equivalent water quality protection as the 85th percentile design standard. Therefore, to ensure the proposed LCP amendment will minimize adverse impacts to coastal resources and water quality consistent with the LUP policies, the Commission suggests Modification Seventeen (17) Sec. 35-102E.9.A.20., which requires that the post-construction structural treatment control BMPs that are required be designed and installed consistent with County Flood Control District and County Water Agency standards and guidelines, including accommodating rainfall events up to 1.2 inches in volume or 0.3 inches per hour.

The storage of fertilizers, pesticides, and other toxic or hazardous substances is also a concern for protecting water quality. If these chemicals are not stored and contained properly, spills and/or stormwater runoff can contribute to water quality degradation. The proposed LCP amendment specifies requirements for the design of storage facilities for compost, pesticides, herbicides and fertilizers to minimize leachate and polluted runoff. To ensure that water quality is protected from spills or runoff of toxic or hazardous substances consistent with the LUP policies, the Commission suggests Modifications Seventeen (17) Sec. 35-102E.9.A.4. and Sec. 35-102E.9.A.5., which add language that requires covering all storage areas for protection from stormwater that could result in polluted runoff. This modification also requires that storage areas are located outside of the 100-year flood plain.

Greenhouse development also has the potential to impact water quality through discharge of wastewater or irrigation runoff, which can contain several pollutants including domestic sewage, brine, fertilizers, pesticides and nutrients. The proposed LCP amendment includes provisions for disposal of domestic wastewater through a private septic system with adequate setbacks and expansion area, consistent with the LUP policies. In addition, the Commission suggests Modification Seventeen (17) Sec. 35-102E.9.A.6., which requires that any proposed discharge of high saline brines shall comply with the Regional Water Quality Control Board discharge requirements.

The proposed LCP amendment also requires a Water Quality Management Plan (WQMP) to be prepared and implemented for greenhouse development and greenhouse related development 20,000 square feet or more. This Water Quality Management Plan includes proposed measures to recycle water and nutrients, use Integrated Pest Management practices, and reduce surface water runoff. A Regional Water Quality Control Board permit is required for any wastewater discharge. The Revised EIR states that greenhouse buildout has the potential to degrade the surface water quality through the discharge of irrigation and surface runoff water containing fertilizers and other agricultural chemicals. The Commission recognizes that all greenhouse development, regardless of size, has the potential to impact water quality through polluted runoff. Therefore, to ensure that water quality is protected from polluted runoff, consistent with the LUP policies, the Commission suggests Modifications Ten (10) Sec. 35-102E.6. 1.i. and 2.a. and Seventeen (17) Sec. 35-

102E.9.A.21., which require a WQMP to be developed for all greenhouse development and greenhouse related development, removing the 20,000 square foot minimum requirement. In addition, suggested Modification Seventeen (17) Sec. 35-102E.9.A.21. adds language requiring water conservation measures, a nutrient management plan designed to minimize nutrient loss, and the minimization of pesticide use: A description of all post-construction BMPs, including the location and design, is also required. The Revised EIR states that construction and reconstruction of greenhouses has the potential to degrade the surface water quality within the study area and the Carpinteria Salt Marsh with elevated levels of silt/sediment. Therefore, to ensure that water quality is not degraded by sedimentation caused by construction of greenhouses, consistent with LUP policies, suggested Modification Seventeen (17) Sec. 35-102E.9.A.21. adds language requiring an erosion and sediment control plan be prepared and implemented during the construction phase of development as part of the WQMP, and also requires the use of soil conservation techniques that reduce erosion and sedimentation.

Finally, suggested Modification Seventeen (17) Sec. 35-102E.9.A.21. encourages the implementation of measures to eliminate the need for discharge of wastewater or irrigation runoff. Where a discharge is proposed, RWQCB staff will determine the appropriate regulatory requirements for the specific discharge. Any discharge to land such as a percolation pond or evaporation pond shall require reporting to the RWQCB through an application for a Waste Discharge Requirement. Discharges to surface water shall be reported through an application for a National Pollutant Discharge Elimination System (NPDES) Permit. These types of discharge requirements typically include specific limitations for the make-up of the discharge (i.e. numerical limits for different pollutants), as well as monitoring and reporting requirements. The discharge requirements may not require particular BMPs, but may suggest BMP alternatives that can be implemented to meet the requirements. The RWQCB may also require treatment for any proposed irrigation or wastewater discharge to surface water.

Where a discharge is proposed, it may be deemed necessary by the County to require an irrigation water detention system. The proposed LCP amendment requires a detention system to only be considered for greenhouse development 20,000 square feet or more. The Commission recognizes that all greenhouse development, regardless of size, has the potential to impact water quality through polluted runoff. Therefore, to ensure that water quality is protected from polluted runoff, consistent with the LUP policies, the Commission suggests Modification Seventeen (17) Sec. 35-102E.9.A.22., which requires the consideration of an irrigation water detention system for all greenhouse development and greenhouse related development, removing the 20,000 square foot minimum requirement.

The Carpinteria Valley Water District (CVWD) currently has a groundwater monitoring program in the Carpinteria Valley. As stated in the Revised EIR, greenhouse buildout has the potential to degrade the groundwater quality through the discharge of irrigation and surface runoff water containing fertilizers and other agricultural chemicals. The proposed LCP amendment requires the applicant for greenhouse development 20,000 square feet or more to reimburse CVWD for costs related to additional groundwater

testing and reporting as deemed necessary by CVWD. The proposed LCP amendment also requires further review of a greenhouse facility and operations if nitrate loading is found to be in excess of CVWD standards. The Commission recognizes that all greenhouse development, regardless of size, has the potential to impact groundwater quality through the discharge of polluted runoff. The Commission also recognizes that new greenhouse and greenhouse related development that may degrade water quality should be monitored, and that CVWD should determine the necessity and requirements for this monitoring considering their current program. Finally, the Commission recognizes that a plan to modify greenhouse operations or other necessary enforcement action must be implemented if standards are exceeded. Therefore, to protect groundwater quality consistent with the LUP policies, the Commission suggests Modification Seventeen (17) Sec. 35-102E.9.A.23., which allows CVWD to determine the necessary groundwater testing and reporting required to monitor nitrate loading of groundwater caused by the applicant's development for all greenhouse development and greenhouse related development, removing the 20,000 square foot minimum requirement. In addition, this suggested Modification adds language that allows CVWD to either require the applicant to conduct the monitoring and reporting or to reimburse CVWD for monitoring and reporting. This gives CVWD the discretion to determine the necessary monitoring requirements in conjunction with their current monitoring program. Finally, the suggested Modification adds language requiring the implementation of a plan to modify greenhouse operations to address an exceedance of CVWD standards. In addition, CVWD may take other necessary enforcement action, as applicable, to respond to an exceedance of their standards.

Although the proposed amendment is intended to respond to the numerous issues raised by greenhouse development within the Carpinteria Valley, the issues raised by the proposed amendment relative to water quality are not limited to the Carpinteria Valley alone. The individual and cumulative impacts associated with unregulated development of greenhouses are equally applicable to other agriculturally zoned areas within the County coastal zone, particularly if inadequate mitigation or regulatory measures are not available to control the spread or growth of greenhouses to other areas, such as the Gaviota coast. As indicated above (relative to water quality) greenhouse development and greenhouse related development has the potential to adversely impact coastal water quality through erosion and sedimentation, increase of impervious surfaces, increase of runoff, irrigation practices, waste management, the use of pesticides, fertilizers and nutrients, and the management of effluent from septic systems.

The pressure for additional greenhouse development combined with the LCP amendment to regulate greenhouse development in Carpinteria Valley is anticipated to push demand into other locations that do not have similar restrictions and are able to accommodate such development. Hence, an unintended consequence of the proposed LCP amendment is the diversion and relocation of the cumulative impact of greenhouse development and of the cumulative impacts that come from it from the Carpinteria Valley to alternative locations. If the same requirements are not applied elsewhere in the County, it creates an incentive for greenhouses to be developed outside of the

Carpinteria Valley, contrary to the provisions of Sections 30230, 30231, and 30250. Moreover once the cap on new greenhouse development in carp valley is reached, greenhouse development may be proposed in other agriculturally zoned areas of the county where there is no cap and no square foot limit on greenhouse development per lot.

Therefore to ensure that the accelerated demand and accompanying impacts do not result in new areas of intensive greenhouse development countywide irrespective of the potential individual and cumulative impacts to agricultural resources, the Commission finds that Suggested Modifications Seven (7) and Twenty (20) are necessary to ensure that greenhouse development throughout the County is sited and designed to avoid adverse impacts to coastal resources. Modifications 7 and 20 require that all greenhouses and greenhouse related development, including all additions to existing greenhouse or greenhouse related development, that result in a total of 20,000 sq. ft. or more of cumulative development per parcel, obtain a Major CUP in any agriculturally designated zone district. This requirement applies on a countywide basis, unless the area is within the Carpinteria Agricultural Overlay District. A Major CUP is also required for greenhouse development of any size where greenhouse or greenhouse related development is proposed on slopes greater than five percent. The CUP can only be approved when the approving body makes specific findings with regard to coastal resources, including slopes, water quality standards, extension of water and sewage lines, visual resources and rural character, conversion of foraging habitat, coastal access, recreation, traffic, and proximity to other greenhouse development.

The implementation of proper water quality design and management practices for greenhouse development is necessary to ensure that greenhouse development will not adversely impact water quality or coastal resources. The Commission finds that the proposed amendments to the implementing zoning ordinance as submitted are inconsistent with and inadequate to carryout the requirements of the certified LUP resource protection policies. Suggested Modifications Seven (7), Ten (10), Seventeen (17), and Twenty (20) provide language to ensure that water quality is protected from potential adverse impacts related to greenhouse development.

For the above reasons, the Commission finds that the proposed LCP amendment, only as modified, is consistent with the water quality policies of the LUP and Sections 30230, 30231, and 30250 of the Coastal Act, as incorporated by reference into the LUP.

G. NEW DEVELOPMENT AND CUMULATIVE IMPACTS

1. Coastal Act Policies

Section 30105.5 defines cumulative:

“Cumulatively” or “cumulative effect” means the effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Section 30250 of the Coastal Act states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels...

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Public Resources Code section 21083 provides:

...project may have a 'significant effect on the environment' if any of the following conditions exist:...(b) the possible effects of a project are individually limited but cumulatively considerable. As used in this subdivision, 'cumulatively considerable' means that the incremental effects of an individual 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.

2. Existing LUP Policies

Policy 8-4 of the LCP states that:

As a requirement for approval of any proposed land division of agricultural land designated as Agriculture I or II in the land use plan, the County shall make a finding that the long-term agricultural productivity of the property will not be diminished by the proposed division.

Policy 8-5 of the LUP states:

All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet, shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.

Prior to issuance of a development permit, the County shall make the findings based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development as addressed in paragraphs "a" through "e" below have been identified and mitigated.

Action

The County Resource Management Department shall develop procedures and standards for the environmental impact analysis of greenhouse developments. This action is necessary to ensure that all significant adverse impacts on coastal resources are identified and that mitigation measures are attached to projects as a condition of approval to mitigate individual and cumulative impacts. Such guidelines shall include an evaluation of the following factors for each project:

- a. An assessment of the individual and cumulative increases in the amount and rate of runoff that would be caused by the proposed project and the potential impact on downstream watercourses. Mitigating measures shall be required to prevent runoff waters from entering overburdened water courses by directing runoff to water courses capable of handling the increased flow, or to collect the runoff and provide for drainage systems adequate to handle the increased flow.*
- b. If the project is located in a groundwater recharge area, a determination of the amount and rate of recharge that would occur if the site were uncovered and the net loss of recharge that will result from the project. Projects will be required to provide for the net potential loss of recharge that will result from the project through the use of impoundment basin where feasible or other means of collecting, storing, and percolating water for the purpose of recharging the groundwater basin.*
- c. Assessment of the impact of materials used for coverage and amount of coverage on the long-term productivity of soils.*
- d. Assessment of the potential adverse impacts of the project on the water quality of affected water bodies and groundwater basins.*

To this end, the following information shall be required for each greenhouse project:

- 1. the volume of water runoff or discharge during normal operating conditions and during the rainy season of the year.*
- 2. the types and amounts of pesticides and fertilizers contained in the runoff or discharge.*
- 3. the method for disposing of the runoff or discharge, i.e., a drainage plan, irrigation plan, or other means of determining how the runoff will be managed.*

The County shall request the Regional Water Quality Control Board to review each greenhouse project for conformance with applicable State statutes and policies and to recommend mitigating measures where necessary. No discharge shall be permitted into enclosed bays and estuaries unless it can be shown that such discharge will not degrade the quality of the receiving waters. In addition, no detectable level of pesticide shall be discharged into surface waters. Mitigation means may include suspension of the runoff and redirection away from the affected waters, treatment of the runoff to remove toxicants and nutrients present, and/or monitoring of discharge from individual greenhouse projects.

To implement this policy in the Carpinteria Valley, a program for regular monitoring of the water quality of the Carpinteria Marsh and streams affected by greenhouse development shall be established (see also Recommendation 8, paragraph b(1), Section 3.9)

- e. *Assessment of the potential adverse impacts of the climate control aspects of the project on air quality.*

In addition to the mitigating measures listed above, other measures necessary to mitigate any adverse impact identified as a result of the evaluation of these and other factors shall be required as a condition of project approval. In order to adequately assess the potential individual and cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental impact assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 8-5) shall automatically become a conditional use on Agriculture I designated lands in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

Policy 8-6 states:

No greenhouse, hothouse, or accessory structures shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

3. Existing IP/CZO Provisions

Sec. 35-68.7 Setbacks for Buildings and Structures for AG-I Zone District

1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.

2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.

3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single Family Residential District.

4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.

Sec. 35-68.8 Lot Coverage for AG-I Zone District

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent
10 acre or more	65 percent

4. General Discussion

The County's LCP recognizes that widespread, unmitigated greenhouse development in the Carpinteria Valley could have significant cumulative adverse impacts on coastal resources such as water quality, visual resources, access, and agricultural resources. LUP Policy 8-5(e) requires the County to conduct a master environmental assessment for the Carpinteria Valley to adequately address the potential individual and cumulative impacts of greenhouse development on coastal resources. The County was charged with the task of determining the level of greenhouse development that the valley's resources can support without experiencing adverse environmental impacts, and submitting this analysis for Commission consideration. The proposed Carpinteria Valley Greenhouse Program, as specified in this amendment, is the County's response to this requirement.

The proposed amendment includes modification of LUP Policy 8-5(e) to adopt the Carpinteria Agricultural Overlay District as approved by the Board of Supervisors on February 19, 2002, including general requirements and development standards to protect the water quality, visual resources, and rural character of the Carpinteria Valley. LUP Policy 8-5(e) also reflects the proposed 2.75 million sq. ft. development cap for all greenhouse and greenhouse related development within the designated expansion area.

Pursuant to modified LUP Policy 8-5(e), the County proposes to incorporate the Carpinteria Agricultural Overlay District to designate geographic areas of AG-I zoned lands in the Carpinteria Valley appropriate to support future greenhouse development, based upon the cumulative impacts analysis identified in the Revised Final EIR (February 19, 2002). The designated location for greenhouse expansion, Area A of the Overlay District, overlies 664 acres of agricultural lands in the Carpinteria Valley, encompassing 88 parcels. Area B is proposed to preserve open field agriculture and rural character, overlying the remaining 4,972 acres and encompassing 438 parcels. The Revised EIR reflects the changes in the project description as a result of modifications made by the Planning Commission and Board of Supervisors during the public hearing process. The Revised EIR project description represents the project parameters of the proposed LCP amendment. The revised project included a blanket designation of all AG-I zoned parcels north of Via Real, south of Highway 192, east of Nidever Road, and west of Linden Avenue, as available for intensified greenhouse expansion (Exhibit 12). The Revised EIR (page 5) found that "limiting major greenhouse development north and east of these roadways [Highway 192 and Linden Avenue] creates a defined, logical greenhouse expansion boundary that maintains development within and adjacent to historic clusters and preserves the rural character of the valley."

Along with the change in the expansion area boundary, the LCP amendment includes the deletion of maximum lot coverage requirements, except for the eleven designated view corridor parcels, which are intended to be offset by increased setback requirements. As proposed under this LCP amendment, the front setback is seventy-five (75) feet from the right of way line of any street, irrespective of centerline and the interior lot setback was designated at twenty (20) feet from the lot lines on which the

building or structure is located, as opposed to various requirements for odd-shaped lots. Additionally, residential setbacks were modified such that greenhouse development be setback one hundred (100) feet from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary. Finally, an additional setback of one hundred (100) feet from the top-of-bank or edge or riparian habitat of natural creek channels, whichever is greater, was imposed. The amendment further includes special provisions for the designated view corridor parcels. View corridor parcels are allowed maximum net lot coverage of 25% and greenhouse development on such parcels must be setback two hundred fifty (250) feet from the right of way line of any street.

Under the proposed amendment, Policy 8-6 would be modified to designate the above lot coverage, height, and setback requirements specific to greenhouse development in Carpinteria Valley. Lot coverage and setback requirements dictate the siting of greenhouse development to ensure compatibility with surrounding land uses and to minimize impacts of development to open space, scenic resources, open field agriculture, flood hazard, sensitive resources such as streams and creeks, and water quality.

The proposed LCP amendment allows for the continued development of greenhouses to a maximum of 20,000 sq. ft. on all parcels outside of the expansion zone, Area "B" of the Carpinteria Valley Agricultural Overlay District, which encompasses 4,972 acres of AG-I zoned parcels that are not designated for expansion. As provided in Section 35-102E.2 "Applicability and District Boundaries," no more than 20,000 sq. ft. of cumulative greenhouse development is permitted per legal lot on Area B parcels. This requirement effectively regulates maximum lot coverage for Area B. However, it is not reported under the lot coverage requirements listed in proposed Policy 8-6. Policy 8-6 clearly defines lot coverage to include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas. The Commission finds that the 20,000 sq. ft. lot coverage requirement for Area B lots is more appropriately located in the section where lot coverage is specifically designated and assigned under Policy 8-6. To ensure internal consistency and clarity, the Commission suggests Modification Two (2) to specify the maximum cumulative lot coverage of 20,000 sq. ft. of greenhouse development in Area B, under Policy 8-6 which assigns lot coverage requirements. In addition, to ensure implementation plan consistency with suggested Modification Two, the Commission suggests the identical changes be made to Section 35-102E.8 which assign lot coverage requirements in the Article II Zoning Code, pursuant to Modification Eleven (11).

5. Greenhouse Development Permitting

LUP Policy 8-5 provides the policy basis for greenhouse regulation in the LCP. Pursuant to Policy 8-5, greenhouse development permits are granted ministerially by the County through their coastal development permit process, unless cumulative greenhouse development is 20,000 sq. ft. or more. Under the current code, if greenhouse expansion, packing sheds, or other development total 20,000 or more

square feet, the project requires County discretionary approval and is subject to environmental review under County CEQA guidelines. Specifically, Policy 8-5 requires (see Exhibit 6, page 9):

- Greenhouse projects of 20,000 sq. ft. or more of cumulative development per parcel, including any additions to existing greenhouse development “shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.”
- Prior to issuance of the coastal development permit, the County is required to make findings “that all significant adverse impacts of the development as addressed in paragraphs “a” through “e” below have been identified and mitigated:
 - a. requires an assessment of the individual and cumulative increases in the amount and rate of runoff that would be caused by the proposed project and the potential impact on downstream water courses.
 - b. requires a determination of the amount and rate of recharge that would occur if the site were uncovered and the net loss of recharge that would result from a project proposed in a groundwater recharge area.
 - c. requires an assessment of the impact of materials used for coverage and amount of coverage on the long-term productivity of soils.
 - d. requires an assessment of the potential adverse impacts of the project on surface and groundwater quality. In Carpinteria Valley, a program was specifically required for regular monitoring of water quality of Carpinteria Marsh and streams.
 - e. requires an assessment of the potential adverse impacts of climate control on air quality.
- Specific provisions were made for the Carpinteria Valley in addition to the above items. In order to adequately address the “potential individual and cumulative impacts of greenhouse development” on coastal resources, the County was tasked with conducting a “master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley’s resources can support without experiencing adverse environmental impacts.” If the master environmental assessment was not completed within three years of the certification of the County’s land use plan, all subsequent greenhouse development would automatically become a conditional use in AG-I zoned properties in the Carpinteria Valley. Upon implementation of the master environmental assessment, a Conditional Use Permit (CUP) would not be required for greenhouse development, once agreed upon by the County and Coastal Commission.

As indicated in the bulleted paragraph above, the County was tasked with developing a master environmental assessment. If such a document was not agreed upon by the County and Commission, then greenhouse development would require application through the CUP process. Although a master environmental assessment was not

completed within the prescribed three years, the County did not begin issuing appealable CUPs. In 1986 the Board of Supervisors approved the document *Greenhouse Development in Carpinteria Valley: A Compilation and Assessment of Existing Information* as the master environmental assessment. The County did not bring this to the Commission, but determined that a Development Plan rather than a CUP would be required to process new greenhouse development in the Carpinteria Valley. In the interim, greenhouse development in the Valley nearly doubled from the time of certification of the LCP. The fact that the County was not issuing CUPs for new greenhouse development in Carpinteria Valley was brought to the Commission staff's attention in the late 1990s as a result of Commission Appeal A-4-STB-98-057 and a statement was issued to the County Board of Supervisors in 1998 identifying the error in procedure. The County began the subject greenhouse program development process shortly thereafter. As a result, a CUP and Development Plan are required for all new greenhouses and related development (i.e., packing sheds and other accessory structures) over 20,000 sq. ft. in Carpinteria Valley.

Pursuant to the proposed LCP amendment, greenhouses, accessory structures, and temporary structures such as shade structures would continue to be permitted by ministerial coastal development permit provided such structures meet certain qualifying criteria, comply with the necessary development standards, and are not larger than 20,000 sq. ft. Structures that are 20,000 sq. ft. or greater, anywhere in the County except Area B, would be permitted through a Development Permit. Packing and shipping facilities greater than 5,000 sq. ft. would require a Minor CUP.

As mentioned above, greenhouse development of 20,000 or more square feet, cumulative per parcel, anywhere in the County requires discretionary action by the County. The AG-I and AG-II zone districts require this discretionary action to be in the form of a Development Plan. The findings required to approve a project under the County's CUP process are essentially identical to the findings required under the County's Development Plan permit process (Exhibits 4 and 5), with the exception that the County must find under the CUP process that the project is "not inconsistent with the intent of the zone district." Additionally, the CUP provides a mechanism to revoke the permit due to non-compliance; and provides an appeal process to the Coastal Commission. The proposed amendment would eliminate the requirement for a CUP in the Carpinteria Valley. As a result, future greenhouse development in the Carpinteria Valley would no longer be appealable.

6. Carpinteria Valley Greenhouse Development

The County estimates that there are 14.9 million square feet of greenhouse and greenhouse related development within the Carpinteria Valley. At 14.9 million square feet and growing, the Carpinteria Valley Planning area is a predominant greenhouse site in Santa Barbara County. Greenhouse development was known to be an important issue during the development of the LCP in the late 1970's and early 1980's due to the growth of the industry within the Carpinteria Valley. At the time of the LCP certification, greenhouse and greenhouse related development was approximately eight million square feet in the Carpinteria Valley. The total has nearly doubled since certification.

Because of the adverse impacts to the environment from this structural agriculture, the certified LCP made special provisions for the Carpinteria Valley.

The proposed LCP amendment would result in the addition of an overlay district to identify the appropriate area for the location and intensity of greenhouse development in the Carpinteria Valley and where unique public viewsheds, prime agriculture, natural assets and community character require protection under the Coastal Act. The overlay district is also intended to designate areas of agricultural lands in the Carpinteria Valley appropriate to support future greenhouse development. The Carpinteria Valley has attributes that make it particularly suitable for agricultural development, including mild climatic conditions, prime agricultural soils, available water sources, and proximity to major markets. These conditions are similarly advantageous to growers with greenhouse operations. For instance, the solar exposure and mild climate contribute to easier and less expensive to control of greenhouse temperatures.

Additionally, the LCP amendment proposes additions to LUP Policy 8-5 to address what information would be necessary to consider an amendment to the greenhouse development cap, and specific Carpinteria Valley greenhouse related issues such as traffic and transportation improvements, water quality, farm worker housing, and watershed management. This allows the future consideration of an increase in the development cap in Area A, depending upon market conditions and demand for greenhouse grown products. This is appropriate only for Area A because it is the designated expansion area for greenhouse development, it is committed to greenhouse development, and greenhouse impacts can be clustered and minimized.

As described in detail in the Agriculture, Visual and Public Access, and Water Quality sections of this staff report, greenhouse development can have a myriad of adverse effects on coastal resources. Individually, impacts may be mitigated to minimize their effect; however, they may also contribute incrementally to cumulative adverse impacts. The cumulative effects of uncontrolled and extensive greenhouse development are particularly evident in the Carpinteria Valley.

The County prepared the Greenhouse Program EIR in response to the LCP requirement to prepare a master environmental assessment of the cumulative impact of greenhouse development in the Carpinteria Valley. The EIR found that uncontrolled buildout of greenhouse development within Carpinteria Valley would have adverse environmental impacts. The incremental conversion of open field agriculture and open space to a structural developed landscape, if not controlled, has the potential to adversely impact visual resources, water quality, access, long-term preservation of agriculture, and rural character as a result of landform alteration, covering of prime soils, addition of truck traffic, introduction of pesticides or fertilizers into water bodies, acceleration of stormwater runoff and flooding, and loss of foraging area for raptors.

To mitigate the cumulative adverse impacts of greenhouse buildout, the EIR evaluated various locations to concentrate future greenhouse expansion in the Carpinteria Valley and evaluated various development densities. The EIR for this project recommended

rezoning in the Carpinteria Valley to designate expansion areas based upon proximity to existing historic greenhouse clusters, parcel visibility, distance from adjacent incompatible land uses (residential, schools, etc.), distance from water courses, existing crop type, and parcel size. These criteria were established to promote future greenhouse expansion adjacent to existing greenhouse clusters and avoid piecemeal expansion of greenhouses into open field areas. The expansion areas are intended to provide specific locations where greenhouse development expansion of 20,000 sq. ft. or greater is allowed. In addition, development standards and permitting procedures were developed to guide the approval of new greenhouse projects. The non-expansion areas were intended to designate parcels for the preservation of open field agriculture and to provide standards that would promote and support open field operations as a long-term viable use by limiting expansion of greenhouses and related intensive infrastructure improvements. The open field agricultural areas would permit greenhouse development of less than 20,000 sq. ft. cumulative per parcel. Greenhouse development of less than 20,000 sq. ft. is presently a permitted use in the AG-I zone district and would remain unchanged in both the expansion and non-expansion areas.

