



**Agenda Item D.2
PUBLIC HEARING
Meeting Date: June 3, 2008**

TO: Mayor and Councilmembers

FROM: Steve Chase, Director, Planning & Environmental Services

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

SUBJECT: Public Hearing to Consider Case No. 03-159-OA, 03-159-CUP; Fairview Gardens Ordinance Amendments, Farm Labor Camp, Commercial Poultry Operation, and Sale of Off-Site Agricultural Products; 598 North Fairview Avenue, APN 069-090-052

RECOMMENDATION:

- A. Open the public hearing;
- B. Allow presentations from staff and the applicant;
- C. Take public testimony;
- D. Adopt City Council Resolution 08-__entitled " A Resolution of the City Council of the City of Goleta, California, Approving Fairview Gardens Case Number 03-159-CUP (Minor Commercial Poultry Operation) 598 North Fairview Avenue; APN 069-090-052 (Attachment 1); and
- E. Deny Without Prejudice Case No. 03-159-OA to Amend the City of Goleta Municipal Code, Chapter 35, Article III, §35-216.3.4 to allow buildings up to 2,000-square feet for sale of agricultural products (AG-I Permitted Uses);
- F. Deny Without Prejudice Case No. 03-159-OA to Amend 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);
- G. Deny Without Prejudice Case No. 03-159-CUP (Minor) for the retail sale of agricultural products grown off-site;
- H. Provide direction regarding Case No. 03-159-CUP (Major) for a farm labor camp from options provided within the staff report (Attachment 3); and

- I. Approve the deferral of Planning and Environmental Services processing fees for Case No. 03-159-CUP.

Refer back to staff if the City Council decides to take other than the recommended action.

BACKGROUND:

The City Council met on May 6, 2008 to tour the Center for Urban Agriculture at Fairview Gardens. Council reconvened that evening at 7:30 p.m. in the City Council Chambers and the matter was set for a public hearing on June 3, 2008.

This staff report provides a body of information and enabling documents for deliberation and decision-making by the City Council.

DISCUSSION:

Project Description:

Fairview Gardens is a 12.29 net acre (12.52 gross acres) non-profit certified organic farm as designated by the United States Department of Agriculture. An agricultural conservation easement is 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. The property is located at 598 North Fairview Avenue (APN 069-090-052).

A total of 22 full-time employees are employed by Fairview Gardens, which includes seasonal workers during peak periods, employees at the produce stand, and management staff. Produce stand hours of operation are generally understood to be seven days a week, year-round, from 10:00 am until 6:00 pm.

The applicant requests various Ordinance Amendments and Conditional Use Permits regarding a farm labor camp, commercial poultry operation, and sale of off-site agricultural products. The proposal includes the following elements:

Commercial Poultry Operation. The request includes a commercial poultry operation with approximately 120 chickens, without any roosters. The operation currently has approximately 100 chickens, and sells eggs produced by the chickens at the produce stand.

Farm Labor Camp. The project includes the entitlement of a farm labor camp that currently exists onsite. The following four options for its relocation and upgrade or, alternatively, its complete removal, have been explored by the applicant and staff:

- **Option A: Meet & Confer Discussed Project (March 20 & April 3, 2008)**
Within 6 months install four mobile homes and one yurt or five mobile homes along the driveway between the farmhouse and accessory yurt. The farm

labor camp would include a restroom and kitchen facilities within the units and would have proper utility connections.

Within 5 years remove yurt and install 5 permanent housing units (mobile home modular unit, or other homes acceptable to the City).

The bathhouse/restroom would be retained as a demonstration facility.

- **Option B: Planning Commission Recommended Project (February 11, 2008)**

Within 6 months relocate the existing yurts or install new yurts, or modular housing along the existing driveway between the farmhouse and accessory yurt. The farm labor camp would include a portable restroom trailer with shower facilities and a new common kitchen trailer and would have proper utility connections.

Within 5 years remove yurts and install 5 modular homes.

The bathhouse/restroom would be retained as a demonstration facility.

- **Option C: Applicant Proposed Project (June 3, 2008)**

For a period of 12 months retain the existing farm labor camp in current location. Immediately update electrical service, remove the kitchen trailer and grey water system, and install temporary kitchen and bathing facilities within a centralized area within the farm labor camp.

Within 1 year install modular, stick-built, relocated houses or other City-approved permanent housing as approved by the Design Board Review along the existing driveway between the farmhouse and accessory yurt. The farm labor camp would include a new portable restroom/shower facility or individual restroom/shower facilities and would have proper utility connections.

Within 5 years complete construction of modular, stick-built, relocated houses or other City-approved permanent housing as approved by the Design Board Review. The farm labor camp would include a restroom and kitchen facilities within the units that would have proper utility connections. All temporary facilities would be removed.

The bathhouse/restroom would be retained as a demonstration facility.

- **Option D: No Project**

Within 90 days the existing, unpermitted farm labor camp would be removed.

The bathhouse/restroom would be retained as a demonstration facility.

Full descriptions of the four farm labor camp options are found in Attachment 3.

CONSIDERATIONS:

1. Fairview Gardens Overview

A request to provide an overview of Fairview Gardens was made at the City Council's meeting of May 6, 2008. Specifically, requests were made for the following items:

- FG Mission Statement
- FG Bylaws
- FG Board of Director roster with length of service
- FG Board minutes and financial information covering the last 3-5 years
- Statement regarding operational structure & description of lease arrangement with the Center for Urban Agriculture or the Land Trust
- Statement regarding need for the farm labor camp

The applicant has submitted the requested documents with the exception of the Board's minutes. The applicant has also included an additional project description revision (Option C). The documents are available for review in the City Clerk's office.

2. Leased Lands

Fairview Gardens occasionally leases additional lands for cultivation to provide for increased crop demand. Currently, Fairview Gardens also leases an approximately 10-acre parcel of organic farm land on Franklin Ranch Road located (off La Goleta Road) within ½ mile of 598 North Fairview Avenue.

3. Neighborhood Involvement

An account of neighborhood involvement known to the City of Goleta can be found in the May 6, 2008, staff report included as Attachment 6.

No additional meetings between the applicant and neighborhood are known to have occurred since the City Council's May 6, 2008.

4. Compliance Issues

An account of code compliance issues can be found in the May 6, 2008, Staff Report included as Attachment 6.

While staff recommends approval of the commercial poultry operation and requests direction regarding the four farm labor camp options, staff recommends denial without prejudice of the proposed Ordinance Amendments (produce stand size and sale of agricultural products grown off-site via a Minor Conditional Use Permit) and the Minor Conditional Use Permit associated with the sale of agricultural products grown off-site as there has been insufficient time to analyze

the requests. Denial without prejudice means that an applicant can reapply for the same applications without the usual waiting period of one year. This allows resolution to the unpermitted farm labor camp and the commercial poultry operation immediately, while providing staff and the decision-makers time to analyze and reserve judgment on the applications denied without prejudice.

The revised proposal would be subject to the following conditions (the timeline is to begin from the date of the City Council's final action of the commercial poultry operation):

- 30 days: Submit an application and associated intake fees of \$10,000 for the projects denied without prejudice (OAs 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). Until such time that the entitlements have been approved, the Farm-to-School, Guided Tours, Cooking Classes, Summer Camp, and Community Supported Agriculture (CSA) Events are to cease and desist.

5. Health Concerns

A discussion of health concerns regarding general sanitary conditions on the farm, the use of gray water for dust mitigation, and operation and maintenance of the existing bathhouse/restroom facility can be found in the May 6, 2008, staff report included as Attachment 6.

A request to provide information regarding capacity of the bathhouse/restroom facility was made at the City Council's meeting of May 6, 2008. Staff offers the following information: According to Environmental Health the bathhouse/restroom facility was not to be the main sanitary system on the farm. It was supposed to continue with the educational nature of the farm and be used as a demonstration facility. When the composting toilet was proposed, it was not disclosed that a farm labor camp existed or was planned to exist. Had Environmental Health known that a farm labor camp existed, they would not have allowed it to be the toilet used for the farm labor camp. The reason for that is the intensity of use of 22 workers and additional residents of the farm labor camp is anticipated to be more than the composting toilet can handle, and secondly, Environmental Health does not know how to act in an emergency situation with a composting toilet, but they do know how to act in emergency situations with septic and sewer systems. Furthermore, the composting toilet was approved, but it was never finalized as a maintenance agreement was not recorded. As the intensity of use has exceeded Environmental Health's original expectation, additional sanitary facilities would be recommended onsite. In the order of preference, Environmental Health suggests the project be 1) annexed to the sewer system; 2) provide an additional septic tank for sanitary facilities; or 3) provide port-a-potty facilities all in addition to the composting toilet. Environmental Health allows the composting toilet to remain

as long as it's not to be the primary sanitary component but it may be used as a demonstration facility (Vivian Nelson, 2004, personal communication).

Since the City Council's May 6, 2008 discussion on this item, two Marborg port-a-potties have been obtained and placed onsite. The first port-a-potty is in the 'lower neighborhood' and the second ADA accessible port-a-potty is positioned on the ridge next to the farmhouse/trailer. Both have interior wash stations.

Additional concern was raised regarding exposed wires in and around the farm labor camp. Staff conducted a site visit on May 20, 2008 which revealed that of the above ground wiring, all of the exterior electrical boxes were an approved weatherproof type; the wiring in the farm labor camp is safe as a short term use; the bathhouse/restroom facility needs a weatherproof box; and the farmhouse needs the main panel to be labeled and a cold water bond conductor installed. The City's building inspector concluded that even though the existing site is safe, the proposed project will require an electrical overhaul to upgrade the system.

6. **Farm Labor Camp**

The applicant proposes to retain a farm labor camp onsite. The following four options have been explored by the applicant and staff:

- Option A: Meet & Confer Discussed Project (March 20 & April 3, 2008)
- Option B: Planning Commission Recommended Project (February 11, 2008)
- Option C: Applicant Proposed Project (June 3, 2008)
- Option D: No Project

Descriptions of the four options are found in Attachment 3. In addition, a biography of the farm workers and their families has been submitted and is included in Attachment 4.

