



**Agenda Item B.1**  
**PUBLIC HEARING**  
**Meeting Date: February 11, 2008**

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**TO:** Planning Commission Chair and Members

**FROM:** Steve Chase, Planning and Environmental Services Director

**CONTACT:** Patricia S. Miller, Manager, Current Planning  
Scott Kolwitz, Senior Planner

**SUBJECT:** 03-159-OA, 03-159-CUP: Fairview Gardens Ordinance Amendments, Farm Labor Camp, Commercial Poultry Operation, and Sale of Off-Site Agricultural Products; located at 598 North Fairview Avenue (APN 069-090-052)

**APPLICANT:**

Center for Urban Agriculture at Fairview Gardens  
598 North Fairview Avenue  
Goleta, CA 93117

**AGENT:**

Mr. Steve Welton  
Suzanne Elledge Planning & Permitting Services, Inc.  
800 Santa Barbara Street  
Santa Barbara, CA 93101

**REQUEST:**

A hearing at the request of Steve Welton of Suzanne Elledge Planning & Permitting Services, agent for Center for Urban Agriculture at Fairview Gardens, to allow the following under Goleta Municipal Code, Chapter 35, Article III, AG-I-5 zone district: an Ordinance Amendment to allow buildings up to 2,000 square feet for sale of agricultural products (Section 35-216.3.4) and to allow the sale of agricultural products grown off-site through a Minor Conditional Use Permit (Section 35-216.5); a Major Conditional Use Permit for the installation of a farm labor camp (Section 35-216.4); a Minor Conditional Use Permit for the operation of a commercial poultry operation (Section 35-216.5); and a Minor Conditional Use Permit for the retail sale of agricultural products grown off-site (Section 35-216.5); all located at 598 North Fairview Avenue (APN 069-090-052). The request is also to accept a categorical CEQA Exemption pursuant to Section 15061 (General Rule) of the State Guidelines for the Implementation of CEQA.

Application Filed: October 17, 2003 (revised submittal on January 15, 2008)  
Application Complete: April 27, 2004  
Processing Deadline: 60 days from the Notice of Exemption

**JURISDICTION:**

Minor Conditional Use Permits are under the jurisdiction of the Zoning Administrator. Major Conditional Use Permits are under the jurisdiction of the Planning Commission. Legislative actions, such as the proposed Ordinance Amendments, are under the jurisdiction of the City Council. The City of Goleta Municipal Code, Chapter 35, Article III, Section 35-292d states in instances "when two or more applications are submitted that relate to the same development project and the individual applications would be under the separate jurisdiction of more than one decision-maker, all applications for the project shall be under the jurisdiction of the decision-maker with the highest jurisdiction." Therefore, all applications are under the jurisdiction of the City Council.

**BACKGROUND:**

The unpermitted farm labor camp was originally documented by Santa Barbara County through a code compliance investigation and in a letter dated December 4, 2001. On February 1, 2002, the City of Goleta was incorporated and inherited the code compliance case.

An application for a Major Conditional Use Permit was submitted on October 17, 2003. After a series of revisions and inclusion of a Minor Conditional Use Permit for the commercial poultry operation, the first Planning Commission hearing was held on August 13, 2007. The hearing generated substantial testimony from the neighborhood surrounding Fairview Gardens, additional input from the applicant, and a request for additional information by the Planning Commission. The item was taken off calendar in order to further analyze issues related to the farm labor camp and commercial poultry operation and to investigate health and permit compliance issues. A revised application was submitted on January 15, 2008 and the second Planning Commission hearing was scheduled and noticed for February 11, 2008.

**PROJECT DESCRIPTION:**

***Existing Development***

The Fairview Gardens is a 12.29 net acre (12.52 gross acre) non-profit certified organic farm as designated by the United States Department of Agriculture with an agricultural conservation easement held by the Land Trust for Santa Barbara County, which requires a least 88% of the total area of the property to be devoted to active agricultural production in perpetuity. A total of 22 full-time employees are employed by the Fairview Gardens, which includes seasonal workers during peak periods, employees at the produce stand, and management staff.

