

CALIFORNIA COASTAL COMMISSION

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Th10a

DATE: October 23, 2014

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Senior Deputy Director
Steve Hudson, District Manager
Deanna Christensen, Coastal Program Analyst

SUBJECT: Santa Barbara County Local Coastal Program Amendment No. 4-STB-13-0211-1-Part A (Agricultural Buffer Regulation) for Public Hearing and Commission Action at the November 13, 2014 Commission Meeting in Half Moon Bay.

DESCRIPTION OF THE SUBMITTAL

Santa Barbara County is requesting an amendment to the Implementation Plan/Coastal Zoning Ordinance (IP/CZO) portion of its certified Local Coastal Program (LCP) to add regulations and procedures that will require the creation of buffers between agricultural uses and new non-agricultural development and uses. The purpose of the amendment is to protect and enhance the continuation of agriculture as a major, viable production industry in the County by requiring a physical separation between agricultural uses and new non-agricultural uses in order to minimize potential land use conflicts.

The County of Santa Barbara submitted the subject Local Coastal Program Amendment to the Commission on July 22, 2013. The amendment proposal was deemed complete on September 25, 2013, the date of receipt of additional information requested by Commission staff. The amendment submittal included two unrelated subparts - Part A (Agricultural Buffer Regulation) and Part B (Cottage Food Operations). The time limit for Commission action on Part A of the amendment submittal, was extended for one year (pursuant to Section 30517 of the Coastal Act) at the November 14, 2013 Commission hearing. Part B of the amendment submittal was processed as a Minor Amendment and certified by the Commission at the November 14, 2013 hearing. As such, this staff report and recommendation only deals with Part A of the amendment request.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission, after public hearing, reject proposed Santa Barbara County LCP Amendment No. 4-STB-13-0211-1-Part A, as submitted, and **approve only if modified** pursuant to the suggested modifications. The suggested modifications are necessary to ensure that the County's Implementation Plan/Coastal Zoning Ordinance (IP/CZO) is consistent with and adequate to carry out the certified LUP. The motions and resolutions for Commission action can be found starting on **page 5**. The suggested modification language can be found starting on **page 6**.

The proposed amendment would add a specific regulation and procedures to the County's IP/CZO in order to implement the more general policies of the County's certified Coastal Land Use Plan, which require the protection of agricultural uses and the establishment of clearly defined buffer areas to minimize conflicts between agricultural and urban uses. Potential

conflicts include the introduction of invasive, exotic plant species, insect pests, roaming domestic pets, and trespassing issues associated with non-agricultural development, and noise, dust, light, and odors that are incidental to normal agricultural operations. The proposed amendment would add specific requirements that new non-agricultural development provide for an adequate buffer from existing, active agricultural operations within certain areas. In addition, the buffer would be provided entirely on the non-agriculturally zoned parcel; thus, provision of the buffer would not result in any loss of land available for agricultural production. Specifically, Santa Barbara County proposes to: (1) amend Section 35-58, *Definitions*, of the IP/CZO to add definitions for *Agricultural Buffer*, *Production Agriculture*, *Rangeland and Pastureland*, *Sensitive Non-agricultural Uses*, and *Small Lot* (2) add a new section to the IP/CZO, Section 35-144M, Division 7, *General Regulations*, titled “Agricultural Buffers,” with detailed agricultural buffer requirements, including buffer width adjustment factors, allowable uses within buffers, landscape, lighting, and irrigation plan requirements, vegetative screening requirements, and buffer maintenance requirements, and (3) add a new appendix (Appendix H) to the IP/CZO, titled “Appendix H - Agricultural Buffer Implementation Guidelines,” to provide guidance and assist County staff and decision-makers with implementing the agricultural buffer requirements of proposed Section 35-144M.

The standard of review for the proposed amendment to the IP/CZO of the certified LCP 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 LCP. 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.

Staff is recommending **approval** of the amendment with **five (5) Suggested Modifications** that Commission and County staffs have cooperatively developed to add clarity and ensure consistency with Coastal Land Use Plan policies.

Staff Note: The one year deadline for Commission action on the subject LCP amendment is November 24, 2014. Therefore, the Commission must take an action on the amendment at this November 13, 2014 hearing.

Additional Information: Please contact Deanna Christensen at the South Central Coast District Office of the Coastal Commission at (805) 585-1800 or 89 S. California St., Second Floor, Ventura, CA 93001
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EXHIBITS

- Exhibit 1. Santa Barbara County Ordinance 4853
- Exhibit 2. Santa Barbara County Board of Supervisors Resolution 13-192
- Exhibit 3. Rural Agriculture Zone Interface Maps (3)

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act 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. (California Public Resources Code Section 30513)

The standard of review for the proposed amendment to the Implementation Plan/Coastal Zoning Ordinance of the certified Local Coastal Program, pursuant to Section 30513 and 30514 (“proposed amendments to a certified [LCP] shall be submitted to, and processed by, the commission in accordance with the applicable procedures ... specified in Sections 30512 and 30513...”) of the Coastal Act, is that the Commission must approve it unless the proposed amendment is not in conformance with, or is inadequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified Santa Barbara County Local Coastal Program. 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 and comments were received regarding the project from concerned parties and members of the public. The hearings were noticed to the public consistent with Sections 13515 of Title 14 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 Title 14 of the California Code of Regulations (“14 CCR”), the County, by resolution, 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. The Santa Barbara County Board of Supervisors submittal resolution did not specify whether or not this amendment shall take effect automatically after Commission action. Nevertheless, in this case, because staff is recommending this approval subject to suggested modifications by the Commission, if the Commission approves this Amendment as recommended, 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 (14 CCR §§ 13544, 13555(b), and Section 13542(b)). 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 IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO) AMENDMENT

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 reject the County of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment 4-STB-13-0211-1-A as submitted.*

STAFF RECOMMENDATION OF REJECTION:

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Plan 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 Plan/Coastal Zoning Ordinance Amendment 4-STB-13-0211-1-A and adopts the findings set forth below on grounds that the Implementation Plan amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation 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 Implementation Plan as submitted.

B. CERTIFICATION WITH SUGGESTED MODIFICATIONS

MOTION II: *I move that the Commission certify County of Santa Barbara Implementation Plan/Coastal Zoning Ordinance Amendment 4-STB-13-0211-1-A 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 Plan 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 Plan/Coastal Zoning Ordinance Amendment 4-STB-13-0211-1-A if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program amendment with the suggested modifications will conform with, and will be adequate to carry out, the provisions of the certified Land Use Plan as amended. 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 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.

**III. SUGGESTED MODIFICATIONS ON THE
IMPLEMENTATION PLAN/COASTAL ZONING
ORDINANCE (IP/CZO) AMENDMENT**

The staff recommends the Commission certify the following, with the modifications as shown below. The County's proposed amendment language to the certified LCP Implementation Plan/Coastal Zoning Ordinance 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 in underline.

Suggested Modification 1

Sec. 35-144M – Agricultural Buffers

B. Applicability. This Section applies to all discretionary applications for non-agricultural development and uses (project) which satisfy all of the following criteria:

1. The project site is located within an Urban, ~~Inner-Rural~~, or Rural Neighborhood Area, as designated on the Coastal Land Use Plan maps; or located on property zoned industrial that is located in the Rural Area as designated on the Coastal Land Use Plan maps.
2. The project site is located immediately adjacent to land that is:
 - a. Located in a Rural Area as designated on the Coastal Land Use Plan maps, and
 - (1) Excluding state or federally owned land, has an agricultural zone designation as identified in Section 35-52 (Zoning District Designations and Applicability); or if the project site is located outside of the Coastal Zone, as identified in:
 - (a) Section 35.014.020 (Zoning Map and Zones) of Section 35-1, the County Land Use and Development, of Chapter 35, Zoning, of the Santa Barbara County Code; or

(b) Article V of Ordinance No. 661.

- (2) Or ~~is~~ subject to a contract executed in accordance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.

Suggested Modification 2

Sec. 35-144M – Agricultural Buffers

E. Allowable uses within agricultural buffers. The property owner shall use his best efforts to consult with the adjacent agricultural land owner(s) to address food safety and agricultural production concerns with regard to landscape, lighting, and vegetative screening design and siting. See the Agricultural Buffer Implementation Guidelines (Appendix H) for information on the purpose and intent of restricting uses within agricultural buffers and how to incorporate site design and other features that are compatible with agriculture. The agricultural buffer may include natural waterways including rivers, creeks, lakes, ponds, and flood plains.

1. *Unrestricted uses within agricultural buffers.* Subject to other provisions of this Section, or other provisions of the County Code, the following uses may be allowed within a designated agricultural buffer, if consistent with all other applicable provisions of this Article:

- a. Drainage channels, irrigation canals, storm water retention basins and Low Impact Development (LID) drainage features.
- b. Fences and walls.
- c. Habitat restoration.
- d. Low-lying landscaping and vegetative screening that does not include trees or hedges exceeding three feet in height.
- ~~d~~e. Oil and gas, wind energy and cogeneration facilities that are:
 - (1) Permitted in compliance with Division 9 (Oil and Gas Facilities), or
 - (2) Operated in compliance with Division 10 (Nonconforming Structures and Uses).
- e. ~~Natural waterways including rivers, creeks, lakes, ponds, and flood plains.~~
- f. Signs.
- g. Solar energy systems allowed as an accessory use to the principal use of the lot.
- h. Telecommunication facilities permitted in compliance with Chapter 35-144F (Commercial Telecommunication Facilities).
- i. Utility lines and facilities.

- j. Any other use, including agriculture, determined by the decision-maker to be consistent with the purpose and intent of the buffer requirement.
- k. Modifications or additions to structures legally existing as of [the effective date of this ordinance] provided that any addition to a structure that is located within a buffer required by this Section shall not extend further towards the immediately adjacent agricultural lot.

2. *Restricted uses within agricultural buffers.* Subject to other provisions of this Section, or other provisions of the County Code, the following uses may be allowed within the agricultural buffer provided they are not located any closer to the common lot line between the project site and the adjacent agriculturally zoned lot than half the width of the buffer. This requirement may be modified by the decision-maker when it is determined that strict compliance with this section is not required to minimize conflicts with adjacent agriculture.

- a. Industrial or commercial loading docks and rear service areas.
- b. Landscaping and vegetative screening.
- c. Lighting.
- d. Non-habitable structures such as those used for storage.
- e. Parking areas including carports and garages.
- f. Public and private open space areas with limited passive recreational uses such as trails, bike paths and walking paths, except as allowed in compliance with Subsection E.3, below.
- g. Roads and transportation infrastructure.