Four alternatives were assessed in the EIR: (1) No Project Alternative; (2) High Buildout Alternative; (3) Low Buildout Alternative; and (4) the Preferred Alternative. The *No Project Alternative* assumes that LCP policies, zoning requirements, and other county plans, policies, and programs now in effect would continue to apply. Under the No Project Alternative, applications for greenhouse development of greater than 20,000 sq. ft. would continue to be processed on a case-by-case basis through a major conditional use permit with no restrictions on the location of such development within the AG-I zone district. Under this option, development standards would be identified through individual environmental impact analysis and permit review. This alternative assumes a steady growth rate, approximating annual greenhouse development at 300,000 sq. ft. per year (approximately 3 million sq. ft. of greenhouse development was approved within the study area between 1989-1999) according to the EIR. Therefore, the no project alternative represents approximately 4.5 million sq. ft. of greenhouse expansion, over a 15-year planning horizon.

The *Low Buildout Alternative* designates approximately 394 acres for potential intensive greenhouse development. This alternative relies primarily on buildout of parcels with existing greenhouses to their maximum potential consistent with proposed development standards and the redevelopment (retrofit) of older greenhouses. Buildout of this alternative would allow approximately 2.2 million sq. ft. of new greenhouse development in a limited area primarily, north of Via Real, south of Highway 192, east of Nidever Road, and west of Linden Avenue. One additional area identified for intensified development under the low buildout alternative is an existing greenhouse cluster in the southeast corner of the intersection of Casitas Pass Road and Highway 192.

The *High Buildout Alternative* designates approximately 519 acres for potential greenhouse expansion. These expansion areas overlap the low build out, but designate an additional 125 acres for intensive development based on emerging greenhouse

clusters north of Highway 192 and east of Casitas Pass Road. This alternative would allow for a total buildout of approximately 4.2 million sq. ft. of greenhouse development.

The *Preferred Alternative* identified in the EIR (March 2000) represents a medium buildout level, allowing for approximately 3 million square feet of potential intensive greenhouse development over 462 acres. The expansion area is generally located south of Highway 192 between Nidever Road and Linden Avenue. However, there are two other greenhouse clusters included in the expansion area, including one north of Highway 192 west of Linden Avenue and one east of Casitas Pass Road and south of Highway 192.

Buildout for each of these alternatives was calculated based on analysis of the remaining development potential of parcels located within the proposed expansion areas, as well as the maximum allowable square footage for undeveloped parcels based on the proposed setback and building coverage requirements. Lot coverage was defined to include all greenhouse and greenhouse related structures, parking, accessory buildings, and retention basins. Lot coverage buildout calculations were based on the existing gradation of lot coverage requirements approved in the certified LCP, such that parcels less than five acres are allowed 75% maximum lot coverage, lots from 5 to 9.99 acres are allowed 70% maximum lot coverage, and lots 10 acres or more are allowed 65% maximum lot coverage. The setbacks evaluated under the alternatives analysis were similar to the existing greenhouse development setbacks: front setbacks of fifty (50) feet from the centerline and thirty (30) feet from the right of way line of any street; side and rear setbacks of thirty (30) feet from the lot lines on which the building or structures is located; and additionally, no structures shall be located within fifty (50) feet of any residentially zoned lot or any adjacent lot with an approved residential use. The setbacks above are different from existing setbacks in the following ways: (1) existing standards within the certified LCP require only 20-foot side and rear setbacks and (2) existing certified LCP language requires lots containing five or more gross acres to have an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located.

Section 30250 of the Coastal Act requires that new development not have significant adverse effects, either individually or cumulatively, on coastal resources. The Commission recognizes that siting future intensive greenhouse development in the Carpinteria Valley is appropriately based upon proximity to existing historic greenhouse clusters, parcel visibility, distance from adjacent incompatible land uses, distance from water courses, existing crop type, and parcel size, consistent with Section 30250. Section 30250 also requires the clustering of development within or near existing development areas able to accommodate it.

As noted earlier in these findings, there are clear distinctions between open field agricultural production and greenhouse agricultural production. These distinctions include a structural presence that is visually similar to a typical commercial/industrial development, the potential to impact public views, interfere with public access, increase runoff, cover agricultural soils, reduce foraging habitat, increase glare and light

pollution, modify landforms and change rural character. In addition to the physical similarities, greenhouse operation is comparable to factory operations, with 24-hour, 7-day-per-week operations, additional traffic, use of energy, lighting, loading/unloading operations, and the need for permanent facilities for employees such as parking and restrooms. Thus in many ways these greenhouses function like an industrial agricultural use, rather than a traditional agricultural use and the associated impacts are fundamentally more significant upon coastal resources.

A hybrid alternative is proposed under the subject LCP amendment to cluster greenhouse development South of Foothill Road between Nidever Road and Linden Avenue, an area roughly encompassing 9 million square feet of existing greenhouse development. Based on the Area A (greenhouse expansion area) boundaries and lot coverage and setbacks, the County estimates a maximum greenhouse buildout potential of approximately 8.6 million sq. ft. in the proposed Area A of the overlay district. However, as provided in the proposed amendment, the County imposes a development cap of 2.75 million square feet of total greenhouse development (excluding shade structures) in Area A. Area B (rural zone) allows for a maximum of 20,000 sq. ft. of greenhouse and greenhouse related development per parcel. The County adopted Findings and a Statement of Overriding Considerations for the project, finding that impacts related to visual resources, land use, and traffic were considered potentially significant but unavoidable, in essence recognizing the potential cumulative impacts to coastal resources as a result of the proposed amendment.

The proposed policies and overlay district are devised to mitigate impacts and control the density of greenhouse development in the Carpinteria Valley. The Overlay District requires greenhouse development to meet height, lot coverage, setbacks, and development standards to minimize environmental impacts and ensure compatibility of land uses. Greenhouses are a historical agricultural use in this area, and are recognized as such by the certified LCP. When viewed on a countywide basis, the delineation of the expansion area under the proposed Carpinteria Valley Overlay District is consistent with the clustering requirement for new development and avoidance of significant cumulative impacts to coastal resources as required under Section 30250 of the Coastal Act. When evaluated countywide, the Carpinteria Valley is committed to greenhouse operations, and as proposed, major greenhouse expansion will be restricted to 664 acres of the Carpinteria Valley. By creating an expansion area, the application of the overlay district is similar to setting an urban-rural limit line, between greenhouses and rural agriculture. Therefore, on a countywide cumulative basis, this is the preferred alternative which allows for some additional expansion of greenhouse development in the appropriate clustered area but serves to protect the rural character of Area B and, as modified through Modification Twenty (20), other locations of the County (see further discussion below for Modification 20).

The Commission finds that a development cap will limit the intensity and density of greenhouse development allowed within Area A, thereby minimizing total potential cumulative impacts to coastal resources. Under the subject LCP amendment, the County is proposing a development cap of 2.75 million sq. ft. of greenhouse and

greenhouse related development, excluding shade structures, within Area A (the designated expansion area). Given that the calculation of buildout is intended as a planning tool to guide future planning and development, the Commission finds that the 2.75 million sq. ft. development cap will serve as an adequate target to ensure that maximum future greenhouse development is defined for the expansion areas and is adequate to minimize cumulative impacts to coastal resources. Further, additional provisions provided under the overlay district, as modified, serve to minimize cumulative impacts of greenhouse development as discussed in previous sections.

Additionally, clustering greenhouse development in areas that are already visually degraded and have infrastructure to support such development minimizes cumulative impacts to visual resources, infrastructure, and open space. To ensure that new greenhouse development in the study area is sited with existing compatible greenhouse development, the Commission suggests Modification One (1) to Section 3.2 (New Development) of the LUP to specifically designate clustering of future intensified greenhouse development in the Carpinteria Valley. Modification 1 suggests the addition of a policy for all greenhouse and greenhouse related development within the Carpinteria Valley that is 20,000 sq. ft. or greater (cumulative per parcel) to be located within, contiguous with, or in close proximity to existing greenhouse development to preserve the scenic values and rural character of the Carpinteria Valley. Furthermore, Modification 1 will ensure clarification of the hierarchy of the LCP policies, such that the LUP shall guide implementation, thereby avoiding internal conflicts within the LCP that could hinder effective LCP implementation.

7. Countywide Greenhouse Development

Section 30250 requires that new development be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it... and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. Section 30252 requires that the location and amount of new development maintain and enhance public access to the coast by extending transit services, minimizing traffic-trips on coastal access roads, providing for nonautomobile circulation and adequate parking, among other means. As discussed more fully in Section VII of this report, the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with the California Environmental Quality Act (CEQA). The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA.

To fulfill CEQA requirements, review of LCP amendments must consider the cumulative effects of the proposed amendment. As provided in Public Resources Code section 21083, a "project may have a 'significant effect on the environment' if any of the following conditions exist:...(b) the possible effects of a project are individually limited but cumulatively considerable. As used in this subdivision, 'cumulatively considerable' means that the incremental effects of an individual 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."

As noted above, greenhouses are a historical agricultural use in this area, and much of the Carpinteria Valley is already committed to greenhouse development. When viewed on a countywide basis, the delineation of the expansion area under the proposed Carpinteria Valley Overlay District is consistent with the clustering requirement for new development and avoidance of significant cumulative impacts to coastal resources as required under Section 30250 of the Coastal Act. When evaluated countywide, the Carpinteria Valley is committed to greenhouse operations, and as proposed, major greenhouse expansion will be restricted to 664 acres of the Carpinteria Valley. Therefore on a cumulative countywide basis, the Commission finds that the 2.75 million sq. ft. of greenhouse development allowed in Area A will cluster greenhouse development consistent with Section 30250, provided that the potential spread of greenhouse development is limited as described in Suggested Modification Twenty (20). Modification 20 limits the uncontrolled intensification of greenhouse development and associated impacts in potential overflow areas of the County by requiring a Major Conditional Use Permit for agricultural areas outside of the Carpinteria Valley Overlay District. The approval of a CUP by the presiding decision-maker would require specific findings with regard to coastal resources, including slopes, water quality standards, extension of water and sewage lines, visual resources and rural character, conversion of foraging habitat, coastal access, recreation, traffic, and proximity to other greenhouse development. By making these resource conclusions on a case-by-case basis for future greenhouse development within the County, it ensures that greenhouse development will only be approved in locations able to accommodate that type of development without significant adverse impacts to coastal resources.

As detailed above, the Commission recognizes that locating intensive greenhouse development appropriately, is the first step to mitigate the cumulative impacts of greenhouse development on coastal resources. The proposed policies and Overlay District are devised to mitigate impacts and control the density of greenhouse development in the Carpinteria Valley. The Commission finds that the potential buildout of greenhouse development in the Carpinteria Valley, if it continues under present trends and regulation, has the potential to transform the rural valley to a structured, quasi-industrial landscape. The incremental conversion of the open space to a structural developed landscape, if not controlled has the potential to adversely impact water quality, flooding, agriculture, visual resources, and rural character of the Carpinteria Valley. As a result, Area A of the Overlay District, as proposed, is necessary to locate the Valley's greenhouse expansion area and ensure that greenhouse development is controlled in a manner consistent with Section 30250 of the Coastal Act.

However, the Commission also recognizes that the assignment of the development cap and development standards required in the Carpinteria Valley have the potential to contribute to the buildout of greenhouses in other locations, including other suitable Santa Barbara County coastal locations. Growers in Carpinteria Valley have indicated a strong demand for large-scale greenhouses operations and have underscored the profitability of greenhouse production as supported by correspondence in the public record and testimony at the April Commission hearing. Additional indication of the

strong demand for greenhouses is supported by the Santa Barbara County Flower and Nursery Growers Association litigation over the adequacy of the Carpinteria Valley Greenhouse Program EIR. The Santa Barbara County Flower and Nursery Growers Association has argued that "the zoning before the Project [i.e., without the proposed Overlay District and development standards] and market forces would have inevitably led to open fields being converted to greenhouses." Furthermore, the Santa Barbara County Flower and Nursery Growers Association has argued that:

The very heart of the Project is the proposal to designate one geographical agricultural area in the Carpinteria Valley where agricultural property owners cannot "choose" to grow greenhouse crops instead of open field crops...A change from one type of crop to another in response to market conditions or consumer demand is common in the agriculture industry. The ability to convert open field agriculture to greenhouses in an example of that type of shift. The reality is that the open field Area B deprives landowners of an important business option and has the potential to produce results entirely inconsistent with the stated policy desire to preserve agriculture uses.

Additionally, the President of the Santa Barbara Flower Growers Association supported a higher cap in his June 8, 2001 correspondence:

We respectfully recommend that the Board of Supervisors consider a square footage cap for greenhouse growth and expansion of 3.35 million square feet over the next ten (10) year period for the Carpinteria Greenhouse Study Area. This represents a more reasonable expectation of growth given that the No Project Alternative per the EIR was 4.5 million square feet and the original staff proposed Project per the EIR was 3,044,756 square feet.

The above statements indicate that the large-scale conversion of open field agriculture to greenhouses is a potential reality, depending upon the unpredictable market forces. And as discussed previously, controlled greenhouse conditions optimize yields to allow growers to specialize in hard-to-grow varieties with less competition abroad which results in substantially larger returns per acre. Increased competition from abroad has contributed to the conversion of open field agriculture to greenhouse operations. As a result, interest in greenhouses is not limited to the Carpinteria Valley.

In addition to the concentrated greenhouse development within the Carpinteria Valley, pressure for greenhouse development is in demand in other locations of Santa Barbara County. For example, existing greenhouse development is present and has increased in the nearby South Patterson area of unincorporated Goleta. At present, Santa Barbara County is processing an application for 1.5 million square feet of greenhouse development in the South Patterson area, an indicator of the scale of the demand in Santa Barbara County. Other areas of greenhouse development in Santa Barbara County include scattered areas in Lompoc and the area east of Santa Maria. However, in addition to areas that presently experience some greenhouse development, the certified LCP and zoning code allow greenhouses as a principal permitted use on all AG-I and AG-II zoned lands (see details in the section above on Greenhouse Development Permitting). Large-scale greenhouse development would not be appropriate in many cases. Greenhouse development would be particularly detrimental

in rural scenic areas such as the Gaviota coast. The Gaviota Coast Planning Area, spanning the coastline from the Ellwood Pier to Gaviota, is an area of unique scenic value with expansive ocean, canyons, and foothills. It also provides recreational resources of state-wide importance. This area also experiences agricultural activity, including a greenhouse development cluster west of the Naples townsite.

The issues associated with the growth and expansion of greenhouse development is not limited to the Carpinteria Valley alone within the Santa Barbara County coastal zone. This issue must be considered in the broader context of the entire LCP geographic jurisdiction, particularly all areas designated for agricultural development. It is clear, based on prior history of greenhouse development within the Carpinteria Valley, concerns raised by growers relative to proposed limitations (i.e. development cap) on greenhouse development, technological reasons for utilizing greenhouses relative to climate and productivity, and more recent proposals for greenhouse development along Patterson Avenue (1.5 million sq. ft. of greenhouse development) that the demand for greenhouse development will increase in the future. While up to 2.75 million sq. ft. of additional greenhouse development will be allowed in the Carpinteria Valley as a result of this amendment it is almost certainly not adequate to meet all future demand within the County. Further, as provided in the subject LCP amendment, greenhouse development in the Carpinteria Valley will be subject to additional policies and regulations to address and mitigate the potential adverse impacts on maintaining the productivity of prime agricultural lands, visual resources, and water quality. Although the County's LCP does contain policies which address these issues, no specific policies that address these issues relative to greenhouse development in particular exist within the LCP for agricultural areas outside of the Carpinteria Valley. Because of the demand driven potential for expansion of greenhouse development in the County and the unique nature of the impacts and issues associated with greenhouses, as demonstrated by development within the Carpinteria Valley over the past 20 years, it is important that the LCP recognize and address these issues throughout the County coastal zone and not just within the Carpinteria Valley. Therefore, additional modifications are proposed which add a policy that requires a Conditional Use Permit, along with specific findings which must be made in order to approve the CUP, for any proposed greenhouse or greenhouse related development that exceeds 20,000 sq. ft. in size on any parcel within the County's LCP jurisdiction outside of the Carpinteria Valley.

The pressure for additional greenhouse development combined with the LCP amendment to regulate greenhouse development in Carpinteria Valley is anticipated to push demand into other locations that do not have similar restrictions and are able to accommodate such development. Therefore, an unintended consequence of the proposed LCP amendment is the relocation of the cumulative impacts of greenhouse development from the Carpinteria Valley to alternative locations. If the same requirements to protect water quality, visual resources, agricultural resources, and prime agricultural soil are not applied elsewhere in the County, it creates an incentive for greenhouses to be developed outside of Carpinteria. Given the empirical evidence of Carpinteria Valley's unmitigated level of greenhouse development since the LCP's

certification, a countywide modification is necessary to mitigate the accelerated impacts to other County areas. Therefore the Commission requires Suggested Modifications Seven (7) and Twenty (20) to ensure that greenhouses throughout the County are sited and designed to avoid adverse impacts to coastal resources. These modifications require that all greenhouses and greenhouse related development (e.g., packing sheds, driveways, parking, etc.), including all additions to existing greenhouse or greenhouse related development, that result in a total of 20,000 sq. ft. or more of cumulative development per parcel, obtain a Major CUP in any agriculturally designated zone district. This requirement applies on a countywide basis, unless the area is within the Carpinteria Agricultural Overlay District. A Major CUP is also required for greenhouse development of any size where greenhouse or greenhouse related development is proposed on slopes greater than five percent. The CUP can only be approved when the approving body makes specific findings with regard to coastal resources, including slopes, water quality standards, extension of water and sewage lines, visual resources and rural character, conversion of foraging habitat, coastal access, recreation, traffic, and proximity to other greenhouse development.

The benefits of the CUP requirement are three-fold: (1) findings must be made by the decision-maker which specifically address the aspects of greenhouse development that could, individually or cumulatively, adversely impact coastal resources; (2) the CUP provides a mechanism to revoke the permit due to non-compliance; and (3) the CUP provides an appeal process to the Coastal Commission. Overall, the CUP process would require environmental review, the LUP Policy 8-5 findings, specific greenhouse CUP findings, and the standard findings required for CUPs.

Modification 20 modifies AG-I and AG-II zone district *Permitted Uses* and *Uses permitted with a Major Conditional Use Permit* sections. Modification 20 includes the addition of a new section in the AG-I and AG-II zone districts, *Findings for Major Conditional Use Permit for Greenhouse Development*.

As provided in the resource portions of this report, greenhouse development may contribute to cumulative impacts on visual resources, water quality impacts, coastal access and traffic. To ensure that greenhouse development is adequately sited to avoid significant landform alteration which would adversely impact visual resources and water quality, the approving body must make a finding that the project is not proposed on a slope greater than 10 percent. As discussed in detail in the Visual Resources Section of this report, agricultural lands with slopes in excess of 5% are typically unsuitable for greenhouse development. However, given the variability in siting and design of greenhouses, greenhouse development have the potential to be situated to avoid impacts consistent with the Coastal Act. Therefore, rather than prohibit all development on slopes greater than 5%, Modification 20 prohibits development on greater than 10% slopes and requires a discretionary action (CUP) for greenhouse development proposed on slopes between 5 and 10 percent.

Two other findings must be made to ensure that greenhouse development will not adversely impact visual resources, either individually or cumulatively, consistent with

Section 30251 of the Coastal Act: (1) that the project will not adversely affect public coastal views, alter the character of rural open space and open field agricultural and grazing areas, or contribute light pollution to night skies in rural areas and (2) that development is located within, contiguous with, or in close proximity to existing greenhouse development to preserve scenic value and rural character.

To ensure consistency with Coastal Act sections 30230, 30231, and 30240 to protect coastal waters, biological productivity, and sensitive species, the approving body must make a finding that the project meets applicable water quality development standards, as outlined in the Carpinteria Agricultural Overlay District. The water quality findings would require mitigation for increased stormwater runoff; standards for on-site septic systems; proper storage of compost, fertilizer, and pesticides; appropriate disposal of waste brine; minimization of hardscape features; planting of vegetative cover to encourage stormwater infiltration and reduce runoff to the maximum extent feasible; implementation of post-construction structural treatment control as necessary; preparation of a water quality management plan, and installation of an irrigation water detention system if deemed necessary by Planning and Development. The decision-maker must make two other applicable findings: that the project will not require the extension of water and sewage disposal lines and that the conversion of foraging habitat to structural development is fully mitigated.

Coastal routes may be directly or indirectly impacted as a result of increased greenhouse development. To carry out the public access provisions of the Coastal Act, the approving body must also make a CUP finding that the project will not adversely affect coastal access or recreation, including through increased traffic conflicts.

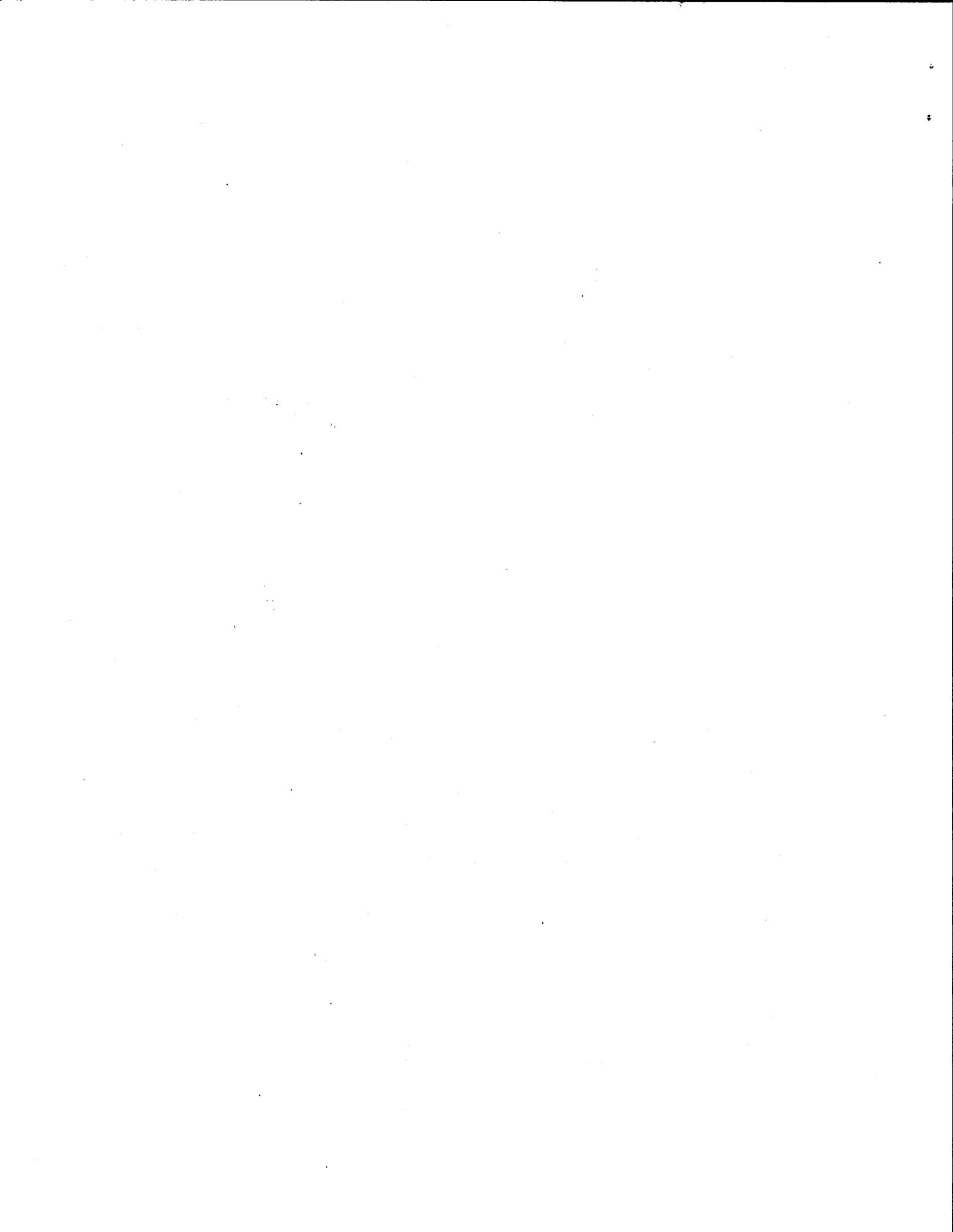
As a result of making the above findings in order to approve a CUP for greenhouse development outside of the Carpinteria Valley, the amendment as modified as suggested would be designed to mitigate the indirect cumulative impacts associated with the 2.75 million development cap and development standards for greenhouses in Carpinteria Valley. Smaller scale greenhouse operations under 20,000 sq. ft. anywhere in the County would not need to obtain a CUP if located on five percent slopes or less. Furthermore, since the CUP requirement outlines the criteria (i.e., findings) to permit additional large-scale greenhouse development within the County, it provides the public and the Commission the ability to appeal such development based upon a differing interpretation of the criteria.

The Commission therefore finds that the proposed LUP amendments as submitted are inconsistent with and inadequate to carryout the requirements of Section 30250 of the Coastal Act unless modified as suggested above. Furthermore, the proposed IP amendments are not consistent with or adequate to carryout the provisions of the LUP, as modified, unless modified as suggested above.

VII. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, "...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."

The proposed amendment is to the County of Santa Barbara's certified Local Coastal Program Land Use Plan and Implementation Ordinance. The Commission originally certified the County of Santa Barbara's Local Coastal Program Land Use Plan and Implementation Ordinance in 1981 and 1982, respectively. For the reasons discussed in this report, the LCP amendment, as submitted is inconsistent with the applicable policies of the Coastal Act and the certified Land Use Plan and feasible alternatives and mitigation are available which would lessen any significant adverse effect which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding section, the Commission's suggested modifications bring the proposed amendment to the Land Use Plan and Implementation Plan components of the LCP into conformity with the Coastal Act and certified Land Use Plan. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.



RESOLUTION OF THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING)	
AMENDMENTS TO THE SANTA BARBARA)	RESOLUTION NO.: 02-061
COUNTY LOCAL COASTAL PROGRAM TO)	CASE NO.: 99-OA-005
ADOPT THE CARPINTERIA VALLEY)	99-RZ-009
GREENHOUSE PROGRAM)	99-GP-007

WITH REFERENCE TO THE FOLLOWING:

- A. On January 7, 1980, by Resolution No. 80-12, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Plan.
- B. The Local Coastal Plan contains specific policies related to the regulation of greenhouse development in the Carpinteria Valley which, in part, require the completion of an assessment of the cumulative effects of greenhouses on coastal resources.
- C. In 1986, the Board of Supervisors adopted Resolution 86-141, which approved a study entitled: *Greenhouse Development in the Carpinteria Valley: A Compilation and Assessment of Existing Information, 1977-85*, as the MEA required by Policy 8-5. By accepting this study and adopting Resolution 86-141, the Board determined that greenhouse development would continue to be processed by a development plan. The resolution also included permitting procedures and development standards for commercial greenhouse development in the coastal zone. However, the Coastal Commission never agreed that this document met the MEA requirement of Policy 8-5.
- D. On January 20, 1998, the County Board of Supervisors formally directed Planning and Development to address issues related to greenhouse development in the Carpinteria Valley through completion of the AB 1431 funded study (Carpinteria Valley Greenhouse Program).
- E. In April 1998, Planning and Development was awarded a Coastal Resources Grant (AB 1431) to conduct a cumulative environmental assessment of greenhouse development in the Carpinteria Valley.
- F. On December 1, 1998, by Resolution No. 98-473, the County Board of Supervisors directed Planning and Development to process all greenhouse projects greater than 20,000 square feet in the Carpinteria Valley as Conditional Use Permits (CUPs) until the Carpinteria Valley Greenhouse Program is completed and the County and Coastal Commission agree on any land use or policy changes, if any.