Permitted Development and Uses

- farmhouse (predates zoning or building permit requirement)
- agriculture, subject to the limitations in Article III, Section 35-216
- produce stand (limited to 600 SF) for the sale of agricultural products grown on-site with an associated Variance to establish a 14-foot setback from Fairview Avenue's right-of-way and a 17.5-foot setback from Stow Canyon Road's right-of-way (Minor Conditional Use Permit, 88-CP-49; Variance, 88-V-46; August 8, 1988; Land Use Permit; April 19, 1994).
- composting toilet and gray water system, herein described as a bathhouse/restroom (Land Use Permit; September 29, 2000).

Unpermitted Development and Uses

- farm labor camp consisting of 3 yurts and 3 travel trailers
- commercial poultry operation and related structures
- produce stand addition (665 SF in excess of 600 SF allowed)
- sale of agricultural products grown off-site and associated delivery trucks
- educational events
- miscellaneous farm sheds, shelters, and similar structures
- an accessory yurt

A total of 14 designated parking spaces exist on-site. No designated parking spaces are proposed (or counted) for the produce stand, although staff acknowledges room is available to accommodate multiple vehicles in the informal parking lot. None of the parking spaces are ADA compliant.

Existing vehicular ingress and egress is provided by 16-foot gravel driveways off of North Fairview Avenue at the location of the existing produce stand, from Stow Canyon Road (not permitted or constructed to City standards), and through the City's adjacent library parking lot (also not permitted).

***Proposed Development***

Original Proposal

The following elements were included in the original proposal reviewed at the Planning Commission hearing of August 13, 2007:

- farm labor camp
- commercial poultry operation
- accessory yurt
- bathhouse/restroom
- farm structures
- parking and circulation modifications
- a 10-foot wide easement along Fairview Avenue

- a 12.5-foot wide easement connecting Stow Canyon Road on the eastern and western boundaries of the property

### ***Revised Proposal***

The applicant's revised proposal consists of the following:

Ordinance Amendments. The applicant requests a Zoning Ordinance Amendment to Article III, Section 35-216.3.4 (AG-I Permitted Uses) and Section 35-216.5 (AG-I Uses Permitted with a Minor Conditional Use Permit).

Currently, Section 35-216.3.4 (AG-I Permitted Uses) allows the following:

Sale of agricultural products produced on the premises. If a building or structure is required for the sale of such products, the sale shall be conducted within an existing agricultural building or from a separate stand not exceeding 600 square feet of sales area and located no closer than 20 feet to the right-of-way line of any street.

The applicant proposes to modify this text to read as follows:

Sale of agricultural products produced on-site, provided that the building(s) supporting such sales is (are) limited to 2,000 square feet the premises. ~~If a building or structure is required for the sale of such products, the sale shall be conducted within an existing agricultural building or from a separate stand not exceeding 600 square feet of sales area and located no closer than 20 feet to the right-of-way line of any street.~~

The applicant also proposes an Ordinance Amendment to Article III, Section 35-216.5 (AG-I Uses Permitted with a Minor Conditional Use Permit) to add text as follows:

Retail sale of products produced by wineries and other small-scale processing facilities, and agricultural products grown off-site.

Retail sale of agricultural products from a building(s) exceeding 2,000 square feet in size.

Produce Stand. The applicant proposes to retain the existing 1,265-square foot produce stand.

Off-Site Produce. The revised application includes the sale of agricultural products grown off-site to supplement agricultural products grown on-site, in order to remain competitive and provide a diverse mixture of organic produce for sale. The applicant proposes that a loading zone for produce delivery be established on North Fairview Avenue north of Stow Canyon Road.

Farm Labor Camp. The applicant proposes to relocate the existing unpermitted farm labor camp to a location along the existing 16-foot wide driveway between the farmhouse and the accessory yurt. The proposed farm labor camp would consist of five

(5) units, one unit per full-time laborer and their families (if any), year round. Exact locations of the structures have not been provided, but general development envelopes have been indicated on the site plans. The units may consist of the existing yurts (relocated from the previous farm labor camp location), new yurts, or modular housing.

