

COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
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KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

March 5, 2013

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Agenda Date: March 13, 2013

Agenda Item: 6

Time: After 9:00 a.m.

Subject: Ordinance proposing addition of Section 13.10.312(A)(3) and amendments of Sections 13.10.312(B), 13.10.313(A)(1) and 13.10.636 of the County Code, to clarify agricultural hoop houses as a type of greenhouse, to establish permit requirements for hoop houses, and to allow for reduced zoning setbacks for soil-dependent greenhouses and hoop houses

Members of the Commission:

In December 2010, the Board of Supervisors adopted an ordinance, to take effect upon certification by the Coastal Commission, amending certain County Code provisions related to agricultural hoop houses, primarily relating to setback standards. These agricultural structures are typically used in Santa Cruz County to protect berry crops from the elements and to allow for a longer production season. The intent of that code amendment was to recognize that 20-foot setbacks from every property line were not necessary for agricultural hoop houses, and in fact the majority of locations with existing hoop houses did not adhere to that setback standard. Therefore, reduced setbacks were proposed. Also, hoop houses are exempt from building code requirements (unless needing an electrical, mechanical or plumbing permit), and it was desired to also establish that they are a principally permitted use on agricultural lands.

Subsequent to filing the proposed amendment with the Coastal Commission early in 2011, county staff was informed by coastal staff that the amendment was problematic because it proposed to modify existing "coastal development permit exclusion provisions" that were originally adopted by the Commission itself, which have not been amended by the Commission for many, many years and for which the Commission undertakes a different approval process.

For this reason, county staff indicated to coastal staff that the submittal would be re-worked to avoid the need to change exclusion language, and then re-submitted. Due to other priorities and the desire to wait until the County Code Re-codification occurred, staff has deferred activity on this proposal until this time.

Summary of Proposed Amendments

The modified approach recognizes that there is already "agricultural exclusion" language in the Coastal Regulations contained in Chapter 13.20 of the County Code, and it is not necessary to amend that exclusion language. The proposed approach recognizes that hoop houses are a type of soil-dependent greenhouse that are already excluded from coastal permit requirements as long as they meet certain criteria set forth in the zoning ordinance. Within the coastal zone, discretionary permits are required for hoop houses and soil-dependent greenhouses if they are more than 500 square feet, but a coastal permit is not required because

the county's permit would only be approved if the criteria and performance standards of 13.10.636 and 13.20.073 are met by the proposed development. This approach reflects the high priority established by the Coastal Act for preserving prime agricultural lands and facilitating agricultural production on those lands.

Outside of the coastal zone, it is proposed that hoop houses of any size be principally permitted, such that no use or site development permit would be required, although site development standards of the applicable agricultural zoning district, such as minimum setbacks and maximum height would need to be complied with. Reduced setback standards are proposed for soil-dependent greenhouses, to establish 10-foot setbacks from all property lines rather than existing 20-foot standard. Also, the hoop house type of soil-dependent greenhouse would be allowed to have 0-foot setbacks from side and rear property lines for those lines that abut a parcel under common ownership or leasehold.

Recent Berry Production

The annual value of agricultural production in the County in 2009 was \$491,635,000.00, placing the County about in the middle of the 58 counties statewide. In contrast, the County ranks 57th out of the 58 counties in land area. Both the General Plan and County Code recognize the significance of agriculture to the economy and lifestyle of Santa Cruz County.

Berries are the highest value crops at just over \$306,188,000.00 or 62 percent of the total value of all agricultural production in the County. The 2009 value of raspberries, blackberries, and ollalieberries, collectively called caneberries, was approximately \$133,000,000, just over 43 percent of the total berry value and just over 25 percent of the total agricultural production value.

CROP	YEAR	ACRES	PRODUCTION (TONS PER ACRE)	TOTAL PRODUCTION (TONS)	PRICE (PER TON)	TOTAL VALUE
STRAWBERRIES	2009	3,173	35.48	112,578	\$1,533	\$172,582,000
RASPBERRIES	2009	2,044	12.95	26,470	\$3,939	\$104,265,000
MISC. BERRIES*	2009	676	9.19	6,212	\$4,723	\$29,341,000
TOTAL BERRIES	2009	5,893				\$306,188,000

In order to protect caneberries from the effects of rain and to extend the growing season, caneberries are often covered with some type of a hoop house, also known as high tunnels or shade and hoop structures, one type of which is shown in the photograph below.