EXHIBIT 1
STB-MAJ-2-02
County Resolution / Proposed LUP Amendments (Case No. 99-GP-007)

- G. Pursuant to the California Environmental Quality Act Guidelines Section 15060(d), an Environmental Impact Report was completed for the program and circulated to the appropriate State agencies on August 20, 1999.
- H. The Planning Commission considered the merits of the Carpinteria Valley Greenhouse Program at a public hearing on November 8, 1999 and continued the item to January 19, 2000, March 30, 2000, June 7, 2000, July 17, 2000, August 16, 2000, September 18, 2000 and October 4, 2000. The Planning Commission concluded hearings without recommendations to the Board of Supervisors.
- I. The Board of Supervisors now finds that the Environmental Impact Report (EIR) for the Carpinteria Valley Greenhouse Program, including EIR Revisions (99-EIR-02 RV01) (dated February 19, 2002) is adequate for the project and certifies that the EIR is completed in compliance with CEQA and represents the independent judgement of the Board.
- J. The Board of Supervisors now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County and amends the Local Coastal Program, hereby incorporated by reference, as follows:
1. 99-OA-005: Amend Article II of Chapter 35 of the Santa Barbara County Code - Attached as Exhibit A. Amend Section 35-53 (Overlay District Designations and Applicability) to add a new overlay district (Carpinteria Agricultural (CA) Overlay District), amend Section 35-58 (Definitions) to add definitions for greenhouses and related structures; amend Sections 35-68.3 (Permitted Uses) to specify additional regulations for the Carpinteria Agricultural Overlay District (Sec. 35-102E), amend Section 35-102 to add language that creates a Carpinteria Agricultural Overlay District, amend Section 35-162 (Nonconforming Buildings and Structures) to add language that would allow nonconforming greenhouse structures to be rebuilt to the standards set forth in Section 35-102E in the event of seventy-five (75) percent or more of damage.
 2. 99-RZ-009: Amend Article II to add overlay maps in the Carpinteria Valley- Attached as Exhibit B.
 3. 99-GP-007: Amendments to the text of the Coastal Land Use Plan as follows.
The Board of Supervisors now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County to amend the Coastal Land Use Plan as follows:
 1. Amend Section 3-8, Policy 8-5(e), to read as follows:
 - e. Assessment of the potential adverse impacts of the climate control aspects of the project on air quality.

In addition to the mitigating measures listed above, other measures necessary to mitigate any adverse impacts identified as a result of the evaluation of these and other factors shall be required as a condition of project approval. In order to adequately assess the potential individual and cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 8-5) shall automatically become a conditional use on Agriculture I designated lands in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

On February 19, 2002, the County of Santa Barbara adopted the Carpinteria Agricultural Overlay District (CA Overlay) based on the cumulative impacts identified in the Carpinteria Valley Greenhouse Program Environmental Impact Report (99-EIR-02 and revisions dated February 19, 2002).

The purpose of the CA Overlay is to designate geographic areas of AG-I zoned lands in the Carpinteria Valley appropriate to support future greenhouse development and to designate areas appropriate for the preservation of open field agricultural uses. The intent is to ensure well-designed greenhouse development and to limit the loss of open field agricultural areas from piecemeal greenhouse expansion by providing well-crafted development standards that protect the water quality, visual resources and rural character of the Carpinteria Valley.

The Carpinteria Agricultural Overlay District map identifies areas where future development of greenhouses shall be regulated in accordance with the CA Overlay District. Area A allows future expansion of greenhouses, greenhouse related development, packing and shipping facilities, shade and hoop structures, on AG-I zoned lands as identified by the Carpinteria Agricultural Overlay District map, subject to the provisions of this overlay district. Area A is generally located south of Highway 192, east of Nidever Road and west of Casitas Pass Road. Within Area A, a total development cap of 2.75 million square feet of new greenhouse and greenhouse related development, packing and shipping facilities, and hoop structures (excluding shade structures) has been established for the life of the program. Area B allows new greenhouses, greenhouse related development, packing and shipping facilities, shade and hoop structures subject to the provisions of the CA Overlay District. Area B encompasses the remainder of AG-I zoned lands, as identified by the Carpinteria Agricultural Overlay District map, in the Carpinteria Valley.

2. Amend Policy 8-5, to add subsections (f), (g), (h), (i), (j), (k) and (l) as follows:

f. Prior to processing any amendments to the Carpinteria Agricultural Overlay District boundary or 2.75 million sq.ft. development cap, the County shall complete an updated assessment of the effects of existing greenhouse development on the coastal resources of the Carpinteria Valley. The study shall include:

1. Resource information on surface and groundwater quality, visual resources, prime agricultural soils, and biological resources. Adequate monitoring and baseline studies shall be performed to provide data for any future greenhouse expansion requests.
2. An assessment of the effectiveness of the County's greenhouse permit process, CA Overlay zoning requirements and development standards in protecting the Valley's resources and quality of life.

Planning and Development shall form a Citizens Advisory Committee to review the study and provide recommendations to the Board of Supervisors. The Citizens Advisory Committee shall include, at a minimum, representatives from the City of Carpinteria, County Agricultural Commissioner's office, Santa Barbara Flower Growers Association, and Carpinteria Valley Association. The final study shall contain a summary of the issues raised during preparation, particularly an outline of any disagreements between experts. The results of this study shall be subject to review and approval by the County Planning Commission, Board of Supervisors, and Coastal Commission.

g. County Planning and Development shall work with the City of Carpinteria, interested property owners, and community housing agencies to identify appropriate sites for farm employee housing within rural areas of the Carpinteria Valley and the City of Carpinteria. Farm employee housing shall be sited and designed in a manner consistent with applicable County goals, policies, and development standards. Planning and Development shall actively pursue available funding sources to assist with the planning and implementation of farm worker housing in the Carpinteria Valley.

h. A Watershed Management Program shall be established to ensure improvement in surface water quality and to provide for the long-term protection of the ecological functions and values of the Carpinteria Salt Marsh and its coastal stream tributaries from detrimental impacts originating in the watershed. The Watershed Management Program shall include a water quality monitoring program to identify the type, source and concentration of possible pollutants. Planning and Development shall seek available funding for monitoring and coordinate planning and implementation with the Agricultural Commissioner, RWQCB, UC Santa Barbara Natural Reserve System, City of Carpinteria, County of Santa Barbara Public Works Department, members of the public and other appropriate parties (including agricultural representatives) and the Carpinteria Salt Marsh Management Advisory Committee.

- i. Planning and Development shall coordinate with the Environmental Protection Agency and Regional Water Quality Control Board to establish Total Maximum Daily Loads (TMDL) for nitrates entering Carpinteria Salt Marsh and Carpinteria Creek.
- j. New greenhouse development contributing peak hour trips to the Santa Monica/Via Real/U.S. 101 NB ramp interchange and the Linden Avenue/U.S. 101 SB ramp interchange shall pay a pro-rata contribution towards future interchange improvements. A Memorandum of Understanding (MOU) to be developed by Public Works Department, Planning & Development Department, and the City of Carpinteria shall establish appropriate mitigation fee calculation rates and procedures.
- k. County Public Works Department shall coordinate with Caltrans to investigate the source of elevated collision rates experienced at Route 192/Cravens Lane and Route 192/Linden Avenue and implement appropriate corrective action, if necessary. The design and scale of intersection improvements shall be consistent with the rural character of the area to the maximum extent feasible. County Public Works Department shall contact the local utility company to request relocation of the utility pole located on the north side of Route 192/Casitas Pass Road. The utility pole shall be located away from the intersection to provide adequate geometrics for trucks using the intersection. Public Works shall also evaluate the need for signage to alert drivers of truck traffic along Santa Monica Road when entering or existing at a blind curve area.
- l. When the County adopts a Transportation Improvement Plan (TIP) for the Montecito-Summerland-Carpinteria and Toro Canyon Plan areas, it shall include areas of Carpinteria Valley where appropriate. The TIP shall address any necessary long-term improvements to roadways and alternative transportation facilities, including any appropriate traffic calming measures, designed to maintain public safety and acceptable levels of service on roadways and intersections on an area-wide basis. The TIP shall be an integrated plan for capital improvements of roads and intersections as well as alternative transportation facilities.

The TIP shall include a comprehensive traffic management program to address problems related to increased vehicular and truck traffic travelling through residential areas. The County Public Works and Planning and Development Departments shall work cooperatively with the City of Carpinteria and the Santa Barbara Flower Growers Association to identify appropriate neighborhood traffic solutions, which may include identification of appropriate truck routes which provide access to greenhouse development while minimizing travel through residential neighborhoods.

Identified improvements shall be funded through collection of traffic mitigation fees and/or grants, and implemented through the TIP. The TIP shall contain a list

of transportation projects to be undertaken and include projected costs for each funded and unfunded improvement. The County shall also revise the Transportation Impact Fee based upon the projected cost of transportation system improvements identified in the TIP.

3. Amend Policy 8-6 to add the following text:

Within the Carpinteria Agricultural Overlay District the following lot coverage, height and setback requirements shall apply:

1. Lot Coverage

Lot coverage shall be calculated to include all greenhouses, packing and shipping facilities, shade and hoop structures, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas.

a. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.

2. Height

a. The maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than thirty (30) feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be no greater than twelve (12) feet above natural grade.

b. Within view corridors the maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than twenty-five (25) feet above finished grade.

3. Setbacks

The following setbacks for greenhouses, packing and shipping facilities, shade and hoop structures and related structures shall apply:

a. Front: Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from right of way.

b. Side and Rear: Thirty (30) feet from the lot lines on which the building or structure is located.

c. Interior Lot: Twenty (20) feet from the lot lines on which the building or structure is located.

d. One hundred (100) feet from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.

e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.

4. Add the following text to Section 4.2.2 to the end of the section entitled "Greenhouse Development":

In February 19, 2002, the County of Santa Barbara adopted the Carpinteria Agricultural Overlay District (CA Overlay) based on the cumulative impacts identified in the Carpinteria Valley Greenhouse Program Environmental Impact Report (99-EIR-02 and revisions dated February 19, 2002).

The purpose of the CA Overlay is to designate geographic areas of AG-I zoned lands in the Carpinteria Valley appropriate to support future greenhouse development and to designate areas appropriate for the preservation of open field agricultural uses. The intent is to ensure well-designed greenhouse development and to limit the loss of open field agricultural areas from piecemeal greenhouse expansion by providing well-crafted development standards that protect the water quality, visual resources and rural character of the Carpinteria Valley.

The Carpinteria Agricultural Overlay District map identifies areas where future development of greenhouses shall be regulated in accordance with the CA Overlay District. Area A allows future expansion of greenhouses, greenhouse related development, packing and shipping facilities, shade and hoop structures, on AG-I zoned lands as identified by the Carpinteria Agricultural Overlay District map, subject to the provisions of this overlay district. Area A is generally located south of Highway 192, east of Nidever Road and west of Casitas Pass Road. Within Area A, a total development cap of 2.75 million square feet of new greenhouse and greenhouse related development (excluding shade structures) has been established for the life of the program. Area B allows new greenhouses, greenhouse related development, packing and shipping facilities, and hoop structures however, no more than 20,000 square feet cumulative is permitted per legal lot. Shade structures 20,000 square feet or greater are permitted in the CA Overlay District with the issuance of a Coastal Development Permit. Area B encompasses the remainder of AG-I zoned lands, as identified by the Carpinteria Agricultural Overlay District map, in the Carpinteria Valley.

- K. The proposed amendments are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Plan and the requirements of the State Planning and Zoning Laws.
- L. The proposed amendments are in the interest of the general community welfare, since they will identify explicitly those areas where future greenhouse development may occur while balancing this development with the protection of coastal resources, and will not compromise community values, environmental quality, or the public health and safety.

- M. This Board has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed amendments, at which hearing the amendments were explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes are hereby approved and adopted as amendments to the Santa Barbara County Local Coastal Program.
3. The Board will submit these Local Coastal Program amendments to the California Coastal Commission for review and certification on the appropriate date.
4. The Chair of this Board is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this Resolution to reflect the above described action by the Board of Supervisors.

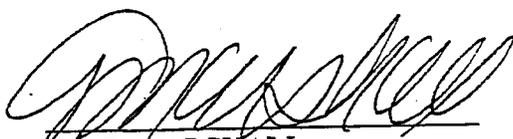
PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 19th day of February, 2002, by the following vote:

AYES: Supervisor Schwartz, Rose, Marshall.

NOES: Supervisor Gray, Urbanske.

ABSTAIN: None

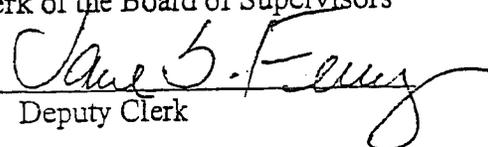
ABSENT: None



GAIL MARSHALL
Chair, Board of Supervisors
County of Santa Barbara

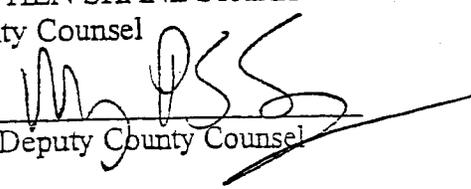
ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By: 
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By: 
Deputy County Counsel

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**ARTICLE II AMENDMENT
ORDINANCE NO. 4445**

AN ORDINANCE MODIFYING ARTICLE II OF CHAPTER 35 OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 1 TO INCLUDE A NEW CARPINTERIA AGRICULTURAL OVERLAY DISTRICT (CA OVERLAY DISTRICT); DIVISION 2 TO ADD DEFINITIONS FOR GREENHOUSES AND GREENHOUSE RELATED DEVELOPMENT; AMEND DIVISION 4 TO DIRECT PROCESSING OF GREENHOUSE DEVELOPMENT IN THE CARPINTERIA VALLEY TO THE CARPINTERIA AGRICULTURAL OVERLAY DISTRICT; AMEND DIVISION 5 TO ADD NEW CARPINTERIA AGRICULTURAL OVERLAY DISTRICT (CA OVERLAY DISTRICT); AMEND DIVISION 10 TO ALLOW RECONSTRUCTION OF NONCONFORMING GREENHOUSE STRUCTURES IN THE CA OVERLAY DISTRICT.

Case Number 99-OA-005

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

SECTION 1:

DIVISION 1, Section 35-53. Overlay District Designations and Applicability, of Article II of Chapter 35 of the Santa Barbara County Code is hereby amended to add a new overlay district as follows:

CA Carpinteria Agricultural Overlay District

SECTION 2:

DIVISION 2, Section 35-58. Definitions, of Article II of Chapter 35 of the Santa Barbara County Code is hereby amended to add new definitions as follows:

GREENHOUSE: A structure with permanent structural elements (e.g. footings, foundations, plumbing, electrical wiring, etc.) used for cultivation and to shade or protect plants from climatic variations. Any hothouse or plant protection structure that does not fall within the definition of shade structure or hoop structure shall be included in the definition of greenhouse.

GREENHOUSE RELATED DEVELOPMENT: Permanent development associated with and accessory to greenhouses, shade structures and hoop structures. Such development includes packing

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Proposed Zoning Ordinance Amendment (Case No. 99-OA-005)

and shipping facilities, paved parking and driveways, and associated accessory structures (e.g. boiler rooms, storage sheds, etc.).

SHADE STRUCTURE: A structure consisting of a frame with no permanent structural elements (e.g. footings, foundations, plumbing, electrical wiring, etc.) and a dark, permeable, removable covering (e.g. netting) used to shade plants grown in the soil or in containers upon the soil.

HOOP STRUCTURE: A structure consisting of a light-weight, arched frame with no permanent structural elements (e.g. footings, foundations, plumbing, electrical wiring, etc.) and an impermeable, removable covering used to protect plants grown in the soil or in containers upon the soil. Includes structures commonly known as berry hoops and hoop houses.

SECTION 3:

DIVISION 4, Section 35-68. AG-I Agriculture I, of Article II of Chapter 35 of the Santa Barbara County Code is hereby amended to read as follows:

Sec. 35-68. AG-I Agriculture I

Sec. 35-68.3.5. Permitted Uses

5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Sec. 35-174. (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Sec. 35-102E.) shall apply.

SECTION 4:

DIVISION 5. OVERLAY DISTRICTS, of Article II of Chapter 35 of the Santa Barbara County Code is hereby amended to add the following text:

Sec. 35-102E. CA Carpinteria Agricultural Overlay District.

Sec. 35-102E.1. Purpose and Intent.

The purpose of this overlay district is to designate geographic areas of AG-I zoned lands in the Carpinteria Valley appropriate to support future greenhouse development and to designate areas appropriate for the preservation of open field agricultural uses. The intent is to ensure well-designed greenhouse development and to limit the loss of open field agricultural areas from piecemeal greenhouse expansion by providing well-crafted development standards that protect the water quality, visual resources, and rural character of the Carpinteria Valley.

Sec. 35-102E.2. Applicability and District Boundaries.

The provisions of this overlay district that apply to greenhouses shall also apply to shade structures and hoop structures unless expressly stated otherwise. The provisions of this overlay district shall apply to AG-I zoned lands in the coastal zone of the Carpinteria Valley. The Carpinteria Agricultural Overlay District identifies areas where future development of greenhouses shall be regulated in accordance with this overlay district.

Area A allows future expansion of greenhouses, greenhouse related development, packing and shipping facilities, shade structures and hoop structures, on AG-I zoned lands as identified by the Carpinteria Agricultural Overlay District map, subject to the provisions of this overlay district. Area A is generally located south of Highway 192, east of Nidever Road and west of Linden Avenue.

Area B allows new greenhouses, greenhouse related development, packing and shipping facilities, shade structures and hoop structures subject to the provisions of this overlay; however, no more than 20,000 square feet cumulative is permitted per legal lot. Area B encompasses the remainder of AG-I zoned lands in the Carpinteria Valley as identified by the Carpinteria Agricultural Overlay District map.

Sec. 35-102E.3. Effect of the CA Overlay District.

Within the CA Overlay District, all uses of land shall comply with regulations of the base zone district (AG-I). In Areas A and B legally permitted greenhouses, greenhouse related development, packing and shipping facilities, shade structures and hoop structures existing on the effective date of ordinance adoption will be considered conforming uses. New or altered greenhouses and greenhouse related development, packing and shipping facilities, shade structures and hoop structures in the Carpinteria Valley must comply with the regulations of this CA Overlay District before the issuance of

a coastal development permit under Sec. 35-169. If any of the provisions of this overlay district conflict with the provisions of base zoning district regulations, the provisions that are most restrictive shall govern.

Sec. 35-102E.4. Development Cap for Greenhouses and Greenhouse Related Development.

Within Area A of the CA Overlay District, no more than 2.75 million square feet of new greenhouses, greenhouse related development, packing and shipping facilities, and hoop structures may occur after the date of adoption of this overlay district. For the purpose of calculating this development cap, all greenhouses, packing and shipping facilities, hoop structures, and greenhouse related development (including associated paved parking and driveways, and associated accessory structures [e.g. boiler rooms, storage sheds, etc.]) shall be included. Shade structures shall not be calculated towards the cap. Structures that are legalized during the amnesty period (Sec. 35-102E.7.2) shall not be calculated towards the development cap.

Sec. 35-102E.5. Processing.

1. The following types of development shall require a Coastal Development Permit (Sec. 35-169):
 - a. Development of new greenhouses, greenhouse related development, packing and shipping facilities, additions or alterations to existing greenhouses or related development, and conversions of shade or hoop structures to greenhouses, where the cumulative lot coverage is less than 20,000 square feet (see section 35-102E.5.3 for additional requirements for packing and shipping facilities).
 - b. Development of new shade structures or hoop structures greater than 500 square feet, where the cumulative lot coverage is less than 20,000 square feet. Hoop structures greater than 5,000 sq. ft. in area shall be subject to Flood Control District review to mitigate potential drainage and erosion impacts.
 - c. Minor alterations or additions to an existing greenhouse, packing and shipping facility, or related development, including retrofits of aging structures, if such alterations and additions meet the requirements of this overlay district and all of the following applicable criteria:
 - i. The existing structure(s) shall be legally permitted.
 - ii. Alterations shall not conflict with project conditions of approval for the existing structure.

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- iii. Alterations to existing structures shall not reduce the effectiveness of existing landscape screening, result in the removal of specimen trees, or disrupt environmentally sensitive areas.
 - iv. Alterations shall incorporate the applicable development standards set forth in Sec. 35-102E.9.
 - v. Additions shall not result in a cumulative lot coverage of 20,000 square feet or more, or in an increase of 1,000 square feet or 5% of building coverage of all existing structures, whichever is less.
2. The following types of development shall require a Development Plan (Sec. 35-174) and a Coastal Development Permit (Sec. 35-169):
- a. In Area A, development of new greenhouses, greenhouse related development, packing and shipping facilities, additions or alterations to existing greenhouses or greenhouse related development, and conversions of shade or hoop structures to greenhouses, where the cumulative lot coverage would total 20,000 square feet or more (see Section 35-102E.5.3 for additional requirements for packing and shipping facilities).
 - b. In Area A, development of new new shade structures or hoop structures, where the cumulative lot coverage would total 20,000 square feet or more.
3. Packing and shipping facilities, other than the following, shall require a Minor Conditional Use Permit (Sec. 35-172). Packing and shipping facilities of less than 5,000 square feet may be processed by a Coastal Development Permit only, provided there are no existing greenhouses or greenhouse related development on the lot.

Sec. 35-102E.6. Submittal Requirements

1. In addition to the application requirements of Sec. 35-169, applications for a coastal development permit for any greenhouse, greenhouse related development, packing and shipping facilities, and/or shade or hoop structure in the CA Overlay District shall include:
 - a. A complete listing of the types and quantities of chemicals (fertilizers, salts, corrosion inhibitors, etc.) that are expected to be used in the greenhouse operation.
 - b. A statement of cultivation method.

- c. A map (US Geologic Survey 7-1/2 minute series topographic map) showing the location of water wells within 1/2 mile radius of the proposed project and the location of any surface waters or drainage ways within 1/2 mile of the project site.
 - d. Soil types present within the proposed building location, and total amount of grading (cut and fill).
 - e. A description of the proposed domestic waste disposal system. Percolation tests shall be required for new septic systems. For existing septic systems that are a part of the project description, a certification from a qualified inspector demonstrating that the system is adequate to serve existing and proposed uses.
 - f. A plot plan depicting building footprints, driveways/access roads, parking, loading docks, retention basin, finished building elevations and roof panel orientation. Building and drainage plans shall be submitted to Flood Control District for review.
 - g. A landscape plan to consist of the components listed in Sec. 35-102E.9.
2. In addition to the application requirements in item 1 above and Sec. 35-174 (Development Plans), applications for a development plan or conditional use permit for any greenhouse, greenhouse related development, packing and shipping facilities, and/or hoop structure in the CA Overlay District shall include the items below. These items may not be required for a new shade structure with no other greenhouse development on site.
- a. A water quality management plan to consist of the components listed in Sec. 35-102E.9.
 - b. A Traffic Management Plan to consist of the components listed in Sec. 35-102E.9.

Sec. 35-102E.7. Conforming and Nonconforming Structures

1. As of the effective date of ordinance adoption, all existing greenhouses, packing and shipping facilities, shade and hoop structures, and greenhouse related development in both Areas A and B are considered conforming structures, provided such structures were legally approved and constructed and are consistent with the provisions set forth in this overlay district. Structures that were legally approved and constructed but are not consistent with the provisions set forth in this overlay district are considered nonconforming structures. In Area B, greenhouses, packing and shipping facilities, shade and hoop structures, and greenhouse related development of 20,000 square feet or more, and legally approved and constructed prior to date of adoption of this ordinance, are considered conforming structures if they meet all other requirements of this

overlay district. Greenhouses and related structures that do not conform to the provisions of this overlay district, but are otherwise conforming uses (i.e. legally permitted as of the effective date of ordinance adoption), shall be subject to the provisions contained in Division 10. Sec. 35-162 (Nonconforming Buildings and Structures).

2. Amnesty Period for Existing Unpermitted Structures.

Existing unpermitted greenhouses, packing and shipping facilities, shade and hoop structures and greenhouse related development, which were constructed prior to April 22, 1999, may be legalized through application for a development permit if such structures conform to the provisions set forth in this overlay district. Application for such permits must be made on or before two years after the effective date of this ordinance. Structures that are legalized during the amnesty period shall not be counted towards the development cap (Sec. 35-102E.4)

Sec. 35-102E.8. General Requirements

1. Lot Coverage

Lot coverage shall be calculated to include all greenhouses, shade and hoop structures, packing and shipping facilities, and greenhouse related development, including accessory buildings, and associated paved driveways and parking areas.

a. For parcels identified as view corridor parcels on the Carpinteria Agricultural Overlay District map, lot coverage shall not exceed 25% net lot coverage. Development shall be clustered adjacent to existing greenhouse development to the greatest extent feasible.

2. Height

a. The maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than thirty (30) feet above finished grade. The maximum absolute height of any shade structure or hoop structure shall be no greater than twelve (12) feet above natural grade.

b. Within view corridors the maximum absolute height of any greenhouse or greenhouse related development, or packing and shipping facility, shall be no greater than twenty-five (25) feet above finished grade.

3. Setbacks

The following setbacks for greenhouses, packing and shipping facilities, shade and hoop structures, and related structures shall apply:

- a. Front: Seventy-five (75) feet from the right of way line of any street. For parcels within identified view corridors, the front setback shall be at least two hundred fifty (250) feet from right of way.
- b. Side and Rear: Thirty (30) feet from the lot lines on which the building or structure is located.
- c. Interior Lot: Twenty (20) feet from the lot lines on which the building or structure is located.
- d. One hundred (100) feet from a residentially-zoned lot or fifty (50) feet from an adjacent parcel where there is an approved residential dwelling located within fifty (50) feet of the parcel boundary.
- e. One hundred (100) feet from top-of-bank or edge of riparian habitat of natural creek channels, whichever is greater.

Sec. 35-102E.9. Development Standards for Greenhouses and Related Development.

A. Prior to approval of a coastal development permit for any greenhouse, related development, packing and shipping facility, shade or hoop structure, within the CA Overlay District, the proposed development shall meet the following development standards where applicable.