The farm manager would continue to live in the farmhouse, all other employees would live off-site.

Commercial Poultry Operation. The request continues to include a commercial poultry operation with approximately 120 chickens, including up to 4 adult roosters. The operation currently has approximately 100 chickens, including 4 adult roosters, and sells fertilized eggs produced by the chickens at their produce stand.

Accessory Yurts. The application includes the continued use of the existing accessory yurt and the addition of one more accessory yurt.

Bathhouse/Restroom. The applicant proposes to retain the bathhouse/restroom and use the bathing facilities for the farm labor camp. The applicant has also submitted a draft "Composting Toilet and Gray Water System Maintenance and Conditions of Use Agreement".

Farm Structures. Retain farm structures and relocate a trash storage area on-site and construct a cover.

Educational Events. The applicant included the following list of events and educational opportunities that currently occur on-site within their project description:

- a. Farm-to-School: These programs are held on the farm as requested by schools and teachers during the school year. About half of the schools that visit the farm walk to the site and the remaining schools generally travel by bus. The bus usually drops the students off and returns for to pick up the students. Occasionally the bus parks on the farm proper.
- b. Guided Tours: Tours are held on the farm as requested by community members, organizations and culinary professionals. Tours generally consist of small groups of 4-12 persons. Transportation varies by group, but typically consists of carpools or a bus.
- c. Cooking Classes: Classes are held in the farmhouse up to four times a year. The classes are limited to 24 people. Transportation varies, but most persons arrive in personal vehicles. Carpooling is encouraged.
- d. Summer Camp: A 5-week summer day camp occurs each year. Parents usually drop off and pick up their children. Carpooling is encouraged.
- e. Community Supported Agriculture (CSA) Events: CSA events, such as strawberry picking or the Tomato Basic Celebration, happen once or twice

per year. Up to 100 persons attend. Parking has been arranged off-site at either the adjacent school district managements or church.

Parking and Circulation. A total of 50 parking spaces, including 2 ADA parking spaces, are required for the entirety of the Fairview Gardens proposed operations (excluding special events and educational opportunities); however, the applicant is requesting a modification to require a total of 19 parking spaces on-site, of which 1 parking space is for the farmhouse, 6 parking spaces are for farm labor camp residents, 5 parking spaces are for agricultural vehicles, 7 parking spaces are for agricultural employees and visitors. No designated parking spaces are proposed (or counted) for the fruit stand, although staff acknowledges room is available to accommodate multiple vehicles in the informal parking lot. No designated ADA parking spaces are proposed on-site.

Vehicular access to the farm labor camp is proposed via the existing 16-foot wide driveway in the center of the parcel that would retain a 13.5-foot vertical clearance for emergency vehicles and buses. This existing driveway connects the property to Stow Canyon Road and the City of Goleta Library parking lot.

Easements. The revised application includes the dedication of a 10-foot wide easement for street frontage improvements along Fairview Avenue. The City would be responsible for improvements, which may include expanding Fairview Avenue to 4-lanes, curb, gutter and sidewalk.

An additional 12.5-foot wide access easement (for pedestrians/bicyclists) connecting Stow Canyon Road on the eastern and western boundaries of the property is also proposed for dedication.

**PROJECT INFORMATION:**

<b>Site Information</b>	
General Plan Land Use Designation	Agriculture
Ordinance, Zoning District	Article III, AG-I-5 (Agriculture I)
Site Size	12.29 net acre (12.52 gross acre)
Present Development & Use	Fairview Gardens, an organic farm. Permitted development includes a farmhouse, produce stand, and bathhouse/restroom. Unpermitted development/uses include a farm labor camp, commercial poultry operation, delivery of agricultural products grown off-site, various farm-related structures, and educational events
Surrounding Zoning/Uses	<i>North:</i> Single-Family Residential; 7-R-1 (Single-Family Residential) <i>East:</i> Single-Family Residential; 8-R-1 (Single-Family Residential) <i>South:</i> Single-Family Residential; 8-R-1 (Single-Family Residential) <i>Southwest:</i> City of Goleta Library, Christian Science First Church of Christ Scientist; PI (Professional & Institutional) and 8-R-1 (Single-Family Residential) <i>West:</i> North Fairview Avenue, Goleta Baptist Church and Goleta