3. Regardless of the use restrictions of Subsection E.2, above, passive public recreational uses such as trails, bike paths and walking paths, may be located within an agricultural buffer provided that it complies with the buffer to the extent feasible and strict compliance with Subsection E.2, above, would significantly diminish or result in adverse effects to public access or recreation.

~~34.~~ *Prohibited uses within agricultural buffers.* Active ~~R~~recreational uses such as parks, picnic areas, playgrounds and ball fields shall not be allowed in an agricultural buffer.

~~45.~~ *Open space credit.* The agricultural buffer may be counted toward open space requirements as long as the limits on allowed uses are consistent with the requirements of this Section and Article II.

~~56.~~ The unrestricted uses, restricted uses and prohibited uses within the designated agricultural buffer shall be included as a condition of approval of the approved project.

Suggested Modification 3*Sec. 35-144M – Agricultural Buffers**F.1 Agricultural buffer Landscape, Lighting and Irrigation Plan requirements.*

1. A Landscape, Lighting and Irrigation Plan (Plan) shall be required for all agricultural buffers. The Plan shall:

- a. Graphically depict and label the agricultural buffer.
- b. Graphically depict and label the following elements within the agricultural buffer:
 - (1) Erosion control measures.
 - (2) Hardscape.
 - (3) Irrigation systems.
 - (4) Landscaping, vegetation, and materials.
 - (5) Lighting.
- c. Incorporate Low Impact Development (LID) measures to maximize runoff retention and groundwater infiltration on-site.
- d. Incorporate a fence or other barrier that complies with this Article H, with a minimum height of six feet, that discourages trespassing and domestic animals from crossing the common lot boundary between the project site and the adjacent agricultural land. However, the fence or other barrier shall be sited as close to the approved development project as feasible and shall avoid adverse impacts to scenic resources, sensitive habitat, and potential wildlife migration corridors.
- e. Prohibit the planting or installation of turf within 50 feet of the adjacent agricultural land unless required by County, State or Federal regulations.
- f. Be compatible with the surrounding land uses and rural character of the agricultural area.

Suggested Modification 4*Appendix H – Agricultural Buffer Implementation Guidelines*

II.B.3. Vegetative screening adjacent to Production Agriculture. In compliance with Section 35-144M.D.34.b of this Article, if the project is adjacent to production agriculture and site specific factors warrant a buffer width increase, vegetative screening may be used to offset an increase in the buffer width. For example, a commercial development proposed adjacent to production agriculture would require a minimum 100 foot buffer as per Section 35-144M.D.1 of this Article. The Planning and Development Department and Agricultural Commissioner's Office may recommend a buffer width increase due to site specific factors (e.g. increase an additional 50 feet

or 100 feet). The Planning and Development Department and Agricultural Commissioner's Office may also recommend the use of a vegetative screen and reduce the buffer width increase. The vegetative screen may mitigate only a portion of the buffer width increase (e.g. offset 50 feet of a 100 feet buffer width increase).

III. Allowable Uses within Agricultural Buffers. Section 35-144M.E (Allowable uses within Agricultural Buffers) specifies unrestricted uses and restricted uses within the buffer.

A. Unrestricted uses are compatible with agriculture because they ~~do not invite~~ minimize potential conflicts between visitors and agricultural operations, do not require frequent maintenance, and do not attract wildlife. ~~Restricted Uses that invite visitors or attract wildlife may conflict~~ are less compatible with agriculture and the location of such uses ~~is~~ are restricted within the buffer.

B. Restricted Use Modification. The Planning and Development Department, in consultation with the Agricultural Commissioner's Office, may recommend that the decision-maker modify a restricted use within the agricultural buffer if it can be determined that strict compliance with Section 35-144M.E (Allowable uses within Agricultural Buffers) is not required to minimize conflicts with adjacent agriculture. To determine if the restricted use modification is warranted, the Planning and Development Department may consider site specific factors, agricultural practices and input from adjacent agricultural land owners/ property operators.

Suggested Modification 5

Sec. 35-58 – Definitions

Buffer, Agricultural. A designated width of land used to minimize potential land use conflicts between non-agricultural development/uses and adjacent agricultural uses. The following terms are defined for the purposes of Section 35-144M (Agricultural Buffers).

1. *Production Agriculture.* A commercial agricultural operation that excludes rangeland or pastureland operations. Production agriculture allows for a change of crop or fallow periods.
2. *Rangeland or Pastureland.*
 - a. Land that is not currently used for agricultural production but is used for the grazing or pasturing of livestock, such as cattle and horses, which may also include facilities for confining animals, but not involving a commercial livestock feed or sales yard or dairy.
 - b. Land which is limited in its potential use, as defined by soils or other constraining factors, from supporting production agriculture. See the Agricultural Buffer Implementation Guidelines (Appendix H) for details.
3. *Sensitive Non-agricultural Uses.* Child care facilities, educational facilities, medical facilities, schools, student dormitories, senior housing, and other similar uses.
4. *Small Lot.* A lot equal to or smaller than one-half acre that is located adjacent to an Urban Boundary Line as designated on the ~~Comprehensive~~ Coastal Land Use Plan maps.

IV. FINDINGS FOR DENIAL AS SUBMITTED AND APPROVAL OF THE IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE (IP/CZO) AMENDMENT 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 III (*Suggested Modifications*) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION

Santa Barbara County is requesting an amendment to the Implementation Plan/Coastal Zoning Ordinance (IP/CZO) portion of its certified Local Coastal Program (LCP) to add regulations and procedures that will require the creation of buffers between agricultural uses and new non-agricultural development and uses. (**Exhibit 1**) The purpose of the amendment is to protect and enhance the continuation of agriculture as a major, viable production industry in the County by requiring a physical separation between agricultural uses and new non-agricultural uses in order to minimize potential land use conflicts. The proposed amendment would add a specific regulation and procedures to the County's IP/CZO in order to implement the more general policies of the County's certified Coastal Land Use Plan, which require the protection of agricultural uses and the establishment of clearly defined buffer areas to minimize conflicts between agricultural and urban uses. Potential conflicts include the introduction of invasive, exotic plant species, insect pests, roaming domestic pets, and trespassing issues associated with non-agricultural development, and noise, dust, light, and odors that are incidental to normal agricultural operations. These buffer areas would be established by ensuring that new non-agricultural development would be adequately set back from adjacent agricultural lands within certain designated areas.

Specifically, Santa Barbara County proposes to: (1) amend Section 35-58, *Definitions*, of the IP/CZO to add definitions for *Agricultural Buffer*, *Production Agriculture*, *Rangeland and Pastureland*, *Sensitive Non-agricultural Uses*, and *Small Lot* (2) add a new section to the IP/CZO, Section 35-144M, Division 7, *General Regulations*, titled "Agricultural Buffers," with detailed agricultural buffer requirements, including buffer width adjustment factors, allowable uses within buffers, landscape, lighting, and irrigation plan requirements, vegetative screening requirements, and buffer maintenance requirements, and (3) add a new appendix (Appendix H) to the IP/CZO, titled "Appendix H - Agricultural Buffer Implementation Guidelines," to provide guidance and assist County staff and decision-makers with implementing the agricultural buffer requirements of proposed Section 35-144M. (**Exhibit 2**)

Agricultural Buffer Applicability

The proposed agricultural buffer provisions would apply to all applications for new non-agricultural discretionary development and use projects that would be located adjacent to agricultural land and that meet all of the following criteria:

1. The project site is located within an Urban, Inner-Rural, or Rural Neighborhood Area, as designated on the Coastal Land Use Plan maps; or located on property zoned

Industrial that is located in the Rural Area as designated on the Coastal Land Use Plan maps.

2. The project is located immediately adjacent to land that is located in a Rural Area as designated on the Coastal Land Use Plan maps, and (a) has an agricultural zone designation as identified on the zoning maps (excluding state or federally owned land), or (b) is subject to a contract executed in accordance with the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones¹.

However, if the adjacent agriculturally zoned lot is used for personal use/non-commercial agriculture, the buffer provisions would not apply. Further, the following types of projects would be exempt from the proposed agricultural buffer provisions:

- Single-family dwelling, residential second units and residential accessory structures;
- Farm employee dwellings and farm labor camps;
- State and County roadway project;
- Previously approved non-agricultural development, and changes to previously approved non-agricultural development as long as the changes do not result in any new or greater impacts to agriculture than those resulting from the already approved project; and
- Lot line adjustments and modifications to lot line adjustments that (a) do not exceed a 10 percent increase or decrease in the area of the smallest existing lot; and (b) do not result in an increase in the number of developable lots.

Agricultural Buffer Location and Widths

The proposed agricultural buffer provisions require that the buffer be located on the lot on which the non-agricultural project is proposed and adjacent to the common lot line between the project site and the adjacent agricultural lot. The buffer shall be measured from the common lot line between the project site and the adjacent agriculturally zoned lot and be coterminous with the length of the common lot line. The proposed amendment includes the following table that specifies a minimum and maximum buffer width that will be required depending on the type of development proposed and the type of commercial agriculture lot the project site is adjacent to (production agriculture or rangeland/pastureland).

¹ The County's Agricultural Preserve Program enrolls land in Williamson Act or Farmland Security Zone contracts whereby the land is enforceably restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. The Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones is the set of rules by which the County administers its Agricultural Preserve Program.

Range of Agricultural Buffer Widths

Project Land Use or Zoning	Project Location	Minimum Buffer Width (feet)	Maximum Buffer Width (feet)
Commercial or Industrial	Adjacent to production agriculture	100	300
	Adjacent to rangeland or pastureland	100	150
Residential, not located on a Small Lot located within an Urban Area	Adjacent to production agriculture	200	300
	Adjacent to rangeland or pastureland	100	150
Residential, located on a Small Lot located within an Urban Area	Adjacent to production agriculture	100	200
	Adjacent to rangeland or pastureland	100	150
Sensitive Non-agricultural Uses	Adjacent to production agriculture	300	400
	Adjacent to rangeland or pastureland	100	150

For commercial or industrial development adjacent to production agriculture, the buffer width ranges from 100 to 300 feet. For residential development and uses on a small lot within the Urban area adjacent to production agriculture, the buffer width ranges from 100 to 200 feet. For all other residential development and uses adjacent to production agriculture, the buffer width ranges from 200 to 300 feet. For sensitive non-agricultural uses such as educational, medical, and child care facilities and senior housing adjacent to production agriculture, the buffer width ranges from 300 to 400 feet. For all non-agricultural uses adjacent to rangeland or pastureland-type agriculture, the buffer width ranges from 100 to 150 feet. The County has indicated that a lesser buffer is proposed for development adjacent to rangeland and pastureland because that type of agricultural operation tends to generate less dust, odor, and noise because it is not intensively farmed.