1. A landscaping plan shall be required which provides, to the maximum extent feasible, visual screening of all structures and parking areas from all adjacent public roads and view corridors. The landscape plan shall include the following:
 - a. The landscaping plan shall consist of plants which will reasonably screen the development within 5 years and which are compatible with the surrounding visual character of the area.
 - b. Landscaping within front setbacks shall gradually increase in height away from public roadways. Solid wall fencing shall not be relied upon as a primary means of screening. Solid wall or dark chain-link security fencing shall be screened from public view corridors by dense landscaping and/or covered with attractive climbing vines.
 - c. Where structures are proposed in existing orchards or adjacent to wind rows, perimeter trees shall be preserved to the maximum extent feasible in order to provide visual screening along adjacent public roadways. Remnant orchard trees shall be maintained in good condition to ensure that trees do not become hosts for pests or diseases.

Landscaping shall be maintained for the life of the project. The applicant shall post a performance security to ensure that landscaping provides adequate screening within five (5) years. If landscaping is removed or substantially altered, a revised landscape plan shall be submitted to P&D for substantial conformity review with the original conditions of approval and replacement landscaping shall be installed and maintained.

2. Unless otherwise exempted by the Flood Control District, all new greenhouse development and packing and shipping facilities shall be required to mitigate for increased storm water runoff from development of the project site. Post-development runoff shall not exceed 75% of the calculated pre-development runoff for 5-100 year events. Where required, retention basins and other storm water drainage facilities shall be designed in conformance with the Flood Control District standards.
3. Where wastewater flows from new greenhouse development and packing and shipping facilities are proposed to be disposed through private septic system, adequate undeveloped area shall be maintained to accommodate the septic system components, including 100% expansion areas, and required setbacks from buildings, property lines, wells, storm water retention facilities, streams, etc. No development shall be placed above the septic system components.
4. Compost, fertilizer and pesticides shall be stored in a manner that minimizes generation of leachate. Leachate controls include covering compost piles and fertilizer storage with a roof and locating storage areas outside of the 100-year flood plain. Uncovered storage areas shall be located at least 250 feet from a waterway (i.e., storm drain, creek, salt marsh or ocean) unless it can be demonstrated that no adverse effect on water quality will result. Should any discharge occur that could impair the water quality of the receiving body, then a discharge permit will be required from the Regional Water Quality Control Board.
5. The Carpinteria-Summerland Fire Protection District shall review and approve storage areas for pesticides, herbicides and fertilizers. Storage areas shall be designed with the following mandatory components, and or other requirements deemed necessary by the District:
 - a. A low berm shall be designated around the interior floor to prevent migration of materials in the event of a spill. Any spilled material shall be disposed of in accordance with Carpinteria-Summerland Fire Protection District requirements.
 - b. The floor shall be a concrete slab.
 - c. The berm shall be designed to provide 100% containment of any stored liquids.
 - d. In the event that storage, handling or use of hazardous materials within the provisions of AB 2185/2187 occurs on site, the applicant shall implement a Hazardous Materials Business Plan (HMBP).
6. High saline brines shall not be discharged to the storm drain or allowed to percolate into the groundwater unless it can be demonstrated that no adverse effect on water quality will result. Waste brine shall be contained and disposed of in accordance with federal, state, county and local regulations and requirements. Should any discharge occur that could impair the water quality of the receiving body, then a discharge permit will be required from the Regional Water Quality Control Board.
7. Exterior lighting shall be for specific safety purposes only and shall be hooded/shielded to minimize the spread of light off-site and to minimize impacts to the rural nighttime character.

8. To the extent feasible, new greenhouse development and packing and shipping facilities shall be oriented with the roof axis aligned from north to south to reduce glare impacts.
9. To the maximum extent feasible, hardscaped areas (i.e., parking lots, driveways, loading bays, interior walkways in greenhouses, packing and shipping facilities, and accessory building footprints) shall be minimized in order to preserve the maximum amount of agricultural soils. Minimizing the covering of soils shall be accomplished through efficient site and building design and the use of permeable surfaces wherever feasible.
10. To the maximum extent feasible, vegetative cover shall be provided in areas of non- structural development to encourage storm water infiltration and reduce runoff from hardscaped areas. The use of open field crops should be encouraged to keep non-greenhouse areas in production.
11. Stationary construction equipment that could generate noise exceeding 65 dB(A) CNEL at property boundaries shall be shielded to County P&D's satisfaction and, where feasible, shall be located a minimum of two hundred (200) feet from sensitive receptors.
12. Industrial fans and heaters for all greenhouses, greenhouse related development and packing and shipping facilities shall be designed such that external sound levels do not exceed 65 dB(A) CNEL at the property line. Such equipment shall not be located on greenhouse walls that face adjacent existing residences. To ensure that this maximum sound level is not exceeded, acoustical analyses shall be conducted prior to zoning clearance or at the time of discretionary approval of individual greenhouses, related development, and packing and shipping facilities, and follow-up noise monitoring shall be conducted at least twice during the first year of operation. If noise levels from equipment are found to exceed 65 dB(A) CNEL at the property line, adjustments shall be made to ensure compliance with this requirement.
13. Noise associated with paging and/or broadcasting of music over speakers within greenhouses, related structures and packing and shipping facilities structures shall be limited to levels that are not audible at the property line.
14. Packing and distribution facilities shall be subject to BAR review. The size, height, design, and appearance shall be compatible with the rural character of the area.
15. To the maximum extent feasible, packing and distribution facilities, loading docks, and delivery bays shall be centrally located within individual greenhouse operations. When packing and distribution facilities are centrally located, the driveway to reach such a facility shall not be counted toward the CA Overlay development cap. Idling of trucks shall be prohibited between the hours of 9:00 p.m. and 7:00 a.m. A minimum 100-foot setback shall be maintained between loading/unloading areas, driveways and parking areas and adjacent residential properties unless it can be determined that shielding or other measures can provide sufficient attenuation to reduce noise at the property line to less than 65 dB(A) CNEL.
16. All new or retrofit greenhouse or plant protection structures shall include a mechanized blackout screen system within growing areas to prevent interior night lighting from being visible outside

the structure. If the applicant does not intend to use night lighting, the project description for individual greenhouse projects shall clearly state that night lighting within growing areas shall not occur.

17. All boilers, steam generators and process heaters proposed at new or expanded greenhouse operations shall utilize low-NOx burners.

B. In addition to the development standard requirements in Section 35-102E.9.A. above, applications for a development plan or conditional use permit for any greenhouse, greenhouse related development, packing and shipping facility, and/or hoop structure in the CA Overlay District shall meet the following development standards where applicable.

18. The Traffic Management Plan shall consist of the following components:

- a. A focused traffic analysis that identifies truck size and the number of new peak hour trips the project will send to the Santa Monica/Via Real/U.S. Highway 101 northbound ramp interchange and the Linden Avenue/U.S. Highway 101 southbound ramp interchange.
- b. Preferred truck routes, with specific information given to drivers prior to entering the Carpinteria Valley.
- c. Information regarding approach and exit speeds, turning movements, hours of delivery, etc.
- d. Driveway access design shall ensure compliance with state and county sight distance requirements and safely accommodate truck maneuvers. Driveway access improvements shall not inhibit or diminish the effectiveness of required landscape mitigation. To the maximum extent feasible, the design and scale shall be consistent with the rural character of the area.
- e. Truck deliveries and employee parking shall be accommodated on site.

19. New greenhouses, greenhouse related development and packing and shipping facilities contributing peak hour trips to the Santa Monica/Via Real/U.S. 101 northbound interchange and the Linden Avenue/U.S. 101 southbound off-ramp interchange shall pay a pro-rata contribution towards future interchange improvements.

20. Applicants shall prepare a Water Quality Management Plan for review and approval by Planning and Development and consultation by Environmental Health Services, the Regional Water Quality Control Board and the Carpinteria Valley Water District. The Water Quality Management Plan shall consist of the following components:

- a. A flow diagram of the proposed water system to be used, including average and maximum daily flows.
- b. The mapped location of all existing and proposed surface and sub-surface drainage facilities.
- c. Information on water and nutrient delivery systems.

- d. Pesticide Best Management Practices as defined and required by the County Agricultural Commissioner.
- e. The location and type of treatment and disposal facilities for irrigation, washwater, boiler blowdown, water softener regeneration brines, and retention basins.
- f. Best Management Practices (BMPs), including but not limited to the following:
 - i) Use of water systems that minimize surface water transport (i.e., trickle, drip, mist, hydroponic irrigation systems).
 - ii) Use of water and nutrient recycling technologies.
 - iii) Employment of fertilization methods that maximize the efficiency of nutrient delivery and uptake such as controlled-release fertilizers (CRF) or liquid fertilizer (LF).
 - iv) Implementation of Integrated Pest Management techniques.

Should any discharge occur that could impair the water quality of the receiving body, then a discharge permit will be required from the Regional Water Quality Control Board.

- 21. Irrigation Water Detention System: If deemed necessary by Planning and Development, in consultation with the Regional Water Quality Control Board, to further reduce potential water quality impacts, all excess surface irrigation process water shall be collected and routed to a sealed bottom, irrigation water detention basin. The detention basin shall function as a water bank during low rainfall periods (i.e. May to November) for water conservation and reuse. The irrigation water detention basin shall be separate from and not connected to any required flood control retention basin. The irrigation water detention basin shall be designed in accordance with Santa Barbara County Flood Control and Water Conservation District requirements.
- 22. Applicants shall reimburse the Carpinteria Valley Water District (CVWD) for costs related to additional groundwater testing and reporting as deemed necessary by CVWD, pursuant to adopted criteria, to monitor nitrate loading of groundwater caused by applicant's development. Said costs may also include those caused by the installation of monitoring wells deemed necessary by CVWD. All monitoring data and reports prepared by CVWD shall be submitted as public record to the CVWD Board of Directors and the County Planning & Development Department. Nitrate loading found to be in excess of District standards, as a result of the groundwater testing by CVWD, shall cause a subsequent review of the greenhouse facility and operations by CVWD, in consultation with Planning & Development. All subsequent review costs shall be paid for by the applicant.

SECTION 5:

DIVISION 10, Section 35-162. Nonconforming Buildings and Structures, of Article II of the Santa Barbara County Code is hereby amended to read as follows:

Sec. 35-162. Nonconforming Buildings and Structures

Sec. 35-162.2.

- a. Except for single family residential buildings or structures and greenhouses, packing and shipping facilities, shade and hoop structures, and greenhouse related development in the CA Carpinteria Agricultural Overlay District, where a nonconforming building or structure is damaged by fire, flood, earthquake, or other natural disaster to an extent of seventy-five (75) percent or more of the replacement cost at the time of damage, as determined by the Planning and Development Department, such structure may not be reconstructed unless the Zoning Administrator finds that the adverse impact upon the neighborhood would be less than the hardship which would be suffered by the owner of the structure should reconstruction of the nonconforming structure be denied.

- e. Where damage to a nonconforming greenhouse, packing and shipping facility, shade and hoop structure, or greenhouse related structure in the Carpinteria Agricultural Overlay District, by fire, flood, earthquake, or other natural disaster, is to an extent of seventy-five (75) percent or more, such structure may be reconstructed in accordance with the provisions of Sec. 35-102E (CA), thereby becoming a conforming structure.

- f. The restoration permitted above shall commence within twenty-four (24) months of the time of damage and be diligently carried to completion. If the restoration of such building or structure does not commence within twenty-four (24) months it shall not be restored except in conformity with the applicable zone district regulations and other provisions of this Article.

- g. The restoration of a nonconforming building or structure that is damaged by fire, flood, earthquake or other natural disaster shall be exempt from the permit requirements of this Article only if the building or structure complies with the provisions of this Section and if the building or structure conforms to the specifications documented to exist prior to the damage as

determined by the Planning and Development Department. If the Planning and Development Department determines that the exterior design or specifications are proposed to be changed or the footprint of the building or structure is relocated, the restored structure shall be subject to the provisions of Section 35-184., Board of Architectural Review., if otherwise subject to such review (e.g., the site is within the D-Design Control Overlay District). If the building or structure is proposed to be altered from the original specifications, the restoration shall be subject to all applicable permit requirements of this Article. *(Amended by Ord. 4318, 6/23/98)*

SECTION 6:

Except as amended by this Ordinance, Division 1 Section 35-53, Division 2 Section 35-58, Division 4 Section 35-68, Division 5 Section 35-102, and Division 10 Section 35-162 of the Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

SECTION 7:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force thirty (30) days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 19th day of February, 2002, by the following vote:

AYES: Supervisor Schwartz, Rose, Marshall.

NOES: Supervisor Gray, Urbanske.

ABSTAINED: None

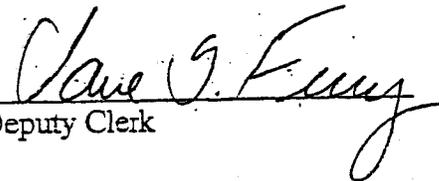
ABSENT: None



GAIL MARSHALL
Chair, Board of Supervisors
County of Santa Barbara

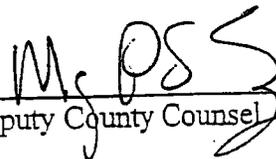
ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

By 
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By 
Deputy County Counsel

F:\GROUP\COMP\Planning Areas\Carpinteria\Carp Programs\Greenhouse Program\Adoption\Amendments\CA Overlay\OA overlay.doc

FAXED
2/20/02

SUMMARY OF ORDINANCE NO. 4445

AN ORDINANCE MODIFYING ARTICLE II OF CHAPTER 35 OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 1 TO INCLUDE A NEW CARPINTERIA AGRICULTURAL OVERLAY DISTRICT (CA OVERLAY DISTRICT); DIVISION 2 TO ADD DEFINITIONS FOR GREENHOUSES AND GREENHOUSE RELATED DEVELOPMENT; AMEND DIVISION 4 TO DIRECT PROCESSING OF GREENHOUSE DEVELOPMENT IN THE CARPINTERIA VALLEY TO THE CARPINTERIA AGRICULTURAL OVERLAY DISTRICT; AMEND DIVISION 5 TO ADD NEW CARPINTERIA AGRICULTURAL OVERLAY DISTRICT (CA OVERLAY DISTRICT); AMEND DIVISION 10 TO ALLOW RECONSTRUCTION OF NONCONFORMING GREENHOUSE STRUCTURES IN THE CA OVERLAY DISTRICT.

Passed, approved and adopted this 19th of February 2002, by the following vote:

AYES: Supervisors, Naomi Schwartz, Susan Rose, Gail Marshall.

NOES: Supervisors Joni Gray and Tom Urbanske

ABSTAIN: None

ABSENT: None

**MICHAEL F. BROWN
CLERK OF THE BOARD**

By *Jane S. Ferry*
Deputy Clerk

NOTE: A complete copy of Ordinance No. 4445 is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act, Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1. (02-00208)

ATTACHMENT 4
EXHIBIT B

ARTICLE II (REZONE ONLY)

ORDINANCE NO. 4446

AN ORDINANCE AMENDING SECTION 35-54, ADOPTING ZONING ORDINANCES AND MAPS AND UNCERTAINTIES IN DISTRICT BOUNDARIES, OF ARTICLE II OF CHAPTER 35 OF THE CODE OF THE COUNTY OF SANTA BARBARA, CALIFORNIA, BY AMENDING THE ZONING MAP, IDENTIFIED AS BOARD OF SUPERVISORS EXHIBIT NOS. 35-54.2.2, TO APPLY THE NEW CARPINTERIA AGRICULTURAL OVERLAY DISTRICT TO AGRICULTURE I ZONED PARCELS IN THE COASTAL ZONE OF CARPINTERIA VALLEY TO IMPLEMENT THE CARPINTERIA VALLEY GREENHOUSE PROGRAM

Case Number 99-RZ-009

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

SECTION 1:

Pursuant to the provisions of Section 35-180 "Amendments to a Certified Local Coastal Program", of Article II of Chapter 35 of the Code of the County of Santa Barbara, California, are hereby amended as they relate to parcels zoned Agriculture I in the Coastal Zone of the Carpinteria Valley. The purpose of this Ordinance is to amend the existing overlay map titled: "Carpinteria Valley Coastal Plan: Zoning Overlay" (Exhibit No. 35-54.2.2), in order to implement the Carpinteria Valley Greenhouse Program.

SECTION 2:

Pursuant to the provisions of Section 35-180 "Amendments to a Certified Local Coastal Program" of Article II of Chapter 35 of the Code of the County of Santa Barbara, California, the Board of Supervisors hereby amends by reference the Zoning Map identified as Board of Supervisors Exhibit No. 35-54.2.2, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said Zoning Maps were specifically and fully set out and described therein. This amendment creates a Carpinteria Agricultural (CA) Overlay District on parcels zoned Agriculture I in the Carpinteria Valley as identified on said map.

SECTION 3:

The Chair of the Board of Supervisors is hereby authorized and directed to endorse said Exhibit Nos. 35-54.2.2, to show that said map has been adopted by this Board.

SECTION 4:

Except as amended by this Ordinance, Section 35-54 of the Code of Santa Barbara County, California, shall remain unchanged and shall continue in full force and effect.

EXHIBIT 3
STB-MAJ-2-02
Proposed Zoning Map Amendment (Case No. 99-RZ-009)

SECTION 5:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force thirty (30) days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code Section 30514, whichever occurs later; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

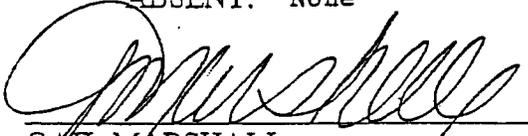
PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 19th day of February, 2002, by the following vote:

AYES: Supervisor Schwartz, Rose, Marshall.

NOES: Supervisor Gray, Urbanske.

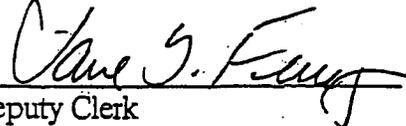
ABSTAINED: None

ABSENT: None


GAIL MARSHALL
Chair, Board of Supervisors
County of Santa Barbara

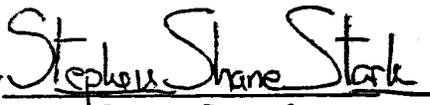
ATTEST:

MICHAEL F. BROWN
Clerk of the Board of Supervisors

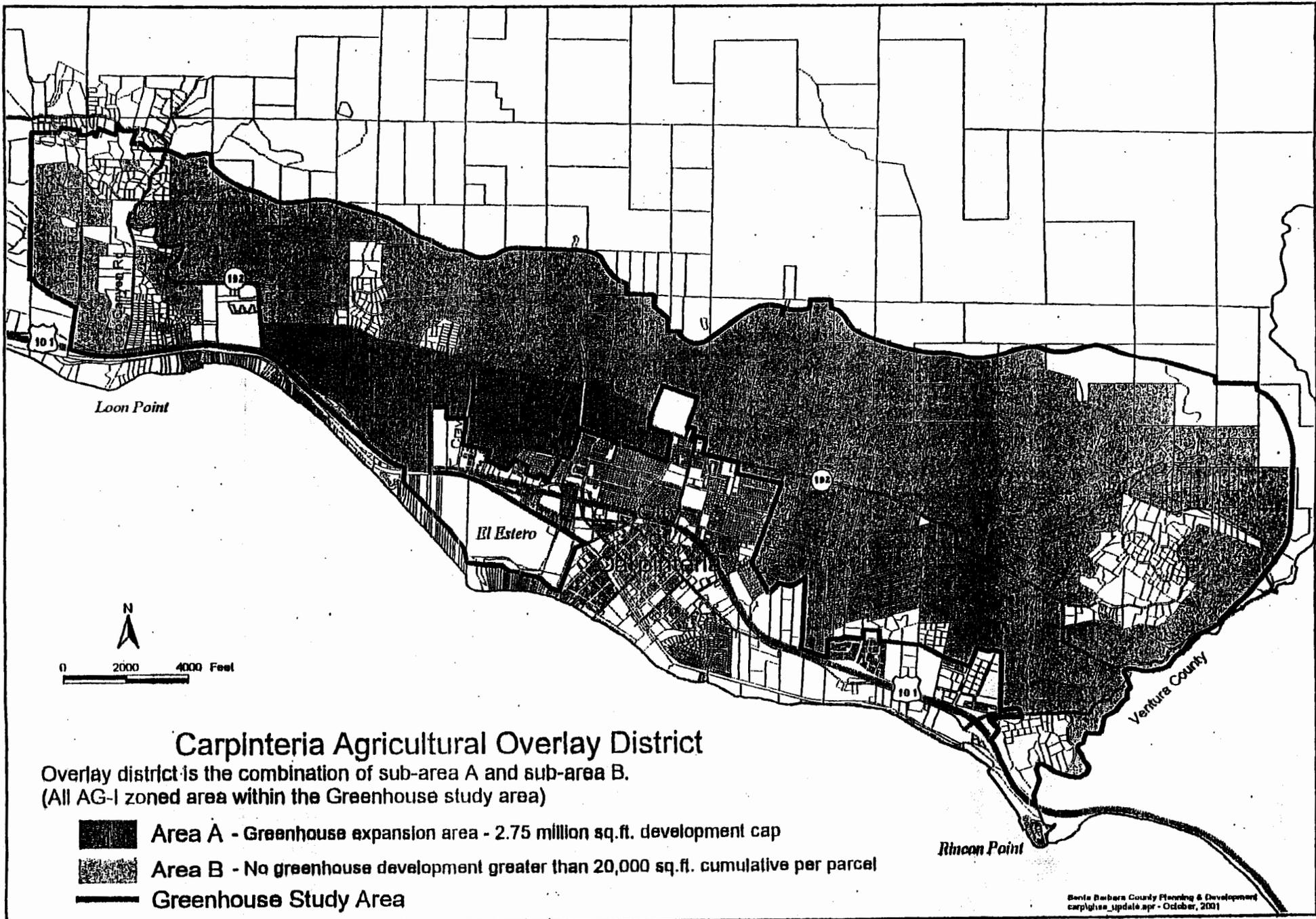
By 
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK
County Counsel

By 
~~Deputy~~ County Counsel

Ex. 3



Carpinteria Agricultural Overlay District

Overlay district is the combination of sub-area A and sub-area B.
(All AG-1 zoned area within the Greenhouse study area)

-  Area A - Greenhouse expansion area - 2.75 million sq.ft. development cap
-  Area B - No greenhouse development greater than 20,000 sq.ft. cumulative per parcel
-  Greenhouse Study Area

3 of 4

FAXED
2/20/02

SUMMARY OF ORDINANCE NO. 4446

AN ORDINANCE AMENDING SECTION 35-54, ADOPTING ZONING ORDINANCES AND MAPS AND UNCERTAINTIES IN DISTRICT BOUNDARIES, OF ARTICLE II OF CHAPTER 35 OF THE CODE OF THE COUNTY OF SANTA BARBARA, CALIFORNIA, BY AMENDING THE ZONING MAP, IDENTIFIED AS BOARD OF SUPERVISORS EXHIBIT NOS. 35-54.2.2, TO APPLY THE NEW CARPINTERIA AGRICULTURAL OVERLAY DISTRICT TO AGRICULTURE 1 ZONED PARCELS IN THE COASTAL ZONE OF CARPINTERIA VALLEY TO IMPLIMENT THE CARPINTERIA VALLEY GREENHOUSE PROGRAM.

Passed, approved and adopted this 19th of February 2002, by the following vote:

AYES: Supervisors, Naomi Schwartz, Susan Rose, Gail Marshall.
NOES: Supervisors Joni Gray and Tom Urbanske

ABSTAIN: None
ABSENT: None

**MICHAEL F. BROWN
CLERK OF THE BOARD**

By *John S. Ferry*
Deputy Clerk

NOTE: A complete copy of Ordinance No. 4446 is on file with the Clerk of the Board of Supervisors and is available for public inspection and copying in that office in accordance with the California Public Records Act, Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1. (02-00208)

Sec. 35-172. Conditional Use Permits.

Sec. 35-172.1. Purpose and Intent.

The purpose of this section is to provide for uses that are essential or desirable but cannot be readily classified as principal permitted uses in individual districts by reason of their special character, uniqueness of size or scope, or possible effect on public facilities or surrounding uses. The intent of this section is to provide the mechanism for requiring specific consideration of these uses.

Sec. 35-172.2. Applicability.

The provisions of this section shall apply to those uses listed below under Sec. 35-172.4 & .5., and those uses listed in the "Uses Permitted with a Conditional Use Permit" section of the various zone districts, Division 8, Services, Utilities and Other Related Facilities and Division 9, Oil and Gas Facilities. (Amended by Ord. 4084, 12/15/92)

Sec. 35-172.3 Jurisdiction.

(Amended by Ord. 4227, 6/18/96)

1. The Zoning Administrator shall have jurisdiction for all Minor Conditional Use Permits and the Planning Commission shall have jurisdiction for all Major Conditional Use Permits.

EXHIBIT 4
STB-MAJ-2-02
Certified Zoning Code Section 35-172 Conditional Use Permits

Ex. 4

Sec. 35-172.4. Minor Conditional Use Permits.

The following uses may be permitted in any zone district in which they are not otherwise permitted, with a Minor Conditional Use Permit, provided the Zoning Administrator can make the findings set forth in Section 35-172.9 (Findings). *(Amended by Ord. 4263, 6/24/97)*

1. Fences and walls of more than six (6) feet and gate posts of more than eight (8) feet in height when located within the front yard setback or when located within the side yard setback and closer than twenty (20) feet to the right-of-way of any street. Within areas of the side yard setback that are more than twenty (20) feet from the right-of-way of any street or within the rear yard setback, fences and walls of more than eight (8) feet and gateposts of more than ten (10) feet in height. *(Amended by Ord. 3975, 2/21/92).*
2. Special Care Homes.
3. Sale of agricultural products grown on the premises, subject to the provisions of Section 35-172.12.9. *(Amended by Ord. 3448, 6/18/84)*
4. Animals, use of property for animals different in kind or greater in number than otherwise permitted in this Article. *(Amended by Ord. 3975, 2/21/92)*
5. Communication facilities, as specified in and governed by Sec. 35-144F. *(Added by Ord. 4263, 6/24/97)*
6. Child care facilities, as defined in Section 35-58, Definitions. *(Added by Ord. 4318, 6/23/98)*
7. Uses, buildings, and structures accessory and customarily incidental to the above uses. *(Added by Ord. 4086, 12/15/92)*

Sec. 35-172.5. Major Conditional Use Permits.