Site Information	
Union School District; DR-4.6 (Design Residential)	

The subject property is located at 598 North Fairview Avenue. The project site is generally bordered by North Fairview Avenue to the west, Stow Canyon Road and Via Fiori Lane to the north, Wakefield Road (Connor Lane and Marstone Lane cul-de-sacs) to the east, and Berkeley Road to the south (Kings Way, Danbury Court, Albany Court cul-de-sacs). The City of Goleta Library is located to the southwest. Other surrounding properties include the Christian Science First Church of Christ Scientist building to the southwest, single-family residences to the north, east and south.



Photo 1. Aerial photograph of the project site and surrounding uses.

## ISSUES:

### 1. Neighborhood Involvement

Since the Planning Commission meeting of August 13, 2007, numerous meetings between the applicant, neighbors, and staff have occurred. Fairview Gardens has sponsored a focus group meeting and a community meeting. The Concerned Neighbors of the Fairview Gardens (CNFG) has been established and consists of approximately 35 members. Staff has met with members of the public, the Concerned Neighbors of the Fairview Gardens (CNFG), and Fairview Gardens representatives on numerous occasions.

2. **Compliance Issues**

Substantial concern was raised at the Planning Commission hearing of August 13, 2007 regarding possible compliance issues. An itemized list of permitted and unpermitted development/uses has been provided in the "Project Description" section of this staff report. The following permits would be required in order to address these compliance issues:

*Permits – Discretionary (Decision Maker Hearing Required)*

- a. Ordinance Amendments: produce stand 2000 SF (permitted use); sale of agricultural products grown off-site (Minor CUP); produce stand greater than 2000 SF (Minor CUP)
- b. Minor CUP: sale of agricultural products grown off-site
- c. Major CUP: farm labor camp
- d. Minor CUP: commercial poultry operation
- e. Major CUP: educational events

*Permits – Ministerial (Director Decision; No Hearing Required)*

- f. Land Use Permit: farm sheds, shelters, and similar structures
- g. Land Use Permit: accessory yurts (2)

With regard to the discretionary permits, the Major CUP for the farm labor camp and Minor CUP for the commercial poultry operation are currently being recommended for approval with conditions (see analysis below).

With regard to the other discretionary permits, the proposed Ordinance Amendments (produce stand size and sale of agricultural products grown off-site via a Minor CUP) and the Minor CUP associated with the sale of agricultural products grown off-site are currently being recommended for denial without prejudice (applicant can re-apply for the same applications without the usual waiting period of one year). These applications were submitted with the revised project on January 15, 2008 and there has been insufficient time to analyze the requests. In that it is urgent and critical to resolve issues associated with the unpermitted farm labor camp and the commercial poultry operation immediately, staff believes those applications should not be held up by the longer processing timeframe necessary to complete the analysis of the other applications.

The Major CUP for educational events has not yet been applied for. That application should be processed concurrently with resubmittal of the Ordinance Amendments and Minor CUP for the sale of agricultural products grown off-site.

With regard to the ministerial permits (miscellaneous farm-related structures), the filing of Land Use Permits and a director decision would be the appropriate mechanism for addressing these compliance issues.



The revised proposal would be subject to the following conditions:

- 3 months: resubmit for Ordinance Amendments and Minor CUP for sale of agricultural products grown off-site; submit for Major CUP for educational events; submit for land use permit for miscellaneous farm-related structures and accessory yurts

3. **Health Concerns**

A number of health issues were raised at the Planning Commission hearing of August 13, 2007. The concerns included general sanitary conditions on the farm, the use of gray water for dust mitigation, and operation and maintenance of the existing bathhouse/restroom facility.