* Miscellaneous berries includes blackberries, blueberries, currants, and ollalieberries

These structures protect the berries in a number of ways, including preventing rain from splashing harmful soil organisms such as bacteria onto the plants, and generally reducing the amount of moisture on the berries, which can cause mold. In Santa Cruz County, hoop houses have been in use for about 15 years.

Typically, hoop houses like those shown in the picture above are less than 12 feet tall, open at the ends and lower sides, and consist of a frame of semi-circular metal or plastic rods and covered with plastic sheeting or some type of fabric. Other types look more like greenhouses, but that are considered a type of soil-dependent greenhouse, as they do not have foundations. Most are covered with some type of fabric or plastic sheeting rather than glass or hard plastic and are typically in use only seasonally, like those in the picture above.

Hoop houses are also used in plant breeding and development; where the plants need exposure to air and light, but also need protection from birds and the elements. These types typically consist of a frame that may be of semi-circular metal or plastic rods or some other type of framing and are covered with some type of fabric. The covering on these typically extends over the ends and down to the ground on the ends and sides. Hoop houses may be temporary, semi-permanent, or permanent.

Exemption from requirement for building permit

County Code Section 12.10.315(a)13 exempts hoop houses from the requirement for a building permit if they are “less than 12 feet in height, constructed of light frame materials and covered with shade cloth or clear, flexible plastic with no associated electrical, plumbing, or mechanical equipment, other than irrigation equipment.” However, hoop houses are not exempt from zoning site standards such as setbacks from property lines. Section 12.10.315 states that “Exempt structures must meet all other applicable requirements of this jurisdiction, including required minimum distances from property lines”. The County Code also contains regulations that set forth criteria that must be met by soil-dependent greenhouses and hoop houses within the coastal zone even though they are “excluded” from a coastal permit requirement under the Agricultural Exclusion.

Current setbacks for agriculturally-zoned parcels

There are three agricultural zoning districts listed in the County Zoning Ordinance: CA (Commercial Agriculture), A (Agriculture), and AP (Agricultural Preserve). County Code Section 13.10.313(a), Development Standards, generally requires that all parcels in any one of those districts maintain 20-foot minimum front, side, and rear yard setbacks, but specifies that existing A-zoned parcels less than 2.5 acres in size have the same setbacks as residentially zoned parcels of the same size. Thus, those smaller A-zoned parcels have several possible setbacks, as determined by their size. For example, an A-zoned parcel of 2 acres would have a front yard setback of 40 feet, side yard setbacks of 20 feet and a rear yard setback of 20 feet; while an A-zoned parcel that was 10,000 square feet in size would have a front yard setback of 20 feet, side yard setbacks of 10 feet, and a rear yard setback of 15 feet. Other than for this type of parcel less than 2.5 acres, current agricultural setbacks require a 20-foot setback from all property lines to any structure.

Proposed Setbacks for Soil-Dependent Greenhouses and Hoop Houses

The setback requirements for soil-dependent greenhouses and hoop houses are proposed to be revised as part of an effort to make changes to the County’s land use regulations where appropriate

to promote continued agricultural production and reflect reasonable, reality-based standards, without compromising environmental protection and the quality of the built environment.

In contrast to the usually required setbacks of twenty (20) feet for agriculturally-zoned properties, it should be recognized that commercially-zoned properties abutting other commercially-zoned properties generally have front yard setbacks of ten (10) feet and side and rear yard setbacks of zero (0) feet. There are different setbacks when a commercially-zoned parcel abuts a residentially- or agriculturally-zoned parcel. In those cases, the side and rear yard setbacks of the commercially-zoned parcel are increased to thirty (30) feet and if across a street or alley from an agriculturally- or residentially-zoned parcel, the commercial parcel's front yard is increased to twenty (20) feet. The setback requirements for commercially-zoned parcels abutting other commercially-zoned parcels is a reality-based standard recognizing that side yards for open space, light, and air are not needed in commercial development and that zero setbacks result in more compact commercial development by allowing commercial buildings to be contiguous.