Buffer width ranges are specified in the proposed regulation so that the required buffer width may be adjusted in consideration of site specific circumstances. The proposed amendment includes a set of factors that are to be considered in determining the appropriate width of the agricultural buffer, such as crop type/agricultural practices, topography, prevailing wind direction, existing development and site design, historical agricultural use, future farming potential, the use of vegetative screening, and other site constraints. If vegetative screening is proposed as part of a project that is adjacent to production agriculture, it may be allowed to offset an increase in the required agricultural buffer if the vegetative screening meets certain minimum design criteria that are specified in the proposed amendment. The proposed amendment also includes a new Appendix H, titled “Agricultural Buffer Implementation Guidelines,” which contains a more detailed description and discussion of various site-specific factors that are to be considered by County staff and decision-makers in determining the appropriate agricultural buffer width within the required width range.

Allowed Uses within an Agricultural Buffer

The proposed agricultural buffer provisions specify certain limited uses that may be allowed within a required agricultural buffer area. The allowed uses are categorized as unrestricted uses

and restricted uses. Unrestricted uses are certain uses that the County has determined are compatible with agriculture and are allowed anywhere within the required buffer area. Restricted uses are certain uses that the County has determined are less compatible with agriculture and are allowed no closer than one half the width of the required buffer as measured from the common lot line. However, the amendment specifies that this requirement may be modified by the County decision-making body if it is determined that strict compliance is not required to minimize conflicts with adjacent agriculture. The following table lists the uses allowed within agricultural buffers.

Unrestricted Uses (allowed anywhere within agricultural buffers)	Restricted Uses (allowed within agricultural buffers but no closer than ½ the width of the required buffer)
<ul style="list-style-type: none"> ▪ Drainage channels, irrigation canals, storm water retention basins and Low Impact Development (LID) drainage features 	<ul style="list-style-type: none"> ▪ Industrial or commercial loading docks and rear service areas
<ul style="list-style-type: none"> ▪ Fences and walls 	<ul style="list-style-type: none"> ▪ Landscaping and vegetative screening
<ul style="list-style-type: none"> ▪ Low-lying landscaping and vegetative screening, not to exceed 3 feet in height 	<ul style="list-style-type: none"> ▪ Lighting
<ul style="list-style-type: none"> ▪ Oil and gas, wind energy and cogeneration facilities 	<ul style="list-style-type: none"> ▪ Non-habitable structures such as those used for storage
<ul style="list-style-type: none"> ▪ Natural waterways including creeks, lakes, ponds, and floodplains 	<ul style="list-style-type: none"> ▪ Parking areas including carports and garages
<ul style="list-style-type: none"> ▪ Signs 	<ul style="list-style-type: none"> ▪ Public and private open space areas with limited passive recreational uses such as trails, bike paths, and walking paths
<ul style="list-style-type: none"> ▪ Solar energy systems allowed as accessory to a principal use 	<ul style="list-style-type: none"> ▪ Roads and transportation infrastructure
<ul style="list-style-type: none"> ▪ Telecommunication facilities 	
<ul style="list-style-type: none"> ▪ Utility lines and facilities 	
<ul style="list-style-type: none"> ▪ Modifications or additions to existing legal structures provided that any addition to a structure that is located within a buffer shall not extend further toward the adjacent agricultural lot. 	

Further, the proposed buffer regulation specifies that new recreational uses such as parks, picnic areas, playgrounds, and ball fields are prohibited within agricultural buffers.

Other Requirements

The proposed amendment also includes provisions that require a detailed Agricultural Buffer Landscape, Lighting, and Irrigation Plan and a Maintenance Plan be submitted as part of all projects that require an agricultural buffer.

The proposed provisions require that the Landscape, Lighting, and Irrigation Plan (LLIP) include a graphic depiction of the required buffer and any lighting, landscaping, irrigation, hardscape, erosion control, and other development that are proposed and permitted within the buffer. Further, the proposed provisions require that the submitted LLIP incorporate Low Impact Development measures to maximize runoff retention and groundwater infiltration on-site, as well

as fencing or other barrier that is at least 6 feet in height to discourage trespassing and domestic pets from encroaching onto the adjacent agricultural property. The proposed provisions for the LLIP also include minimum standards for any landscaping or vegetative screening that may be proposed and permitted within the buffer to ensure compatibility with the adjacent agricultural uses. The property owner must also submit a signed and notarized agreement and performance security to the County to ensure that the LLIP is implemented.

The proposed provisions require that the Agricultural Buffer Maintenance Plan address weed, pest, and trash management and regular maintenance of development and uses that are permitted in the agricultural buffer to ensure that buffer function is maintained for the life of the project.

Lastly, the proposed provisions specify that where a buffer is required for a project, the property owner shall record a Notice to Property Owner, which is a notarized, legal document required by the County, to be completed and recorded with the deed by the property owner as part of a permit approval process. The purpose of the notice, in this case, is to document the specific agricultural buffer conditions and/or restrictions that apply to the property and notify all prospective purchasers and future owners of such restrictions.

B. CONSISTENCY ANALYSIS

The standard of review for the proposed amendment to the Implementation Plan/Coastal Zoning Ordinance (IP/CZO) of the certified Local Coastal Program, pursuant to Section 30513 and 30514 of the Coastal Act, is whether the Implementation Plan, with the proposed amendment, would be in conformance with and adequate to carry out, the provisions of the Land Use Plan portion of Santa Barbara County's certified Local Coastal Program. The proposed amendment's consistency with the certified LUP is detailed below. All Chapter 3 policies of the Coastal Act have been incorporated in their entirety in the certified Santa Barbara County LUP as guiding policies pursuant to Policy 1-1 of the LUP.

1. Applicable Land Use Plan Policies Regarding Agriculture

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.

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, rezoning to a non-agricultural zone district 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.

2. Consistency Analysis Regarding Agriculture

A fundamental policy of the Coastal Act and Santa Barbara County's Coastal Land Use Plan is the protection of agricultural resources. Specifically, the LCP incorporates Sections 30241, 30242, and 30243 of the Coastal Act as guiding principles. Section 30241 of the Coastal Act requires the maintenance of the maximum amount of prime agricultural land in agricultural production to assure the protection of agricultural economies. Section 30241 of the Coastal Act also mandates that conflicts shall be minimized between agricultural and urban land uses 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. Section 30242 restricts the conversion of lands suitable for agricultural use. Section 30243 requires the protection of the long-term productivity of soils.

Agriculture is a dominant land use and a significant production industry in Santa Barbara County. The south coast areas of the County retain world-class production of cut flowers and nursery products. Avocados, citrus, row crops, and exotic fruits such as sapotes and cherimoyas, are grown in the Carpinteria and Goleta Valleys. The combination of mild climatic conditions, prime agricultural soils, available water sources, and proximity to major markets, makes the area a valuable agricultural resource. Farther north, the Gaviota Coast supports avocado, citrus and cherimoya orchards, and cattle grazing. The primary land use in the North Gaviota Coast is cattle grazing. This agricultural diversity contributes to the overall agricultural productivity of the area by providing growers with the flexibility to respond to market and environmental changes.

In order to provide for the long-term protection of agricultural resources, County Land Use Policy 8-1 states that an agricultural land use designation is given to any parcel that is prime agricultural land or contains prime agricultural soils, or lands in existing agricultural use or with agricultural potential. Under the County's Coastal Land Use Plan and Coastal Zoning Ordinance/Implementation Plan, two agricultural land use/zoning designations are used: Agriculture I and Agriculture II. The majority of privately owned land under the County's jurisdiction is zoned one of these two agricultural designations. Agriculture I is used to designate lands for long-term agricultural use within or adjacent to urbanized areas and to preserve prime agricultural soils, such as the high return, specialty crop areas within the urbanized portion of the County's south coast. The purpose of the Agriculture II designation is to establish agricultural land use for large prime and non-prime agricultural lands in the rural areas of the County and to preserve prime and non-prime soils for long-term agricultural use. 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 designated as Agriculture II. Conversion of land that is designated for agricultural use is only permitted in limited circumstances and if certain criteria are met, as detailed in the Land Use Plan policies detailed above. Further, the Land Use Plan establishes minimum parcel sizes to ensure agricultural viability and reduce potential land divisions that would lead to agriculturally non-viable parcels. Policy 8-4 of the Land Use Plan requires that land divisions of agricultural land shall not diminish the long-term agricultural viability of the parcels involved.

To prevent further urban encroachment onto the County's designated agricultural lands and to encourage infilling within urban areas, an urban/rural boundary is delineated on the County's Coastal Land Use Plan map. Currently, the LCP contains a general requirement to establish a clearly defined buffer area between urban and rural uses to minimize use conflicts and maintain agricultural land in agricultural production. The proposed amendment would add specific requirements and procedures that new non-agricultural development provide for an adequate buffer from existing, active agricultural operations within certain areas, in order to implement that general LCP policy. In addition, the buffer would be provided entirely on the non-agriculturally zoned parcel; thus, provision of the buffer would not result in any loss of land available for agricultural production.

Specifically, it is the interface between properties in the urban area and agricultural properties in the rural area that the proposed agricultural buffer regulation is proposed to apply. There are a few unincorporated urban areas in the County's coastal zone that are immediately adjacent to agricultural lands (**Exhibit 3a**). There are a number of residential enclaves in the rural area of the County's jurisdiction (in Carpinteria Valley and Summerland), and one residential enclave (known as Rancho Embarcadero) located northwest of the City of Goleta, that are delineated on the County's Coastal Land Use Plan map as "Existing Developed Rural Neighborhoods" (EDRN). These neighborhoods are designated to allow for completion of the neighborhood without encroachment onto surrounding agricultural lands. It is the interface between properties in the delineated rural residential neighborhoods and agricultural lands in the rural area that the proposed agricultural buffer regulation is also proposed to apply (**Exhibit 3a-b**). Further, the proposed buffer regulation is to apply to property designated as "Industrial" on the Coastal Land Use Plan maps that is adjacent to agricultural lands. There is one such area on the Gaviota coast that contains industrial zoned land adjacent to agricultural lands (**Exhibit 3c**).

The proposed amendment also indicates that the buffer regulation applies to project sites located within the Inner-Rural area that are adjacent to agricultural land. However, no Inner-Rural areas are indicated on the County's Coastal Land Use Plan maps because all Inner-Rural areas are located outside of the County's coastal zone. Since the LCP only regulates development within the coastal zone, the buffer provisions proposed in the subject LCP amendment would not apply to development projects located in the Inner-Rural areas of the County. Therefore, County staff and Commission staff have agreed the reference to "Inner-Rural areas" is not applicable and should be deleted, as reflected in **Suggested Modification 1**. However, it is important to note that the proposed buffer provisions would apply to projects on urban, industrial, and EDRN properties in the coastal zone that are immediately adjacent to agricultural lands that may be located outside of the coastal zone. For the agricultural buffer regulation to apply at a project site located in an area described above, the adjacent agricultural land must be located in the rural area and (a) have an agricultural zoning designation (excluding state or federally owned land), or (b) be subject to a contract executed in accordance with the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones². Even if the adjacent agricultural land is currently fallow, in between plantings, planted with a temporary crop, or has supported crops in the last 10 years, the agricultural buffer regulation would still apply because of the land's potential to support commercial agriculture. However, if the adjacent agricultural land has an agricultural zoning designation but is being used for personal use/non-commercial agriculture, the proposed buffer provision would not apply because the intent of the regulation is to protect and maintain commercially viable agricultural lands.