Photographs of human fecal matter located generally north of the existing unpermitted farm labor camp were submitted at the public hearing. Following the public hearing, staff conducted a site investigation on August 22, 2007. Staff found the locations photographed, and observed that these locations had been raked and cleaned, but no human fecal matter was found.

The issue of external outlet of gray water from the trailers within the existing unpermitted farm labor camp was also raised. Concern was expressed that the gray water may carry viruses to the produce being grown on-site. However, the use of reclaimed water or gray water is not allowed for growing produce or for dust mitigation and is not a practice used at Fairview Gardens. (See also Attachments 3 and 4).

Plans indicating how the permitted bathhouse/restroom facility leaching fields worked/were installed were requested. The concern was that the leaching fields may not be working properly as flies had been observed. These plans were submitted on August 22, 2007. The plans clarified that the composting toilet is serviced by a private septic company and is not connected to the leach field. Service records indicate the composting toilet was last serviced May 2, 2007. The schematics indicate the leach fields are for the bathing facilities only. The leach lines are located within the avocado orchard with no contact between the edible portion of the fruit and water, per plan, which is an allowed irrigation location per the "Recycled Water Uses Allowed in California" (Attachment 3). The leach lines are not found in the row crop growing areas. The leach system was partially unearthed, and the system was inspected by the Building Manager mid January, 2008. The system appears to need a vent added, but in all other regards appears to be working properly. Follow-up inspections would occur as required by the Maintenance Agreement to confirm the bathhouse/restroom is functioning properly.

The revised proposal would be subject to the following conditions:

- 6 months: remove and relocate farm labor camp (and removal of associated unpermitted trailer gray water drainage outlets)

- 6 months: implement bathhouse/restroom Maintenance Agreement and install required vent for leach field system

4. **Farm Labor Camp**

The applicant proposes to relocate the existing unpermitted farm labor camp to a location along the existing 16-foot wide driveway between the farmhouse and the accessory yurt. The farm labor camp would consist of five (5) units. The units may be the existing yurts (relocated from the previous farm labor camp location), new yurts, or modular housing (over the longer-term). Exact locations of the structures have not been provided, but general development envelopes have been indicated on the revised site plans. The existing three trailers would be removed.

Individual bathrooms and kitchens are not proposed. The revised application includes a portable restroom trailer (without shower facilities) and a new common kitchen trailer (see Attachments 5 and 6). A concurrent application for annexation of the property to the Goleta Sanitary District has also been filed in order to construct permanent sewer connections. The sewer laterals would be installed along the internal driveway and would connect to existing mains within Stow Canyon Road/Via Fiori and/or Kings Way.

Shower facilities for the employees residing in the yurts are proposed to be those located in the existing bathhouse/restroom. This remains a concern due to distance from the new location of the farm labor camp (approximately 400 feet along the existing path).

The revised proposal would be subject to the following conditions:

- 6 months: existing farm labor camp removed
- 6 months: farm labor camp relocation accomplished
- 6 months: complete annexation to Goleta Sanitary District
- 6 months: new portable restroom/shower facility or individual restroom/shower facilities connected to Goleta Sanitary District
- 6 months: new kitchen trailer or individual kitchens connected to Goleta Sanitary District
- 6 months: relocation of farm labor camp residents to off-site housing if conditions cannot be met; no re-instatement of farm labor camp until Major CUP and CUP conditions are revised, if necessary
- 1 year: Operations/Compliance Hearing
- 2 years: Operations/Compliance Hearing
- 5 years: removal of yurts and installation of 5 modular homes

**Funding Issues.** Staff has requested submittal of financial information by the applicant in order to determine whether or not the revised proposal was viable and that conditions could be met. The following information was provided:

The farm is a non-profit company and does not have capital funds for immediate improvements. Funds for the improvements for the proposed farm worker housing will be raised through one of two ways:

1. Direct fundraising in the community and within the members of the farms produce distribution service.
2. Grant funding and/or loans from local, state, and/or federal agencies.