Similarly, agriculture-related development such as hoop houses on agriculturally-zoned properties that abut on or are across a street or road from other agriculturally-zoned properties could have setbacks less than 20 feet even down to a zero-foot setback for the sides and rear where abutting parcels are also agriculturally-zoned and under common ownership or leasehold. The proposed ordinance would establish 10-foot setbacks for soil-dependent greenhouses and hoop houses, although the Code would also allow for 0-foot side and rear setbacks for hoop houses, for parcels contiguous to other agricultural parcels in common ownership or leasehold.

The proposed changes affect only the zoning standards and do not change any of the requirements of the County's environmental regulations such as riparian corridor setbacks.

Addition of Hoop Houses to Agricultural Use Chart

Currently, hoop houses are not listed as a use in the agricultural use chart. In order to prevent an interpretation that hoop houses are not an allowed use, it is proposed that the Code make it clear that hoop houses are a type of soil-dependent greenhouse. As stated above, it is proposed that hoop houses of any size would be principally permitted outside of the coastal zone, and that hoop houses outside of the coastal zone are not subject to the special greenhouse criteria of Section 13.10.636 of the Code. Hoop houses of up to 500 square feet would be principally permitted within the coastal zone. Within the coastal zone, soil-dependent greenhouses and hoop houses of more than 500 square feet and up to 20,000 square feet require a "Level 3" discretionary permit, while those over 20,000 square feet require a "Level 4" permit.

California Environmental Quality Act (CEQA)

The proposed changes regarding hoop houses have been determined to be categorically exempt from further review under CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations, because the proposed ordinance amendments will not result in any changes in land use or density, and statutorily exempt under Section 15265, Adoption of Coastal Plans and Programs.

Agricultural Policy Advisory Commission

In October 2010, the Agricultural Policy Advisory Commission (APAC) considered the first version of the proposed amendments at a regularly scheduled public hearing. No member of the public spoke

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner
duly seconded by Commissioner
the following Resolution is adopted:

**ORDINANCE ADDING SECTION 13.10.312(A)(3) AND AMENDING SECTIONS
13.10.312(B), 13.10.313(A)(1), AND 13.10.636(A) OF THE SANTA CRUZ COUNTY
CODE TO CLARIFY AGRICULTURAL HOOP HOUSES AS A TYPE OF
GREENHOUSE, TO ESTABLISH PERMIT REQUIREMENTS FOR HOOP HOUSES,
AND TO ALLOW FOR REDUCED ZONING SETBACKS FOR SOIL-DEPENDENT
GREENHOUSES AND HOOP HOUSES**

WHEREAS, the value of agricultural production in Santa Cruz County exceeds 490 million dollars and Santa Cruz County ranks 26th in the value of agricultural production statewide, while Santa Cruz County ranks 57th in area statewide; and

WHEREAS, the County of Santa Cruz supports and encourages new and continued commercial agricultural operations in the county; and

WHEREAS, the Santa Cruz County General Plan – Local Coastal Program calls for protection of agricultural land and County Code Chapter 16.50, the Agricultural Land Preservation and Protection Ordinance, implements the General Plan – Local Coastal Program agricultural policies and provides for comprehensive protection of agricultural land; and

WHEREAS, caneberry (non-strawberry berries such as raspberries, blackberries, and ollalieberries) production accounts for approximately 133 million dollars (25 percent of the total value) of agricultural production in the County of Santa Cruz; and

WHEREAS, the Planning Commission has determined that shade and hoop structures are a type of soil-dependent greenhouse that are an integral part of caneberry production in Santa Cruz County and their use increases the value of agricultural production in Santa Cruz County; and

WHEREAS, the Planning Commission has held a noticed public hearing about the proposed amendments to County Code Sections 13.10.312, 13.10.313, and 13.10.636, has considered all testimony and information presented at the public hearing.