The Commission finds that the proposed buffer regulation will serve to minimize agricultural-nonagricultural land use conflicts around the periphery of urban and industrial lands, and designated rural neighborhoods, where pressures on agricultural uses are most significant. The proposed amendment specifies a minimum and maximum buffer width that will be required depending on the type of development proposed and the type of commercial agriculture property the project site is adjacent to (production agriculture or rangeland/pastureland). These buffer widths were derived from the County's detailed review of agricultural buffer studies and ordinances from other municipalities, consultation with the County's Agricultural Commissioner's Office and the Agricultural Advisory Committee, and consultation with a seven-member ad hoc working group (Agricultural Buffer Working Group). Buffer width ranges are specified in the proposed regulation so that the required buffer width may be adjusted in consideration of site specific circumstances.

For sensitive non-agricultural uses such as educational, medical, and child care facilities and senior housing adjacent to production agriculture, the largest buffer width is required - 300 to 400 feet. For commercial or industrial development adjacent to production agriculture, the buffer width ranges from 100 to 300 feet. For residential development and uses adjacent to production agriculture, the buffer width ranges from 200 to 300 feet. For residential development and uses on small, constrained lots in the urban area (less than an acre in size) that area adjacent to production agriculture, the proposed amendment includes a reduced buffer width range of 100 to

² The County's Agricultural Preserve Program enrolls land in Williamson Act or Farmland Security Zone contracts whereby the land is enforceably restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. The Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones is the set of rules by which the County administers its Agricultural Preserve Program.

200 feet. For these small constrained lots, the proposed amendment also includes a “reasonable use” clause to ensure that the buffer provisions are not implemented in a manner that will take private property for public use without payment of just compensation. For all non-agricultural uses adjacent to rangeland or pastureland-type agriculture, the buffer width ranges from 100 to 150 feet. The County has indicated that a lesser buffer is proposed for development adjacent to rangeland and pastureland because that type of agricultural operation tends to generate less dust, odor, and noise because it is not intensively farmed. However, the proposed regulation specifies that the required buffer for new non-agricultural development from adjacent rangeland/pastureland may be increased if the land’s soils have the potential to support higher value crops and there is a source for agricultural water.

The Commission finds that these are appropriate buffers between agricultural land and adjacent non-agricultural uses to ensure that continued agricultural operations are not threatened by proximity to proposed new non-agricultural uses.

The proposed amendment also includes a set of factors that are to be considered in determining the appropriate width of the agricultural buffer within the required range, such as crop type/agricultural practices, topography, prevailing wind direction, existing development and site design, historical agricultural use, future farming potential, the use of vegetative screening, and other site constraints. If vegetative screening is proposed as part of a project that is adjacent to production agriculture, it may be allowed to offset an increase in the required agricultural buffer if the vegetative screening meets certain minimum design criteria that are specified in the proposed amendment. Further, to ensure that the required agricultural buffer is adequately established and maintained, the proposed amendment requires project applicants to submit a Landscape, Lighting, and Irrigation Plan, and a Maintenance Plan, that meets certain minimum requirements and depicts any unrestricted or restricted uses the County approved within the agricultural buffer area. Project applicants are also required to record a deed restriction to reflect the agricultural buffer restrictions and conditions.

One of the required elements of the Landscape, Lighting, and Irrigation Plan is a fence or other barrier to be located within the buffer area that is at least 6 feet in height and designed to discourage trespassing by humans and domestic animals. However, to clarify that the siting of such a fence shall also avoid any adverse impacts to other coastal resources that may exist within the agricultural buffer area, the Commission finds that **Suggested Modification 3** is required. Suggested Modification 3 states that the required fence or other barrier shall be sited as close to the approved development project as feasible and shall avoid adverse impacts to scenic resources, sensitive habitat, and potential wildlife migration corridors.

The proposed agricultural buffer provisions specify certain limited uses that may be allowed within a required agricultural buffer area. The allowed uses are categorized as unrestricted uses and restricted uses. Unrestricted uses are certain uses that the County has determined are compatible with agriculture and are allowed anywhere within the required buffer area. Restricted uses are certain uses that the County has determined are less compatible with agriculture and are allowed no closer than one half the width of the required buffer as measured from the common lot line. The Commission staff and County staff have worked together to resolve a few remaining outstanding issues with the proposed amendment. Specifically, **Suggested Modification 2** reflects a few additional modifications, that were cooperatively developed and agreed upon by both Commission staff and County staff, to the unrestricted and restricted uses of the buffer

provisions to clarify that: (1) the unrestricted uses that may be allowed in the buffer must also be found consistent with all other applicable provisions of the LCP, (2) habitat restoration may be allowed as an unrestricted use within the buffer where it is appropriate, and (3) a required buffer may include any existing natural waterways such rivers, creeks, lakes, ponds, and flood plains. Further, **Suggested Modification 5** includes an additional modification that was cooperatively developed and agreed upon by both the Commission staff and County staff to use a more accurate map reference in a proposed new definition for the purpose of clarity.

The Commission finds that the specific buffer requirements proposed in the County's amendment to the IP/CZO, as suggested to be modified, are adequate to protect agricultural resources and minimize conflicts between agricultural and non-agricultural land uses. Therefore, the proposed amendment to the IP/CZO, as proposed, will not be fully adequate to carry out the certified Land Use Plan, and incorporated Coastal Act policies, for the above-stated reasons and is denied as submitted. With the suggested modification, the proposed IP/CZO amendment can be approved as being consistent with and adequate to carry out the certified land use plan.

3. Applicable Land Use Plan Policies Regarding Public Access

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 property owners and natural resource areas from overuse.

Coastal Act Section 30212 states, in part, the following:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Coastal Act Section 30214 states:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- 1) Topographic and geologic site characteristics.*
- 2) The capacity of the site to sustain use and at what level of intensity.*
- 3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*
- 4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.*

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution.

(c) In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

Coastal Act Section 30223 states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Policy 7-1:

The County shall take all necessary steps to protect and defend the public's constitutionally guaranteed rights of access to and along the shoreline. At a minimum, County actions shall include:

a. Initiating legal action to acquire easements to beaches and access corridors for which prescriptive rights exist consistent with the availability of staff and funds.

b. Accepting offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.

c. Actively seeking other public or private agencies to accept offers of dedications, having them assume liability and maintenance responsibilities, and allowing such agencies to initiate legal action to pursue beach access.

Policy 7-25:

Easements for trails shall be required as a condition of project approval for that portion of the trail crossing the parcel upon which the project is proposed.

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.

4. Consistency Analysis Regarding Public Access

The proposed agricultural buffer provisions specify certain limited uses that may be allowed within a required agricultural buffer area. The allowed uses are categorized as unrestricted uses and restricted uses. Unrestricted uses are certain uses that the County has determined are compatible with agriculture and are allowed anywhere within the required buffer area. Restricted uses are certain uses that the County has determined are less compatible with agriculture and are allowed no closer than one half the width of the required buffer as measured from the common lot line.

One of the restricted uses proposed in the subject amendment include public and private open space areas with limited passive recreational uses such as trails, bike paths, and walking paths. This use is required to provide a buffer from the adjacent agriculture lot that is at least half the width of the required buffer. Further, the proposed buffer regulation specifies that recreational uses such as parks, picnic areas, playgrounds, and ball fields are prohibited within the required agricultural buffer area. The County has indicated that the introduction of visitors near an agricultural land use can lead to potential conflicts from noise, dust, light, and odors from normal agricultural practices, and from trespassing, roaming pets, trash management, and other issues related to visitor use. Active recreational uses such as playgrounds and sports fields are a more intensive visitor use and it is appropriate that they be set back from agricultural lands to minimize potential conflicts. Passive recreational uses such as trails and bike paths represent much lower intensity visitor uses that have a lower potential for land use conflicts. While it is generally appropriate that such passive recreational uses provide a reduced buffer from agricultural properties, the restriction has the potential to adversely impact public access and recreation where it is infeasible for a new public trail to provide the required buffer. For instance, if there were no other areas on a site for a new public trail to be located outside of the buffer or if such relocation required the new trail to be located within an area that would be less desirable for public access than another location on site within the buffer, such as relocation of a portion of a bluff top trail adjacent to a busy roadway, then the restriction would result in the diminishment of public access. To address this issue, Commission staff worked cooperatively with County staff to develop Suggested Modification 2. Specifically, in order to assure that the proposed restrictions on passive public recreational uses such as trails do not result in adverse impacts to coastal public access and recreation, **Suggested Modification 2** clarifies that passive public recreational uses, such as trails, bike paths and walking paths, may be located anywhere within the required agricultural buffer provided that it complies with the buffer to the extent feasible and strict compliance with the buffer requirement would significantly diminish or result in adverse effects to public access or recreation. Further, Suggested Modification 2 clarifies that *active* recreational uses such as parks, picnic areas, playgrounds, and ball fields are prohibited within the agricultural buffer. In addition, **Suggested Modification 4** is required to clarify in the proposed Agricultural Buffer Implementation Guidelines that: (1) unrestricted agricultural buffer uses are compatible with agriculture because they minimize potential conflicts between visitors and agricultural operations and do not require frequent maintenance and do not attract wildlife, and (2) restricted agricultural buffer uses are less compatible with agriculture and the location of such uses are restricted within the buffer.

For the reasons above, the Commission finds that the proposed amendment to the IP/CZO, as proposed, will not be fully adequate to carry out the certified Land Use Plan, and incorporated Coastal Act policies, for the above-stated reasons and is denied as submitted. With the suggested modification, the proposed IP/CZO amendment can be approved as being consistent with and adequate to carry out the certified land use plan.

V. 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 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, as incorporated by reference into the Land Use Plan, 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 sections, the Commission's suggested modifications bring the proposed amendment to the Implementation Plan component of the LCP into conformity with the certified Land Use Plan. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA and the Land Use Plan.