Currently, the farm is pursuing a grant or loan possibility from the Hutton Foundation, the USDA Community Foods Projects grant, a State Infill Incentives program grant, and the Joe Serna Farm Worker Housing Grant Program. Additionally, the farm has been advised that there may be funding available from the City of Goleta (in-lieu fees collected). The farm continues to search for other local, state, and federal funding options.

It is estimated that fundraising for the relocation, upgrade, or purchase of yurts, a new kitchen trailer, and a portable restroom trailer, would take approximately 6 months and would cost approximately \$250,000 to complete the farm labor camp relocation. The effort to raise funds for permanent modular units would take 5 years at a minimum and would cost approximately \$2 million to complete installation of the modular units.

Other fees include an estimated \$30,000 for annexation to the Goleta Sanitary District (not including meters and connection fees), City of Goleta processing fees of approximately \$17,000, and City of Goleta development impact fees of approximately \$53,000 (assumes beneficial project reductions as applicable). The applicant will be requesting a reduction/waiver of processing and impact fees.

#### 5. Commercial Poultry Operation

The revised proposal includes a commercial poultry operation with approximately 120 chickens, including up to 4 adult roosters. The operation currently has approximately 100 chickens, including 4 adult roosters, and sells fertilized eggs produced by the chickens at their produce stand. In addition, the rotation of the chickens throughout the farm facilitates pest control, soil aeration, and fertilization in areas of the farm not in current agricultural production.

A proposed Noise Management Plan is intended to manage noise associated with the commercial poultry operation (see Attachment 7). The 4 adult roosters would be restricted to the center of the farm adjacent to the compost pile to minimize the impact of rooster noise on all surrounding properties. The chickens, without roosters, would be rotated around the farm in a mobile chicken coop through four quadrants. The mobile chicken coop would be limited to being in any one quadrant for a maximum of three weeks out of a twelve week period, and the mobile chicken coop would have to maintain a 50-foot buffer from all

property lines. Furthermore, the chickens may stay for a maximum of 26-weeks of the year at the compost pile. As a practical concern, there is a 180-day limitation on the use of the fields once chickens have been within them, nor would they be allowed in fields with actively growing row crops, so the chickens may not be in a certain quadrant for extended periods of time.

Measures to protect water quality are proposed within the Animal Waste Management Plan (see Attachment 8). This plan is intended to protect the farm and neighbors from surface or ground water contamination, fly breeding, and foul odors. The small animals are estimated to collectively produce 1.2 pound of waste per day, which is minimal when combined with a rotation pattern that would result in a maximum deposit of 0.0874 pounds of manure per square foot of the parcel over the year. If the chickens were allowed to be adjacent to the property lines it is believed that small traces of manure may cross property lines, but as at least a 50-foot buffer would be implemented, negligible amounts of manure, if any, would be likely to cross property lines.

The revised proposal would be subject to the following conditions:

- 3 months: implement Noise Management Plan; revise to include 100-foot buffer between chicken enclosure/fence and adjacent residential properties
- 3 months: implement Animal Waste Management Plan
- 1 year: Operations/Compliance Hearing
- 2 years: Operations/Compliance Hearing

#### 6. **Library Easement**

Existing legal, recorded access to the subject property from Fairview Avenue is along an easement at 480 North Fairview Avenue, the Christian Science First Church of Christ Scientists. Unrecorded access to the Fairview Gardens property presently occurs through the library parking lot on 500 North Fairview Avenue. The applicant is requesting approval and recordation of a formal access easement from the City over the library parking lot for passenger vehicle access to the Fairview Gardens property. Concern has been raised that the agricultural operation would use this access for delivery trucks and for additional parking. The easement however, would be limited to access by passenger vehicles only.

#### 7. **Flood Control Easement**

There is an existing onsite north-south drainage channel along the eastern boundary of the property. The City of Goleta has an existing "20-foot wide and variable width easement for Flood Control, Storm Drain, Right-of-Way and rights incidental thereto..." at the southeast corner of the property. Fairview Gardens is obligated to maintain the portion of the north-south drainage channel located outside of the easement and Community Services maintains and responds to issues related to the area within the flood control easement.