Funding Issues.

A discussion of funding strategies/sources can be found in the May 6, 2008 staff report included as Attachment 6. Additionally, Fairview Gardens' financial statements covering 2004-2007 are available for review in the City Clerk's office.

7. **Library Easement**

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.

The Planning Commission directed staff to provide the City Council with draft library easement language/additional information regarding use, impacts, and restrictions of the requested access easement. Community Services staff and

the applicant prepared draft library easement language which was included in the staff report of May 6, 2008. Staff stated at the City Council meeting of May 6, 2008, that the draft library easement language below was to be amended to include a "limited to daylight hours only" restriction. Since that announcement, Community Services has recommended removing the daylight hours restriction since the library is closed at night and the impacts would be minimal and unenforceable absent a gate or chain. The use, impacts and restrictions would read as follows:

Use of the easement for normal ingress/egress will be for residents and workers at the farm exclusively. All non-emergency vehicles with more than two axles and all commercial delivery vehicles are prohibited from use of this easement and will be directed to the north entrance off of Stow Canyon Road. Retail customers visiting the farm are prohibited from use of this easement. This easement does not allow for parking in the library parking lot at any time for the workers, residents and/or guests of the farm.

If the existing use terminates or changes under the Conditional Use Permit, this easement will become null and void or will need to be renegotiated.

8. **Pedestrian/Bicycle Path Easement**

At the Council meeting of May 6, 2008, comments from the public were received regarding the City's condition of approval of the offer of dedication of a public pedestrian/bicycle easement through the northerly portion of the Fairview Gardens parcel (APN 069-090-052). A request was made by Council for staff to provide information as to how this condition of approval was determined.

In summary, the County of Santa Barbara identified the need for a public road connection from Stow Canyon Road where it currently terminates east of the Fairview Garden's parcel, and Stow Canyon Road that terminates at Via Fiori Lane. When the subdivision north of Fairview Gardens (Fairview Village) was created, a variable width easement for public road purposes along the southerly boundary of Fairview Village was accepted.

Staff identified the need to provide community connectivity from the neighborhoods to the east of the Fairview Gardens parcel to Fairview Avenue and its amenities such as the public library, the produce stand and Goleta Valley Jr. High School. This pedestrian/bicycle path could eliminate vehicular trips by providing easy access via alternative modes of transportation. Given the existing variable width easement in place through Fairview Village staff believes an additional 12.5 feet along the northern property line would provide enough easement area for construction of a pedestrian/bicycle connection in the future. It is standard practice to acquire easements through offers of dedications for future improvement projects such as the proposed pedestrian/bicycle connection.

For an expanded explanation, please refer to Community Services Memorandum regarding the Pedestrian/Bicycle Path Easement & Supporting Documents in Attachment 5.

ANALYSIS:

Environmental Analysis

No environmental review through the California Environmental Quality Act (CEQA) has been conducted on the Ordinance Amendments as those applications are being recommended for denial without prejudice. When a project is recommended for denial review is not required per CEQA Guidelines Section 15270 (CEQA not required for projects recommended for denial).

No environmental review has been conducted on the four farm labor camp options. Environmental review will be conducted after the City Council provides direction on which farm labor camp option to follow.

This proposed 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 environmental and nuisance impacts. The commercial poultry operation would occur within areas of the property that have been previously disturbed and that do not include any biological resources as there is no on-site habitat of significant biological value. Additional vehicle trips associated with the commercial poultry operation would be negligible. The commercial poultry operation would be regulated by noise and waste management plans. Adequate public services would be provided by the Goleta Water District. The proposed project is considered a minor expansion of the existing use. The proposed CEQA Notice of Exemption is included in Attachment 2.

General Plan/Coastal Land Use Plan Consistency Analysis

The proposed commercial poultry operation was reviewed against applicable General Plan/Coastal Land Use Plan policies. These included policies regarding permitted agriculture uses and stormwater management. The project was found consistent with all applicable policies as shown in the analysis in the May 6, 2008, staff report included as Attachment 6.

No policy consistency analysis is required for the elements of the revised submittal that are being recommended for denial without prejudice.

No policy consistency analysis has been conducted on the four farm labor camp options. Consistency analysis will be conducted after the City Council provides direction on which farm labor camp option to follow.

Zoning Ordinance Consistency Analysis

The proposed project is consistent with the City's Inland Zoning Ordinance, Chapter 35, Article III, (§35-216, AG-I Zone District Regulations; §35-251 et seq., Parking Regulations).

The analysis applies to the proposed commercial poultry operation. The project was found consistent with all applicable policies as shown in the analysis in the May 6, 2008, Staff Report included as Attachment 6.

No zoning ordinance consistency analysis is required for the elements of the revised submittal that are being recommended for denial without prejudice.

No zoning ordinance consistency analysis has been conducted on the four farm labor camp options and associated parking modification. Consistency analysis will be conducted after the City Council provides direction on which farm labor camp option to follow.

GOLETA STRATEGIC PLAN:

Resolving the issues that have arisen over time at Fairview Gardens is at the core of the City's Strategic Plan Goal: Protect/Preserve Environment, Agriculture & Open Space.

ALTERNATIVES:

The following alternatives are identified:

- A. The City Council may elect to deny all applications.
- B. The City Council may elect to modify the CUP application(s).

LEGAL REVIEW:

This matter was discussed with the City Attorney's office.

FISCAL IMPACTS:

The applicant has requested that processing costs associated with the proposed Ordinance Amendment and Conditional Use Permit request be waived. Waiver of these fees would be a loss of approximately \$20,000-25,000 from the Planning and Environmental Services, Current Planning Division revenue projections. This loss would need to be recovered from the General Fund. Staff does not support a waiver of processing fees but does recommend deferral of payment for a period of one year from final action on the project.

The applicant has also requested that Development Impact Fees associated with the proposed Conditional Use Permit request be waived. These fees total approximately \$53,000 and would be the subject of a separate hearing before the City Council.

Submitted By:

Reviewed by:

Approved By:

Steve Chase, Director
Planning & Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

1. City Council Resolution 08-_____
2. CEQA Notice of Exemption
3. Four Farm Labor Camp Options
4. Farm Worker Biographies
5. Community Services Memorandum regarding the Pedestrian/Bicycle Path Easement & Supporting Documents
6. Partial copy of the May 6, 2008, Staff Report
7. Fairview Gardens Overview Documents (packet previously transmitted to Councilmembers; a copy available for review in the City Clerk's office)

ATTACHMENT 1

City Council Resolution 08-____

RESOLUTION NO. 08-__

**A RESOLUTION OF THE CITY OF GOLETA, CALIFORNIA,
APPROVING FAIRVIEW GARDENS CASE NUMBER 03-159-CUP
(MINOR; COMMERCIAL POULTRY OPERATION);
598 NORTH FAIRVIEW AVENUE; APN 069-090-052**

WHEREAS, an application was submitted on October 17, 2003, by Fairview Gardens requesting approval of a Major Conditional Use Permit for a Farm Labor Camp and a Minor Conditional Use Permit a Commercial Poultry Operation pursuant to Section 35-315 and 35-216, Article III, Chapter 35, of the Goleta Municipal Code ; and

WHEREAS, the application was found complete for processing on April 27, 2004; and

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the project application August 13, 2007, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission directed staff to take the item off calendar to provide for an opportunity for staff and the applicant to work further on the application and to reschedule a public hearing; and

WHEREAS, a revised application was resubmitted on January 15, 2008, by Fairview Gardens, requesting approval of an Ordinance Amendment to allow buildings up to 2000 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 a commercial poultry operation (Section 35-216.5); and a Minor Conditional Use Permit for the retail sale of agricultural products grown off-site (proposed Section 35-216.5).

WHEREAS, the procedures for processing the revised project application have been followed as required by state and local laws; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the revised project application February 11, 2008, at which time all interested persons were given an opportunity to be heard and the Planning Commission subsequently recommended that the City Council approve the requested Conditional Use Permits; and

WHEREAS, the City Council conducted a discussion action item on the revised project application May 6, 2008, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council conducted a duly noticed public hearing on the revised project application June 3, 2008, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council has considered the entire administrative record, including application materials, staff reports, as well as oral and written testimony from interested persons; and

WHEREAS, the City Council found that approval of the revised application for a commercial poultry operation would be consistent with the required findings for a Minor Conditional Use Permit

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Goleta hereby finds and determines as follows:

Section 1. Acceptance of the CEQA Exemption

The City Council hereby accepts the CEQA Notice of Exemption for Case No. 03-159- CP (Minor) (15061; commercial poultry operation).

Section 2. Adoption of Findings

The City Council hereby adopts the findings set forth in Exhibit 1 to this Resolution.

Section 3. Approval of the Minor Conditional Use Permit for the Commercial Poultry Operation

The City Council hereby approves the Minor Conditional Use Permit for a Commercial Poultry Operation application with a City Council Hearing Exhibit #1 stamp of June 3, 2008, subject to the conditions of approval specified in Exhibit 2 of this resolution.

Section 4. Documents

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the

City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

Section 6.

The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of June, 2008.

MICHAEL BENNETT, MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH CONSTANTINO
CITY CLERK

JULIE HAYWARD BIGGS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)
CITY OF GOLETA) ss.

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 08-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 3rd day of June, 2008, by the following vote of the Council members:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH CONSTANTINO
CITY CLERK

**EXHIBIT 1
FINDINGS
FAIRVIEW GARDENS APPLICATIONS
CASE NUMBER 03-159-CUP (MINOR)
598 NORTH FAIRVIEW AVENUE; APN 069-090-052**

1.0 CEQA Findings

CEQA Guidelines Section 15061(b)(3) (General Rule regarding no possibility of significant impact) applies to the following elements of the proposed project: the Minor Conditional Use Permit for the commercial poultry operation.

The commercial poultry operation would consist of 120 chickens, without any roosters.