APPENDIX 1

Substantive File Documents

Resolution No. 13-192, County of Santa Barbara, *In the matter of a submittal to the California Coastal Commission for certification of the Article II Coastal Zoning Ordinance Agricultural Buffers Amendment*, passed, approved, and adopted by the Board of Supervisors June 25, 2013; Ordinance 4853, *Case No. 12-ORD-00000-00013, An Ordinance Amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code by Amending Division 2, Definitions, Division 7, General Regulations, and adding a new Appendix H titled “Agricultural Buffer Implementation Guidelines” to implement a new agricultural buffer regulation*, adopted by Board of Supervisors on April 9, 2013.

ATTACHMENT 8: ORDINANCE

ORDINANCE NO. 4853

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 7, GENERAL REGULATIONS AND ADD A NEW APPENDIX H TITLED "AGRICULTURAL BUFFER IMPLEMENTATION GUIDELINES", TO IMPLEMENT A NEW AGRICULTURAL BUFFER REGULATION.

Case No. 12ORD-00000-00013

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

SECTION 1:

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35-58, Definitions, to add the following definitions of "Buffer, Agricultural", "Production Agriculture", "Rangeland or Pastureland", "Sensitive Non-agricultural Uses" and "Small Lot" to read as follows:

Buffer, Agricultural. A designated width of land used to minimize potential land use conflicts between non-agricultural development/uses and adjacent agricultural uses. The following terms are defined for the purposes of Section 35-144M (Agricultural Buffers).

1. **Production Agriculture.** A commercial agricultural operation that excludes rangeland or pastureland operations. Production agriculture allows for a change of crop or fallow periods.
2. **Rangeland or Pastureland.**
 - a. Land that is not currently used for agricultural production but is used for the grazing or pasturing of livestock, such as cattle and horses, which may also include facilities for confining animals, but not involving a commercial livestock feed or sales yard or dairy.
 - b. Land which is limited in its potential use, as defined by soils or other constraining factors, from supporting production agriculture. See the Agricultural Buffer Implementation Guidelines (Appendix H) for details.
3. **Sensitive Non-agricultural Uses.** Child care facilities, educational facilities, medical facilities, schools, student dormitories, senior housing, and other similar uses.
4. **Small Lot.** A lot equal to or smaller than one-half acre that is located adjacent to an Urban Boundary Line as designated on the Comprehensive Plan maps.

Exhibit 1
Santa Barbara County
LCP Amendment 4-STB-13-0211-1-A
Ordinance 4853 - Proposed Amendment Text

SECTION 2:

DIVISION 7, GENERAL REGULATIONS, of the Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add Section 35-144M, titled "Agricultural Buffers" to read as follows

35-144M – AGRICULTURAL BUFFERS

- A. Purpose and intent.** The purpose of agricultural buffers is to implement adopted Coastal Land Use Plan policies that assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County through establishing development standards that provide for the creation of buffers between agricultural uses and new non-agricultural development and uses. The intent of agricultural buffers is to minimize potential conflicts between agricultural and adjacent land uses that result from noise, dust, light, and odor incidental to normal agricultural operations as well as potential conflicts originating from residential and other non-agricultural uses (e.g., domestic pets, insect pests and invasive weeds).
- B. Applicability.** This Section applies to all discretionary applications for non-agricultural development and uses (project) which satisfy all of the following criteria:
1. The project site is located within an Urban, Inner-Rural, or Rural Neighborhood Area, as designated on the Coastal Land Use Plan maps; or located on property zoned industrial that is located in the Rural Area as designated on the Coastal Land Use Plan maps.
 2. The project site is located immediately adjacent to land that is:
 - a. Located in a Rural Area as designated on the Coastal Land Use Plan maps, and
 - (1) Excluding state or federally owned land, has an agricultural zone designation as identified in Section 35-52 (Zoning District Designations and Applicability); or if the project site is located outside of the Coastal Zone, as identified in:
 - (a) Section 35.014.020 (Zoning Map and Zones) of Section 35-1, the County Land Use and Development, of Chapter 35, Zoning, of the Santa Barbara County Code; or
 - (b) Article V of Ordinance No. 661.
 - (2) Is subject to a contract executed in accordance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.
- C. Exceptions.** This Section does not apply to the following:
1. Single-family dwelling, residential second units and residential accessory structures.
 2. Farm employee dwellings and farm labor camps.
 3. Non-agricultural, discretionary development approved prior to [the effective date of this Ordinance].
 4. Changes to a non-agricultural, discretionary project approved prior to [the effective

date of this Ordinance], provided that prior to an action by the decision-maker to approve an application in compliance with Subsections 35-172.11.1, 35-172.11.2, 35-174.10.1 and 35-174.10.2, the decision-maker shall first determine that the changes to the project proposed by the application do not result in any new or greater impacts to agriculture than those resulting from the already approved project.

a. If the decision-maker cannot make the determination required in compliance with Subsection C.4, above, then the project shall be subject to the provisions of this Section.

5. **Non-commercial agricultural uses.** An agricultural buffer is not required adjacent to a common lot line between the project site and an adjacent agriculturally zoned lot if the adjacent lot is used for non-commercial agriculture.

6. State and County roadway projects.

7. Lot line adjustments and modifications to lot line adjustments that

a. Do not exceed a 10 percent increase or decrease in the area of the smallest existing lot; and

b. Do not result in an increase in the number of developable lots in compliance with Subsection 35-134.A.3.a(3).

D. Agricultural buffer requirements. All applications subject to this Section shall designate and maintain an agricultural buffer on the project site in compliance with this Section.

1. **Agricultural buffer width.** The width of the agricultural buffer shall be in compliance with the range of agricultural buffer widths as shown in the following table (Range of Agricultural Buffer Widths). Ranges are provided because unique circumstances may require the buffer width to be adjusted; however, the agricultural buffer width as adjusted shall neither be less than the minimum buffer width nor greater than the maximum buffer width shown in the following table (Range of Agricultural Buffer Widths). If the proposed project is located adjacent to a lot that contains both Production Agriculture and Rangeland or Pastureland, then the most protective buffer:

a. Shall be applied adjacent to any portion of the common lot line between the project site and the adjacent agriculturally zoned lot where Production Agriculture is immediately adjacent; and

b. May be applied to any portion of the common lot line between the project site and the adjacent agriculturally zoned lot where Production Agriculture is not immediately adjacent, if Production Agriculture is located on the adjacent lot within the distance, as measured from the common lot line, that is equal to the width of the required buffer that would otherwise be applicable to the project site.

Refer to Section II.C. (Agricultural Buffer Width Adjustment) of the Agricultural Buffer Implementation Guidelines (Appendix H) for guidance.

Range of Agricultural Buffer Widths

Project Land Use or Zoning	Project Location	Minimum Buffer Width (feet)	Maximum Buffer Width (feet)
Commercial or Industrial	Adjacent to production agriculture	100	300
	Adjacent to rangeland or pastureland	100	150
Residential, not located on a Small Lot located within an Urban Area	Adjacent to production agriculture	200	300
	Adjacent to rangeland or pastureland	100	150
Residential, located on a Small Lot located within an Urban Area	Adjacent to production agriculture	100	200
	Adjacent to rangeland or pastureland	100	150
Sensitive Non-agricultural Uses	Adjacent to production agriculture	300	400
	Adjacent to rangeland or pastureland	100	150

2. **Agricultural buffer location.** The agricultural buffer shall be located:
 - a. On the lot on which the non-agricultural project is proposed.
 - b. Adjacent to the common lot line between the project site and the adjacent agriculturally zoned lot.
3. **Agricultural buffer width measurement.** The agricultural buffer width shall be measured from the common lot line between the project site and the adjacent agriculturally zoned lot. The agricultural buffer shall be coterminous with the length of said common lot line.
4. **Agricultural buffer width adjustment.** The following factors shall be considered when determining the agricultural buffer width in compliance with Subsection D.1 (Agricultural buffer width), above. See the Agricultural Buffer Implementation Guidelines (Appendix H) for guidance in determining the appropriate agricultural buffer width.
 - a. **Site-specific factors.** The following factors shall be considered when determining the agricultural buffer width:
 - (1) Crop type/agricultural practices.
 - (2) Elevation differences and topography.
 - (3) Extent and location of existing non-agricultural development.
 - (4) Location of existing roads or naturally occurring barriers.
 - (5) Historical land use on the agricultural lot.
 - (6) Future farming potential of the agricultural lot.
 - (7) Site design of the non-agricultural proposal.
 - (8) Non-agricultural lot size/configuration.

- (9) Prevailing wind direction.
 - b. **Vegetative screening adjacent to production agriculture.** Vegetative screening may be used to offset an increase in the buffer width for projects adjacent to Production Agriculture, as it may be adjusted in compliance with Subsection D.4.a (Site-specific factors). See Subsection F.3 for vegetative screening criteria and the Agricultural Buffer Implementation Guidelines (Appendix H) for guidance.
 - c. **Constrained agricultural areas.** If the adjacent lot is used for production agriculture and contains land areas that are constrained by physical features or easements such that those land areas cannot be used for agriculture, then the agricultural buffer width may be reduced on the project site by an amount equal to the width of the constrained land area located on the adjacent agricultural lot, provided:
 - (1) The physical feature is permanently part of the landscape (e.g., a protected riparian area, or rock out-cropping); and
 - (2) The physical feature or easement must preclude any kind of agricultural use and be located adjacent to the non-agricultural project site.
5. **Coastal Land Use Plan consistency.** Where Coastal Land Use Plan policies and this Section both address agricultural buffer requirements, the most protective agricultural buffer requirement shall prevail.
6. **Reasonable use.** This Section is not intended, and shall not be construed as authorizing the decision-maker acting in compliance with this Section to exercise their power to grant or deny a permit in a manner which will take or damage private property for public use, without the payment of just compensation therefore. This section is not intended to increase or decrease the rights of any owner of property under the Constitution of the State of California or the United States or under this Article.
7. **Buffer recordation.**
- a. **Notice to Property Owner required.** Prior to the approval of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35-178 (Land Use Permits) following the approval of a discretionary planning permit, a Notice to Property Owner shall be required to be recorded by the property owner that will provide notification to all future owners and successors of the restrictions of this Section. Said Notice shall include:
 - (1) An exhibit showing the location of the agricultural buffer by metes and bounds description or surveyor's description.
 - (2) The uses that are allowed within the agricultural buffer in compliance with Section 35-144M.E (Allowable uses within agricultural buffers).
 - (3) The Landscape, Lighting and Irrigation Plan in compliance with Section 35-144M.F (Agricultural buffer Landscape, Lighting and Irrigation Plan

requirements).

(4) The Maintenance Plan in compliance with Section 35-144M.G (Agricultural buffer maintenance requirements).

b. The requirement to record said Notice in compliance with this Subsection D.7 shall be included as a condition of approval of an application for a discretionary planning permit subject to this Section.