**ANALYSIS:**

***Environmental Analysis***

No environmental review has been conducted on the Ordinance Amendments and the Minor CUP for sale of agricultural products grown off-site. These applications are being recommended for denial without prejudice and therefore evaluation under the California Environmental Quality Act (CEQA) is not required and CEQA Guidelines Section 15270 applies (CEQA not required for projects recommended for denial).

This proposed farm labor camp and commercial poultry operation may be found exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule), which applies when it can be seen with certainty that a proposed project would not have a significant effect on the environment. The proposed project consists of the abatement of existing unpermitted structures and uses that presently generate environmental and nuisance impacts. The relocation and regulation of the farm labor camp, the regulation of the commercial poultry operation, and the permitting of miscellaneous farm related structures would occur within areas of the property that have been previously disturbed and that do not include any biological resources. Adequate public services would be provided by the Goleta Water District and the Goleta Sanitary District. The proposed CEQA Notice of Exemption is included in Attachment 2.

***General Plan/Coastal Land Use Plan Consistency Analysis***

The proposed farm labor camp and commercial poultry operation were reviewed against applicable General Plan/Coastal Land Use Plan policies. These included policies regarding adequate infrastructure and services, stormwater management, enforcement of building codes, and housing. The project was found consistent with all applicable policies as shown in the analysis in Attachment 9. No policy consistency analysis is required for the elements of the revised submittal that are being recommended for denial without prejudice.

***Zoning Ordinance Consistency Analysis***

The following standards of the City's Inland Zoning Ordinance, Chapter 35, Article III, are applicable (§35-216, AG-I Zone District Regulations; §35-251 et seq., Parking Regulations). The analysis applies to the proposed farm labor camp and commercial poultry operation. No zoning ordinance consistency analysis is required for the elements of the revised submittal that are being recommended for denial without prejudice.

	Required	Proposed	Consistent Y/N
Minimum Lot Size	5 Acres	12.29 net acre (12.52 gross acre)	Yes
Farm Labor Camp Front Setback	50 feet from the centerline and 20 feet from the right-of-way line of any street	Greater than 50 feet from the centerline and 20 feet from the right-of-way line of any street	Yes

Farm Labor Camp Side & Rear Setback	20 feet from the lot lines of the lot on which the building or structure is located	Greater than 20 feet from the lot lines	Yes
Height Limit	No dwelling shall exceed a height of 35 feet	15 feet (maximum height of yurts and restroom and kitchen facilities from grade)	Yes
Parking	<p>50 Parking spaces, including 2 ADA parking spaces, are required for the entirety of the Fairview Gardens' operations:</p> <p>§35-261.1 requires 2 spaces per acre of land in agricultural use.</p> <ul style="list-style-type: none"> <li>• 25 parking spaces would be required by the ordinance.</li> </ul> <p>§35-256.1 requires 2 spaces per unit.</p> <ul style="list-style-type: none"> <li>• 2 parking spaces would be required by the ordinance.</li> </ul> <p>§35-256.4 requires 2 spaces per trailer (residential yurt) which may be tandem &amp; 1 space for every 3 trailers (residential yurt) for guest parking.</p> <ul style="list-style-type: none"> <li>• 10 parking spaces for residents and 2 guest parking spaces would be required by the ordinance.</li> </ul> <p>§35-258.3 requires 1 space per 300 square feet of management space and 1 space per 2 employees.</p> <ul style="list-style-type: none"> <li>• 3 parking spaces would be required by the ordinance.</li> <li>• The 5 agricultural vehicle spaces intended for "full time" storage of the vehicles should be in addition to the required parking spaces.</li> </ul> <p>§35-258.4 requires 1 space per 500 square feet of retail space.</p> <ul style="list-style-type: none"> <li>• 3 parking spaces would be required by the ordinance.</li> </ul>	<p>19 parking spaces are proposed on-site. The applicant is requesting a modification to allow the following spaces for the following uses:</p> <p>6 parking spaces are for Farm Labor Camp residents  5 parking spaces are for agricultural vehicles  1 parking space is for the farmhouse.  7 parking spaces are for agricultural employees and visitors  0 designated parking spaces are proposed for the fruit stand.</p> <p>No designated ADA parking spaces are proposed on-site.</p>	To be determined, subject to modification approval.