The proposed project consists of the abatement of existing environmental and nuisance impacts. The regulation of the commercial poultry operation would occur within areas of the property that have been previously disturbed and that do not include any biological resources as there is no on-site habitat of significant biological value. Additional vehicle trips associated with the commercial poultry operation would be negligible. The commercial poultry operation would be regulated by noise and waste management plans. Adequate public services would be provided by the Goleta Water District. The proposed project is considered a minor expansion of the existing use.

Administrative Findings

Pursuant to City of Goleta Municipal Code, Article III, Section 35-315.8, a Conditional Use Permit shall be approved only if all of the following findings can be made:

- 2.1 *That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of density and intensity of development proposed.*

The subject property consists of 12.29 net acres (12.52 gross acres) and includes agricultural operations, an existing farmhouse, a produce stand, and a bathhouse/restroom. 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, and through the City's adjacent library parking lot. There are a total of 14 designated parking spaces on the property.

Commercial Poultry Operation

The proposal includes a commercial poultry operation with a maximum of 120 chickens, without any roosters. The operation currently has approximately 100 chickens and sells 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. 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 chicken enclosure/fence would have to maintain a 100-foot buffer from all residential property lines. Furthermore, the chickens may stay for a maximum of 26-weeks of the year at the compost pile at the center of the farm. 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 an Animal Waste Management Plan. 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 a 100-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 that includes a 100-foot buffer between chicken enclosure/fence and adjacent residential properties
- 3 months: implement Animal Waste Management Plan
- 1 year: Operations/Compliance Hearing (at Planning Commission)
- 2 years: Operations/Compliance Hearing (at Planning Commission)

The project site is large enough to accommodate the existing and proposed development and uses with minimal environmental impacts and site disturbance. The rectilinear shape of the parcel allows the uses to be spread out to maximize the agricultural production capacity and restoration of the land while providing adequate buffers to mitigate animal waste and noise.

2.2 *That significant environmental impacts are mitigated to the maximum extent feasible.*

No environmental review through California Environmental Quality Act (CEQA) has been conducted on the Ordinance Amendments as those applications are being recommended for denial without prejudice. When a project is recommended for denial review is not required per CEQA Guidelines Section 15270 (CEQA not required for projects recommended for denial).

No environmental review has been conducted on the four farm labor camp options. Environmental review will be conducted after the City Council provides direction on which farm labor camp option to follow.

This proposed 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 environmental and nuisance impacts. The commercial poultry operation would occur within areas of the property that have been previously disturbed and that do not include any biological resources as there is no on-site habitat of significant biological value. Additional vehicle trips associated with the commercial poultry operation would be negligible. The commercial poultry operation would be regulated by noise and waste management plans. Adequate public services would be provided by the Goleta Water District. The proposed project is considered a minor expansion of the existing use.

2.3 *That streets and highways are adequate and properly designed.*

Public streets in the vicinity include Fairview Avenue and Stow Canyon Road.

Commercial Poultry Operation

Access to commercial poultry operation does not require any changes to the public or private street system.

2.4 *That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to serve the project.*

Commercial Poultry Operation

Adequate public services are available to the subject property. These include the Santa Barbara County Fire Department, Goleta Water District, Southern California Edison Electric, and City of Goleta Police Department.

2.5 *That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding areas.*

Commercial Poultry Operation

The commercial poultry operation includes a Noise Management Plan and an Animal Waste Management Plan. This poultry operation has been conditioned to

limit birds to a maximum of 120 chickens, without any roosters. The chickens, without any roosters, would be rotated around the farm in a mobile chicken coop through four quadrants with time limitations per quadrant. The chicken enclosure/fence would have to maintain a 100-foot buffer from all residential property lines. The revised commercial poultry operation application has further been conditioned to comply with the following:

- 3 months: implement Noise Management Plan that includes a 100-foot buffer between chicken enclosure/fence and adjacent residential properties
- 3 months: implement Animal Waste Management Plan
- 1 year: Operations/Compliance Hearing (at Planning Commission)
- 2 years: Operations/Compliance Hearing (at Planning Commission)

As a result of the revised proposal, and as further conditioned, the commercial poultry operation would not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and would be compatible with the surrounding area.

- 2.6 *That the project is in conformance with the applicable provisions and policies of the Article and the General Plan.*

Commercial Poultry Operation

The proposed commercial poultry operation was 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 described in the analysis in the staff report for the 6-3-08 City Council hearing.

No policy consistency analysis is required for the elements of the revised submittal that are being recommended for denial without prejudice.

- 2.7 *That in designated rural areas the use is compatible with and subordinate to the scenic and rural character of the area.*

Not applicable; the project is not in a designated rural area.

EXHIBIT 2
CONDITIONS OF APPROVAL
FAIRVIEW GARDENS COMMERCIAL POULTRY OPERATION
598 NORTH FAIRVIEW AVENUE (APN 069-090-052)
CASE NO. 03-159-CUP (MINOR)

1. **AUTHORIZATION**

Subject to the conditions set forth below, this permit authorizes implementation of Case No. 03-159-CUP, marked "Officially Accepted, June 3, 2008, City Council Exhibit #1". Any deviations from the project description in the staff report, exhibits or conditions must be reviewed and approved by the City of Goleta for conformity with this approval. Deviations may require changes to the permit to be approved and/or further environmental review. Deviations without the above-described approval will constitute a violation of the permit approval.

2. **PROJECT DESCRIPTION**

This permit is for a commercial poultry operation with a maximum of 120 chickens, without any roosters. The operation would sell eggs produced by the chickens at their produce stand. A Noise Management Plan is required in order to manage noise associated with the commercial poultry operation. 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. The chicken enclosure/fence would have to maintain a 100-foot buffer from all residential property lines. The chickens may stay for a maximum of 26-weeks of the year at the compost pile. As a practical matter, 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.

An Animal Waste Management Plan is required to protect the farm and neighbors from surface or ground water contamination, fly breeding, and foul odors.

3. **FOLLOW UP PERMITS REQUIRED:** The following applications and associated intake fees of \$10,000 are required to be submitted within 30 days of approval of the Minor CUP for the commercial poultry operation:

- a. resubmittal of Ordinance Amendments to allow buildings up to 2,000-square feet for sale of agricultural products and to allow the sale of agricultural products grown off-site through a Minor Conditional Use Permit;
- b. resubmittal of a Minor CUP for sale of agricultural products grown off-site;
- c. submittal of a Major CUP for educational events;

- d. submittal of a Land Use Permit for farm-related structures and accessory yurts.

The City shall ensure compliance via the land use permit, permit compliance, and/or compliance hearing processes.

- 4. **CEASE & DESIST UNPERMITTED EVENTS:** Until such time that applications for the Farm-to-School, Guided Tours, Cooking Classes, Summer Camp, and Community Supported Agriculture (CSA) Events are approved, these events are to cease and desist.
- 5. **NOISE MANAGEMENT PLAN:** The Noise Management Plan that includes a 100-foot buffer between the chicken enclosure/fence and adjacent residential properties, shall be implemented within 3 months of approval of the Minor CUP for the commercial poultry operation. The City shall ensure compliance via the land use permit, permit compliance, and/or compliance hearing processes.
- 6. **ANIMAL WASTE MANAGEMENT PLAN:** The Animal Waste Management Plan shall be implemented within 3 months of approval of the Minor CUP for the commercial poultry operation. The City shall ensure compliance via the land use permit, permit compliance, and/or compliance hearing processes.
- 7. **SIGNAGE:** No signs are authorized with this permit. All signs require separate permits and shall comply with City of Goleta Chapter 35, Article I, Sign Regulations and with setbacks specified in Article III, Inland Zoning Ordinance.
- 8. **PRINT & ILLUSTRATE CONDITIONS ON PLANS:** All conditions of approval shall be printed in their entirety on applicable pages of final construction plans submitted to the City. These documents shall be graphically illustrated where applicable.
- 9. **CONFLICTING EXHIBITS AND CONDITIONS:** When exhibits and/or written conditions of approval are in conflict, the written conditions of approval shall prevail.
- 10. **PERMIT NON-TRANSFERABLE:** This permit is granted for the property described in the application on file with the Planning and Environmental Services Department and may not be transferred from one property to another.
- 11. **ADDITIONAL PERMITS REQUIRED:** Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit and Building Permit(s) from the Planning and Environmental Services Department.
- 12. **PERMIT COMPLIANCE REQUIRED:** Planning and Environmental Services Permit Compliance shall be required. The applicant agrees to pay Permit Compliance

fees prior to approval of a land use permit for project construction to cover full costs of compliance monitoring.

13. **FEES REQUIRED:** The applicant shall pay all applicable permit processing fees in full.
14. **EXPIRATION:** Approval of the Minor CUP shall expire eighteen (18) months from the effective date of the Minor CUP, unless prior to the expiration date, the necessary follow-up Land Use Permit has been approved *or* a Time Extension has been requested by the applicant. The decision maker with jurisdiction over the project may, upon good cause shown, grant a Time Extension for one year.
15. **PERMIT REVISIONS WITH TIME EXTENSION:** If the applicant requests a Time Extension of this project, the project may be revised to include updated language to standard conditions of approval and/or mitigation measures and additional conditions of approval and/or mitigation measures which reflect changed circumstances or additional identified project impacts.
16. **FAILURE TO COMPLY WITH CONDITIONS:** If the applicant, owner, or tenant fails to comply with any of the conditions of approval of this permit, the applicant, owner or tenant may be subject to a civil fine pursuant to the City Code and/or permit revocation.
17. **OPERATIONS/COMPLIANCE HEARINGS:** The decision maker with jurisdiction over the permit shall hold a noticed public hearing on the first and second anniversary of the approval date of the Minor CUP for the commercial poultry operation. The purpose of the hearings would be to determine whether or not the Noise Management Plan, the Waste Management Plan, and conditions of approval are working adequately. If noise and waste are not being adequately managed then adjustments to Plans may be required. Additionally, if the decision maker determines that the applicant is not in compliance with any one or more of the conditions of approval of this permit, the decision maker may revoke the permit or direct that the applicant apply for an amendment or revision to the permit. Additional hearings may be held, if warranted.
18. **COMPLETENESS AND ACCURACY:** The applicant shall be responsible for the completeness and accuracy of all forms and supporting materials submitted in connection with any application. Any errors or discrepancies found therein may constitute grounds for the revocation of any approvals.
19. **APPROVAL RUNS WITH THE LAND:** The Minor CUP approval runs with the land and the rights and obligations thereof, including the responsibility to comply with conditions of approval, shall be binding upon successors in interest in the real property unless or until such permits are expressly abandoned.