WHEREAS, the Planning Commission finds that the proposed amendments to the Santa Cruz County Code will be consistent with the policies of the General Plan and Local Coastal Program and other provisions of the County Code; and

WHEREAS, the Planning Commission finds that the proposed amendments are exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Class 15305, Minor Changes in Land Use Limitations; and

WHEREAS, Chapter 13.10 of the County Code is an implementing ordinance of the Local Coastal Program (LCP) and the proposed addition of Section 13.10.312(A)(3) and amendments of Section 13.10.312(B), Section 13.10.313(A)(1), and Section 13.10.636 constitute amendments to the Local Coastal Program; and

WHEREAS, the proposed amendments are consistent with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors confirm that the amendments are exempt from CEQA under Class 15305; and adopt the proposed ordinance to add Section 13.10.312(A)(3) and amend Section 13.10.312(B), Section 13.10.313(A)(1), and Section 13.10.636 of the County Code; and furthermore that the Board direct that the proposed amendments be submitted to the California Coastal Commission as part of the next 2013 Local Coastal Program Round.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2013 by the following vote:

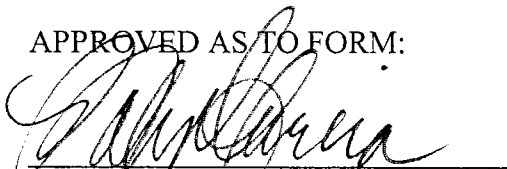
AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Rachel Dann, Chairperson

ATTEST:

Ken Hart, Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department

ATTACHMENT 1

PROPOSED AMENDMENTS SHOWING ADDED AND DELETED LANGUAGE

ORDINANCE ADDING SECTION 13.10.312(A)(3) AND AMENDING SECTIONS 13.10.312(B), 13.10.313(A)(1), AND 13.10.636(A) OF THE SANTA CRUZ COUNTY CODE TO CLARIFY AGRICULTURAL HOOP HOUSES AS A TYPE OF GREENHOUSE, TO ESTABLISH PERMIT REQUIREMENTS FOR HOOP HOUSES, AND TO ALLOW FOR REDUCED ZONING SETBACKS FOR SOIL-DEPENDENT GREENHOUSES AND HOOP HOUSES

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

SECTION I

Subdivision (B) of Section 13.10.312 of the Santa Cruz County Code is hereby amended to include hoop houses as a type of greenhouse in the agricultural use chart listing of "Greenhouse structures, outside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A)" and "Greenhouse structures soil dependent****", inside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A) and 13.20.073", to read as follows:

	CA	A	AP
Greenhouse structures, <u>including hoop houses</u> , outside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A)			
<u>Hoop houses, of any size, that meet the requirements of County Code Section 12.10.315(A)11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment</u>	<u>P</u>	<u>P</u>	<u>P</u>
500—20,000 square feet	3	4	3
Over 20,000 square feet	4	4	4

Greenhouse structures soil dependent****, including hoop houses, inside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A) and 13.20.073

<u>Hoop houses, of up to 500 square feet, that meet the requirements of County Code Section 12.10.315(A)11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment</u>	<u>P</u>	<u>P</u>	<u>P</u>
500—20,000 square feet	3	3	3
Over 20,000 square feet	P/4	P/4	P/4

SECTION II

Subdivision (A)(1) of Section 13.10.313 of the Santa Cruz County Code is hereby amended to read as follows:

(A) Site and Structural Dimensions.

(1) General. The following site area per dwelling unit, site width, frontage, yard dimensions, and building height limits shall apply to all agricultural zone districts except that maximum height

ATTACHMENT 1

limits and exceptions therefrom for residential structures in all agricultural districts shall be determined in accordance with the provisions of SCCC 13.10.323 applicable to parcels in the Residential Zone Districts. On legal lots of record less than 2.5 acres in size, all site and structural dimensions of the residential districts as indicated in SCCC 13.10.323 shall apply, based on the pre-existing parcel size.