The proposed project is consistent with the above requirements of Article III, subject to approval of a parking modification.

## Parking

The applicant does not believe 50 on-site parking spaces are needed on-site, and has proposed a total of 19 formal on-site parking spaces, including 0 ADA parking spaces, based on their stated use. No designated parking spaces are proposed for the fruit stand, although room is available to accommodate multiple vehicles in the informal parking lot. Pursuant to §35-315.12.1, the applicant is requesting a modification to allow the following spaces for the following uses:

- a. 0 parking spaces for land in agricultural use
- b. 1 parking space is for the farmhouse
- c. 6 parking spaces are for farm labor camp residents and guests
- d. 7 parking spaces are for agricultural employees and visitors
- e. 5 parking spaces are for agricultural vehicles
- f. 0 designated parking spaces for the fruit stand

A survey of employees was taken which determined that none of the 8 farm crew members used a vehicle to travel to and from the site. One of 2 management workers drive to work. Seven of 7 farm stand workers drive to work, but only a maximum of 3 farm stand workers may be on-site at any given time. The survey concluded that many employees don't have vehicles, and consequently ride bicycles, carpool, and utilize mass transit, and of the 22 maximum employees on the farm, only 4 employees/residents would need a parking space on a daily basis. To be consistent with their agricultural conservation easement, the applicant requests that the modification be granted as the 31 additional parking spaces required by the Zoning Ordinance would not be fully utilized, as the flexible nature of farm operations allow needed parking spaces to be accommodated on-site, even if formal parking spaces are not identified, and furthermore would permanently remove valuable soils from farm production. Based upon the information provided and above analysis, it is expected that the reduced parking requirements would adequately accommodate parking demand on-site; therefore, staff supports the requested modification. Please see the attached "Parking Survey" for more details (Attachment 10).

### **RECOMMENDATION:**

The Planning Commission's action should include the following:

1. Adopt Planning Commission Resolution 08-\_\_\_\_ (Attachment 1), thereby:
  - a. recommending that the City Council Approve Case No. 03-159-CUP (Major) for a farm labor camp;
  - b. recommending that the City Council Approve Case No. 03-159-CUP (Minor) for the operation of a commercial poultry operation;
  - c. recommending that the City Council Deny Without Prejudice Case No. 03-159-OA to Amend to the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.3.4 to allow buildings up to 2000 SF for sale of agricultural products (AG-I Permitted Uses);


- d. recommending that the City Council Deny Without Prejudice Case No. 03-159-OA to Amend to the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.5 to allow the sale of agricultural products grown off-site through a Minor CUP (AG-I Uses Permitted with a Minor Conditional Use Permit); and
- e. recommending that the City Council Deny Without Prejudice Case No. 03-159-CUP (Minor) for the retail sale of agricultural products grown off-site.

Refer back to staff if the Planning Commission decides to make another recommendation to the City Council.

**APPEALS PROCEDURE:**


The Planning Commission's recommendation on this project is advisory to the City Council and therefore there is no appeal of the Commission's action. The recommendation will be automatically forwarded to the City Council.

Submitted By:



\_\_\_\_\_  
Scott Kolwitz  
Senior Planner

Approved By:



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Patricia S. Miller  
Planning Commission Secretary

**ATTACHMENTS:**

- 1. Planning Commission Resolution 08-\_\_\_\_
- 2. CEQA Notice of Exemption
- 3. Recycled Water Uses Allowed in California
- 4. Organic Farm Management Plan
- 5. Portable Restroom Trailer Cut-Sheet
- 6. Kitchen Facilities Cut-Sheet
- 7. Noise Management Plan
- 8. Animal Waste Management Plan
- 9. General Plan Consistency Analysis
- 10. Parking Survey
- 11. Project Plans dated January 15, 2008 (11 x 17 reductions)