20. **SUBSEQUENT APPROVAL:** On the date a subsequent Minor CUP for a commercial poultry operation is approved for this site, any previously approved but unbuild/unimplemented plans shall become null and void.

21. **INDEMNITY AND SEPARATION CLAUSES:** Applicant agrees, as a condition of approval, at applicant's expense, to defend, indemnify and hold harmless the City of Goleta or its agents, officers and employees from any claim, action or proceeding against the City of Goleta or its agents, officers or employees, to attack, review, set aside, void, or annul, in whole or in part, the City of Goleta approval of the Minor CUP or any condition attached thereto or any proceedings, acts, or determinations taken, done or made prior to the approval that were part of the approval process.

22. **LEGAL CHALLENGE:** In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City of Goleta and substitute conditions may be imposed.

-----END OF CONDITIONS-----

ATTACHMENT 2

CEQA Notice of Exemption



**ATTACHMENT 2
NOTICE OF EXEMPTION**

Planning and Environmental Services
130 Cremona Drive, Suite B, Goleta, CA 93117
Phone: (805) 961-7500 Fax: (805) 685-2635

PROJECT DESCRIPTION: 03-159-CUP; Fairview Gardens; 598 North Fairview Avenue; APN 069-090-052: The subject property is 12.29 net acres (12.52 gross acres). It is known as Fairview Gardens and includes the 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. The existing land use designation is Agriculture and the zoning designation is AG-I-5 (Agriculture I). The property includes agricultural operations, an existing farmhouse (1,800 SF), a produce stand, a bathhouse/restroom, an unpermitted farm labor camp, and various unpermitted farm-related structures.

The applicant is requesting a Minor Conditional Use Permit for the operation of a commercial poultry operation (§35-216.5).

FINDING

The Planning and Environmental Services Department of the City of Goleta has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption [CEQA Guidelines, Section 15303]
- Statutory Exemption
- Emergency Project
- Disapproval [CEQA Guidelines, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

SUPPORTING REASONS

CEQA Guidelines Section 15061(b)(3) (General Rule regarding no possibility of significant impact) applies to the following elements of the proposed project: the Minor Conditional Use Permit for the commercial poultry operation.

The commercial poultry operation would consist of 120 chickens, without any roosters.

There is no on-site habitat of significant biological value. Existing and permitted farming operations have resulted in disturbance to the topsoil. Additional vehicle trips associated with the commercial poultry operation would be negligible, and the commercial poultry operation would be regulated by noise and waste management plans. Adequate public services would be provided by the Goleta Water District. The proposed project is considered a minor expansion of the existing use.

Patricia S. Miller
Manager, Current Planning

Date

Note: A copy must be filed with the County Clerk of the Board after project approval and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

ATTACHMENT 3

Four Farm Labor Camp Options

Option A

Meet & Confer Discussed Project

March 20 & April 3, 2008

Project Components:

- Within 6 months relocate the farm labor camp in a general development envelope along the existing driveway between the farmhouse and accessory yurt.
- Units may consist of four mobile homes and one yurt or five mobile homes.
- Farm labor camp would consist of five units, one unit per full-time laborer and their families, year round.
- Within 6 months annex to the Goleta Sanitary District.
- The farm labor camp would include a restroom and kitchen facilities within the units.
- Retain the bathhouse/restroom as a demonstration facility.
- Widen the driveway to 20 feet wide.

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 reinstatement of farm labor camp until Major CUP and CUP conditions are revised, if necessary.
- 1 year: Operations/Compliance Hearing (at Planning Commission)
- 2 years: Operations/Compliance Hearing (at Planning Commission)
- 5 years: removal of yurt and installation of 5 permanent housing units (mobile home modular unit, or other homes acceptable to the City).

Staff Comments:

Staff recommends a long-term improvement strategy to continually upgrade the farm labor camp's housing onsite to avoid a "temporary" solution becoming a "permanent" solution.

A Condition of Approval has been added that when the units are to be replaced, they be replaced with a permanent housing type acceptable to the City, such as, modular, stick built or green housing as a long-term/replacement goal. Housing is not to revert to a less permanent structure type.

The Design Review Board is to review each revised housing proposal and screening.

Failure to meet any of the above milestones will require the removal of the farm workers from the farm labor camp (they may be relocated into the existing farm house or off site); removal of the two farm labor camp trailers from the site; dismantling of the three farm labor camp yurts (they may be stored on site in a collapsed state); severance and removal of the entire gray water system and electric system serving the unpermitted farm labor camp.

Option B

Planning Commission Recommended Project

February 11, 2008

Project Components:

- Within 6 months relocate the farm labor camp in a general development envelope along the existing driveway between the farmhouse and accessory yurt.
- Units may consist of the existing yurts (relocated from the farm labor camp location), new yurts, or modular housing.
- Farm labor camp would consist of five units, one unit per full-time laborer and their families, year round.
- Within 6 months annex to the Goleta Sanitary District.
- The farm labor camp would include a portable restroom trailer with shower facilities and a new common kitchen trailer.
- Retain the bathhouse/restroom as a demonstration facility.
- Widen the driveway to 20 feet wide.

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

Staff Comments:

See comments for Option A.

Option C

Applicant Proposed Project

June 3, 2008

Option C: June 3, 2008: Applicant Proposed Project

Project Components:

Immediate

- For 12 months retain the existing farm labor camp in current location.
- Within 30 days update electrical service to the existing farm labor camp per City's inspection/direction.
- Within 60 days remove the kitchen trailer and grey water system at the existing farm labor camp.
- Within 60 days install temporary kitchen and bathing facilities within a centralized area within the farm labor camp.
- Within 60 days begin Design Board Review public hearing.
- Within 9 months annex to the Goleta Sanitary District.

Interim

- Within 1 year relocate the farm labor camp in a general development envelope along the existing driveway between the farmhouse and accessory yurt.
- Units may consist of the modular, stick-built, relocated houses or other City-approved permanent housing as approved by the Design Board Review.
- Farm labor camp would consist of five units, one unit per full-time laborer and their families, year round.
- Within 1 year new portable restroom/shower facility or individual restroom/shower facilities connected to Goleta Sanitary District
- Widen the driveway to 20 feet wide.

Long-Term

- Within 5 years complete construction of permanent housing.
- Units may consist of the modular, stick-built, relocated houses or other City-approved permanent housing as approved by the Design Board Review.
- Farm labor camp would consist of five units, one unit per full-time laborer and their families, year round.
- The farm labor camp would include a restroom and kitchen facilities within the units.
- Remove all of the above immediate/interim housing and restroom/kitchen facilities.
- Retain the bathhouse/restroom as a demonstration facility.

Conditions:

- 9 months: Operations/Compliance Hearing
- 2 years: Operations/Compliance Hearing
- 5 years: removal of temporary housing and construction of permanent housing complete

Staff Comments:

Same as comments for Option A & B except that the Design Review Board would not review the immediate component of the proposal.

Option D

No Project

Project Components:

- Remove existing, unpermitted farm labor camp.
- Retain the bathhouse/restroom as a demonstration facility.

Conditions:

- 60 days: Relocate farm labor camp residents to the farmhouse or off-site housing
- 90 days: remove existing, unpermitted farm labor camp.

Staff Comments:

Since the meeting of May 6, 2008, additional inquiries regarding additional acreage farmed and served by the farm workers living in the existing farm labor camp have been raised, and other questions about relocating small stick-built homes that are currently located on other parcels in Santa Barbara City and County have been explored by the applicant in the spirit of Option A.

Staff has reflected upon the fluidity of the farm labor camp's project description/request as it has oscillated between yurts, mobile homes, modular homes, relocated homes, and/or new construction and as the farm's cultivated acreage has grown. It may be beneficial to grant a stay of case processing for the farm labor camp for a period of 90 days from the City Council's final action of the CPO. Within this 90 day stay, staff would require the Fairview Gardens' Board of Directors to ratify a static project description. After a static farm labor camp project description is submitted, the proposed farm labor camp would go before the Design Review Board for *Conceptual* review prior to the City Council revisiting the proposed project.

While a stay of case processing would be in effect, the farm workers are to move out of the farm labor camp within 60 days and the farm labor camp is to be removed from the site within 90 days. These recommendations would allow a farm labor camp project to be processed while rectifying existing violations and health concerns. With that said, if the above milestones are not accomplished within their respective timeframes, at day 61 or 91, respectively, staff would make a recommendation to the City Council to deny the farm labor camp application.

The farm labor camp proposal would be subject to conditions once the stay of case processing is lifted. Until case processing resumes, no conditions of approval will be written.

ATTACHMENT 4

Farm Worker Biographies

Information & Recipes

A Family Farm

Family farms have been in the news for quite some time, probably since the 1980's when these farms seemed to be disappearing at an alarming rate. Farm Aid was established and has kept family farms in the mainstream consciousness since. More recently, they have commanded attention as the Food and Farm Bill is debated in Washington and it is pointed out that family farmers are not the main beneficiaries of this bill but the conglomerate industrial farms.

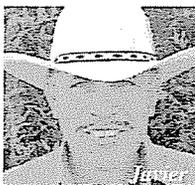
Here at Fairview we pride ourselves on being a "family" farm but in a different perspective. While it is true that we are a non-profit organization and we have people working here from many parts of the country, our field crew, whom many of you see working, is truly a family affair.