The following uses may be permitted provided the Planning Commission can make the findings set forth in Section 35-172.9 (Findings). *(Added by Ord. 4263, 6/24/97)*

1. Except for the AG-I, AG-II, Residential Ranchette and Resource Management Districts, the following uses may be permitted in any district that they are not otherwise permitted, with a Major Conditional Use Permit.
 - a. Clinics
 - b. Club
 - c. Conference center
 - d. Country clubs
 - e. Hospitals, sanitariums nursing homes, and rest homes.
 - f. Library
 - g. Mausoleum
 - h. Mortuary, crematory or funeral home
 - i. Museum

2. The following uses may be permitted in any district that they are not otherwise permitted, with a Major Conditional Use Permit *(Amended by Ord. 4084, 12/15/92)*.
 - a. Airstrip - temporary
 - b. Cemetery
 - c. Church
 - d. Drive-through facilities for a use otherwise permitted in the zone district subject to the provisions of Sec. 35-172.11.
 - e. Educational facilities, not including child care facilities. *(Amended by Ord. 4318, 6/23/98)*
 - f. Eleemosynary and philanthropic institutions (except when human beings are housed under restraint).
 - g. Extraction and processing of natural, carbonated or mineral waters for sale including but not limited to, storage, bottling and shipping operations. *(Amended by Ord. 4084, 12/15/92)*
 - h. Fairgrounds

- i. Golf courses and driving ranges
- j. Helistops
- k. Communication facilities, as specified in and governed by Sec. 35-144F.
(Amended by Ord. 4263, 6/24/97)
- l. Mining, extraction and quarrying of natural resources, except gas, oil and other hydrocarbons subject to the provisions of Sec. 35-177. (Reclamation Plans).
- m. Polo fields and playing field for outdoor sports.
- n. Rodeo
- o. Sea walls, revetments, groins and other shoreline structures subject to the provisions of Sec. 35-172.11.
- p. Stable, commercial (including riding and boarding).
- q. Certified Farmer's Market incidental to a conference center, club facility, fairground, church, school, or governmental or philanthropic institution.
(Added by Ord. 4086, 12/15/92)

Sec. 35-172.6. Contents of Application. (Amended by Ord. 4318, 6/23/98)

1. As many copies of a Conditional Use Permit application as may be required shall be submitted to the Planning and Development Department. Said application shall contain all or as much of the submittal requirements for a Development Plan (Sec. 35-174.) as are applicable to the request.
2. In the case of a Conditional Use Permit application where the project is subject to Development Plan requirements, a Development Plan shall be required in addition to a Conditional Use Permit. (Amended by Ord. 4318, 6/23/98)

Sec. 35-172.7. Processing.

1. After receipt of the Conditional Use Permit application, the Planning and Development Department shall process the application through environmental review.
2. The Planning and Development Department shall refer the Conditional Use Permit application to the Subdivision/Development Review Committee for review and recommendation to the Planning Commission or Zoning Administrator. (Amended by Ord. 4227, 6/18/96)
3. The Planning Commission or Zoning Administrator will then consider the requested Conditional Use Permit at a noticed public hearing and either approve, conditionally approve, or deny the request. Notice of the time and place of said hearing shall be given in the manner prescribed in Sec. 35-181. (Noticing).
4. The action of the Planning Commission or Zoning Administrator shall be final subject to appeal to the Board of Supervisors as provided under Sec. 35-182.3. (Appeals). Under PRC § 30603, the issuance of a Coastal Development Permit on a conditionally permitted use is appealable to the Coastal Commission as provided in Sec. 35-182.4. (Appeals).
5. Conditional Use Permits may be granted for such period of time and upon such conditions and limitations as may be required to protect the health, safety, and general welfare of the community. Such conditions shall take precedence over those required in the specific zone districts.
6. If a Revised Conditional Use Permit is required as provided in Sec. 35-172.11., it shall be processed in the same manner as the original permit. When approved by

the decision-maker, such revised permit shall automatically supersede any previously approved permit. (Added by Ord. 4298, 3/24/98)

Sec. 35-172.8. Findings Required for Approval.

A Conditional Use Permit application shall only be approved or conditionally approved if all of the following findings are made:

1. That the site for the project is adequate in size, shape, location and physical characteristics to accommodate the type of use and level of development proposed.
2. That adverse environmental impacts are mitigated to the maximum extent feasible.
3. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.
4. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
5. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.
6. That the project is in conformance with the applicable provisions and policies of this Article and the Coastal Land Use Plan.
7. That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.
8. That the project will not conflict with any easements required for public access through, or public use of the property.
9. That the proposed use is not inconsistent with the intent of the zone district.

Sec. 35-172.9. Time Limit.

1. Prior to the commencement of the development and/or authorized use permitted by the Conditional Use Permit, a Coastal Development Permit authorizing such development and/or use shall be obtained. At the time of approval of a Conditional

Use Permit, a time limit shall be established within which a Coastal Development Permit must be obtained. The time limit shall be a reasonable time based on the size and nature of the proposed development or use. If no date is specified, the time limit shall be eighteen (18) months from the effective date of the Conditional Use Permit. The effective date shall be the date of expiration of the appeal period on the approval of the Conditional Use Permit, or if appealed, the date of action by the Board of Supervisors. The time limit may be extended by the decision-maker with jurisdiction over the project pursuant to the provisions of Section 35-172.11., one time for good cause shown, provided a written request, including a statement of reasons for the time extension request, is filed with the Planning and Development Department prior to the expiration date. If the time limit expires and no extension has been granted, then the Conditional Use Permit shall be considered null and void. *(Amended by Ord. 3871, 7/17/90; Ord. 4086, 12/15/92)*

2. A Conditional Use Permit shall become null and void and be automatically revoked if the use permitted under the Conditional Use Permit is discontinued for a period of more than one year. Said time may be extended by the decision-maker with jurisdiction over the project one time for good cause shown, provided a written request, including a statement of reasons for the time extension request, is filed with the Planning and Development prior to expiration date. *(Amended by Ord. 4086, 12/15/92)*

Sec. 35-172.10. Revocation.

If the decision-maker with jurisdiction over the project determines at a noticed public hearing pursuant to Section 35-181 (Noticing) that the permittee is not in compliance with one or more of the conditions of the Conditional Use Permit, the decision-maker with jurisdiction over the project may revoke the Conditional Use Permit or direct that the permittee apply for an Amendment or Revision pursuant to Sec. 35-172.11. *(Amended by Ord. 3887, 9/18/90; Ord. 4086, 12/15/92)*

Sec. 35-172.11. Substantial Conformity, Amendments and Revisions.

(Added by Ord. 4086, 12/15/92; Amended by Ord. 4227, 6/18/96)

Changes to a Conditional Use Permit shall be processed as follows:

1. Substantial Conformity:

The Director may approve a minor change to a Conditional Use Permit, if the Director determines that the change is in substantial conformity with the approved permit, pursuant to the County's Substantial Conformity Guidelines. No public noticing or public hearing shall be required for Substantial Conformity Determinations. The action of the Director shall be final and not appealable. A Coastal Development Permit shall be required, pursuant to the Substantial Conformity Determination. Prior to the approval of such Coastal Development Permit, an additional finding must be made that the Coastal Development Permit substantially conforms to the previous Conditional Use Permit.

2. Amendments:

Where a change to an approved Conditional Use Permit is not in substantial conformity with the approved permit, the Director, or in the case of a Revocation hearing the decision-maker with jurisdiction over the project, may approve, or conditionally approve an application to alter, add, replace, relocate or otherwise amend a Conditional Use Permit, providing:

- a. The area of the parcel(s) that is under review was analyzed for potential environmental impacts and policy consistency as a part of the approved permit.
- b. All of the following additional findings can be made:
 - (1) In addition to the findings required for approval of a Conditional Use Permit set forth in this Sec. 35-172.8., the Amendment is consistent with the specific findings of approval, including CEQA findings, that were adopted when the Conditional Use Permit was previously approved.
 - (2) The environmental impacts related to the proposed change are determined to be substantially the same or less than those identified for the previously approved project.
- c. A public hearing shall not be required for amendments to an approved Conditional Use Permit. However, notice shall be given at least ten (10) days prior to the date of the decision as provided in Sec. 35-181. (Noticing). The decision-maker may approve, conditionally approve, or deny the Amendment. *(Amended by Ord. 4298, 3/24/98)*

3. Revisions:

- a. A Revised Conditional Use Permit shall be required for changes to an approved Conditional Use Permit where the findings set forth in Sec. 35-172.11.2. for Amendments cannot be made and substantial conformity cannot be determined.
- b. A Revised Conditional Use Permit shall be processed in the same manner as a new Conditional Use Permit.

Sec. 35-172.12. Conditions, Restrictions, and Modifications.

(Added by Ord. 4227, 6/18/96)

1. At the time the Conditional Use Permit is approved, or subsequent Amendments or Revisions are approved, the Director, Zoning Administrator, Planning Commission or Board of Supervisors may modify the building height limit, distance between buildings, setback, yard, parking, building coverage, landscaping or screening requirements specified in the applicable zone district when the Director, Zoning Administrator, Planning Commission or Board of Supervisors finds the project justifies such modifications and is consistent with the Comprehensive Plan and the intent of other applicable regulations and guidelines.
2. As a condition of approval of any Conditional Use Permit, or of any subsequent Amendments or Revisions, the Director, Zoning Administrator, Planning Commission or Board of Supervisors may impose any appropriate and reasonable conditions or require any redesign of the project as they may deem necessary to protect the persons or property in the neighborhood, to preserve the neighborhood character, natural resources or scenic quality of the area, to preserve or enhance the public peace, health, safety, and welfare, or to implement the purposes of this Article.
3. The Director, Zoning Administrator, Planning Commission or Board of Supervisors may require as a condition of approval of any Conditional Use Permit, or of any subsequent Amendments or Revisions, the preservation of trees existing on the property.

Sec. 35-172.13. Additional Requirements.

(Amended by Ord. 4227, 6/18/96)

In addition to the provisions set forth above, the following uses shall be subject to additional requirements as set forth below: *(Amended by Ord. 4084, 12/15/92; Ord. 4263, 6/24/97)*

1. Mortuaries, Crematories, and Funeral Homes.

Subject to the issuance of a Conditional Use Permit, mortuaries, crematories, and funeral homes may be permitted in the following locations:

- a. Within cemeteries operating under a valid use permit;
- b. On any parcel of land abutting such a cemetery; or
- c. On property zoned to permit multiple family dwellings where such property abuts upon or is directly across the street from property zoned for industrial purposes.

In all such locations, the Planning Commission shall impose conditions requiring that the architectural design of all buildings and structures be compatible with neighboring residential buildings, that signs are unobtrusive, that adequate off-street parking space is provided for funeral procession assembly areas.

2. Handicraft Industries.

A Conditional Use permit may be issued under the provisions of this section for the manufacture in C-2 and C-3 Districts of handicraft items, jewelry, notions, and other items on a small scale, and involving no effects on surrounding property which would constitute a greater nuisance than those created by other uses permitted in the district in which such manufacture is allowed.

A Conditional Use Permit for such use may only be issued subject to the provisions of this section and to the following conditions and to any further conditions which are necessary to protect the public peace, health, safety, and general welfare, to maintain property values in the neighborhood, and to safeguard essential community services and values such as traffic circulation, sewage disposal, water supply, fire protection, and neighborhood character:

- a. All manufacturing activities shall be conducted within a completely enclosed building having a total floor area which is not to exceed 2,500 square feet.
- b. All storage of materials and equipment shall be screened from view from surrounding properties by a solid fence or wall approved by the Zoning Administrator. *(Amended by Ord. 3975, 2/21/92; Ord. 4067, 8/18/92)*
- c. No fumes, noxious gases, objectionable odors, heat, glare, or radiation generated by or resulting from such use shall be detectable at any point along the boundary of the property upon which the use is located.
- d. The use shall create no objectionable noise or vibration.
- e. No smoke or dust shall be created except from the heating of buildings. *(Amended by Ord. 4086, 12/15/92)*
- f. Not more than five persons shall be employed on the premises in connection with such use.

3. Seawalls and Shoreline Structures.

- a. Seawalls shall not be permitted unless the County has determined that there are no other less environmentally damaging alternatives reasonably available for protection of existing principal structures. The County prefers and encourages non-structural solutions to shoreline erosion problems, including beach replenishment, removal of endangered structures and prevention of land divisions on shorefront property subject to erosion; and, will seek solutions to shoreline hazards on a larger geographic basis than a single lot circumstance. Where permitted, seawall design and construction shall respect to the degree possible, natural landforms. Adequate provision for lateral beach access shall be made and the project shall be designed to minimize visual impacts by the use of appropriate colors and materials.
- b. Revetments, groins, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and so as not to block lateral beach access.

4. Electrical Transmission Lines.

- a. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas revegetated with plants similar to those in the area to the extent safety and economic considerations allow.
- b. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow. *(Added by Ord. 4171, 10/25/94)*

5. Drive-Through Facilities.

In considering an application for such a Conditional Use Permit, the findings in Sec. 35-172.8., shall not be used and the permit shall be granted only if the drive-through facility is found to have no greater adverse impact upon air quality than the same use without the drive-through facility.

6. Sale of agricultural products grown on the premises.

- a. This use shall not be permitted in the EX-1 Zoning District.
- b. The premises shall consist of two (2) or more contiguous acres.
- c. If a building or structure is required for the sale of such products, the sale shall be conducted either within an existing accessory building or from a separate stand not to exceed two hundred (200) square feet of sales and storage Added 1/86 area except that if the premises consist of five (5) or more contiguous acres, such building shall not exceed six hundred (600) square feet. The building or structure shall be located no closer than 20 feet to the right-of-way line of any street; this requirement shall apply in lieu of

any other setback requirements of the zone district or the sign regulations.
Only one (1) stand shall be allowed on the premises.

- d. New structures shall be approved by the County Board of Architectural Review.
- e. A building permit shall be obtained, if required by the Division of Building and Safety.
- f. Signs advertising the sale of agricultural products shall conform to Section 35-16.2 of article I of Chapter 35 of the Santa Barbara County Code.
- g. A minimum of two (2) permanently maintained onsite parking spaces shall be provided, which shall not be located closer than 20 feet to the right-of-way line of any street.
- h. Prior to the issuance of a Coastal Development Permit, a permit for the sale of agricultural products shall be obtained from the Department of Health Care Services pursuant to Title 17, California Administrative Code Section 13653.

Sec. 35-174. Development Plans.

Sec. 35-174.1. Purpose and Intent.

The purpose of a Development Plan is to provide discretionary action for projects allowed by right within their respective zoning districts which, because of the type, scale, or location of the development, require comprehensive review.

Sec. 35-174.2. Applicability

1. No permit shall be issued for any development, including grading, for any property subject to the provisions of this section until a Preliminary and/or Final Development Plan has been approved as provided below. *(Amended by Ord. 4086, 12/15/92)*
2. The following shall be under the jurisdiction of the Director and shall be processed as set forth herein:
 - a) In the Highway Commercial (CH), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), Shopping Center Commercial (SC), Service Industrial Goleta (M-S-GOL), and Professional and Institutional (PI) zoning districts, Preliminary and Final Development Plans for buildings and structures which do not exceed a total of 10,000 square feet when combined with all outdoor areas designated for sales or storage and existing buildings and structures on the site. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4318, 6/23/98)*
 - b) Where a project was legally developed without an effective Development Plan and is considered nonconforming due to the absence of a Development Plan, a Final Development Plan may be processed for such "as built" development. *(Added by Ord. 4318, 6/23/98)*
 - c) Communication facilities as specified in Sec. 35-144F. *(Added by Ord. 4263, 6/24/97)*
3. The following shall be under the jurisdiction of the Zoning Administrator and shall be processed as set forth herein:
 - a) In the Visitor Serving Commercial (CV) and Public Utilities (PU) zoning districts, Preliminary and Final Development Plans for buildings and

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structures which do not exceed a total of 15,000 square feet when combined with all outdoor areas designated for sales or storage and existing buildings and structures on the site. *(Added by Ord. 4067, 8/18/92; Amended by Ord. 4318, 6/23/98)*

b) In the Highway Commercial (CH), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), Shopping Center Commercial (SC), Service Industrial Goleta (M-S-GOL), and Professional and Institutional (PI) zoning districts, Preliminary and Final Development Plans for buildings and structures and outdoor areas designated for sales or storage that exceed 10,000 square feet but do not exceed 15,000 square feet. *(Added by Ord. 4318, 6/23/98)*

c) Communication facilities as specified in Sec. 35-144F. *(Added by Ord. 4263, 6/24/97)*

4. All Development Plans outside the jurisdiction of the Director or the Zoning Administrator shall be within the jurisdiction of the Planning Commission. *(Added by Ord. 4318, 6/23/98)*

5. An applicant may file a Preliminary and then a Final Development Plan, or just a Final Development Plan. When only a Final Development Plan is filed, it shall be processed in the same manner as a Preliminary Development Plan. *(Amended by Ord. 3849, 3/23/90)*

6. No portion of any property not included within the boundaries of the Development Plan shall be entitled to any development permits.

Sec. 35-174.3. Contents of Preliminary Development Plan.

1. Unless the Planning Commission expressly waives the requirement, an application for a rezone to any district which is subject to the regulations of this section shall include a Preliminary Development Plan as part of the application. Upon Board of Supervisors' approval of the Rezoning and the Preliminary Development Plan, the Preliminary Development Plan may be made a part of the adopting ordinance amendment placing the new zone district regulations on the property.

2. As many copies of a Preliminary Development Plan as may be required shall be submitted to the Planning and Development Department. Unless otherwise

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specifically waived by the Director, the information submitted as part of the Preliminary Development Plan shall consist of the following:

- a. A site plan of the proposed development drawn in graphic scale showing:
(Amended by Ord. 4086, 12/15/92; Ord. 4318, 6/23/98)
 - 1) Gross and net acreage and boundaries of the property. *(Amended by Ord. 4318, 6/23/98)*
 - 2) Location of areas of geologic, seismic, flood, and other hazards.
 - 3) Location of areas of prime scenic quality, habitat resources, archeological sites, water bodies and significant existing vegetation.
 - 4) Location of all existing and proposed structures, their use, and square footage of each structure.
 - 5) All interior circulation patterns including existing and proposed streets, walkways, bikeways, and connections to existing or proposed arterial or connector roads and other major highways.
 - 6) Location of all utilities. *(Amended by Ord. 4318, 6/23/98)*
 - 7) Location and use of all buildings and structures within 50 feet of the boundaries of the property.
 - 8) Location and amount of land devoted to public purposes, open space, landscaping, and recreation.
 - 9) Location and number of parking spaces.
 - 10) All easements.
- b. A topographic map that meets Planning and Development requirements including existing natural and proposed contours. *(Amended by Ord. 4318, 6/23/98)*
- c. Proposed drainage system.
- d. Proposed (schematic) building elevations including building height(s) and other physical dimensions drawn in graphic scale. *(Amended by Ord. 4086, 12/15/92)*
- e. Statistical information including the following:

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- 1) Number and type of dwelling units in each building, i.e., single family dwelling, condominium, apartment, etc., and number of bedrooms in each unit.
 - 2) Percentage of total net land area of the property devoted to landscaping and open space.
 - 3) Parking ratio - parking spaces per building square foot, number of employees or dwelling units, whichever is applicable.
 - 4) Building coverage of the site in terms of percentage of the total net land area.
 - 5) Estimated number of potential residents in each residential category.
 - 6) Number of employees and number of proposed new employees if applicable.
 - 7) Average slopes. *(Amended by Ord. 4318, 6/23/98)*
 - 8) History of water use on the property measured in acre feet per year for the preceding ten (10) years, when available. *(Added by Ord. 4086, 12/15/92)*
- f. Aerial photograph of the property and surrounding parcels, when available. *(Added by Ord. 4086, 12/15/92)*
 - g. Demonstration of a validly created parcel and graphic configuration of such legal parcels. *(Added by Ord. 4086, 12/15/92)*
 - h. A statement of intent with respect to the establishment of utilities, services, and facilities including water, sewage disposal, fire protection, police protection, schools, transportation, i.e., proximity to public transit or provision of bike lanes, etc.
 - i. Measures to be used to prevent or reduce nuisance effects, such as noise, dust, odor, smoke, fumes, vibration, glare, traffic congestion, and to prevent danger to life and property.
 - j. If development is to occur in stages, the sequence and timing of construction of the various phases.
 - k. Proposed public access or recreational areas, trails, or streets to be dedicated to the County.

- I. Any other supplementary data requested by the Planning and Development Department.

Sec. 35-174.4. Processing of Preliminary Development Plan.

1. For all development within the Coastal Zone proposed between Gaviota Beach State Park and the Santa Maria River, upon receipt of the Preliminary Development Plan, the Planning and Development Department shall transmit one copy of the plan to the Air Force Missile Flight Safety Office (WSMC-SE), USAF, Vandenberg. The Air Force may submit to the Planning and Development Department available information regarding missile debris hazards for the County to consider in reviewing the Preliminary Development Plan. Such information shall be provided to the County within thirty (30) days of the date of transmittal and the County shall immediately send a copy to the applicant.
2. After receipt of the Preliminary Development Plan, the Planning and Development Department shall process the plan through environmental review. *(Amended by Ord. 3977, 2/21/92)*
3. The Planning and Development Department shall refer the Preliminary Development Plan to the Subdivision/Development Review Committee and the Board of Architectural Review for review and recommendation to the Planning Commission, Zoning Administrator or the Director. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4227, 6/18/96)*.
4. If the Preliminary Development Plan is under the jurisdiction of the Director as provided in Sec. 35-174.2, a public hearing shall not be required. However, notice shall be given at least ten (10) days prior to the date of the Director's decision as provided in Sec. 35-181 (Noticing). The Director may approve, conditionally approve, approve with modifications of development standards, or deny the plan. The Director's decision shall be final, subject to appeal to the Planning Commission as provided in Section 35-182. (Appeals). *(Amended by Ord. 3977, 3/21/92; Ord. 4086, 12/15/92; Ord. 4318, 6/23/98)*
5. The Planning Commission or Zoning Administrator shall consider Preliminary Development Plans within their jurisdiction at a noticed public hearing and approve, conditionally approve, approve with modifications of development

standards, or deny the plan. The Planning Commission or Zoning Administrator action shall be final, subject to appeal to the Board of Supervisors as provided in Sec. 35-182.3. (Appeals). *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4086, 12/15/92)*

6. If the Preliminary Development Plan is in conjunction with a rezone application, the Planning Commission shall recommend approval, conditional approval, approval with modification of the development standards, or denial to the Board of Supervisors. *(Amended by Ord. 4086, 12/15/92)*
7. If a Revised Preliminary Development Plan is required as provided in Sec. 35-174.10., it shall be processed in the same manner as the original plan. When approved by the Board of Supervisors, Planning Commission, Zoning Administrator, or Director, such revised plan shall automatically supersede any previously approved plan. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4086, 12/15/92)*

Sec. 35-174.5. Contents of Final Development Plan.

1. As many copies of the Final Development Plan as may be required shall be submitted to the Planning and Development Department. Unless specifically waived by the Director, the information submitted shall consist of the following:

(Amended by Ord. 4086, 12/15/92)

- a. All information and maps required under Sec. 35-174.3., Preliminary Development Plan submittal.
- b. Floor plans of each building indicating ground floor area and total floor area of each building.
- c. Proposed landscaping indicating type of irrigation proposed, irrigation plan indicating existing and proposed trees, shrubs, and ground cover, and delineating species, size, placement. Where the provisions of this Article require a

Landscape Plan in conjunction with proposed development the following shall apply: *(Amended by Ord. 4086, 12/15/92)*

- 1) The Planning and Development Department shall review the landscape plan and may approve or conditionally approve said plan.

Said landscape plans shall be prepared by a registered landscape Architect. *(Amended by Ord. 4086, 12/15/92)*

- 2) Prior to the issuance of the Coastal Development Permit for the development, a performance security, in an amount to be determined by the Planning and Development Department to guarantee the installation of plantings, walls, and fences, in accordance with the approved landscape plan, and adequate maintenance of the planting shall be filed with the County, if deemed necessary by the Planning and Development Department.
- d. Description of proposed Homeowners' Association (if applicable), indicating major elements to be included in the CCR's, deeds, and restrictions and methods of open space maintenance. *(Amended by Ord. 4086, 12/15/92)*
- e. The proposed method of fulfilling all conditions of approval required on the Preliminary Development Plan.
- f. Any other supplementary data requested by the Planning and Development Department.

Sec. 35-174.6. Processing of Final Development Plans.

1. Upon receipt of the Final Development Plan, the Planning and Development Department shall process the plan through environmental review and may refer the plan to the Subdivision Committee, unless there is no change from the preliminary Development Plan.
2. The Final Development Plan shall be referred to the Board of Architectural Review for final review and recommendations, if necessary. "As built" Development Plans that include exterior alterations shall be subject to the provisions of Section 35-184., Board of Architectural Review. *(Amended by Ord. 3977, 2/21/92; Ord. 4318, 6/23/98)*
3. When the Board of Supervisors, Planning Commission, Zoning Administrator, or Director has approved the Preliminary Development Plan, the Director shall review the Final Development Plan to determine that the plan is in substantial conformity with the Preliminary Development Plan, pursuant to the provisions set forth in this Section. The Director shall approve, conditionally approve, or deny the Final

Development Plan, without a public hearing. Notice shall be given ten (10) days prior to the Director's decision pursuant to Section 35-181. The Director's action shall be final subject to appeal to the Planning Commission as provided in Section 35-182 (Appeals). *(Amended by Ord. 4067, 8/18/92; Ord. 4086, 12/15/92; Ord. 4318, 6/23/98)*

4. The Director may approve minor changes to the Final Development Plan. If the Final Development Plan has any substantial changes from the Preliminary Development Plan approved by the Board of Supervisors, Planning Commission, or Zoning Administrator, the Director shall refer the Final Development Plan to the hearing body with jurisdiction (Planning Commission or Zoning Administrator) for approval. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92)*
5. When a Preliminary Development Plan has not been filed as provided in Sec. 35-174.2.3, the Final Development Plan shall be processed according to Sec. 35-174.4 (Processing of Preliminary Development Plan). *(Amended by Ord. 3977, 2/21/92)*

Sec. 35-174.7. Findings Required for Approval.

1. A Preliminary or Final Development Plan shall only be approved if all of the following findings are made:
 - a. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and level of development proposed.
 - b. That adverse impacts are mitigated to the maximum extent feasible.
 - c. That streets and highways are adequate and properly designed to carry the type and quantity of traffic generated by the proposed use.
 - d. That there are adequate public services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project.
 - e. That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.
 - f. That the project is in conformance with 1) the Comprehensive Plan, including the Coastal Land Use Plan, and 2) with the applicable provisions

of this Article and/or the project falls with the limited exception allowed under Section 35-161.7. *(Amended by Ord. 4227, 6/18/96)*

- g. That in designated rural areas the use is compatible with and subordinate to the scenic, agricultural and rural character of the area.
- h. That the project will not conflict with any easements required for public access through, or public use of a portion of the property.
- i. Additional findings, identified in Division 15 (Montecito Community Plan Overlay District), are required for those parcels identified with the MON overlay zone. *(Added by Ord. 4196, 5/16/95)*

- 2. A Final or Revised Final Development Plan shall only be approved if the following additional finding is made: Such plan is in substantial conformity with any approved Preliminary or Revised Preliminary Development Plan except when the Planning Commission, Zoning Administrator or Director considers a Final Development Plan for which there is not a previously approved Preliminary Development Plan. In this case, the Planning Commission, Zoning Administrator or Director may consider the Final Development Plan as both a Preliminary and Final Development Plan. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4086, 12/15/92)*

Sec. 35-174.8. Conditions, Restrictions, and Modifications.