E. Allowable uses within agricultural buffers. The property owner shall use his best efforts to consult with the adjacent agricultural land owner(s) to address food safety and agricultural production concerns with regard to landscape, lighting, and vegetative screening design and siting. See the Agricultural Buffer Implementation Guidelines (Appendix H) for information on the purpose and intent of restricting uses within agricultural buffers and how to incorporate site design and other features that are compatible with agriculture.

1. Unrestricted uses within agricultural buffers. Subject to other provisions of this Section, or other provisions of the County Code, the following uses may be allowed within a designated agricultural buffer:

- a. Drainage channels, irrigation canals, storm water retention basins and Low Impact Development (LID) drainage features.
- b. Fences and walls.
- c. Low-lying landscaping and vegetative screening that does not include trees or hedges exceeding three feet in height.
- d. Oil and gas, wind energy and cogeneration facilities that are:
 - (1) Permitted in compliance with Division 9 (Oil and Gas Facilities), or
 - (2) Operated in compliance with Division 10 (Nonconforming Structures and Uses).
- e. Natural waterways including rivers, creeks, lakes, ponds, and flood plains.
- f. Signs.
- g. Solar energy systems allowed as an accessory use to the principal use of the lot.
- h. Telecommunication facilities permitted in compliance with Chapter 35-144F (Commercial Telecommunication Facilities).
- i. Utility lines and facilities.
- j. Any other use determined by the decision-maker to be consistent with the purpose and intent of the buffer requirement.
- k. Modifications or additions to structures legally existing as of [the effective date of this ordinance] provided that any addition to a structure that is located within a buffer required by this Section shall not extend further towards the immediately adjacent agricultural lot.

2. **Restricted uses within agricultural buffers.** Subject to other provisions of this Section, or other provisions of the County Code, the following uses may be allowed within the agricultural buffer provided they are not located any closer to the common lot line between the project site and the adjacent agriculturally zoned lot than half the width of the buffer. This requirement may be modified by the decision-maker when it is determined that strict compliance with this section is not required to minimize conflicts with adjacent agriculture.
 - a. Industrial or commercial loading docks and rear service areas.
 - b. Landscaping and vegetative screening.
 - c. Lighting.
 - d. Non-habitable structures such as those used for storage.
 - e. Parking areas including carports and garages.
 - f. Public and private open space areas with limited passive recreational uses such as trails, bike paths and walking paths.
 - g. Roads and transportation infrastructure.
3. **Prohibited uses within agricultural buffers.** Recreational uses such as parks, picnic areas, playgrounds and ball fields shall not be allowed in an agricultural buffer.
4. **Open space credit.** The agricultural buffer may be counted toward open space requirements as long as the limits on allowed uses are consistent with the requirements of this Section and Article II.
5. The unrestricted uses, restricted uses and prohibited uses within the designated agricultural buffer shall be included as a condition of approval of the approved project.

F. Agricultural buffer Landscape, Lighting and Irrigation Plan requirements.

1. A Landscape, Lighting and Irrigation Plan (Plan) shall be required for all agricultural buffers. The Plan shall:
 - a. Graphically depict and label the agricultural buffer.
 - b. Graphically depict and label the following elements within the agricultural buffer:
 - (1) Erosion control measures.
 - (2) Hardscape.
 - (3) Irrigation systems.
 - (4) Landscaping, vegetation, and materials.
 - (5) Lighting.
 - c. Incorporate Low Impact Development (LID) measures to maximize runoff retention and groundwater infiltration on-site.
 - d. Incorporate a fence or other barrier that complies with Article II, with a

minimum height of six feet, that discourages trespassing and domestic animals from crossing the common lot boundary between the project site and the adjacent agricultural land.

- e. Prohibit the planting or installation of turf within 50 feet of the adjacent agricultural land unless required by County, State or Federal regulations.
 - f. Be compatible with the surrounding land uses and rural character of the agricultural area.
2. Landscaping, lighting and irrigation are not required within the agricultural buffer. However, if vegetation is included within the buffer, the plant palette shall meet the following requirements:
- a. The plants shall be compatible with agriculture.
 - b. Shading of adjacent agricultural crops shall be minimized.
 - c. To the maximum extent feasible, the plants shall be fire resistant and drought-tolerant or low water use.
 - d. The plants shall not be considered noxious according to Section 4500 of the California Code of Regulations or considered invasive by the California Invasive Plant Council (Cal-IPC).
3. If a vegetative screen is used to offset an agricultural buffer width increase for production agriculture as described in Subsection D.4.b (Vegetative screening adjacent to production agriculture), the vegetative screen shall be consistent with the requirements in this Subsection F (Agricultural buffer Landscape, Lighting and Irrigation Plan requirements) and shall be in compliance with the following additional criteria:
- a. The vegetative screen shall consist of two staggered rows of vegetation consisting of a layered canopy with evergreen trees and shrubs with foliage extending from the base to the crown.
 - b. The plants shall thoroughly screen the agricultural use from the non-agricultural use within five years from time of installation.
 - c. The minimum height of trees at maturity shall be 15 feet.
 - d. The vegetative screen shall be at least 25 feet deep.
4. The Landscape, Lighting and Irrigation Plan shall be compatible with the requirements in Subsection E (Allowable uses within agricultural buffers).
5. The applicant shall provide a signed and notarized agreement and a performance security acceptable to the Director that guarantees the installation of landscaping, lighting and irrigation and provides for the successful establishment of the agricultural buffer for a minimum of five years. The performance security shall be released upon approval by the Director.

G. Agricultural buffer maintenance requirements.

1. A Maintenance Plan shall be required that provides for the maintenance of the

agricultural buffer for the life of the project. The Maintenance Plan shall:

- a. Include provisions for managing agricultural pests such as vertebrate pests, invasive weeds, and crop threatening insects. Integrated Pest Management practices shall be used to the extent feasible.
- b. Include provisions for removing weeds, trash and debris.
- c. Provide for regular fuel management and removal of accumulated plant matter within the agricultural buffer so as to minimize fire risk.
- d. Be consistent with the requirements in Subsection F (Agricultural buffer Landscape, Lighting and Irrigation Plan requirement).
- f. Provide for the regular maintenance of the elements as described in Subsection F (Agricultural Buffer Landscape, Lighting and Irrigation Plan requirements).

H. Future conversion of adjacent agricultural land. If the underlying purpose for the agricultural buffer no longer exists, the decision-maker, upon application for permit revision in compliance with Division 11 (Permit Procedures), may remove agricultural buffer requirements originally required in compliance with this Section.

I. Findings. In addition to other findings that may be required, the decision-maker shall not approve or conditionally approve any application subject to the requirements of this Section for which an agricultural buffer is required unless it first makes all of the following findings:

1. The design and configuration of the agricultural buffer minimizes, to the maximum extent feasible, conflicts between the adjacent agricultural and non-agricultural uses which are the subject of the permit application.
2. The Landscape, Lighting, Irrigation and Maintenance Plans are compatible with the character of the adjacent agricultural land and the rural setting.

SECTION 3:

Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Appendix H titled "Agricultural Buffer Implementation Guidelines" to read as follows:

Appendix H - Agricultural Buffer Implementation Guidelines

- I. Purpose and Intent.** The Agricultural Buffer Implementation Guidelines (Guidelines) are intended to assist planners and the decision-maker in implementing the requirements contained in Section 35-144M (Agricultural Buffers). Specifically, the guidelines assist with (1) determining buffer widths for a proposed project, (2) identifying locations of proposed development and land uses allowed within the agricultural buffer (3) clarifying the process and, (4) incorporating site design concepts that are compatible with agriculture.
- II. Agricultural Buffer Width Adjustment.** The Agricultural Buffer Width table in Section 35-144M.D (Agricultural Buffer Requirements) contains ranges for the buffer width. The minimum buffer width minimizes potential land use conflicts to a reasonable, typical level.

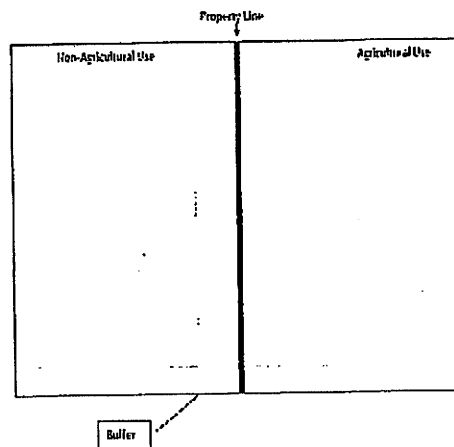
However, ranges are provided because circumstances may require the buffer width to be adjusted.

A. The following site specific factors may warrant an increase in the width of the required buffer:

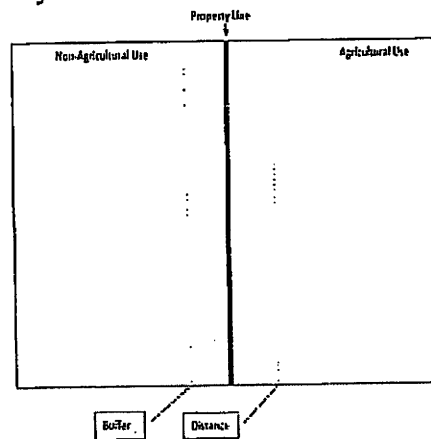
1. **Crop type/agricultural practices.** Crop type influences agricultural practices. Rotational crops such as strawberries and vegetables require intensive farming practices that generate substantial amounts of dust, odors, noise and other irritants. Crops that utilize intensive farming practices may warrant an increase in the buffer.
2. **Elevation differences and topography.** Elevation differences and topographical features, such as a valley or hill, affect air flow and may separate agriculture and non-agricultural development and uses. Projects located on terrain that provides no natural separation between agricultural and non-agricultural development and uses may warrant an increase in the buffer width.
3. **Location of existing roads or naturally occurring barriers.** An increase in buffer width may be warranted if such features are absent or ineffective because of wind direction, terrain or other reasons.
4. **Historical land use on the agricultural lot.** The agricultural lot may currently be fallow, in between plantings, planted with a temporary crop (such as a cover crop) or may have supported crops in the past. Therefore, if the agricultural lot is not currently used for agriculture, a buffer may still be warranted if the lot was used for agriculture within the last 10 years. If the project applicant claims a buffer is not required due to existing lack of agriculture on the agriculturally zoned lot, the project applicant must prove the land was not used for agriculture within the last 10 years. The Planning and Development Department of Conservation's Important Farmland Maps and aerial imagery can provide historical agricultural use information.
5. **Future farming potential of the agricultural lot.** A buffer width increase may be warranted if the current agricultural use is rangeland/pastureland or not currently used for agriculture but the soils have the potential to support higher value crops and there is a source for agricultural water. For the purposes of these Guidelines, land has future farming potential if its predominant soil type has an irrigated land capability classification of Class I, Class II, Class III or Class IV as defined by the Natural Resource Conservation Service (NRCS) soil survey maps for Santa Barbara County. Land has limited farming potential if its predominant soil type has an irrigated land capability classification of Class VI, Class VII, or Class VIII. Santa Barbara County does not have Class V soils.
6. **Site design of the non-agricultural proposal.** Non-agricultural projects with site design features that contribute toward potential land use conflicts may warrant a buffer width increase. See Section V (Site Design) of these Guidelines for a discussion on site design.