AGRICULTURAL SITE AND STRUCTURAL DIMENSIONS CHART

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

Designation	Setbacks: *		Max. Hgt. for Ag. Structures	Max. Ht. for Res. Structures
	Side	Rear		
A	20'	20'	40'	28'
A	20'	20'	40'	28'
CA	20'	20'	40'	28'
AP	20'	20'	40'	28'

*

Refer to subdivisions (1) and (3) of this section for alternate setbacks that may apply for residential structures, soil-dependent greenhouses and hoop houses.

SECTION III

Subdivision (A)(3) of Section 13.10.313 of the Santa Cruz County Code is hereby added to read as follows:

(3) For soil-dependent greenhouses, including hoop houses that meet the definition of an agricultural shade structure (12.10.315(A)11) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment; the setback from all property lines abutting on or across a street or road from another agriculturally-zoned parcel is 10 feet. Where an abutting agriculturally zoned parcel is under common ownership or leasehold, hoop houses may be constructed with a zero (0) foot setback from the side and rear property lines.

SECTION IV

Section 13.10.636 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.636 Greenhouses.

(A) New Greenhouse Development. New greenhouses over 500 square feet in area, where allowed pursuant to a use discretionary permit in the basic zone district, shall be developed and maintained to the following standards, except that outside of the coastal zone, hoop houses of any size that meet the definition of an agricultural shade structure (12.10.315(A)11) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment are not subject to these standards, as they are principally permitted (the standards do apply to hoop houses over 500 square feet within the coastal zone):

(1) Mitigations shall be required for any adverse visual impacts of greenhouses which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Greenhouses shall not be located where they would block public ocean

ATTACHMENT 1

views. Mitigations shall be compatible with light and ventilation needs of the greenhouse operations.

(2) Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained on-site such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.

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

(4) On-site parking shall be provided commensurate with the need created by the proposed use.

(5) The removal of indigenous prime farmland soil used as a growing medium for container plants which are sold intact shall not be allowed.

(6) Flooring or impervious surfacing within the greenhouse structure which impairs long-term soil capabilities shall be limited to the minimum area needed for access, loading and storage. The use of long-term sterilants under impervious surfacing shall not be allowed.

(7) Greenhouse structures shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible.

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

(9) Irrigation systems shall be water conserving.

SECTION V

This ordinance shall take effect upon final certification by the California Coastal Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2013, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____

Clerk of the Board

APPROVED AS TO FORM: _____

County Counsel

Copies to Planning, County Counsel, Public Works

ORDINANCE NO. _____

**ORDINANCE ADDING SECTION 13.10.312(A)(3) AND AMENDING SECTIONS 13.10.312(B),
13.10.313(A)(1), AND 13.10.636(A) OF THE SANTA CRUZ COUNTY CODE TO CLARIFY
AGRICULTURAL HOOP HOUSES AS A TYPE OF GREENHOUSE, TO ESTABLISH PERMIT
REQUIREMENTS FOR HOOP HOUSES, AND TO ALLOW FOR REDUCED ZONING
SETBACKS FOR SOIL-DEPENDENT GREENHOUSES AND HOOP HOUSES**

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

SECTION I

Subdivision (B) of Section 13.10.312 of the Santa Cruz County Code is hereby amended to include hoop houses as a type of greenhouse in the agricultural use chart listing of "Greenhouse structures, outside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A)" and "Greenhouse structures soil dependent****", inside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A) and 13.20.073", to read as follows:

	CA	A	AP
Greenhouse structures, including hoop houses, outside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A)			
Hoop houses, of any size, that meet the requirements of County Code Section 12.10.315(A)11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment	P	P	P
500—20,000 square feet	3	4	3
Over 20,000 square feet	4	4	4
Greenhouse structures soil dependent****, including hoop houses, inside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A) and 13.20.073			
Hoop houses, of up to 500 square feet, that meet the requirements of County Code Section 12.10.315(A)11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment	P	P	P
500—20,000 square feet	3	3	3
Over 20,000 square feet	P/4	P/4	P/4

SECTION II

Subdivision (A)(1) of Section 13.10.313 of the Santa Cruz County Code is hereby amended to read as follows:

(A) Site and Structural Dimensions.