- 1. At the time the Preliminary or Final Development Plan is approved, or subsequent Amendments or Revisions are approved, the Director, Zoning Administrator, Planning Commission or Board of Supervisors may modify the building height limit, distance between buildings, setback, yard, parking, building coverage, or screening requirements specified in the applicable zone district when the Director, Zoning Administrator, Planning Commission or Board of Supervisors finds the project justifies such modifications. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4318, 6/23/98)*
- 2. As a condition of approval of any Preliminary or Final Development Plan, the Director, Zoning Administrator, Planning Commission or Board of Supervisors may impose any appropriate and reasonable conditions or require any redesign of the project as they may deem necessary to protect the persons or property in the

neighborhood, to preserve the neighborhood character, natural resources or scenic quality of the area, to preserve or enhance the public peace, health, safety, and welfare, or to implement the purposes of this Article. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92)*

3. The Director, Zoning Administrator, Planning Commission or Board of Supervisors may require as a condition of approval of any Development Plan, the preservation of trees existing on the property. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92)*

Sec. 35-174.9. Time Limit

(Amended by Ord. 3849, 3/20/90; Ord 4227, 6/18/96)

1. A Preliminary Development Plan shall expire two (2) years after its approval, except that, for good cause shown, it may be extended for one year from the date the extension is granted by the Director, Zoning Administrator, or Planning Commission. The Preliminary Development Plan shall expire one year from the date the extension was granted or two years from the expiration date of the originally approved Development Plan, which ever comes first. A written request to extend the life of the Preliminary Development Plan must be received prior to the expiration of such Plan. *(Amended by Ord. 3977, 2/21/92; Ord. 4227, 6/18/96)*
2. Except as provided in Sec. 35-174.9.3. below, Final Development Plans shall expire five (5) years after approval unless, prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decision-making body with jurisdiction for the development project may, upon good cause shown, grant a time extension of one year. The Development Plan shall expire one year from the date the extension was granted or two years from the expiration date of the originally approved Final Development Plan, whichever comes first. A written request to extend the life of the Final Development Plan must be received prior to the expiration of such Plan. *(Amended by Ord. 3977, 2/21/92; Ord. 4067, 8/18/92; Ord. 4227, 6/18/96)*
3. In the designated Rural Area, for parcels with a base Zone District of AG-II and no designated Coastal Plan or Zoning overlays, Final Development Plans for Agricultural Development shall expire ten (10) years after approval unless, prior to

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the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decision-making body with jurisdiction for the development project may, upon good cause shown, grant a time extension of one year from the date the extension was granted for the Final Development Plan. The Development Plan shall expire one year from the date the extension was granted or two years from the expiration date of the originally approved Final Development Plan, whichever comes first. A written request to extend the life of the Final Development Plan must be received prior to the expiration of such Plan. *(Added by Ord. 4067, 8/18/92; Amended by Ord. 4227, 6/18/96)*

4. The limitation imposed by this section requiring time extensions to expire two years from the expiration date of the originally approved preliminary or final development plan shall not apply to applications for time extensions filed before July 18, 1996.

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Sec. 35-174.10. Substantial Conformity, Amendments and Revisions.
(Added by Ord. 4086, 12/15/92)

Changes to a Preliminary or Final Development Plan, shall be processed as follows:

1. Substantial Conformity:

The Director may approve a minor change to a Final Development Plan, if the Director determines that the change is in substantial conformity with the Final Development Plan, pursuant to the County's Substantial Conformity Guidelines. No public noticing or public hearing shall be required for Substantial Conformity Determinations. The action of the Director shall be final, and not appealable. A Coastal Development Permit shall be required, pursuant to the Substantial Conformity Determination. Prior to the approval of such Coastal Development Permits, an additional finding must be made that the Coastal Development Permit substantially conforms to the previous Development Plan. *(Amended by Ord. 4227, 6/18/96)*

2. Amendments:

Where a Final Development Plan is not in substantial conformity with the approved plan, the Director may approve, or conditionally approve an application to alter, add replace, relocate, or otherwise amend a Final Development Plan, providing:

a. The area of the proposed new development that is under review was
1) analyzed for potential environmental impacts and policy consistency as a part of the approved permit and an addendum to the previous environmental document could be prepared, or 2) was not analyzed in a previous environmental document and policy consistency was not considered as part of the approved permit, but the proposed new development could be found to be exempt from CEQA. *(Amended by Ord. 4318, 6/23/98)*

b. All of the following additional findings can be made:

1) In addition to the findings required for approval of a Final Development Plan set forth in this Sec. 35-174.7., the proposed Amendment is consistent with the specific findings of approval, including CEQA findings, if applicable, that were adopted when the

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Final Development Plan was previously approved. *(Amended by Ord 4318, 6/23/98)*

- 2). The environmental impacts related to the proposed change are substantially the same or less than those identified for the previously approved project.
- c. A public hearing shall not be required for Amendments to a Final Development Plan. However, notice shall be given at least ten (10) days prior to the date of the Director's decision as provided in Sec. 35-181. (Noticing). The Director may approve, conditionally approve, or deny the Amendment. *(Amended by Ord. 4298, 3/24/98)*
3. Revisions:
 - a. A Revised Development Plan shall be required for changes to a Preliminary or Final Development Plan where the findings set forth in Sec. 35-174.10. for Amendments cannot be made and substantial conformity cannot be determined.
 - b. A Revised Development Plan shall be processed in the same manner as a new Preliminary or Final Development Plan except as provided under Section 35-174.10.3.c below. *(Amended by Ord. 4166, 10/4/94)*
 - c. The Zoning Administrator may approve a Revision to a Development Plan approved pursuant to the Housing Element of the County of Santa Barbara as adopted in 1989 to reflect the 1993 Housing Element in place of affordable housing conditions imposed pursuant to the 1989 Housing Element. A Revision shall only be approved if the findings in Section 35-174.7 can be made. The Revision shall be confined to affordable housing requirements only. The provisions of this Section shall expire January 1, 1996. In order for a Revision to be approved under this provision, the Zoning Administrator shall find that the project has met all criteria listed below at the time of application submittal:
 1. The project is for residential use.

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2. The project has permit conditions requiring affordable housing based on the previous Housing Element adopted in 1989.
3.
 - a. The project is located in a Housing Market Area (HMA) where the moderate income need is currently being provided by the unrestricted housing market as identified in the Housing Element Implementation Guidelines and the affordable units have not yet received occupancy clearance or the developer has not yet paid in-lieu fees at the time the revision is requested, depending on the original permit requirements; or,
 - b. The project is located in a HMA where there is a need for all levels of affordable housing as identified in the Housing Element Implementation Guidelines and the developer has not yet recorded an affordable housing agreement with the County or has not yet paid in-lieu fees at the time the revision is requested, depending on what the original permit conditions required.
4. The project was not approved pursuant to a settlement agreement with the County.
5. The developer is not requesting any incentives as part of the Revision request. *(Added by Ord. 4166, 10/4/94)*

3.8 AGRICULTURE

3.8.1 COASTAL ACT POLICIES

30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and non-agricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b) of this section, and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

30242. All other lands suitable for agricultural use shall not be converted to non-agricultural uses unless: (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

30243. The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of non-commercial size shall be limited to providing for necessary timber processing and related facilities.

3.8.2 PLANNING ISSUES

Agriculture in the County's coastal zone varies with the diverse topography and soil types that distinguish the rocky, rugged coastline of the North County (Hollister and Bixby Ranches to Guadalupe) from the alluvial plains and foothills of the South Coast, exemplified by the Carpinteria Valley. In the Carpinteria Valley, a trend toward higher return specialty crops, e.g., cut flowers and nursery stock, lemons, and avocados,

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has emerged in response to the area's prime growing conditions and the escalating land values characteristic of an urbanizing area. Of the approximately 3,900 acres in agricultural use in the Valley at this time, 3,200 acres are planted to lemons and avocados; 650 acres are devoted to greenhouse and nursery production; and the remaining acreage is being cultivated for other irrigated crops. An estimated 2,350 acres of the Valley's soils are classified as prime, representing about 60 percent of the lands in production. Bordering the Carpinteria Valley, the non-prime soils and generally steep slopes north and east of the community of Summerland are currently planted to lemons and avocados; horse stabling facilities, related to the nearby Santa Barbara Polo Grounds, are also found in this area.

Agriculture in the coastal zone from Montecito to Ellwood is scattered and of a smaller scale than that of the Carpinteria Valley. A number of greenhouses exist in the vicinity of More Mesa in Goleta, and new plantings of lemons and avocados extend along U. S. 101 west of Ellwood. At El Capitan, a more rugged topography, less moderate climate, and lack of water resources foster a natural transition to cattle grazing and large scale ranch operations. The latter activities typify agriculture in the rest of the County's coastal zone from Gaviota to the San Luis Obispo County line, except for a small portion of the fertile Santa Maria Valley west of Guadalupe, which is in vegetable production.

The County's commitment to the preservation of agricultural lands is demonstrated by the success of its Agricultural Preserve Program. Currently, there are 525,760 acres enrolled in preserves throughout the County representing over 90 percent of the eligible privately owned prime and non-prime lands. While the Preserve Program has been strongest in the rural areas of the County, over 20,000 acres of prime lands located within one mile of City limits are enrolled. In the Carpinteria Valley, 2,878 acres are under preserve status at this time. Although none of the greenhouse growers has elected to join the program to date, 55 acres of nursery production have been enrolled.

Coastal Act policies require that the maximum amount of prime agricultural lands be maintained in production and that conflicts between agricultural and urban land uses be minimized. The Act also calls for the protection of the long term productivity of soils and stipulates conditions under which the conversion of agricultural lands to non-agricultural uses would be appropriate. To carry out the goals of the Coastal Act, the land use plan must delineate stable urban/rural boundaries in areas where agricultural lands are directly affected by past and potential urban encroachment and establish minimum parcel sizes for agriculture which will tend to strengthen agricultural use over the long term. Policies and performance standards must also be formulated which will prevent adverse impacts on coastal resources from agricultural development, e.g., erosion caused by orchard development on steep hillsides, water quality degradation from agricultural irrigation runoff, and loss of soil productivity from agricultural development such as greenhouses.

Urban/Rural Boundary

Within the County's coastal zone, the need for clearly defined urban/rural boundaries is especially apparent on the South Coast, where prime coastal agriculture has given way to urban expansion in a rapidly developing area. Lemon orchards and vegetable "truck" farms once characteristic of the coastal area of Goleta have gradually been replaced by residential subdivisions and industrial parks as a result of the area's growth. The prime agricultural lands of the Carpinteria Valley have also been subject to urban encroachment. From 1970 to 1975, the City of Carpinteria experienced its most rapid growth. During that period, the City annexed two large residential subdivisions and an industrial park, the former encroaching onto prime agricultural soils to the north of the City and the latter requiring the conversion of some viable orchards to the east. At present, the City's boundaries generally abut prime soils or prime agricultural lands. Residential enclaves such as Serena Park and Shepard's Mesa have also emerged in the unincorporated area of the Carpinteria Valley, introducing a residential estate land use pattern into the agricultural setting. To the west, the town of Summerland is surrounded by rural lands which are best suited for continued rural use because of a combination of existing agricultural uses, natural hazards (steep slopes and unstable soils), and resource constraints.

The purpose of an urban/rural boundary is to clearly delineate areas appropriate for urban land use, i.e., residential, commercial, and industrial, from areas where rural uses should be sustained, principally agriculture but including rural residential, coastal dependent industry, and limited highway commercial activities where necessary. The urban/rural boundary is not necessarily defined on a jurisdictional basis; for example, agriculturally designated lands within city limits that are located on the urban fringe and contiguous with other agricultural parcels would be included in the rural area. Conversely, a residential subdivision contiguous to other urban uses but in an unincorporated area would be considered urban. The principal determinant in establishing an urban/rural boundary is the preservation of existing agricultural lands, while allowing for reasonable growth within urban areas through infilling and logical expansion outward. To this end, criteria for designating agricultural lands, not as a transitional land use but for agricultural use over the long term, need to be developed. The preservation of lands with prime agricultural soils, i.e., Class I or II according to the U.S. Soil Conservation Service, is of highest priority. Prime agricultural lands, as defined in Section 51201 of the Public Resources Code (Appendix A), and lands in existing agricultural production are the next most important to receive agricultural land use designations. Finally, lands not in production but having agricultural potential (i.e., soils, topography, location and other factors which will support long term agricultural production) need to be identified for agricultural use.

In the land use plan, two agricultural land use designations are used: Agriculture I and Agriculture II. Agriculture I is used to designate the

high return, specialty crop areas within the urbanized portion of the South Coast. Minimum parcel sizes under the Agriculture I designation range from five to forty acres and permitted uses include food and fiber crops, orchards, and greenhouse operations; commercial horse stabling facilities would require a conditional use permit under this designation. The ranches and large scale grazing operations typical of the rural area from Ellwood to Gaviota, the Hollister and Bixby Ranches, and North Coast are shown as Agriculture II. Minimum parcel sizes range from 100 to 320 acres; greenhouses would be a conditional use under the Agriculture II designation.

Urban/rural boundaries are delineated on the land use plan maps for the Carpinteria Valley, Summerland, and Goleta areas; each of these proposed boundaries is explained in detail in the respective planning area discussions in Chapter 4.

Minimum Parcel Size

In addition to designating lands for agricultural use, minimum agricultural parcel sizes which will strengthen agricultural uses by allowing for flexibility in the scale of production required for existing and potentially viable crops and preventing parcelization to a point where agricultural viability would be jeopardized need to be determined. In several areas of the County's coastal zone, agricultural minimum parcel sizes specified under existing zoning are inadequate to sustain agricultural production over the long term; thus, some increase is warranted. Countering this need for an increase in minimum parcel sizes, however, is the existence of smaller parcels in many areas of the coastal zone, which limits the degree to which change can be effected.

In the Carpinteria Valley, escalating land costs characteristic of an area with urban potential, have contributed to development of the Valley's specialty crop agricultural economy and the formation of smaller agricultural parcels. In 1956, the County instituted the "A-1-X" zone, establishing a five-acre minimum parcel size for the Valley and other areas of the South Coast. This action was prompted by the possibility that urban uses would intrude into existing agricultural areas. In 1971, the County modified the Uniform Rules of the Agricultural Preserve Program to allow growers who own as few as five acres of fully planted and commercially producing land to qualify for preserve status if they apply with growers of equal or larger size to meet the 40-acre minimum preserve size required for prime agricultural lands. This action was taken to strengthen the A-1-X zone in the face of mounting urban pressures. In 1978, the County again modified the Agricultural Preserve requirements to allow five-acre parcels with 4.75 fully producing acres to qualify as preserves if all of the other requirements are also satisfied. Although these measures have been effective in holding the line against further urban encroachment in the Carpinteria Valley, a buildout of the Valley based on the permitted five-acre minimum would jeopardize the area's agricultural production and lead to adverse impacts on local resources and service systems (see Carpinteria Valley planning area discussion). While a larger minimum parcel size is

needed in the Valley, the level of increase that would be appropriate is conditioned by the existing predominance of smaller parcel sizes; over half of the parcels in the Valley are less than ten acres in size.

Under the land use plan, a ten-acre minimum parcel size is proposed as a base agricultural minimum in place of the minimum five acres permitted under the existing A-1-X zone in the Carpinteria Valley. However, a range of minimum parcel sizes from five to forty acres is also included to provide for flexibility and to adjust for topographic and soil constraints. Since the Carpinteria Valley is the largest prime agricultural area in the County's coastal zone, the determination of a minimum parcel size for the Valley is used as the basis for agricultural minimums in Summerland, Goleta, and other prime agricultural lands within the bounds of the coastal zone.

In the rural area of the County's coastal zone extending west from Ellwood to Point Conception and north to the County line, existing zoning includes General Agriculture and Limited Agriculture designations. Since agriculture in this area is mostly non-prime, i.e., cattle grazing and forage crops, large acreages are required to be economically viable and 100-acre minimums are specified for most areas under present zoning. An Unlimited Agriculture ("U") zone with a ten-acre minimum also exists in some areas. Historically, this designation was used for unclassified lands in the County's rural areas. On the basis of economic viability and resource constraints, both the 100-acre and 10-acre minimums are inadequate for non-prime agricultural lands. Yet, on the Gaviota Coast between Ellwood and El Capitan, the vast majority of parcels are less than 100 acres in size and existing agriculture is a mixture of prime and non-prime pursuits. A 100-acre minimum, therefore, continues to be the most appropriate minimum parcel size for agriculturally designated lands in this area. West of El Capitan, agriculture in the Gaviota Coast planning area is predominantly non-prime due to changes in the topography, climate, and availability of water resources. Under the land use plan, the agricultural minimum parcel size is increased to 320 acres in this portion of the planning area to reflect these changes.

Along the North Coast, the coastal boundary extends inward, encompassing the entire Hollister and Bixby Ranches. Although parcelization has already occurred on Hollister Ranch under the existing 100-acre zoning, the Bixby Ranch remains under single ownership. Because of the need to sustain the economic viability of the County's non-prime agricultural lands on the North Coast and, also, because of the area's remoteness, lack of water resources and public services, an increase in the minimum parcel size is required. The land use plan stipulates a 320-acre minimum for the North Coast to strengthen agriculture as the principal land use and to bring potential buildout in line with the area's available resources.

Determination of minimum parcel sizes alone may not be sufficient to sustain the large, non-prime agricultural operations still in existence in the rural areas of the coastal zone, i.e., ranches in excess of 10,000

acres. Historically, minimum parcel size restrictions have led to parcelization of larger holdings into smaller holdings, frequently resulting in parcels unsuited for continuation of large-scale agricultural activities such as cattle grazing. Therefore, a new strategy is needed. One alternative would be to permit a clustered residential development at a density greater than that permitted under the specified minimum parcel size on a small portion of the property, with the requirement that the balance of the land be maintained in agricultural production. Through this type of limited development, the vast majority of the agricultural land would be retained intact as a single unit, affording the economies of scale that are required in non-prime operations.

Impact of Greenhouse Development on Coastal Resources

Under the Coastal Act, greenhouses, although an agricultural activity, are also a type of development and must be evaluated in terms of their impact on the long-term productivity of soils and the preservation of an area's agricultural economy. Issues such as the contribution of greenhouses to increased runoff, loss of groundwater recharge, the effects of soil coverage and compaction, and impacts on visual quality need to be addressed.

Greenhouse operations vary in the amount of structural and related land coverage required for production. In the Carpinteria Valley, approximately 60 percent of greenhouse production takes place directly in the underlying soil, the remainder taking place in pots or containers. However, aside from the land reserved for growing, asphalt or concrete coverage is generally used for storage, packing and loading areas, walkways, driveways, and parking. The cost of removing greenhouse structures and related coverage can be prohibitive, foreclosing the possibility of returning the land to other types of open field agriculture. In some cases, gravel or sand is substituted as a covering for driveways and parking areas; but, this type of coverage can also be detrimental to the future productivity of the soil because of compaction and penetration into the topsoil.

Although greenhouses are a permitted use in all of the County's agricultural zones, specific greenhouse regulations are stipulated only in the A-1-X zone. According to the existing ordinance, a greenhouse must be set back 50 feet from the centerline of any street and 20 feet from the lot lines of the parcel on which it is located. These are the only conditions affecting greenhouse lot coverage at this time and they are insufficient in several respects. The 50-foot setback from the centerline of any street is not adequate in the Carpinteria Valley, since the width of the two major roads along which greenhouses are located (Via Real and Foothill) varies, leading to a lack of uniformity in the setback requirement. Where a 20 foot setback along property lines is adequate for smaller greenhouse projects (i.e., on existing parcels of less than five acres), an increased setback is needed for projects on lots of five acres or more, particularly where greenhouses are located adjacent to residential neighborhoods. In addition, the maximum proportion of lot coverage for greenhouse structures and impervious surfaces needs to be specified to control the density of

development and mitigate visual impacts. Since setbacks can account for a significantly large proportion of the smaller parcels, setback requirements for these parcels should be less than for larger parcels; maximum coverage requirements should also be adjusted to reflect this concern.

In the Carpinteria Valley, water runoff from greenhouse structures and related impervious surfaces as well as from agricultural irrigation is directed to the Valley's natural drainage channels. Two of these water courses, Franklin and Santa Monica Creeks, flow directly into Carpinteria Marsh. Portions of these creeks have been channelized and plans have been proposed to channelize other portions within the Marsh itself. The current capacity of the channels is based on existing land use patterns in the Valley. Additional runoff from a substantial increase in greenhouse, agricultural, or urban development could potentially overburden these channels, creating a need to enlarge them and resulting in a loss of habitat. In addition, although there is no present evidence of water contamination in the Marsh, the impact of runoff waters on the water quality of the Marsh needs to be monitored. The cumulative runoff and water quality impacts of increased agricultural development in the Valley on the area's resources have not been assessed to date, as projects have been evaluated on a case by case basis. Given the extent of agricultural development in the Valley at this time, an overall assessment of these impacts is needed.

With the exception of an area in the western portion of the Carpinteria Valley south of Foothill Road and another narrow strip to the east of the City, most of the Valley is in a groundwater recharge area. Depending on the amount of impervious surface coverage, greenhouses can reduce the rate and area of permeability for recharge with the result of decreasing water replenishment to the groundwater basin. However, while some recharge may be lost due to greenhouse coverage, water is returned to the groundwater basin through internal irrigation. The actual loss of groundwater recharge caused by greenhouse projects needs to be measured on a case by case basis and mitigating measures required as necessary. Recharge can be restored through use of impoundment basins, porous pavement, and other water management measures.

The amount of water used in greenhouse operations is greater than that required for most open field crops grown in the coastal area. Because of existing water constraints on the South Coast, the need for supplemental water will be a limiting factor for new greenhouse developments as well as conversions from existing field crops to cover crops (see planning area discussions and Section 3.2).

At present, new greenhouse projects of 20,000 square feet or more, and additions of 10,000 square feet and over, which result in a structure in excess of 30,000 square feet, are subject to an impact analysis through the environmental review (EIR) process. Because of the concern for the potential adverse impacts caused by greenhouses, all greenhouse projects of 20,000 square feet or more and any additions to an existing greenhouse development that create a total development of 20,000 square feet or more need to be subject to environmental review. In addition, criteria for

evaluating adverse impacts from greenhouses need to be standardized, in order that these impacts can be identified and mitigating measures required.

The industrial appearance of greenhouses as viewed from Highway 101 and other public streets in the Valley can detract from the visual quality of the coastal area if not appropriately landscaped. The County has instituted landscaping requirements which have been effective in most cases in minimizing the visual impact of greenhouses. According to the requirements of the A-1-X zone, a landscaping plan must be approved by the County Resource Management Department and such landscaping must be capable of screening greenhouse structures and parking areas within five years. These measures are adequate to protect coastal visual resources.

3.8.3 POLICIES

Policy 8-1: An agricultural land use designation shall be given to any parcel in rural areas that meets one or more of the following criteria:

- a. Prime agricultural soils (Capability Classes I and II as determined by the U.S. Soil Conservation Service).
- b. Other prime agricultural lands as defined in Section 51201 of the Public Resources Code (Appendix A).
- c. Lands in existing agricultural use.
- d. Lands with agricultural potential (e.g., soil, topography, and location that will support long term agricultural use).

These criteria shall also be used for designating agricultural land use in urban areas, except where agricultural viability is already severely impaired by conflicts with urban uses.

Policy 8-2: If a parcel is designated for agricultural use and is located in a rural area not contiguous with the urban/rural boundary, conversion to non-agricultural use shall not be permitted unless such conversion of the entire parcel would allow for another priority use under the Coastal Act, e.g., coastal dependent industry, recreation and access, or protection of an environmentally sensitive habitat. Such conversion shall not be in conflict with contiguous agricultural operations in the area, and shall be consistent with Section 30241 and 30242 of the Coastal Act.

Policy 8-3: If a parcel is designated for agricultural use and is located in a rural area contiguous with the urban/rural boundary, conversion shall not be permitted unless:

- a. The agricultural use of the land is severely impaired because of physical factors (e.g. high water table), topographical constraints, or urban conflicts (e.g., surrounded by urban uses which inhibit production or make it impossible to qualify for agricultural preserve status), and
- b. Conversion would contribute to the logical completion of an existing urban neighborhood, and
- c. There are no alternative areas appropriate for infilling within the urban area or there are no other parcels along the urban periphery where the agricultural potential is more severely restricted.

Policy 8-4: As a requirement for approval of any proposed land division of agricultural land designated as Agriculture I or II in the land use plan, the County shall make a finding that the long-term agricultural productivity of the property will not be diminished by the proposed division.

Policy 8-5: All greenhouse projects of 20,000 or more square feet and all additions to existing greenhouse development, i.e., greenhouse expansion, packing sheds, or other development for a total of existing and additions of 20,000 or more square feet, shall be subject to County discretionary approval and, therefore, subject to environmental review under County CEQA guidelines.

Prior to issuance of a development permit, the County shall make the finding based on information provided by environmental documents, staff analysis, and the applicant that all significant adverse impacts of the development as addressed in paragraphs "a" through "e" below have been identified and mitigated.

Action

The County Resource Management Department shall develop procedures and standards for the environmental impact analysis of greenhouse developments. This action is necessary to ensure that all significant adverse impacts on coastal resources are identified and that mitigation measures are attached to projects as a condition of approval to mitigate individual and cumulative impacts. Such guidelines shall include an evaluation of the following factors for each project:

- a. An assessment of the individual and cumulative increases in the amount and rate of runoff that would be caused by the proposed project and the potential impact on downstream water courses. Mitigating measures shall be required to prevent runoff waters from entering overburdened water courses by directing runoff to water courses capable of handling the increased flow, or to collect the runoff and provide for drainage systems adequate to handle the increased flow.

- b. If the project is located in a groundwater recharge area, a determination of the amount and rate of recharge that would occur if the site were uncovered and the net loss of recharge that will result from the project. Projects will be required to provide for the net potential loss of recharge that will result from the project through the use of impoundment basins where feasible or other means of collecting, storing, and percolating water for the purpose of recharging the groundwater basin.
- c. Assessment of the impact of materials used for coverage and amount of coverage on the long-term productivity of soils.
- d. Assessment of the potential adverse impacts of the project on the water quality of affected water bodies and groundwater basins.

To this end, the following information shall be required for each greenhouse project:

1. the volume of water runoff or discharge during normal operating conditions and during the rainy season of the year.
2. the types and amounts of pesticides and fertilizers contained in the runoff or discharge.
3. the method for disposing of the runoff or discharge, i.e., a drainage plan, irrigation plan, or other means of determining how the runoff will be managed.

The County shall request the Regional Water Quality Control Board to review each greenhouse project for conformance with applicable State statutes and policies and to recommend mitigating measures where necessary. No discharge shall be permitted into enclosed bays and estuaries unless it can be shown that such discharge will not degrade the quality of the receiving waters. In addition, no detectable level of pesticide shall be discharged into surface waters. Mitigation means may include suspension of the runoff and redirection away from the affected waters, treatment of the runoff to remove toxicants and nutrients present, and/or monitoring of discharge from individual greenhouse projects.