7. **Prevailing wind direction.** Consider a buffer width increase if the prevailing wind blows from the agricultural lot toward the non-agricultural lot.
- B. If an increase in the width of the buffer is warranted based on site specific factors, the following additional factors may offset a buffer width increase:
1. **Non-agricultural lot size and configuration.** If a lot cannot reasonably accommodate a buffer increase because of lot size or configuration, consider redesigning the project or applying the minimum buffer width. Refer to Section 35-144M.D.6 (Reasonable use) of this Article.
 2. **Extent and location of existing non-agricultural development.** An increase in buffer width may not be warranted if the project applicant can demonstrate that the agricultural lot has already been severely impacted by existing non-agricultural development and uses adjacent to the agricultural lot.
 3. **Vegetative screening adjacent to Production Agriculture.** In compliance with Section 35-144M.D.3.b of this Article, if the project is adjacent to production agriculture and site specific factors warrant a buffer width increase, vegetative screening may be used to offset an increase in the buffer width. For example, a commercial development proposed adjacent to production agriculture would require a minimum 100 foot buffer as per Section 35-144M.D.1 of this Article. The Planning and Development Department and Agricultural Commissioner's Office may recommend a buffer width increase due to site specific factors (e.g. increase an additional 50 feet or 100 feet). The Planning and Development Department and Agricultural Commissioner's Office may also recommend the use of a vegetative screen and reduce the buffer width increase. The vegetative screen may mitigate only a portion of the buffer width increase (e.g. offset 50 feet of a 100 feet buffer width increase).
- C. If the agricultural lot contains both Production Agriculture and Rangeland or Pastureland and the Production Agriculture is not immediately adjacent to common lot line between the project site and the adjacent agriculturally zoned lot where the Production Agriculture is located, Section 35-144M.D.1.b (Agricultural buffer width) of this Article describes how to determine the buffer width. The following steps and diagrams illustrate how to determine the buffer width for those scenarios.

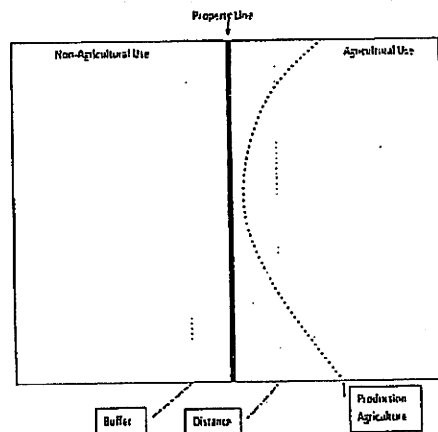
Step 1. Determine the buffer width required for the proposed use for the adjacent Rangeland or Pastureland.



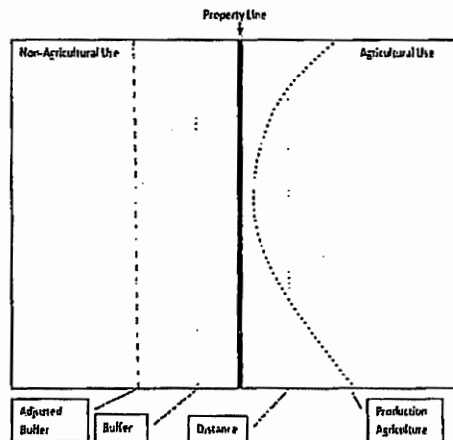
Step 2. Take the distance determined in Step 1 and apply it to the agricultural use side of the property line.



Step 3. Determine if the production agriculture is within the distance as determined in Step 2.



Step 4. If the Production Agriculture is within the distance as determined in Step 2, than the adjusted buffer is the buffer width that would be applied for Production Agriculture. For example, if the Agricultural Buffer width is 200 feet for the proposed use when adjacent to Production Agriculture, the adjusted buffer width would be 200 feet.



III. Allowable Uses Within Agricultural Buffers. Section 35-144M.E (Allowable uses within Agricultural Buffers) specifies unrestricted uses and restricted uses within the buffer.

- A. Unrestricted uses are compatible with agriculture because they do not invite visitors, do not require frequent maintenance, and do not attract wildlife. Uses that invite visitors or attract wildlife may conflict with agriculture and the location of such uses is restricted within the buffer.
- B. **Restricted Use Modification.** The Planning and Development Department, in consultation with the Agricultural Commissioner's Office, may recommend that the decision-maker modify a restricted use within the agricultural buffer if it can be determined that strict compliance with Section 35-144M.E (Allowable uses within Agricultural Buffers) is not required to minimize conflicts with adjacent agriculture. To determine if the restricted use modification is warranted, the Planning and Development Department may consider site specific factors, agricultural practices and input from adjacent agricultural land owners/ property operators.

IV. Application Procedures.

- A. **Prior to application submittal.** It is recommended the applicant meet with the Planning and Development Department, the Agricultural Commissioner's Office, and adjacent landowners (in conjunction with property operators) to discuss the non-agricultural project's compatibility with adjacent agriculture and application of proposed agricultural buffer requirements. Applicants are encouraged to include site planning and project design features that are compatible with adjacent agriculture.
- B. **Project review.** During the application review process, the Planning and Development Department should consult adjacent agricultural landowners (in conjunction with property operators) whenever possible to discuss the proposed non-agricultural development.

- C. **Recommendations.** For all discretionary development applications subject to the provisions of Section 35-144M (Agricultural Buffers) of this Article, the Planning and Development Department in consultation with the Agricultural Commissioner shall review the permit application and make recommendations to the decision-maker concerning buffer width, uses within the buffer, the Landscape, Lighting and Irrigation Plan, and the Buffer Maintenance Plan.
- V. **Site Design.** Urban development that is "agriculturally friendly" can play a significant role in promoting compatibility between agricultural and non-agricultural uses. Projects can achieve compatibility by incorporating creative site planning and project design concepts such as:
 - A. Locating outdoor use areas such as backyards, patios, and playgrounds away from agricultural areas.
 - B. Terminating roads away from agricultural areas to reduce trespassing on agricultural land.
 - C. Including the use of sound proof construction materials such as double pane windows. See *Guide to Edge Planning - Promoting Compatibility Along Urban-Agricultural Edges*, British Columbia, Ministry of Agriculture and Lands, June 2009.
 - D. Clustering of buildings to maximize buffering between residences and agriculture.

SECTION 4 :

All existing indices, section references, and figure and table numbers contained in Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 5:

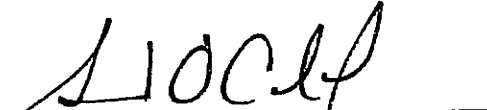
Except as amended by this Ordinance, Division 2 and Division 7 and the Appendix section of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 6:

This ordinance and any portion of this ordinance approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514, whichever occurs later; and before the expiration of 15 days after its passage 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 9th day of April, 2013, by the following vote:

AYES:	Supervisor Carbajal, Wolf, Farr, Adam & Lavagnino
NOES:	None
ABSTAINED:	None
ABSENT:	None



SALUD CARBAJAL
Chair, Board of Supervisors
County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By 
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By 
Deputy County Counsel

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

IN THE MATTER OF SUBMITTING TO THE)
CALIFORNIA COASTAL COMMISSION)
AMENDMENTS TO THE TEXT OF THE)
ARTICLE II COASTAL ZONING ORDINANCE, OF)
CHAPTER 35, ZONING, OF THE SANTA BARBARA)
COUNTY CODE, A PORTION OF THE SANTA)
BARBARA COUNTY LOCAL COASTAL PROGRAM,))
REGARDING AGRICULTURAL BUFFERS,)
COTTAGE FOOD OPERATIONS, AND PUBLIC)
UTILITY NATURAL GAS STORAGE.)

RESOLUTION NO: 13 - 192
CASE NO: 12ORD-00000-00013
CASE NO: 13ORD-00000-00004
CASE NO: 08ORD-00000-00018

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 Land Use Plan; and
- B. On July 19, 1982, by Ordinance No. 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35 of the Santa Barbara County Code; and
- C. On April 9, 2013, by Ordinance No. 4852, the Board of Supervisors, having found it to be in the interest of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Land Use Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, amended the Local Coastal Program by adopting:

12ORD-00000-00013: Agricultural Buffers Ordinance Amendment, attached as Exhibit 1

An Ordinance (Case No. 12ORD-00000-00013), amending the Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, by amending Division 2, Definitions, and Division 7, General Regulations, and by adding a new Appendix H, to implement new agricultural buffer regulations.

- D. On June 4, 2013, by Ordinance No. 4858, the Board of Supervisors, having found it to be in the interest of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Land Use Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, amended the Local Coastal Program by adopting:

13ORD-00000-00004: Cottage Food Operations Ordinance Amendment, attached as Exhibit 2:

An Ordinance (Case No. 13ORD-00000-00004), amending the Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, by amending Division 2,

Exhibit 2

Santa Barbara County
LCP Amendment 4-STB-13-0211-1-A
Resolution 13-192

Definitions and Division 7, General Regulations, to implement new regulations for home occupations that qualify as cottage food operations and specify that in-home retail sales are regulated as home occupations.

- E. On June 25, 2013, by Ordinance No. 4860, the Board of Supervisors, having found it to be in the interest of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Land Use Plan, Coastal Zoning Ordinance and the requirements of State planning and zoning law, and consistent with good zoning and planning practices, amended the Local Coastal Program by adopting:

08ORD-00000-00018: Public Utility Natural Gas Storage Ordinance Amendment, attached as Exhibit 3:

An Ordinance (Case No. 08ORD-00000-00018), amending the Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, by amending Division 4, Zoning Districts, to revise existing regulations regarding the use of Public Utility (PU) zoned property for public utility natural gas storage.

- F. **12ORD-00000-00013 (Agricultural Buffers Ordinance Amendment) & 13ORD-00000-00004 (Cottage Food Operations Ordinance Amendment):** Public officials and agencies, civic organizations, and citizens have been consulted with and have advised the County and the Montecito Planning Commissions on the proposed amendments in duly noticed public hearings pursuant to Section 65353 and Section 65854 of the Government Code, and the County and Montecito Planning Commissions have sent their written recommendations to the Board of Supervisors pursuant to Section 65354 and Section 65855 of the Government Code.