Three of our field crewmembers are brothers and have been employed at the farm since the late 1980s. The Gomez-Ochoa brothers are: Salvador, one of our crewmember leaders, has been busy farming Fairview since 1987 but he has been farming since he was 13. His first farming experience was working 4 acres in Mexico. Chava, as he is known among the

employees, feels that it is important for people to grow something for it is by growing something that we experience a connection with the earth and we get to slow down a bit from our frantic lives. Chava was also instrumental in keeping the farming operations going here when Michael Ableman was on a leave of absence. Chava currently lives on the farm with his wife and 2 children.

Javier Gomez-Ochoa also resides at Fairview with his wife and 2 children. Javier has been employed at Fairview since the late 1980s as well and over the past couple of years was instrumental in keeping the seedlings growing so that we could keep the food coming to our CSA members, the produce stand, and the farmers markets. Javier is the more poetic of the brothers and will recite some beautiful Mexican poetry at any time of day.



The third, and youngest, brother is Manuel. He has been with us, off and on, since the mid-1990s but has become an important member of our field crew. Chava has been teaching his brother about the intricacies of farming and Manuel is a quick learner. He now is our lead person for tending to the orchards as well as doing tractor work, which he shares

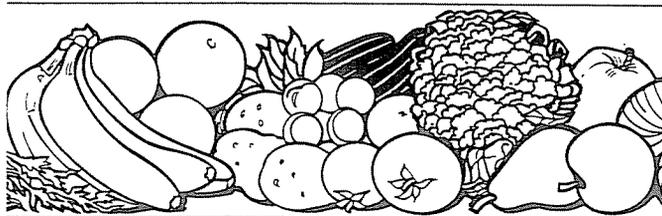
with Chava. Manuel is the strong silent type with no fussing around. If something needs to get done, Manuel will usually be in the middle of the project working out the details in order to get it done. He too lives on the farm with his son Carlos.

Kenyan Collards

1 Tbsp. olive oil
1 onion, chopped
2-3 tomatoes, chopped
1 bunch collard greens
salt

Sauté onion in olive oil. Add tomatoes. Stack the collard leaves and then roll them into a tight bunch. Cut collards finely into thin pieces. Steam with onions and tomatoes until tender. Add salt to taste.

From *One United Harvest*, Morris Press Cookbooks



Plum and Peach Salad

2 Plums, sliced
2 Peaches, sliced
1/2 cup coarsely chopped walnuts, toasted
1/4 cup raspberry preserves
2 Tbsp. red wine vinegar
1 Tbsp. walnut or vegetable oil

Arrange plums and peaches on serving plate. Sprinkle with walnuts. Mix remaining ingredients. Drizzle over fruit. 6 servings.

Family Farm cont.

But the family doesn't end with just the brothers. Cesar Gomez Madrigal is the nephew of the Gomez-Ochoas and has been working for Fairview for 10 years. Beginning as a young farm worker, Cesar has taken it upon himself to learn all he can about farming especially the nursery and irrigation system. Cesar is now our lead person for making sure that our drip irrigation and micro-sprinkler systems are delivering the needed water for the crops in addition to laying down the drip tape as we get another field ready for planting. Cesar, his wife and 3 sons live on the farm.



So the next time you are walking the fields of Fairview, take an opportunity to say hello to the field crew and thank them for their hard work. They are a ready source of information and enjoy a great sense of pride in their work.

— *Matthew Logan*, Administrative Director

Continued on next column

ATTACHMENT 5

**Community Services Memorandum regarding the
Pedestrian/Bicycle Path Easement & Supporting Documents**



MEMORANDUM

DATE: May 7, 2008

TO: Daniel Singer, City Manager

FROM: Steve Wagner, Community Services Director *SW*

SUBJECT: FAIRVIEW GARDENS – COMMUNITY SERVICES CONDITIONS OF APPROVAL – OFFER OF PEDESTRIAN/BICYCLE EASEMENT

At the Council meeting of May 6, 2008, comments from the public were received regarding staff's recommended condition of approval relating to an offer of dedication of a public pedestrian/bicycle easement through the northerly portion of the Fairview Gardens parcel (APN 069-090-052). A request was made by Council for staff to provide information as to why this condition of approval was recommended.

BACKGROUND

Prior to the City's incorporation, the County of Santa Barbara had identified the need for a public road connection from Stow Canyon Road where it currently terminates east of the Fairview Garden's parcel, and Stow Canyon Road that terminates at Via Fiori Lane (Attachment 1.)

This need was documented in Tract Map 13,526 (Attachment 2) which created the subdivision north of Fairview Gardens (Fairview Village). The County was offered and accepted, among other easements, a variable width easement (minimum 12.5' width) for public road purposes along the southerly boundary of Fairview Village.

Additionally, an as-built plan and profile of Stow Canyon Road (Attachment 2) shows the future alignment of Stow Canyon Road to connect the two portions of the existing Stow Canyon Road.

The Declaration of Covenants, Conditions and Restrictions (CC&Rs) of Fairview Village from October 1986 acknowledges the easement to the County. As stated in the CC&Rs, "...the owners of lots eighteen (18) through twenty-six (26), inclusive, in the development to permit such owners to encroach into the right-of-way for yard purposes. Such owners shall be permitted to fence in the right-of-way and to improve it with landscaping and similar yard improvements; provided that at such time the County determines to improve the right-of-way, such owners shall remove, at their cost, all fencing, yard improvements and landscaping installed by them in the right-of-way."

CURRENT PROJECT – FAIRVIEW GARDENS

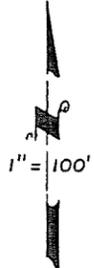
As discretionary development project applications are reviewed, staff is diligent in its review of the existing conditions of the public right of way. This review can identify areas in which additional right of way is required in order to future improvements or to meet current standards. As a part of the Fairview Gardens review, staff identified the need to acquire additional public right of way on Fairview Avenue fronting the Fairview Gardens parcel to accommodate the installation of curb, gutter and sidewalk along this portion of Fairview Avenue. Once constructed, the new sidewalk will connect to existing sidewalk located to the north and south of the parcel along Fairview Avenue.

Staff also identified the need to provide community connectivity from the neighborhoods to the east of the Fairview Gardens parcel to Fairview Avenue and its amenities such as the public library, the produce stand and Goleta Valley Jr. High School. This pedestrian/bicycle path could eliminate vehicular trips by providing easy access via alternative modes of transportation. The recommended conditions for the offer of dedication would allow for the construction of a pedestrian/bicycle connection in the future. Although the County had previously considered the extension of Stow Canyon westward to Fairview Avenue, staff does not believe the existing conditions and the proposed project warrant the full width dedication for vehicular use. Given the existing variable width easement in place through Fairview Village staff believes an additional 12.5' along the northern property line would provide enough easement area for construction of a pedestrian/bicycle connection in the future. It is standard practice to acquire easements through offers of dedications for future improvement projects such as the proposed pedestrian/bicycle connection.

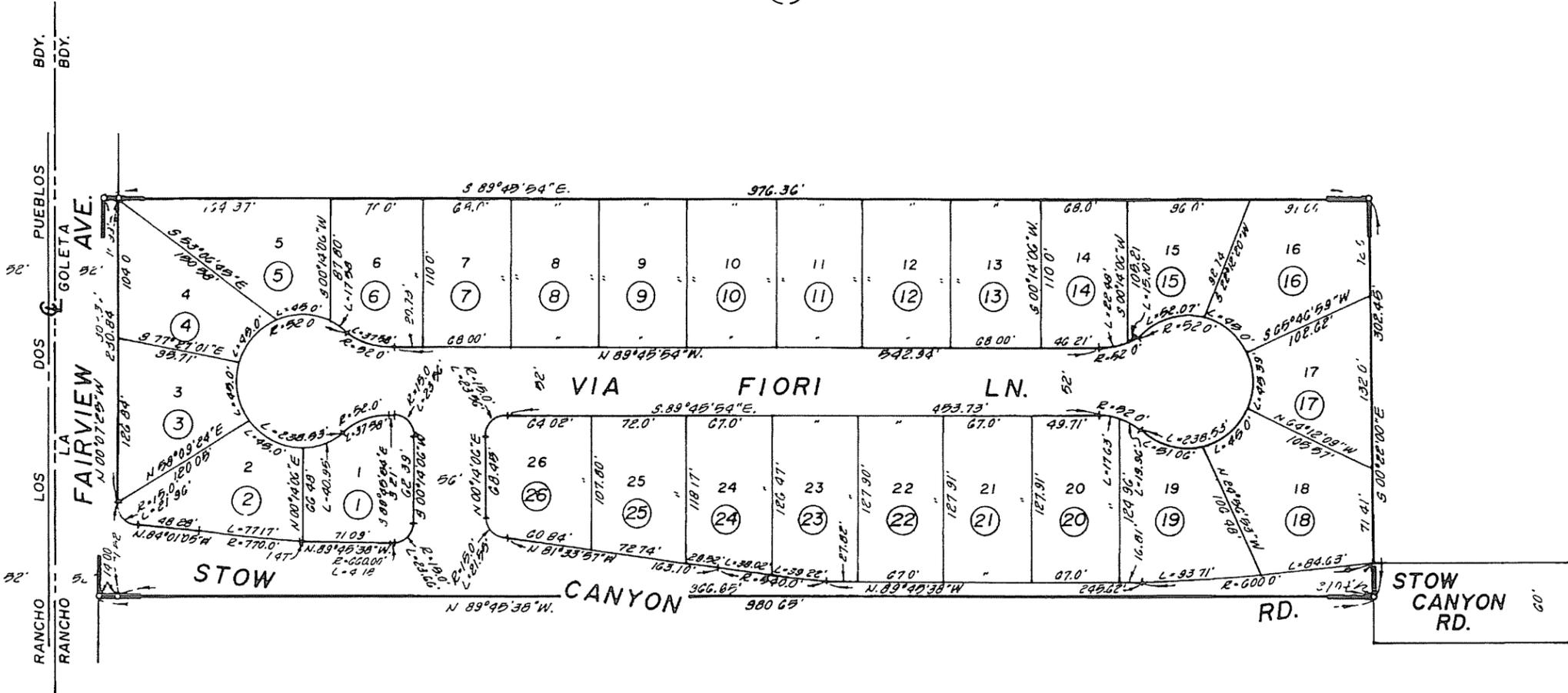
Attachments:

1. Assessor Parcel Map 69-66
2. Recorded Tract Map 13,526
3. Plan & Profile Stow Canyon Road (sheet 3 of 5)

POR. RANCHO LA GOLETA



(65)



(46)

(9)

OWNER'S CERTIFICATE:

WE CERTIFY THAT WE ARE THE OWNERS OF, OR HAVE AN INTEREST IN, THE LAND INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE ANNEXED MAP AND THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID LAND. WE CONSENT TO THE MAKING AND RECORDATION OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE COLORED BORDER LINES.