To implement this policy in the Carpinteria Valley, a program for regular monitoring of the water quality of the Carpinteria Marsh and streams affected by greenhouse development shall be established (see also Recommendation 8, paragraph b(1), Section 3.9).

- e. Assessment of the potential adverse impacts of the climate control aspects of the project on air quality.

In addition to the mitigating measures listed above, other measures necessary to mitigate any adverse impacts identified as a result of the evaluation of these and other factors shall be required as a condition of project approval. In order to adequately assess the potential individual and cumulative impacts of greenhouse development on the coastal resources of the Carpinteria Valley, the County should conduct a master environmental impact assessment for the Valley to determine the level of greenhouse development that the Valley's resources can support without experiencing adverse environmental impacts. The County shall seek funding for the preparation of the master environmental impact assessment during the implementation phase of the Local Coastal Program. If the master environmental impact assessment is not completed within three years of the certification of the County's land use plan, greenhouse development (as regulated by Policy 8-5) shall automatically become a conditional use on Agriculture I designated lands in the Carpinteria Valley. If, however, the County and Coastal Commission agree on land use designation or policy changes based on the County's assessment of adverse environmental impacts of greenhouses gathered through the permit process, conditional use permits shall not be required for greenhouse development.

Policy 8-6: No greenhouse, hothouse, or accessory structure shall be located closer than 50 feet from the boundary line of a lot zoned residential. In addition, setback and maximum lot coverage requirements shall be as follows:

<u>Parcel Size</u>	<u>Setbacks</u>	<u>Maximum Lot Coverage for All Structures</u>
Less than 5 acres	30 feet from the right-of-way of any street and 20 feet from the lot lines of the parcel on which the greenhouse is located	75 percent
5 to 9.99 acres	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	70 percent
10 acres or more	30 feet from the right-of-way of any street and from the lot lines of the parcel on which the greenhouse is located	65 percent

Policy 8-7: Landscaping and screening shall be installed within six months of completion of new greenhouses and/or accessory buildings. Such landscaping shall reasonably block the view of greenhouse structures and parking areas from the nearest public road(s) within five years of project completion.

Policy 8-8: The existing and future viability of large, non-prime agricultural operations of 10,000 acres or more for which the County of Santa Barbara has not approved land divisions in the Gaviota Coast and North Coast Planning Areas shall be protected. In order to preserve non-prime agricultural operations and avoid subdivision of large ranches down to the minimum parcel sizes specified in the land use plan, residential development at a density greater than that allowed under the specified minimum parcel size may be permitted only if clustered on no more than two percent of the gross acreage with the remaining acreage to be left in agricultural production and/or open space. The maximum density allowable under a clustered residential development shall be calculated at the rate of one dwelling unit per two acres for each acre included in the two percent area. Residential development to exceed one dwelling unit (du) per two acres in the two percent area up to a maximum of one du per acre may be permitted, provided that the County can make the finding that there is no potential for significant adverse environmental effects with respect to the findings listed below. An additional one percent of the gross area shall be dedicated for public recreation and reserved for commercial visitor-serving uses. Such developments may be considered subject to the following findings which shall be based on data contained in an Environmental Impact Report on each project.

Findings:

- a) The County shall make the finding that the proposed development will be compatible with the long-term preservation of the agricultural operation.
- b) The County shall make the finding that water resources and all necessary services are adequate to serve the proposed development, including residential, public recreation, and commercial visitor-serving uses, and the existing agricultural operation.

Water and all necessary services shall be allocated to each land use in the following order of priorities: (1) existing agricultural operations; (2) recreational and visitor-serving uses*; (3) residential development.

* Water to be reserved for commercial visitor-serving uses shall be an amount equivalent to that needed for a 100-room hotel or a transient population of 250 persons for each five acres of land reserved for such uses.

Residential density shall be decreased if necessary to reserve adequate water supply for agriculture, recreation, and commercial visitor-serving land uses. The E.I.R. on each project shall include an assessment of the potential alternative of intensification of the agricultural operations (e.g., potential for production of higher economic return crops or expansion of existing operations). If this assessment shows that the ranch has good potential for intensification of agriculture without impacting habitat resources, the County shall require the applicant to reserve sufficient water for expanded or intensified agricultural operations.

- c) The County shall make the finding that the proposed development has been sited and designed so as to: (1) avoid and buffer all prime agricultural areas of the site; (2) minimize to the maximum extent feasible the need for construction of new roads by clustering new development close to existing roads; (3) avoid placement of roads or structures on any environmentally sensitive habitat areas; (4) minimize impacts of non-agricultural structures on public views from beaches, public trails and roads, and public recreational areas; and (5) minimize risks to life and property due to geologic, flood, and fire hazard. (Minor agricultural development, i.e., fences, irrigation systems, shall be excluded from these findings.)
- d) The County shall make the finding that the residential development has been clustered to the maximum extent feasible so as not to interfere with agricultural production but shall also be consistent with the goal of maintaining the rural character of the area.
- e) The County shall make the finding that that conditions, covenants, and restrictions governing the Homeowners' Association and/or individual lots are adequate to insure permanent maintenance of the lands to remain in agriculture and/or open space.

If the County can make these findings, development may be permitted subject to the following conditions and pursuant to adoption of a special overlay district under the applicable County zoning ordinance:

Conditions:

- a) Initial public capital costs created by the development shall be borne by the applicant. Property tax and other revenues accruing to local government from the development shall be equal to or exceed all costs of providing services such as roads, water, sewers, and fire and police protection.

- b) The residential units shall be clustered to the maximum extent feasible within no more than two (2) percent of the gross acreage which shall result in residential lots smaller than the minimum parcel otherwise permitted under the Agriculture II designation. In addition, one (1) percent of the gross acreage shall be reserved for commercial visitor-serving facilities, beach access, bluff top trails, and other public recreational uses. The ownership of the remaining 97 percent of the gross acreage shall be held in common ownership in perpetuity. The creation of the residential lots shall fully comply with the provisions of the California Subdivision Map Act. Upon creation or sale of residential lots, a capital fund shall be provided that will be sufficient to make capital improvements and purchase equipment and materials necessary to ensure continuance of the agricultural operation.
- c) Development rights to non-agricultural uses for that portion of the property that will remain in agriculture and commercial visitor-serving uses, i.e., 98 percent of the gross acreage minus the portion to be dedicated for public access and recreation, shall be granted to the County and a third party such as the California Coastal Conservancy free and clear of any financial liens. The portion to remain in agriculture and/or open space shall not be further subdivided.
- d) A Homeowners' Association shall be formed and membership shall be mandatory for each home buyer and successive buyer. The Homeowners' Association shall be responsible for the permanent maintenance of the agricultural and open space areas held in common by the homeowners. An assessment system, or other form of subsidy, shall be required to ensure compliance with this provision.
- e) A minimum of one (1) percent of the gross acreage including the dry sandy beach shall be dedicated for public recreation and access and reserved for commercial visitor-serving facilities. The County may require the applicant to construct trails, parking lots, or related public recreational facilities as a condition of development. The locations of such public recreational facilities shall be compatible with the goal of protecting habitat resources and the viability of the existing agricultural operation.

Within the one percent area, land shall be reserved for commercial visitor-serving uses at the rate of five acres per 10,000 gross acres. All commercial visitor-serving uses shall require a conditional use permit to ensure that such uses are compatible with the rural and agricultural character of the area. Examples of appropriate uses

include: rustic lodge or cabins, hostel, campgrounds, etc. Land and access rights for such development may be provided by long-term leases from the Homeowners' Association. At the end of a ten-year period following final approval of the project, the land reserved but not developed for commercial visitor-serving uses may be converted to public recreation and open space if the County makes the finding that commercial uses are not economically feasible.

- f) If a non-agricultural development or portion thereof is determined by the County to be subject to hazards from missile fallout from Vandenberg Air Force Base, the County shall require the owner and all subsequent owners to execute documents holding the County and State harmless against any liability arising from such an occurrence as a condition of project approval.

Note regarding calculation of area to be included in the two percent figure for residential development.

The two percent figure is the maximum area that will be permitted to be taken out of agricultural production and to be committed to residential and related accessory uses. Included in the two percent calculation are: residential units, new roads (excluding existing paved roads), parking areas, structural coverage for non-agricultural buildings, private open space such as yards or gardens, etc.

Policy 8-9: The existing and future viability of large, non-prime agricultural operations in the Channel Islands Planning Area shall be protected. In order to preserve....(same wording as Policy 8-8 above).

Policy 8-10: Legal parcels of non-prime agricultural land in excess of 2,000 acres which are designed as AG-II-320 may be subdivided into parcels of 320 acres or more provided that the owners grants an agricultural easement or development rights to further subdivide the parcel or to use said parcel for all other non-agricultural purposes to the County and a third party such as the Coastal Conservancy in order to assure that the newly created parcels will not be further subdivided or converted to non-agricultural uses. Conversion of a portion of a parcel to allow for a priority use (i.e., coastal dependent industry, commercial visitor-serving uses, or public recreation) may be allowed if necessary to maintain continued agricultural use on the balance of the parcel.

DIVISION 4.

ZONING DISTRICTS.

Sec. 35-68. AG-I Agriculture I.

Sec. 35-68.1. Purpose and Intent.

The purpose of the Agriculture I district is to designate and protect lands appropriate for long-term agricultural use within or adjacent to urbanized areas, and to preserve prime agricultural soils.

Sec. 35-68.2. Processing

No permits for development including grading shall be issued except in conformance with Sec. 35-169 (Coastal Development Permits).

Sec. 35-68.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Sec. 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot. *(Amended by Ord. 4086, 12/15/92)*
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis. *(Added by Ord. 4067, 8/18/92)*
4. Sale of agricultural products produced on the premises provided that such sale is conducted either within an existing agricultural building or from a separate stand not exceeding two hundred (200) square feet and located no closer than twenty (20) feet to the right-of-way line of any street.
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000

square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Sec. 35-174. (Development Plans).

6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.) on a permanent foundation system, pursuant to Health & Safety Code § 18551, subject to the provisions of Sec. 35-141 (General Regulations).
7. One guest house or artist studio per legal lot subject to the provisions of Sec. 35-120 (General Regulations). *(Amended by Ord. 3835, 3/20/90)*
8. Home occupations, subject to the provisions of Sec. 35-121 (General regulations). *(Amended by Ord. 3836, 3/20/90)*
9. One Attached Residential Second Unit per legal lot in the AG-I-5, AG-I-10, and AG-I-20 zone districts, subject to the provisions of Sec. 35-142 (Attached Residential Second Units). *(Added by Ord. 4169, 10/11/94)*
10. Accessory uses, buildings, and structures which are customarily incidental to the above uses.

Sec. 35-68.4. Uses Permitted with a Major Conditional Use Permit

(Amended by Ord. 4298, 3/24/98)

1. Commercial raising of animals, boarding of animals, and commercial riding stables.
2. Animal hospitals, and animal husbandry services. *(Amended by Ord. 4067, 8/18/92)*
3. Facilities for the sorting, cleaning, packing, freezing, loading, transporting and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
 - a. the facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
 - b. the primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles

- beyond the boundaries of Santa Barbara County for local processing, distribution, or sale,
- c. the primary intent of the development of this facility shall be to serve south coast agriculture,
 - d. the products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands,
 - e. the facility processes products grown on the premises or on other local agricultural lands,
 - f. all application for such facilities shall be accompanied by a landscape plan pursuant to the requirements of Sec. 35-68.4 of this Article,
 - g. siting of this type of facility on prime agricultural lands or agriculturally productive non-prime soils should be avoided where feasible, and
 - h. all applications for such facilities shall be accompanied by defined truck and vehicle routes proposed to serve the facility.

No conditional use permit shall be required under this section for such facilities if they are devoted primarily to the handling of products grown on the premises and the processing of products grown off premises if accessory and customarily incidental to the marketing of products in their natural form grown on the premises.

4. Farm labor camps, including trailers, for housing five or more employees engaged full-time in agriculture working on or off the farm or ranch upon which the dwelling(s) is located, subject to the provisions of Sec. 35-132.9 (General Regulations). *(Amended by Ord. 3837, 3/2/90)*

Sec. 35-68.5. Uses Permitted with a Minor Conditional Use Permit
(Amended by Ord. 3837, 3/20/90)

1. Additional dwellings for not to exceed four employees of the owner or lessee of the land engaged full time in agriculture on the farm or ranch upon which the dwelling is located provided:

- a. The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings, to support such use; and
 - b. The applicant provides proof of the full-time employment of the employees.
2. One Detached Residential Second Unit per legal lot in the AG-I-5, AG-I-10, and AG-I-20 zone districts, subject to the development standards and requirements set forth in DIVISION 7, GENERAL REGULATIONS, Sec. 35-142A (Detached Residential Second Units) and DIVISION 11, PERMIT PROCEDURES, Sec. 35-172 (Conditional Use Permits). *(Added by Ord. 4169, 10/11/94)*
3. Commercial Kennels. *(Added by Ord. 4067, 8/18/92)*

Sec. 35-68.6. Minimum Lot Size.

1. Each main dwelling unit shall be located on a lot having a minimum gross lot area as indicated below for the symbol shown on the lot on the applicable Santa Barbara County Zoning Map.

<u>Zoning Symbol</u>	<u>Minimum Lot Size</u>
AG-I-5	5 acres
AG-I-10	10 acres
AG-I-20	20 acres
AG-I-40	40 acres

2. A dwelling may be located upon a smaller lot if such lot is shown as a legal lot either on a recorded subdivision or parcel map or is a legal lot as evidenced by a recorded certificate of compliance.

Sec. 35-68.7 Setbacks for Buildings and Structures.

- 1. Front: Fifty (50) feet from the centerline and twenty (20) feet from the right-of-way line of any street.
- 2. Side and Rear: Twenty (20) feet from the lot lines of the lot on which the building or structure is located.
- 3. Lots that contain one gross acre or less shall be subject to the setback regulations of the R-1/E-1 Single-Family Residential District.

Ex. 7

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4. In addition, no hothouse, greenhouse, other plant protection, or related structure shall be located within thirty (30) feet of the right-of-way line of any street nor within fifty (50) feet of the lot line of a lot zoned residential. On lots containing five (5) or more gross acres, an additional setback of thirty (30) feet from the lot lines of the lot on which the structure is located is required.

Sec. 35-68.8. Lot Coverage.

The maximum net lot coverage for all hothouses, greenhouses, and other plant protection structures shall be as follows:

<u>Lot Size</u>	<u>Maximum Lot Coverage</u>
Less than 5 acres	75 percent
5 to 9.99 acres	70 percent
10 acres or more	65 percent

Sec. 35-68.9. Height Limit.

No building or structure shall exceed a height of thirty-five (35) feet.

Sec. 35-68.10. Parking Requirements.

Parking shall be provided as specified in the DIVISION 6, PARKING REGULATIONS, except for *(Amended by Ord. 4067, 8/18/92)*:

1. Agricultural developments not requiring Development Plan (DP) approval, shall not be required to comply with design specifications for marking or striping (Sec. 35-114.3.c.), except for handicap parking spaces required under State Law. *(Added by Ord. 4067, 8/18/92)*
2. Agricultural Development projects requiring Development Plan (DP) approval may request that the decision maker waive certain design specifications for marking or striping otherwise required under Sec. 35-114.3.c. *(Added by Ord. 4067, 8/18/92)*

Sec. 35-68.11. Landscaping.

None, except that for commercial hothouses, greenhouses, or other plant protection structures, or as otherwise required in the provisions of this district, a landscaping plan must be approved by the Planning and Development Department. Said plan shall include landscaping which, within five years, will reasonably block the view of said structures and on-site parking areas from the nearest public road(s). Said plan shall also include

landscaping along all streets. The landscaping plan shall consist of plant material and said plant material shall be compatible with plants grown on the property. All landscaping shall be installed within six months of project completion.

Prior to the issuance of any permits, a performance security, in an amount determined by the Planning and Development Department, to insure installation and maintenance for two years, shall be filed with the Clerk of the Board of Supervisors. Said performance security shall be released by said Clerk upon a written statement from the County Planning and Development Department that the landscaping, in accordance with the approved landscaping plan has been installed and maintained for two years.

Sec. 35-68.12. Maximum Gross Floor Area (Floor Area Ratio or FAR) *(Added by Ord. 4186, 3/14/95)*

None, except that where a Residential Second Unit has been approved, the total gross floor area of all covered structures shall be subject to the requirements of DIVISION 7, (GENERAL REGULATIONS), Section 35-142.6.f. (Development Standards) for attached second units, or Sections 35-142A.6.5. (Development Standards) for detached second units.

NONCONFORMING

- 4) The improvement does not extend or expand the existing developed industrial site boundary within a parcel.
 - 5) The improvement does not result in an expansion or extension of life of the nonconforming use due to increased capacity of the structure dedicated to the nonconforming use, or from increased access to a resource, or from an opportunity to increase recovery of an existing resource. Any extension in the life of the nonconforming use affected by the improvement results solely from improved operational efficiency and is incidental to the primary purpose of improving public health and safety or providing an environmental benefit.
 - 6) The improvement does not allow for processing of "new production" as defined Section 35-154.
 - 7) If prior Limited Exception Determinations have been made for the same nonconforming use under this section, the successive Limited Exception Determinations cumulatively provide a public health and safety or environmental benefit.
8. Parking. If a use is nonconforming with existing parking standards, the building or structure devoted to such use may be altered but the use may not be intensified, extended, or expanded in a manner that would increase the required number of parking spaces pursuant to Division 6, Parking, unless a) the use is brought into conformance with the requirements of Division 6, Parking, or b) a modification to the parking requirements has been approved.

Sec.35-162. Nonconforming Buildings and Structures.

(Amended by Ord. 4227, 6/18/96)

If a building or structure is conforming as to use but nonconforming as to setbacks, height, lot coverage, or other requirements concerning the building or structure, such structure may remain so long as it is otherwise lawful, subject to the following regulations.

1. Structural Change, Extension, or Expansion. A nonconforming building or structure may be enlarged, extended, moved, or structurally altered provided that

EXHIBIT 8

STB-MAJ-2-02

**Certified Zoning Code
Section 35-162
Nonconforming Structures**

Coastal Zoning Ordinance - Ch

any such extension, enlargement, etc., complies with the setback, height, lot coverage, and other requirements of this Article. Seismic retrofits, as defined in Section 35-58 and pursuant to Section 35.169.2.1.m., are permitted throughout the conforming and nonconforming portions of the structure or building. No living quarters may be extended into an accessory building located in the required front, side, or rear yards by such addition or enlargement. *(Amended by Ord. 4318, 6/23/98)*

2. Damage. The purpose of this section is to identify the standards for allowing the restoration or reconstruction of a nonconforming structure that is damaged by fire, flood, earthquake or other natural disaster.
 - a. Except for single family residential buildings or structures, where a nonconforming building or structure is damaged by fire, flood, earthquake, or other natural disaster to an extent of seventy-five (75) percent or more of the replacement cost at the time of damage, as determined by the Planning and Development Department, such structure may not be reconstructed unless the Zoning Administrator finds that the adverse impact upon the neighborhood would be less than the hardship which would be suffered by the owner of the structure should reconstruction of the nonconforming structure be denied.
 - b. Where damage to a nonconforming, non-single family residential building or structure is to an extent of less than seventy-five (75) percent of the replacement cost at the time of damage, as determined by the Planning and Development Department, such structure may be restored to the same or lesser size in the same general footprint location.
 - c. If a nonconforming single family residential building or structure is damaged or destroyed by fire, flood, earthquake, or other natural disaster, such building or structure may be reconstructed to the same or lesser size in the same general footprint location.
 - d. Notwithstanding the above, additional provisions, identified in Section 35-214 of Division 15 (Montecito Community Plan Overlay District), exist for

parcels identified within the MON Overlay zone which, in the case of conflict, shall take precedence over this Section.

- e. The restoration permitted above shall commence within twenty-four (24) months of the time of damage and be diligently carried to completion. If the restoration of such building or structure does not commence within twenty-four (24) months it shall not be restored except in conformity with the applicable zone district regulations and other provisions of this Article.
- f. The restoration of a nonconforming building or structure that is damaged by fire, flood, earthquake or other natural disaster shall be exempt from the permit requirements of this Article only if the building or structure complies with the provisions of this Section and if the building or structure conforms to the specifications documented to exist prior to the damage as determined by the Planning and Development Department. If the Planning and Development Department determines that the exterior design or specifications are proposed to be changed or the footprint of the building or structure is relocated, the restored structure shall be subject to the provisions of Section 35-184., Board of Architectural Review., if otherwise subject to such review (e.g., the site is within the D-Design Control Overlay District). If the building or structure is proposed to be altered from the original specifications, the restoration shall be subject to all applicable permit requirements of this Article. *(Amended by Ord. 4318, 6/23/98)*

Sec. 35-163. Construction in Progress.

(Amended by Ord. 4227, 6/18/96)

To avoid undue hardship, nothing in this DIVISION shall be deemed to require a change in the plans, construction or designated use of any building or structure on which actual construction was lawfully begun prior to the effective date of adoption or any amendment of this Article rendering the building or structure or its use nonconforming and upon which actual construction has been carried out diligently. Actual construction is hereby defined as the placing of construction material in permanent position and fastened in a permanent manner.

Discharges from Carpinteria Valley Greenhouses, Santa Barbara County [Mike Higgins 805/542-4649] *(New information is italicized.)*

Santa Monica and Franklin Creeks (Creeks) discharge into the Carpinteria Marsh (Marsh). The University of California at Santa Barbara, Santa Barbara County's Project Clean Water, and this Region's Central Coast Ambient Monitoring Program have monitored the Creeks and Marsh for several pollutants, including nitrate. The data show the Creeks often discharge nitrate at levels exceeding water quality objectives to the Marsh. Additionally, data obtained from the County Agricultural Commission demonstrate substantial pesticide use in the area. Discharges to the Creeks from greenhouses, nurseries, field crops, and orchards may be nitrate and pesticide sources. In addition, confined animal facilities and surfacing groundwater may be additional nitrate sources. The excess nitrate and pesticides discharged to the Slough either impair or threaten to impair the Marsh's beneficial uses, including wildlife and estuarine habitat, migration and spawning of aquatic organisms, preservation of habitats of special significance, and uses by rare and endangered species.

In recent years, the Carpinteria Valley's mild climate and proximity to large markets in Southern California prompted horticulturists to substantially increase the number of greenhouses in the area. To reduce expenses and increase production, most greenhouses improved their growing practices, thereby reducing adverse effects on water quality. The greenhouses often converted to hydroponic systems, which generate much less wastewater and require much less fertilizer than earlier in-ground or potted growing methods. Many greenhouse operators capture, treat, and return the small wastewater flows to the irrigation system for reuse. However, some greenhouses discharge irrigation runoff and water softener wastewaters directly to outdoor ditches, which then drain to the creeks.

In June 2001, staff inspected six greenhouses suspected of discharging wastewater to Santa Monica and Franklin Creeks. Inspections

found that all had converted to hydroponic systems, and recycled all irrigation runoff. However, four of the six greenhouse operators discharged small flows of water softener wastewater to the Creeks and Marsh.

Currently, there are no permits for the discharge of wastewater from the greenhouses in the Carpinteria Valley, although there are known wastewater discharges. As a result, in a July 2001 letter, the Executive Officer advised all greenhouse owners and operators in the Carpinteria Valley:

- Of the applicable legal requirements and recommended they cease discharges of polluted wastewater to surface waters without an NPDES permit;
- To submit, in accordance with Water Code Section 13267(b), a technical report from each describing existing and proposed waste disposal methods;
- To submit an application for an NPDES permit, in which the Regional Board would require pollutants to be eliminated from the discharge (for those who intend to continue discharge wastewater to surface waters), and,
- If the greenhouse or nursery proposes to cease discharging wastewater to surface waters, to submit a technical report proposing management measures and a time schedule to implement them.

In August 2001, a Regional Board subcommittee conducted a public workshop to discuss issues raised in the July 2001 letter. Subsequently, all 51 greenhouse and nursery operators, representing more than 175 greenhouses, responded to the July 2001 letter request. Almost all stated they intended to cease discharging to surface waters, and provided compliance time schedules and plans to do so.

In late September, local citizens submitted information pointing out possible greenhouse discharges. *Board staff inspected the alleged discharges and informed the individual greenhouse/nursery operators of the inspection results as well as the Santa Barbara County Flower Growers Association. Subsequently, the operators*

EXHIBIT 9

STB-MAJ-2-02

**Central Coast RWQCB
Staff Report**

eliminated most of the reported discharges. Regional Board staff will continue to address the few remaining discharges.

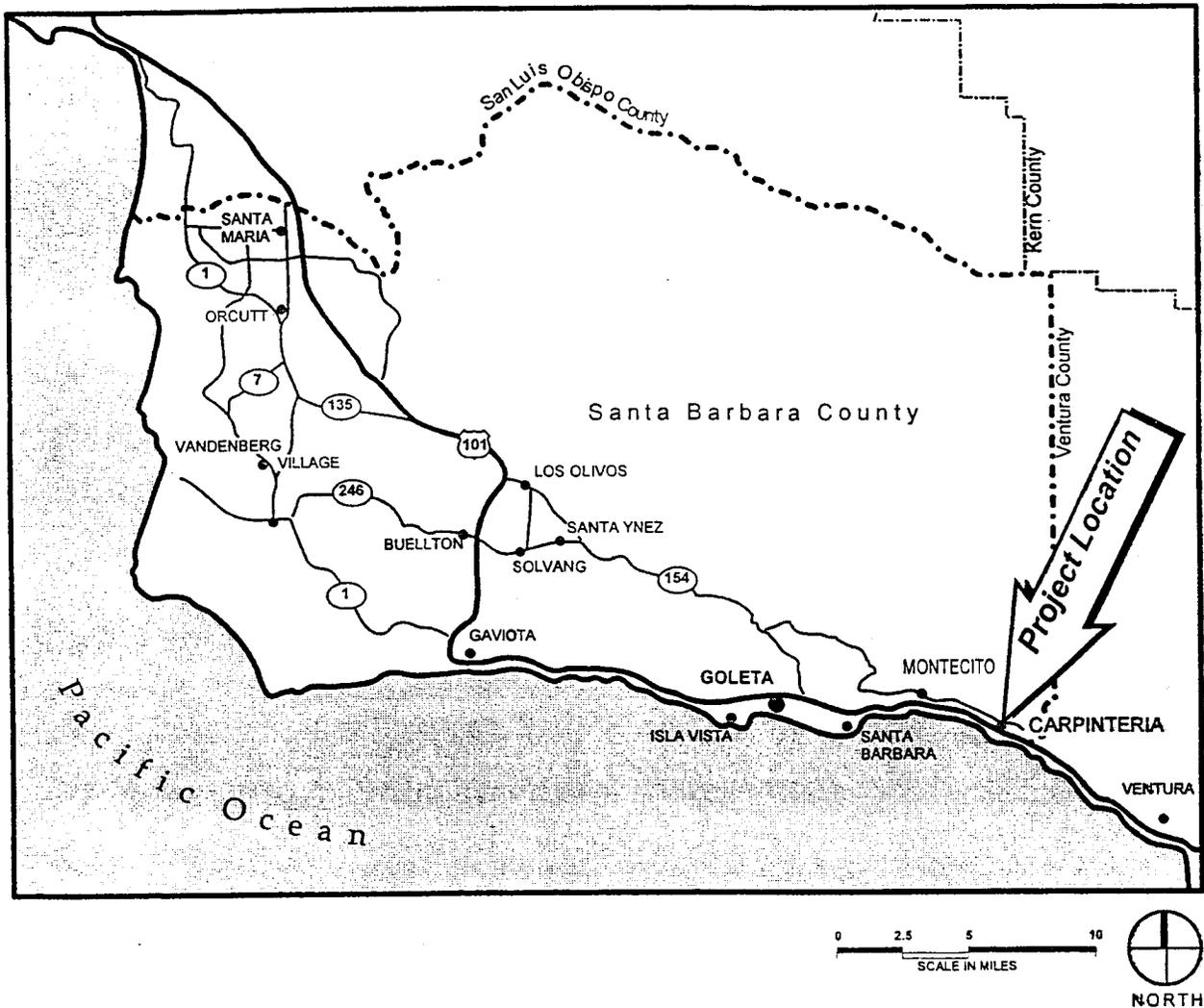
Staff will periodically monitor the creeks to evaluate the effect of eliminating greenhouse discharges on water quality in the Creeks and Slough, compared to baseline data. The surface water monitoring will also be used to identify other potential sources of contaminants within each watershed. The work group will update the Regional Board again at the May or July Board meeting.