- (1) General. The following site area per dwelling unit, site width, frontage, yard dimensions, and building height limits shall apply to all agricultural zone districts except that maximum height

EXHIBIT B

limits and exceptions therefrom for residential structures in all agricultural districts shall be determined in accordance with the provisions of SCCC 13.10.323 applicable to parcels in the Residential Zone Districts. On legal lots of record less than 2.5 acres in size, all site and structural dimensions of the residential districts as indicated in SCCC 13.10.323 shall apply, based on the pre-existing parcel size.

AGRICULTURAL SITE AND STRUCTURAL DIMENSIONS CHART

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

Designation	Setbacks: *		Max. Hgt. for Ag. Structures	Max. Ht. for Res. Structures
	Side	Rear		
A	20'	20'	40'	28'
A	20'	20'	40'	28'
CA	20'	20'	40'	28'
AP	20'	20'	40'	28'

*

Refer to subdivisions (1) and (3) of this section for alternate setbacks that may apply for residential structures, soil-dependent greenhouses and hoop houses.

SECTION III

Subdivision (A)(3) of Section 13.10.313 of the Santa Cruz County Code is hereby added to read as follows:

(3) For soil-dependent greenhouses, including hoop houses that meet the definition of an agricultural shade structure (12.10.315(A)11) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment; the setback from all property lines abutting on or across a street or road from another agriculturally-zoned parcel is 10 feet. Where an abutting agriculturally zoned parcel is under common ownership or leasehold, hoop houses may be constructed with a zero (0) foot setback from the side and rear property lines.

SECTION IV

Section 13.10.636 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.636 Greenhouses.

(A) New Greenhouse Development. New greenhouses over 500 square feet in area, where allowed subject to a discretionary permit in the basic zone district, shall be developed and maintained to the following standards, except that outside of the coastal zone, hoop houses of any size that meet the definition of an agricultural shade structure (12.10.315(A)11) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment are not subject to these standards, as they are principally permitted (the standards do apply to hoop houses over 500 square feet within the coastal zone):

(1) Mitigations shall be required for any adverse visual impacts of greenhouses which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Greenhouses shall not be located where they would block public ocean

EXHIBIT B

views. Mitigations shall be compatible with light and ventilation needs of the greenhouse operations.

(2) Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained on-site such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.

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

(4) On-site parking shall be provided commensurate with the need created by the proposed use.

(5) The removal of indigenous prime farmland soil used as a growing medium for container plants which are sold intact shall not be allowed.

(6) Flooring or impervious surfacing within the greenhouse structure which impairs long-term soil capabilities shall be limited to the minimum area needed for access, loading and storage. The use of long-term sterilants under impervious surfacing shall not be allowed.

(7) Greenhouse structures shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible.

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

(9) Irrigation systems shall be water conserving.

SECTION V

This ordinance shall take effect upon final certification by the California Coastal Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2013, by the following vote:

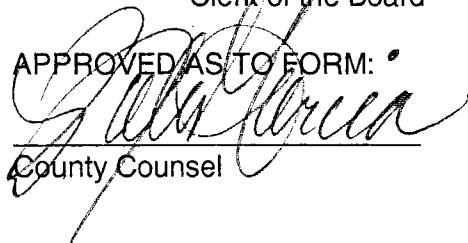
AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____

Clerk of the Board

APPROVED AS TO FORM: •



County Counsel

Copies to Planning, County Counsel, Public Works

EXHIBIT C

EXISTING RELATED CODE SECTIONS: 13.10.636(A), (B) AND (C) GREENHOUSES; AND 13.20.073 AGRICULTURALLY RELATED DEVELOPMENT EXCLUSIONS

13.10.636 Greenhouses.

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

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

(B) Conforming Greenhouse Replacement. The following conditions must be met in order for an existing conforming greenhouse to be reconstructed, replaced or structurally altered without prior approval of a use permit:

- (1) The new or altered greenhouse must conform to the existing setbacks and height limits of the zone district.
- (2) The project must be accompanied by plans, which may be prepared by the applicant, for drainage, screening of outdoor storage and adequate on-site parking relative to the proposed use.
- (3) Discarded greenhouse coverings must be disposed of promptly according to plans submitted by the applicant.