WE HEREBY OFFER TO DEDICATE TO THE COUNTY OF SANTA BARBARA, AS PUBLIC EASEMENTS FOR ROAD PURPOSES STOW CANYON ROAD, FAIRVIEW AVENUE AND VIA FIORI LANE AND THE WAIVER OF ABUTTERS ACCESS RIGHTS ACROSS LOTS TWO, THREE, AND FOUR ONTO FAIRVIEW AVENUE AND ACROSS LOTS ONE, TWO, AND 18 THROUGH 26, INCLUSIVE ONTO STOW CANYON ROAD. WE ALSO HEREBY OFFER TO DEDICATE, AS PUBLIC EASEMENTS FOR STORM DRAINAGE PURPOSES TO THE SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THOSE CERTAIN EASEMENTS AS SHOWN HEREON. WE ALSO HEREBY DEDICATE THOSE EASEMENTS AS SHOWN HEREON FOR THE PURPOSES SET FORTH.

BY: Frank A. Serena
FRANK A. SERENA, PRESIDENT

SAFECO TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER DEEDS OF TRUST RECORDED APRIL 14, 1986 AS REEL NOS. 1986-020764 AND 1986-020765, BOTH OF OFFICIAL RECORDS.

BY: WM Cole vice president

BY: Ronald O. Bloeker Ast. Vice Pres.

EASEMENT HOLDERS:

THE FOLLOWING SIGNATURES OF EASEMENT HOLDERS HAVE BEEN OMITTED IN ACCORDANCE WITH SECTION 66436 (C)(1) OF THE GOVERNMENT CODE AS THEIR INTEREST CANNOT RIPEN INTO A FEE:

SOUTHERN CALIFORNIA EDISON COMPANY PER DEEDS RECORDED AUGUST 24, 1960 AS INSTRUMENT NO. 26364 IN BOOK 1773 PAGE 440 AND JULY 29, 1969 AS INSTRUMENT NO. 21278 IN BOOK 2279 PAGE 226, BOTH OF OFFICIAL RECORDS.

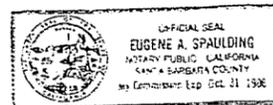
STATE OF CALIFORNIA)
COUNTY OF) SS
SANTA BARBARA)

ON October 3, 1986, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED Frank A. Serena

PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE President & Owner OF FRANK SERENA CONSTRUCTION AND DEVELOPMENT, INC. THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT, PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF THE CORPORATION THEREIN NAMED, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME WITHIN INSTRUMENT PURSUANT TO ITS BYLAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS, AS OWNER.

WITNESS MY HAND AND OFFICIAL SEAL

Rosalyn Y. Sharif
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE
ROSALYN Y. SHARIF
PRINT
MY COMMISSION EXPIRES 3/2/1990



SHEET ONE OF TWO SHEETS
TRACT NO. 13,526

COUNTY OF SANTA BARBARA, CALIFORNIA

BEING A RE-SUBDIVISION OF A PORTION OF RANCHO LA GOLETA, IN THE COUNTY OF SANTA BARBARA, OF THE STATE OF CALIFORNIA, BEING A PORTION OF THE PARTITION OF B.A. HICKS ESTATE PER MAP THEREOF FILED IN BOOK 1 PAGE 75, OF MAPS AND SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER FOR SAID COUNTY.

Penfield & Smith
ENGINEERS INC.

111 EAST VICTORIA STREET
POST OFFICE BOX 98 • SANTA BARBARA, CA. 93102

JUNE 1986

SURVEYOR'S CERTIFICATE:

I MARK LLOYD, HEREBY CERTIFY

THAT IN JUNE 1986, A SURVEY OF WHICH THIS IS A TRUE AND COMPLETE RECORD, WAS MADE BY PENFIELD & SMITH ENGINEERS, INC., UNDER MY DIRECTION AND THAT THE MONUMENTS MARKED "LS 5470" AND ALL OTHER MONUMENTS SHOWN AS FOUND ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON THE MAP, OR THOSE SHOWN AS SET WILL BE SET WITHIN ONE YEAR OF DATE OF RECORDING OF THIS MAP, AND ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



Mark Lloyd 10-6-86
MARK LLOYD L.S. 5470

COUNTY SURVEYOR'S CERTIFICATE:

I, CHARLES F. WAGNER, COUNTY SURVEYOR OF THE COUNTY OF SANTA BARBARA, HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND COUNTY SUBDIVISION ORDINANCE HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT, AND THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF.

DATED: Oct. 13, 1986

CHARLES F. WAGNER
COUNTY SURVEYOR

BY: Verma Bugh
ASSISTANT COUNTY SURVEYOR

COUNTY CLERK-RECORDER CERTIFICATE:

I DO HEREBY CERTIFY THAT ON 10-13-86 THE BOARD OF DIRECTORS OF SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT AUTHORIZED AND DIRECTED THE COUNTY CLERK-RECORDER TO ENDORSE THEREON ITS APPROVAL AND ITS ACCEPTANCE OF THE STORM DRAINAGE EASEMENTS AS PUBLIC EASEMENTS, AS SHOWN THEREON.

DATE: 10-14-86

HOWARD C. MENZEL
COUNTY CLERK-RECORDER
EX-OFFICIO CLERK OF THE BOARD OF DIRECTORS OF THE SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT.

BY: Betsy Swanson

STATE OF CALIFORNIA)
COUNTY OF) SS
SANTA-BARBARA)

ON OCTOBER 3, 1986, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED WILLIAM M. COLE

PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE

VICE PRESIDENT AND RONALD O. BLOEKER

PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE

ASSISTANT VICE PRESIDENT OF SAFECO TITLE INSURANCE COMPANY THE CORPORATION THAT EXECUTED THE WITHIN INSTRUMENT, PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF THE CORPORATION THEREIN NAMED, AND ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME WITHIN INSTRUMENT PURSUANT TO ITS BYLAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS, AS TRUSTEE.

WITNESS MY HAND AND OFFICIAL SEAL

Eugene A. Spaulding
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

Eugene A. Spaulding
PRINT
MY COMMISSION EXPIRES 10-31-88

COUNTY CLERK-RECORDER CERTIFICATE:

I DO HEREBY CERTIFY THAT THE BOARD OF SUPERVISORS OF SANTA BARBARA COUNTY APPROVED THIS MAP FOR SUBDIVISION PURPOSES ON 10-13-86 AND THAT THE COUNTY CLERK WAS DULY AUTHORIZED AND DIRECTED TO ENDORSE THEREON ITS APPROVAL AND ITS ACCEPTANCE OF STOW CANYON ROAD, FAIRVIEW AVENUE AND VIA FIORI LANE AS PUBLIC EASEMENTS AND THE ACCEPTANCE OF THE WAIVER OF ABUTTERS ACCESS RIGHTS AS OFFERED AS SHOWN.

I ALSO DO HEREBY CERTIFY THAT PURSUANT TO GOVERNMENT CODE, SECTION 66464 (STATE SUBDIVISION MAP ACT) THAT THE CERTIFICATES AND DEPOSITS REQUIRED UNDER THE GOVERNMENT CODE, SECTION 66492 AND SECTION 66493 ON THE PROPERTY WITHIN THIS SUBDIVISION HAVE BEEN FILED AND MADE.

DATED: 10-14-86

HOWARD C. MENZEL
COUNTY CLERK-RECORDER
EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS

BY: Betsy Swanson
DEPUTY

COUNTY RECORDER'S CERTIFICATE:

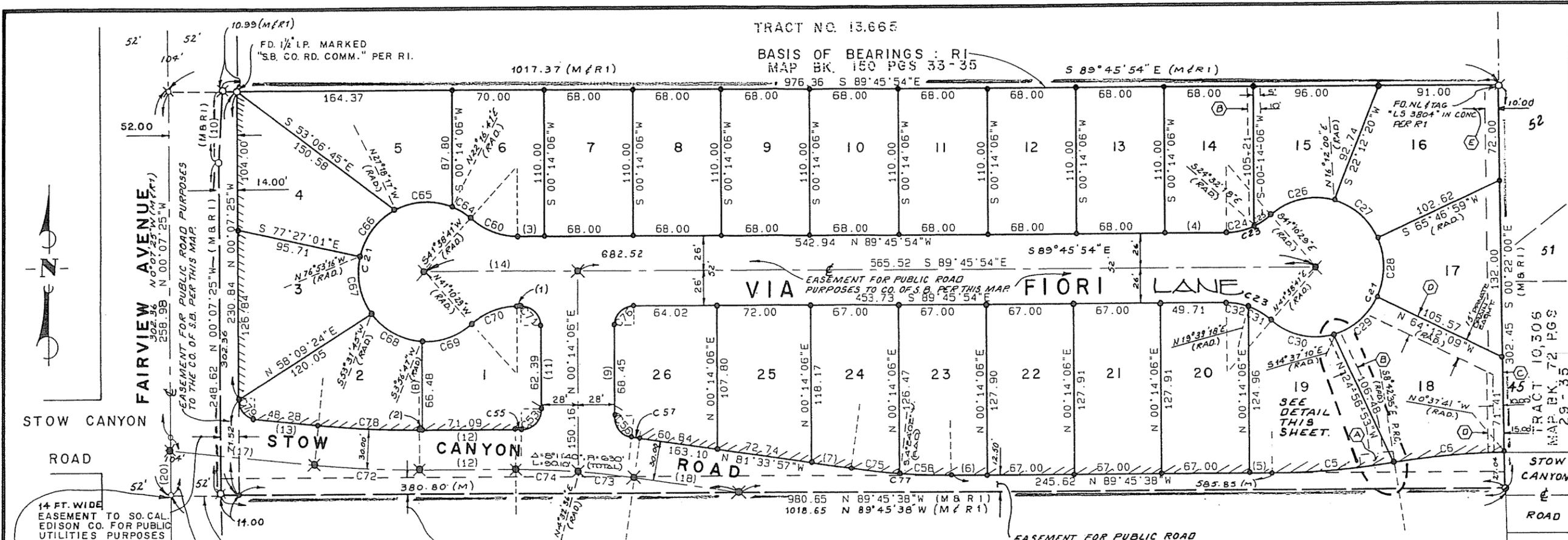
I HEREBY CERTIFY THAT THIS MAP OF TRACT NO. 13,526 CONSISTING OF 2 SHEETS WAS ACCEPTED AND RECORDED 10-16, 1986, IN BOOK 150 AT PAGES 77 TO 78 OF MAPS, RECORDS OF SANTA BARBARA COUNTY, CALIFORNIA AT 8:00 A.M., AT THE REQUEST OF PENFIELD & SMITH ENGINEERS, INC.