08ORD-00000-00018 (Public Utility Natural Gas Storage Ordinance Amendment): Public officials and agencies, civic organizations, and citizens have been consulted with and have advised the County Planning Commission on the proposed amendment in duly noticed public hearings pursuant to Section 65353 and Section 65854 of the Government Code, and the County Planning Commission has sent their written recommendation to the Board of Supervisors pursuant to Section 65354 and Section 65855 of the Government Code. This amendment was not reviewed by the Montecito Planning Commission as there is no property within the Montecito Community Plan Area that would be affected by the amendment.

- G. The Board of Supervisors has held duly noticed public hearings, as required by Section 65355 and Section 65856 of the Government Code, on the proposed amendment, at which hearings the amendments were explained and comments invited from the persons in attendance.
- H. These amendments to the Local Coastal Program are consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, and the requirements of state planning and zoning laws as amended to this date.
- I. The Board of Supervisors now wishes to submit these amendments to the California Coastal Commission for certification.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.

2. Pursuant to the provisions of Section 65356 and Section 65857 of the Government Code and Section 30514 of the Public Resources Code, the above described changes have been previously adopted as amendments to the Santa Barbara County Local Coastal Program.
3. The Board of Supervisors certifies that these amendments are intended to be carried out in a manner fully in conformity with said California Coastal Act.
4. The Board submits these Local Coastal Program amendments to the California Coastal Commission for review and certification.
5. The Chair and the Clerk of this Board are 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 9th day of July, 2013, by the following vote:

AYES: Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

NOES: None

ABSTAIN: Supervisor Carbajal

ABSENT:


SALUD CARBAJAL, CHAIR
Board of Supervisors, County of Santa Barbara

ATTEST:

CHANDRA L. WALLAR
Clerk of the Board of Supervisors

By: 
Deputy Clerk

APPROVED AS TO FORM:

DENNIS A. MARSHALL
County Counsel

By: _____
Deputy County Counsel

EXHIBITS:

1. Case No. 12ORD-00000-00013: Agricultural Buffers Ordinance Amendment
2. Case No. 13ORD-00000-00004: Cottage Food Operations Ordinance Amendment
3. Case No. 08ORD-00000-00018: Public Utility Natural Gas Storage

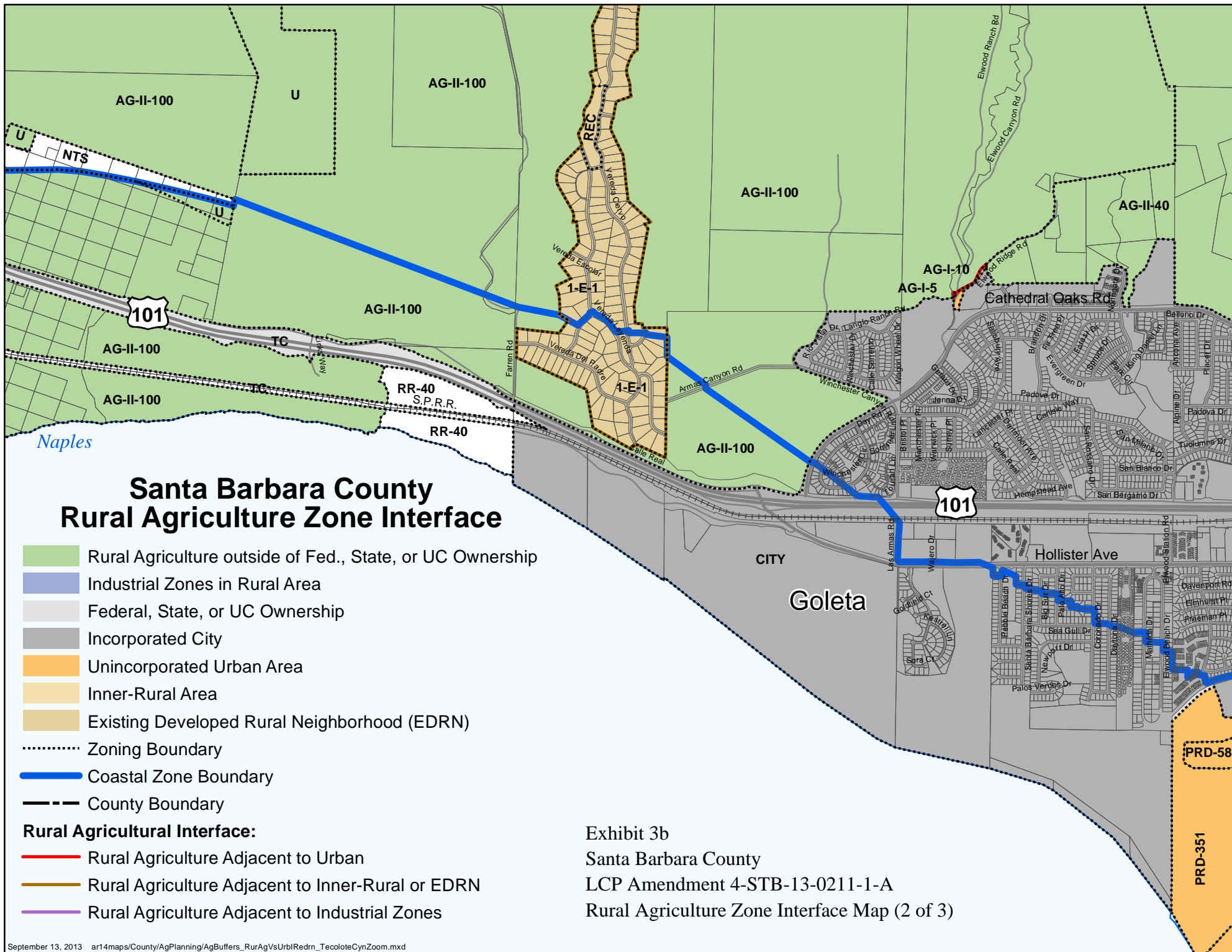
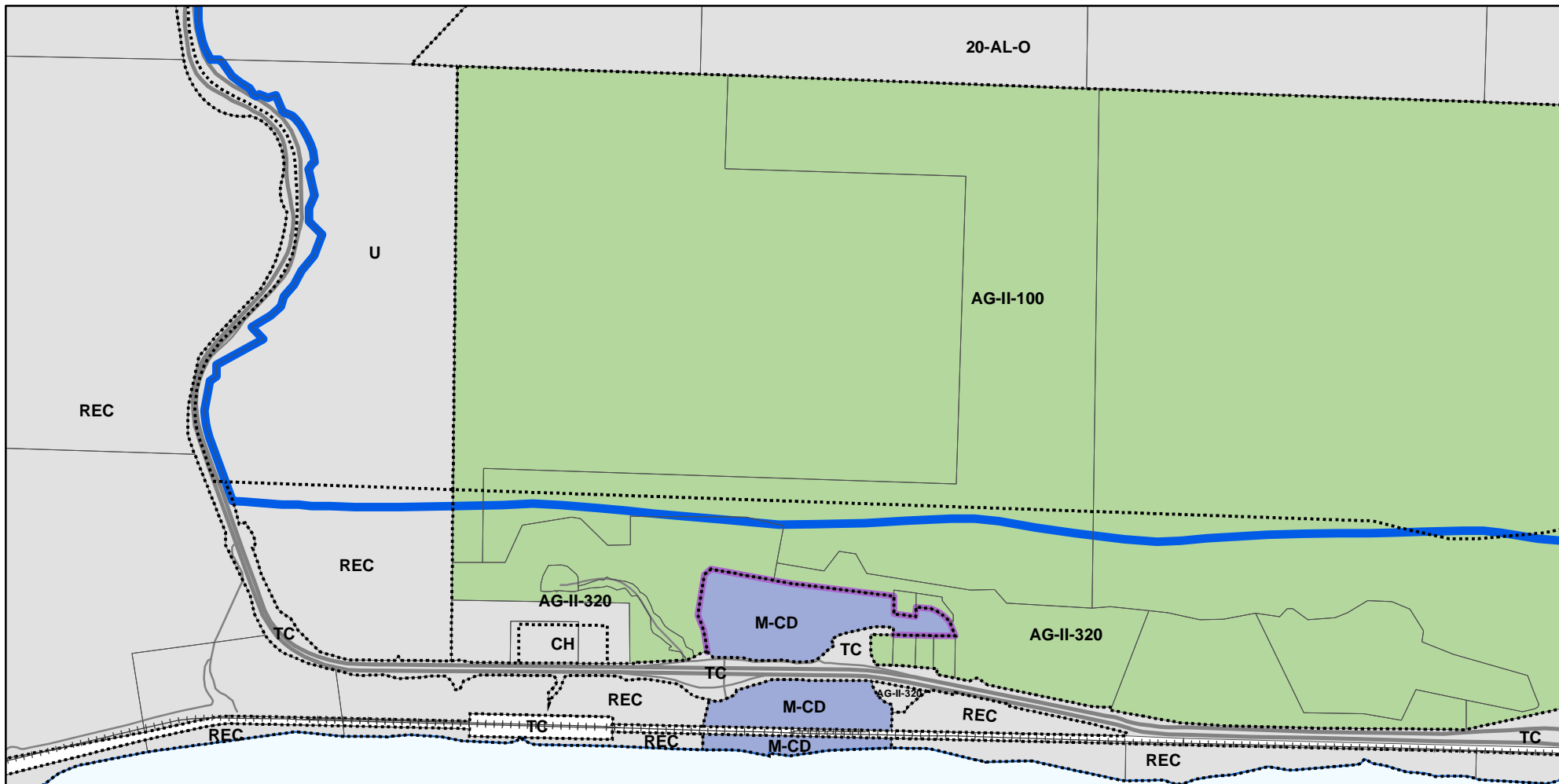


Exhibit 3b
 Santa Barbara County
 LCP Amendment 4-STB-13-0211-1-A
 Rural Agriculture Zone Interface Map (2 of 3)



Santa Barbara County Rural Agriculture Zone Interface

Exhibit 3c
Santa Barbara County
LCP Amendment 4-STB-13-0211-1-A
Rural Agriculture Zone Interface Map (3 of 3)

- Rural Agriculture outside of Fed., State, or UC Ownership
- Industrial Zones in Rural Area
- Federal, State, or UC Ownership
- Incorporated City
- Unincorporated Urban Area
- Inner-Rural Area
- Existing Developed Rural Neighborhood (EDRN)

- Zoning Boundary
- Coastal Zone Boundary
- County Boundary
- Rural Agricultural Interface:**
- Rural Agriculture Adjacent to Urban
- Rural Agriculture Adjacent to Inner-Rural or EDRN
- Rural Agriculture Adjacent to Industrial Zones