In March 2002, staff formed a small work group to address greenhouse wastewater discharges in the Carpinteria Valley. By inspecting each greenhouse or nursery, work group members confirmed the information submitted by greenhouse operators in the technical reports. *Regional Board staff completed initial compliance inspections at 47 of 51 greenhouse or nursery operations, and will conduct "follow-up" inspections at selected facilities, including those that provided a schedule to eliminate the discharge. The attached greenhouse table reflects each of the facilities we have visited along with their inspection and compliance status. Regional Board staff continues to work with greenhouse operators that have not yet eliminated their discharges, accepting the operators' compliance schedule where reasonable.*

The work group is using the "environmental problem solving" techniques described by Malcolm Sparrow. As recommended by the State Board for all regions for fiscal year 2002-2003, staff designated the greenhouse issue as a pilot project to illustrate problem solving techniques. *After completing the pilot project, in an effort to reduce additional pollutant discharges into the Creeks, Regional Board staff proposes to expand the use of Sparrow's ideas to address discharges from other likely pollutant sources in the Arroyo Paredon, Santa Monica, and Franklin Creek Watersheds. These likely sources include orchards, confined animal facilities, and field crops. Sampling results indicate*

that groundwater is also contributing to nitrate impacts in the Creek, as it surfaces just inland from the 101 freeway in Carpinteria.

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Regional Location

EXHIBIT 10
STB-MAJ-2-02
Regional Location Map

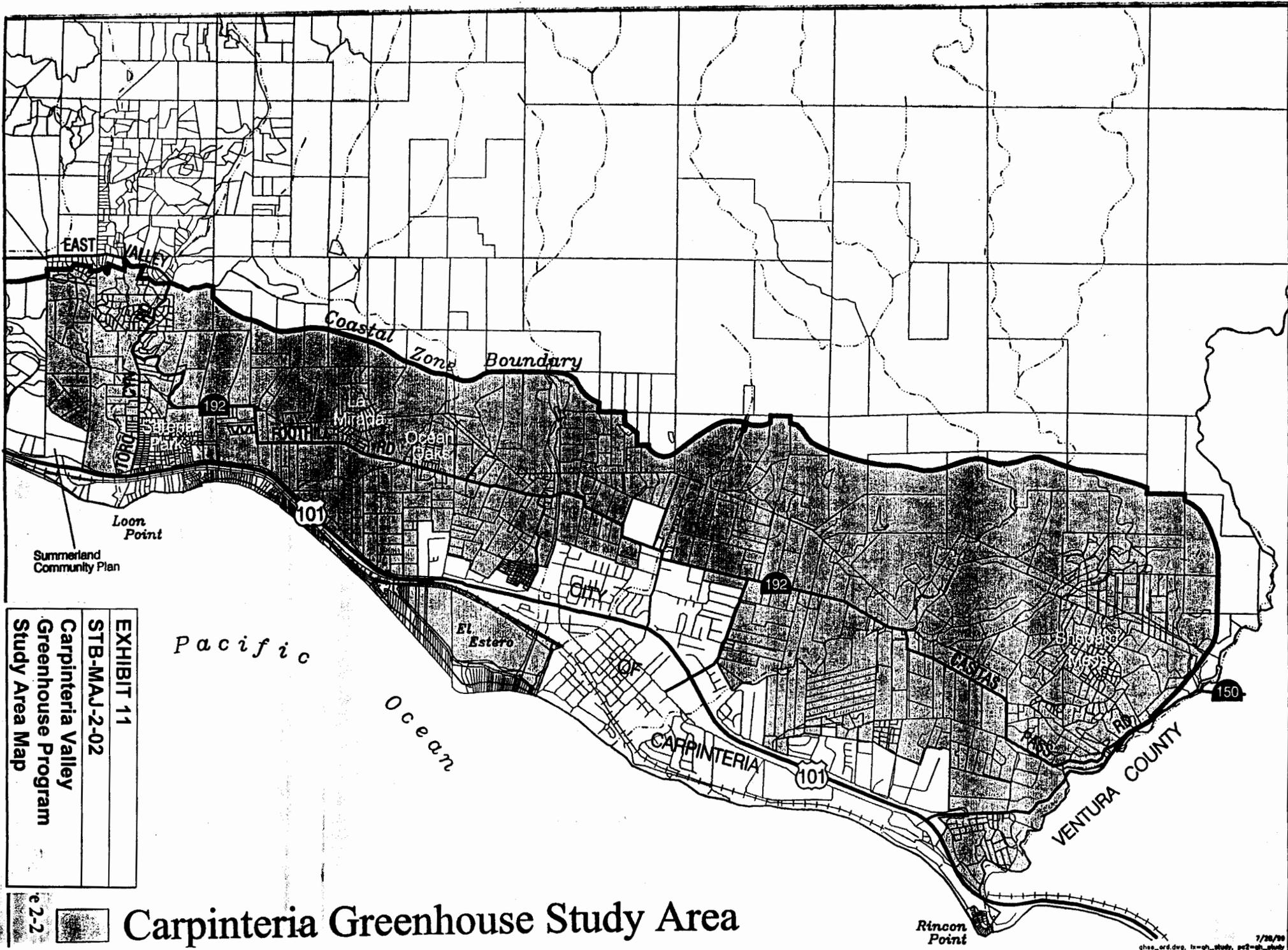


EXHIBIT 11
 STB-MAJ-2-02
 Carpinteria Valley
 Greenhouse Program
 Study Area Map

Carpinteria Greenhouse Study Area

e-2-2

Rincon Point

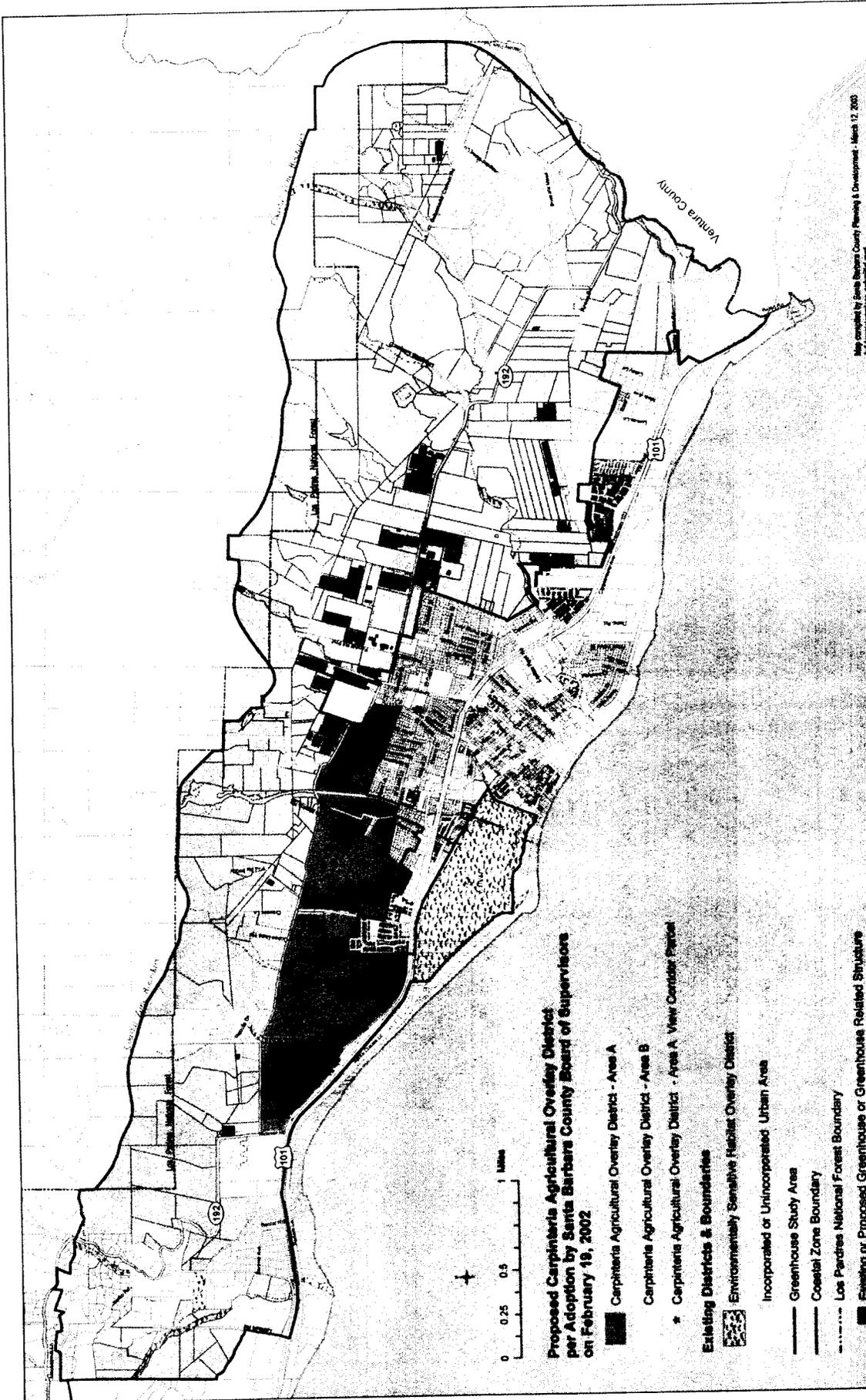
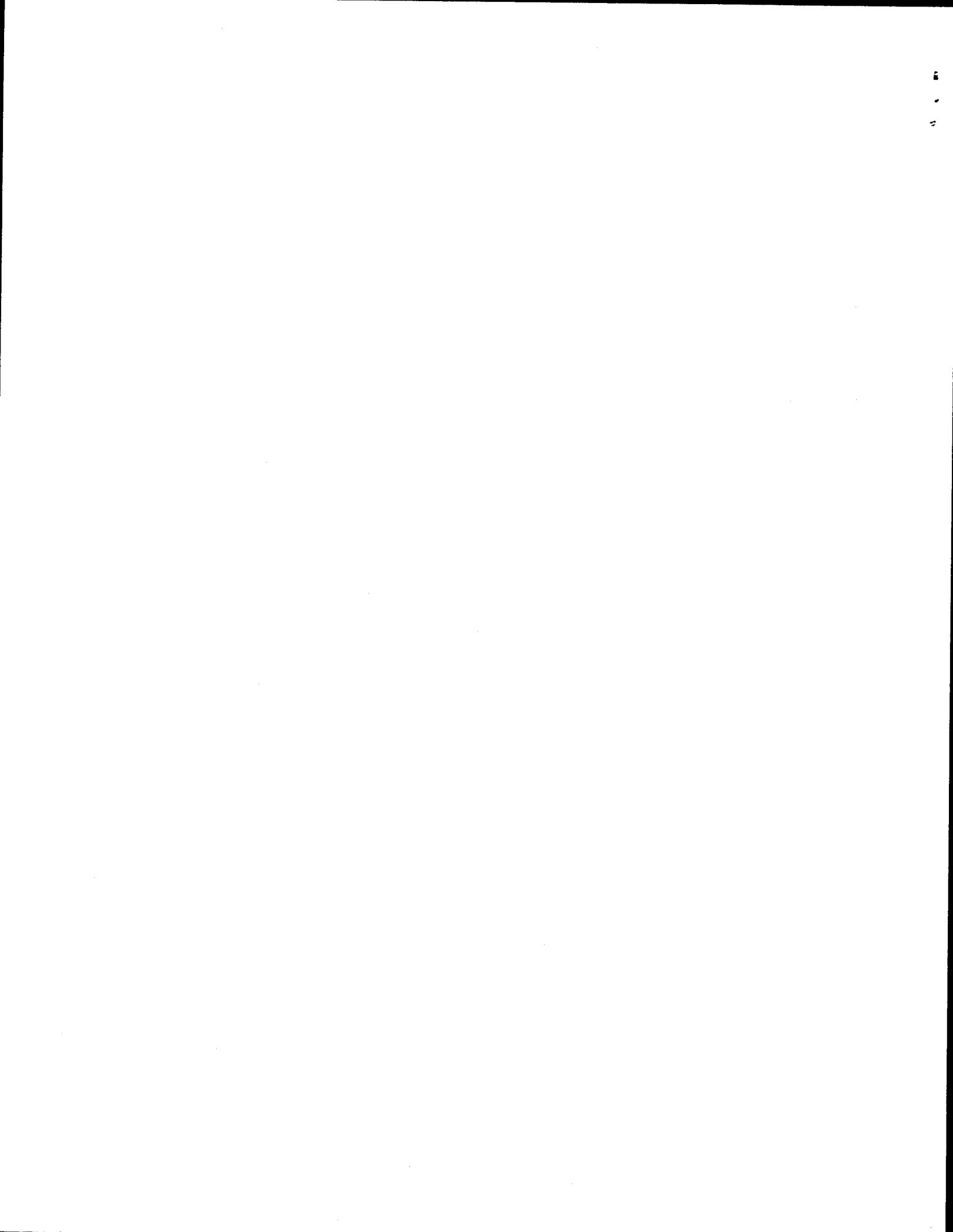


EXHIBIT 12
STB-MAJ-2-02
Proposed Overlay District Map



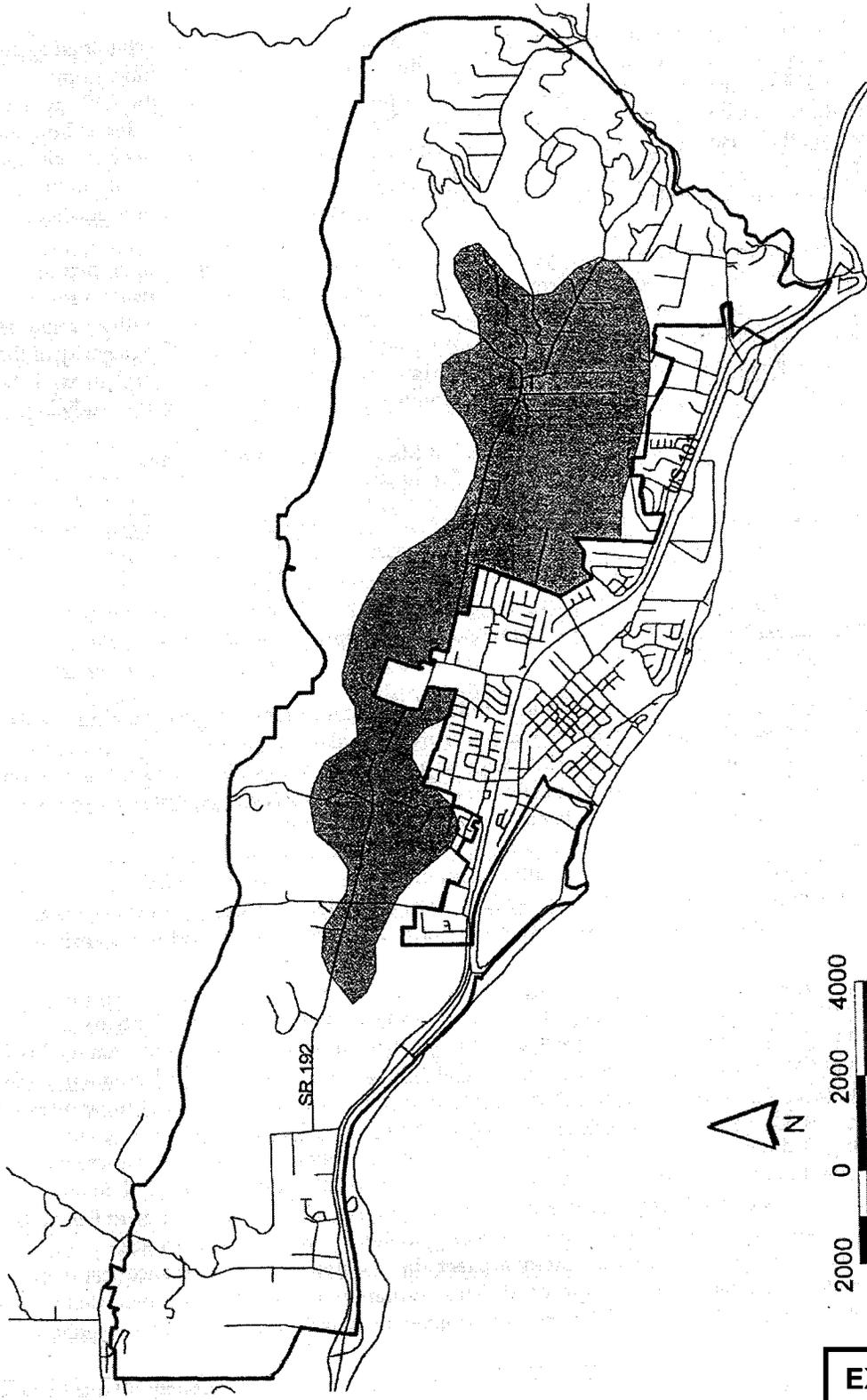
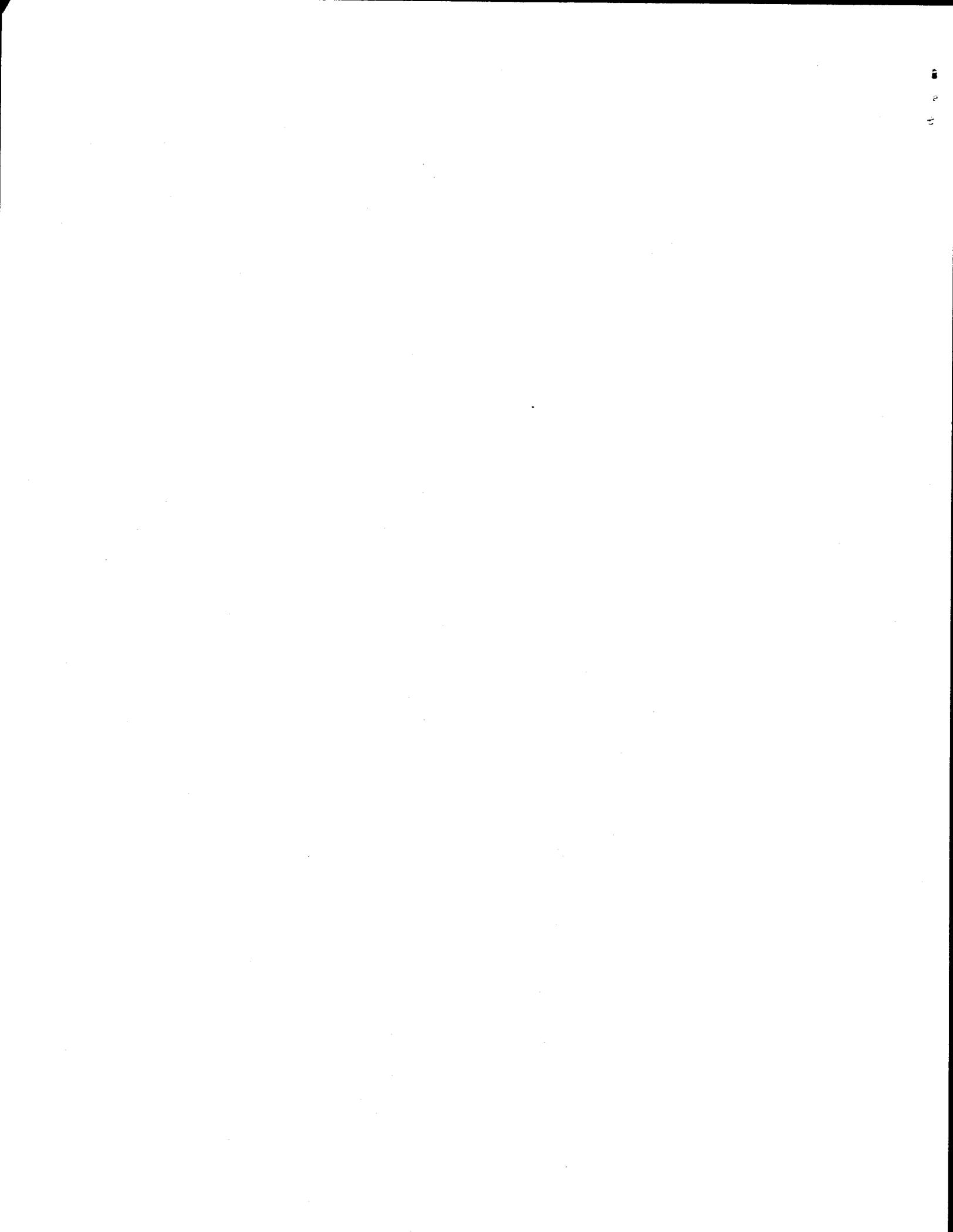


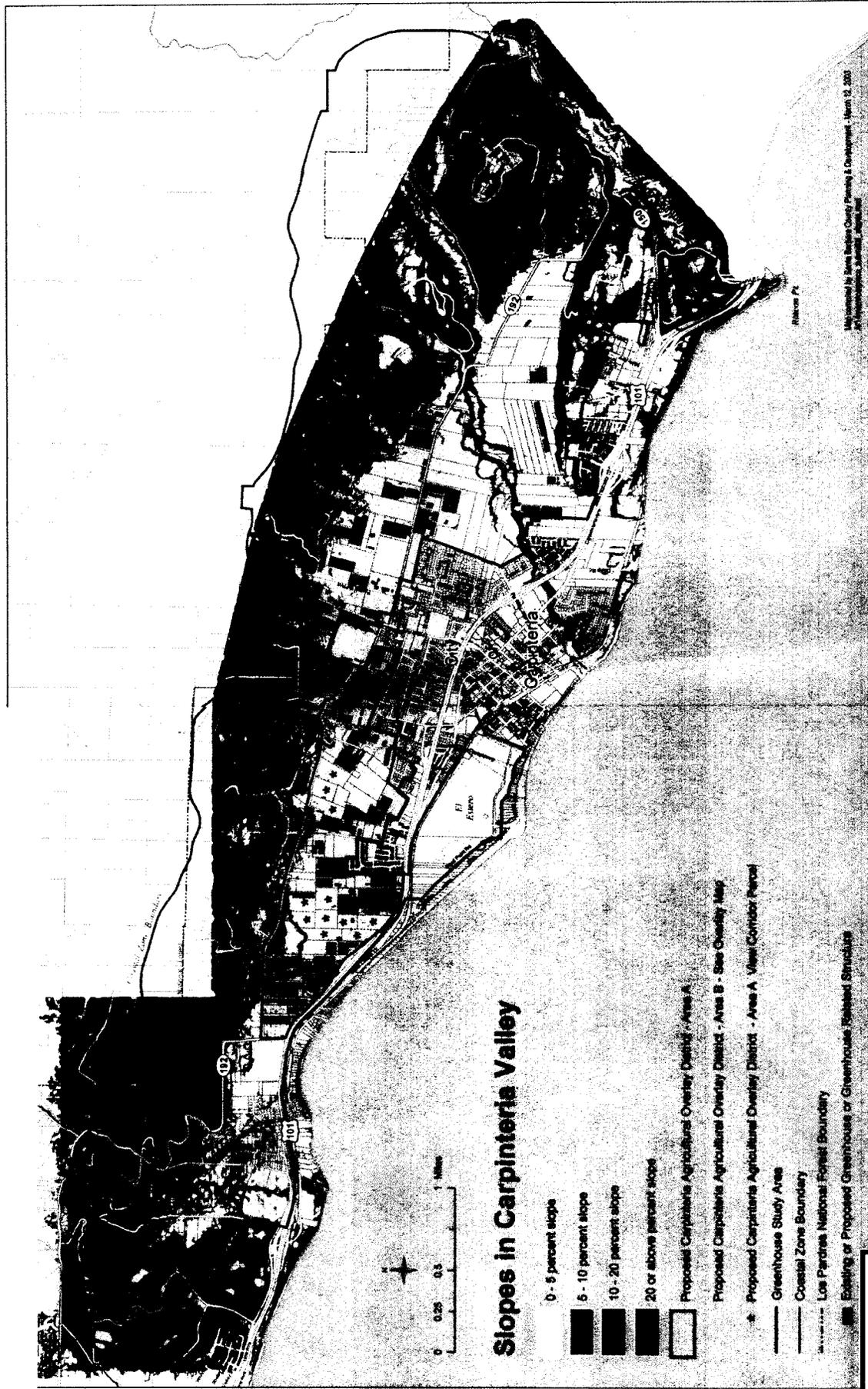
Figure 5.4-1
County of Santa Barbara

Prime Agricultural Soils

5.4-7

EXHIBIT 13
STB-MAJ-2-02
Carpinteria Valley
Prime Soils





Slopes in Carpinteria Valley

- 0 - 5 percent slope
- 5 - 10 percent slope
- 10 - 20 percent slope
- 20 or above percent slope
- Proposed Carpinteria Agricultural Overlay District - Area A
- Proposed Carpinteria Agricultural Overlay District - Area B - See Overlay Map
- Proposed Carpinteria Agricultural Overlay District - Area A Visual Corridor Permit
- Greenhouse Study Area
- Coastal Zone Boundary
- Los Padres National Forest Boundary
- Existing or Proposed Greenhouse or Greenhouse Related Structure

EXHIBIT14
STB-MAJ-2-02
Carpinteria
Valley Slopes

Map prepared by James Beaker County Planning & Development - March 12, 2003
 City of Carpinteria, California