FEE \$8.00

HOWARD C. MENZEL
COUNTY CLERK-RECORDER
SANTA BARBARA COUNTY,
CALIFORNIA

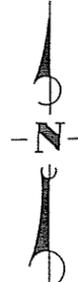
BY: Betsy Swanson
DEPUTY

VQ 7764-10-00



TRACT NO. 13.665

BASIS OF BEARINGS : RI
MAP BK. 150 PGS 33-35



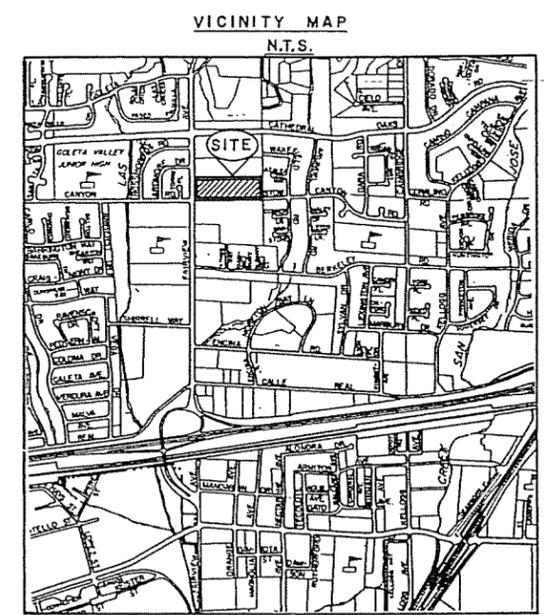
STOW CANYON ROAD

VIA FIORI LANE

14 FT. WIDE EASEMENT TO SO. CAL. EDISON CO. FOR PUBLIC UTILITIES PURPOSES PER O.R. 2279-226

12.5' EASEMENT TO SO. CAL. EDISON CO. FOR PUBLIC UTILITIES INGRESS & EGRESS PER O.R. 1773-440

EASEMENT FOR PUBLIC ROAD PURPOSES TO THE COUNTY OF SANTA BARBARA & PUBLIC UTILITIES ESM'T PER THIS MAP.



VICINITY MAP
N.T.S.

NOTES

CIRCLES SHOWN THUS \odot DENOTE 1/2" IRON PIPE SET W/TAG MARKED "LS 5470" UNLESS OTHERWISE NOTED.

CIRCLES SHOWN THUS \circ DENOTE 2" B.C. MON. FD. MARKED "RE 1122" RECORD PER RI.

CIRCLES SHOWN THUS \otimes DENOTE 1/2" IRON PIPE SET 12" BELOW FINISHED GRADE W/ SPIKE SET W/ WASHER MK'D "LS 5470" SET ABOVE.

CIRCLES SHOWN THUS \times DENOTE 1/2" IRON PIPE FND. TAGGED "LS 3804" RECORD PER RI

OPEN CIRCLES SHOWN THUS \circ DENOTE NO SURVEY MON. FD. OR SET UNLESS OTHERWISE NOTED.

ALL STREET & INTERSECTIONS & CENTERS OF CUL-DE-SACS WILL BE REFERENCED TO FOUR (4) LEAD PLUGS W TAG IN CURB MARKED "LS 5470" THE BEARINGS & DISTANCES TO SAID REFERENCE POINTS WILL BE FILED IN THE SANTA BARBARA CO. SURVEYORS OFFICE.

RI = RECORD PER BOOK 117 PAGE 14 R. OF S.
R2 = RECORD PER COUNTY SURVEYOR'S MAP 1357
/ denotes WAIVER OF ABUTTER'S ACCESS RIGHTS PER THIS MAP.



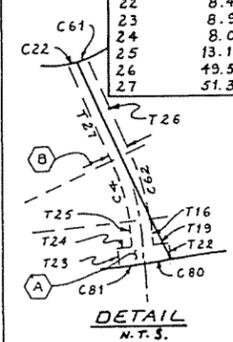
CURVE TABLE

NO.	RADIUS	DELTA	ARC
4	95.00	18°30'22"	30.68
5	600.00	08°56'57"	93.71
6	600.00	08°04'54"	84.63
21	52.00	262°49'09"	238.53
22	52.00	05°33'36"	5.14
23	52.00	41°24'35"	37.58
24	52.00	24°46'24"	22.48
25	52.00	16°38'11"	15.10
26	52.00	57°22'29"	52.07
27	52.00	49°34'59"	45.00
28	52.00	50°00'52"	45.39
29	52.00	49°34'59"	45.00
30	52.00	56°15'51"	51.06
31	52.00	21°59'23"	19.96
32	52.00	19°25'12"	17.63
53	15.00	90°22'03"	23.66
55	660.00	00°21'47"	4.18
56	15.00	82°18'34"	21.55
57	660.00	00°30'31"	5.86
58	540.00	04°09'40"	39.22
60	52.00	41°24'35"	37.58
61	52.00	05°35'34"	5.05
62	105.00	18°30'22"	33.91
64	52.00	19°22'00"	17.58
65	52.00	49°34'58"	45.00
66	52.00	49°34'59"	45.00
67	52.00	49°34'59"	45.00
68	52.00	49°34'58"	45.00
69	52.00	45°07'16"	40.95
70	52.00	41°24'35"	37.58
71	15.00	90°00'00"	23.56
72	800.00	05°44'33"	80.18
73	630.00	03°53'26"	42.78
74	630.00	04°18'14"	47.32
75	540.00	04°02'01"	38.02
76	15.00	90°00'00"	23.56
77	540.00	08°11'40"	77.23
78	770.00	05°44'33"	77.17
79	15.00	83°53'40"	29.96
80	600.00	01°12'41"	12.70
81	600.00	01°14'44"	13.04

TANGENT TABLE

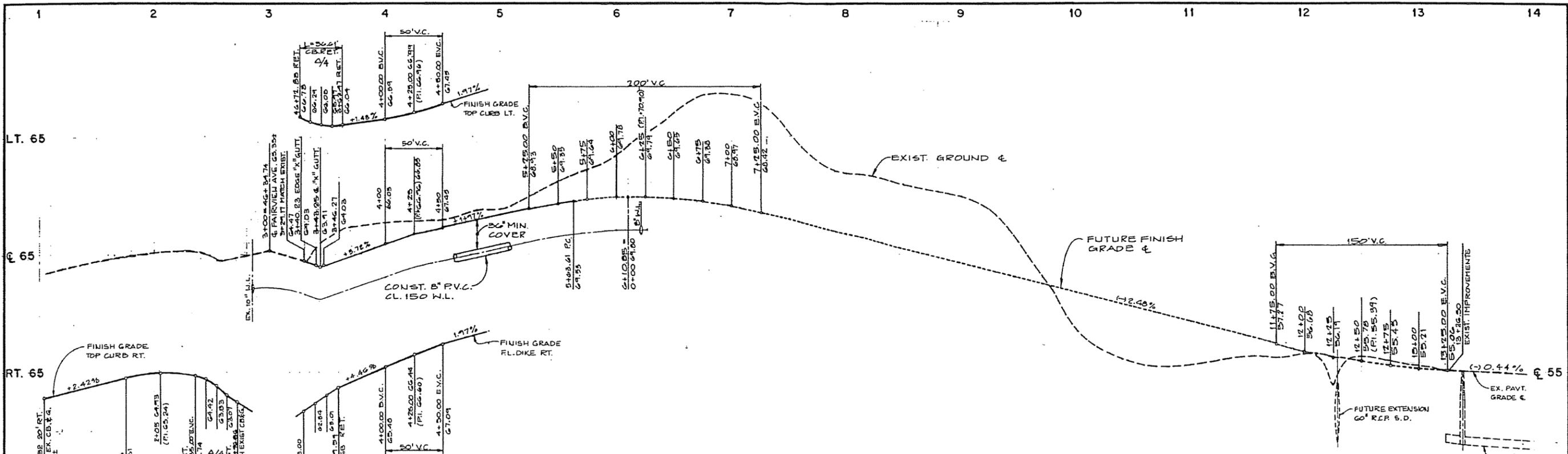
NO.	DISTANCE	BEARING
1	3.21	S 89°45'54"E
2	1.47	N 89°45'38"W
3	20.73	N 89°45'54"W
4	46.21	N 89°45'54"W
5	16.81	N 89°45'38"W
6	27.92	N 89°45'38"W
7	29.52	N 81°33'57"W
8	66.48	N 00°14'06"E
9	68.45	N 00°14'06"E
10	53.81	N 03°04'54"E
11	62.39	S 00°14'06"W
12	72.55	N 89°45'38"W
13	48.28	N 84°01'05"W
14	117.00	S 89°45'54"E
16	13.15	S 06°26'31"E
17	110.84	S 84°01'05"E
18	81.16	S 81°33'57"E
19	7.70	N 83°33'29"E
20	33.11	N 00°07'25"W
21	10.29	N 00°07'25"W
22	8.49	S 06°26'31"E
23	8.95	N 06°26'31"W
24	8.04	N 83°33'30"E
25	13.15	N 06°26'31"W
26	49.53	S 24°56'53"E
27	51.36	N 24°56'53"W

- EASEMENT TABLE**
- (A) 26' PUBLIC STORM DRAINAGE EASMENT TO THE SANTA BARBARA CO. FLOOD CONTROL & WATER CONSERVATION DIST. PER THIS MAP.
 - (B) 10' PUBLIC STORM DRAINAGE EASEMENT TO THE SANTA BARBARA CO. FLOOD CONTROL & WATER CONSERVATION DIST. PER THIS MAP.
 - (C) 10' PRIVATE STORM DRAINAGE EASEMENT PER THIS MAP.
 - (D) 15' PUBLIC SANITARY SEWER EASEMENT TO THE GOLETA SANITARY DISTRICT PER THIS MAP AND 15' PRIVATE STORM DRAINAGE EASEMENT PER THIS MAP. NO OBSTRUCTIONS PERMITTED WITHIN THIS EASEMENT.
 - (E) 10' PRIVATE STORM DRAINAGE EASEMENT PER THIS MAP.