(C) Nonconforming Greenhouse Replacement. The replacement, reconstruction or structural alteration of a nonconforming greenhouse of any size in any zone district shall be allowed without the requirement of a use permit; provided, that the replacement, reconstruction or structural alteration meets the following conditions:

- (1) The new or altered greenhouse shall cover an area no larger than that of the original greenhouse.
- (2) The new or altered greenhouse shall be no higher than 22 feet and in no case obstruct the existing solar access for habitable structures or agricultural uses on adjoining properties.
- (3) The project shall be accompanied by plans, which may be prepared by the applicant, for drainage, for screening of any outdoor storage, and for adequate on-site parking relative to the proposed use.
- (4) Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant. [Ord. 3432 § 1, 1983].

EXHIBIT C

13.20.073 Agriculturally related development exclusion.

Agriculturally related development as listed below is excluded, on all lands designated agriculture on the General Plan and Local Coastal Program Land Use Plan maps, except within 100 feet of any coastal body of water, stream, wetland, estuary, or lake; within areas between the sea and the first public through road paralleling the sea; or on parcels less than 10 acres in size:

- (A) Greenhouses, Soil Dependent. The construction, improvement or expansion of soil dependent greenhouses which comply with the requirements of SCCC 13.10.313(A) and 13.10.636 and are not located on natural slopes of greater than 25 percent nor on sensitive habitat areas as defined in SCCC 16.32.040.
- (B) Agricultural Support Facilities. The construction, improvement, or expansion of barns, storage buildings, equipment buildings and other buildings necessary for agricultural support purposes, including facilities for the processing, packing, drying, storage and refrigeration of produce generated on-site; provided, that such buildings will not exceed 40 feet in height; will not cover more than a total of 10,000 square feet of ground area including paving; and will not include agricultural processing plants, greenhouses or mushroom farms. Building construction or expansions of more than 2,000 square feet of ground area in rural scenic corridors shall comply with SCCC 13.20.130(C)(4).
- (C) Greenhouses and Mushroom Farms. Improvement and expansion of existing mushroom farms and greenhouses; provided, that such improvements will not exceed 40 feet in height, and will not increase ground coverage by more than 25 percent or 10,000 square feet, whichever is less. Building expansions of more than 2,000 square feet in rural scenic corridors shall comply with SCCC 13.20.130(C)(4). This type of development may be excluded only one time per recorded parcel of land. If improvement or expansion is proposed after such development pursuant to this exclusion has been carried out, then a Coastal Zone approval must be obtained for the subsequent development.
- (D) Paving. Paving in association with development listed in subsections (A), (B) and (C) of this section, provided it will not exceed 10 percent of the ground area covered by the development.
- (E) Fencing. Fences for farm or ranch purposes, except any fences which would block existing equestrian and/or pedestrian trails.
- (F) Water Supply Facilities. Water wells, well covers, pump houses, water storage tanks of less than 10,000 gallons' capacity and water distribution lines, including up to 50 cubic yards of associated grading; provided, that such water facilities are not in a groundwater emergency area as designated pursuant to SCCC 11.90.130 pertaining to groundwater emergencies and will be used for on-site agriculturally related purposes only.
- (G) Water Impoundments. Water impoundments in conformance with the grading ordinance (Chapter 16.20 SCCC); provided, that no portion of the body of water will inundate either temporarily or permanently any drainage areas defined as riparian corridors in Chapter 16.30 SCCC (Riparian Corridor and Wetlands Protection); provided, that such impoundments will not exceed 25 acre-feet in capacity and will not be in a designated water shortage area.
- (H) Water Pollution Control Facilities. Water Pollution control facilities for agricultural purposes if constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board.
- (I) Biomedical Livestock Operations Not Excluded. Barns, storage, equipment, and other buildings, associated paving, fences, and water pollution control facilities which are part of the biomedical livestock operations are not excluded from coastal permit requirements.