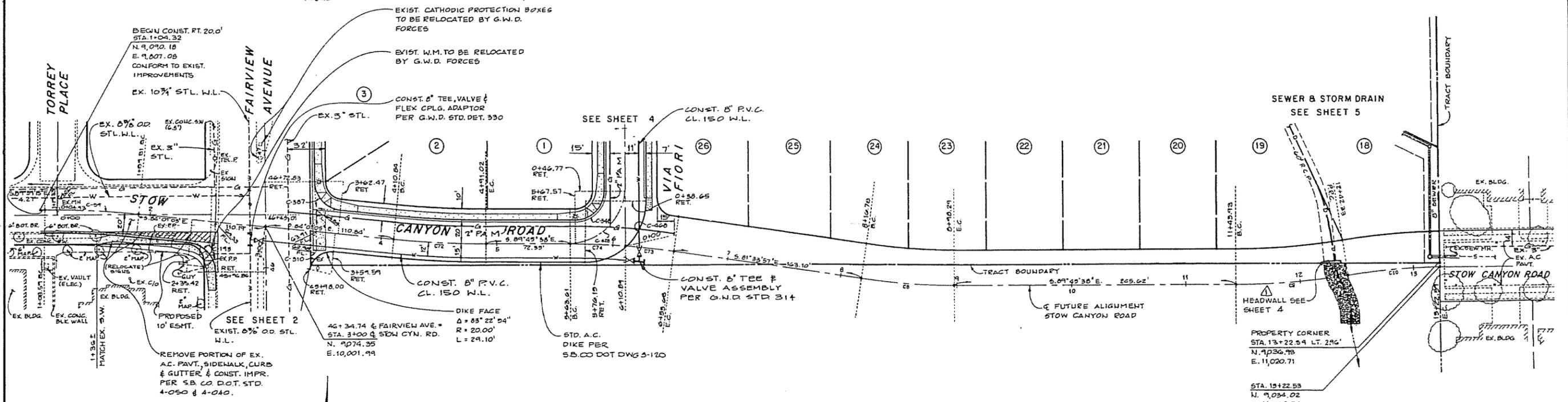


DETAIL
N.T.S.

SUBDIVISION MAP
OF
TRACT NO. 13 526
COUNTY OF SANTA BARBARA, CALIFORNIA
SCALE: 1" = 50'
JUNE 1986
PENFIELD & SMITH ENGINEERS, INC.
111 E. VICTORIA ST., SANTA BARBARA, CA. 93101
SHEET 2 OF 2 SHEETS
W.O. 7764-10-00

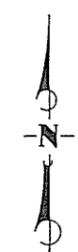


PROFILE
SCALE: HORIZ. 1" = 40'
VERT. 1" = 4'



CURVE TABLE

NO.	RADIUS	DELTA	ARC TANGENT	CHORD	BEARINGS
8	570.00	08°11'40"	81.52	40.83	81.48 W 83°33'48" W
9	530.00	08°56'57"	86.40	48.30	86.30 S 85°45'54" W
10	570.00	08°04'04"	80.25	40.20	80.20 S 85°19'28" W
19	800.00	05°48'00"	81.22	40.84	81.18 S 86°53'20" E
72	800.00	05°44'33"	80.18	40.12	80.18 S 86°53'21" E
73	530.00	03°53'25"	42.78	21.40	42.77 N 83°30'40" W
150	50.00	01°00'00"	30.81	09.77	30.81 W 90°00'00" W
146	150.00	01°00'00"	30.81	09.77	30.81 W 90°00'00" W
193	25.00	83°53'40"	36.51	22.47	33.42 S 42°04'13" E
348	25.00	90°22'03"	39.43	25.10	35.47 S 45°25'08" W
387	25.00	83°51'40"	36.51	22.47	33.42 S 42°04'13" E
415	25.00	08°08'20"	41.83	27.82	37.18 S 47°55'43" W
468	52.00	01°08'42"	82.72	53.05	74.27 S 45°48'27" W
74	620.00	04°18'14"	47.32	23.67	47.31 S 81°36'37" W
418	45.00	02°52'16"	20.08	10.98	20.08 W 90°00'00" W
310	20.00	87°52'04"	24.10	13.81	24.40 N 84°07'09" W



AS BUILT
8-17-87

NOTE:
IMPROVEMENTS IN STOW CANYON ROAD 60'
(PARTIAL DEVELOPMENT) SHALL BE CONSTRUCTED
PER S.B. CO. D.O.T. STD. 5-040

PLAN SCALE: 1" = 40'

LOCAL BENCH MARK: CHISELED SQUARE CUT IN TOP OF CURB, W. SIDE OF ROSSSHORE RD. 6 WEST EDGE 0/4 108' LEFT OF STA. 33+00.00 FAIRVIEW AVENUE. ELEVATION = 82.00 PER S. B. COUNTY PLANS DATUM: U.S.C. & G.S. SEA LEVEL ADJUSTMENT OF 1929.	GAS SYSTEM APPROVED BY <i>A. D. Tolson</i> DATE 8/21/86 SOUTHERN CALIFORNIA GAS CO.	SANITARY SEWER SYSTEM APPROVED BY <i>John A. Mundy</i> DATE 7/12/86 MGR. SOLETA SANITARY DIST.	WATER SYSTEM ACCEPTED BY <i>Phil M. Danahy</i> DATE 10/31/86 MGR. SOLETA WATER DISTRICT	NO. DATE REVISIONS 5-19-87 STORM DRAIN OUTLET REVISED KEYS/DIMS REVIEWED BY S.B. CO. FLOOD CONTROL	APPD. M.A.C. Penfield & Smith ENGINEERS INC. 111 E. VICTORIA STREET, SANTA BARBARA CALIF. 93101 (805) 963-8532 MAILING ADDRESS: P.O. BOX 38 (93102)	COUNTY OF SANTA BARBARA, CALIFORNIA DESIGN: J.M.A. CHECKED: M.A.C. PROJECT ENGINEER: <i>Michael A. Caccese</i> DATE 6-16-88 R.C.E. 26,887 (EXP. 5-31-89)	REVIEWED BY: <i>William H. ...</i> DATE 10-9-86 FOR PUBLIC WORKS DIRECTOR (ROADS)	PLAN & PROFILE STOW CANYON ROAD TRACT 13,526	SHEET 3 OF 5 S.B. COUNTY FILE NO. 105473
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ATTACHMENT 6

Partial copy of the May 6, 2008, Staff Report



Agenda Item G.1
DISCUSSION ACTION ITEM
Meeting Date: May 6, 2008

TO: Mayor and Councilmembers

FROM: Steve Chase, Director, Planning & Environmental Services

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

SUBJECT: Case No. 03-159-OA, 03-159-CP; Fairview Gardens Ordinance Amendments, Farm Labor Camp, Commercial Poultry Operation, and Sale of Off-Site Agricultural Products; 598 North Fairview Avenue, APN 069-090-052

RECOMMENDATION:

- A. Allow presentations from staff and the applicant.
- B. Take public testimony.
- C. Set a future public hearing date to consider the proposed Ordinance Amendment and Conditional Use Permits.

Refer back to staff if the City Council decides to take other than the recommended action.

BACKGROUND:

The unpermitted Fairview Gardens 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 (CUP) was submitted on October 17, 2003. After a series of revisions and inclusion of a CUP for the commercial poultry operation, the Planning Commission (PC) held public hearings on August 13, 2007, and February 11, 2008. The PC's executed Resolution 08-01 is included as Attachment 4.

***A public notice for the May 6, 2008, public hearing was mailed to the interested parties list and adjacent residents within a 1,000-foot radius of the project site on April 25, 2008; however, the published public notice failed to be included in an adjudicated paper 10-days prior to the hearing. As such, the City Council cannot open a public hearing and take final action on May 6, 2008, but would do so on a subsequent date.

Therefore, this meeting is limited to receipt of public testimony and to a discussion only with no final action to be taken.

DISCUSSION:

Project Description:

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.

Ordinance Amendments. The applicant requests an Ordinance Amendment (OA) to Article III, Section 35-216.3.4 (AG-I Permitted Uses) and Section 35-216.5 (AG-I Uses Permitted with a Minor CUP).

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 OA to Article III, Section 35-216.5 (AG-I Uses Permitted with a Minor CUP) 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 driveway between the farmhouse and the accessory yurt. The proposed farm labor camp would consist of five 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 labor camp would also include a restroom and kitchen facilities.

The applicant has also discussed alternative options with staff and neighbors at two "Meet and Confer" sessions as directed by the PC on February 11, 2008. Those discussions provided for options for the Farm Labor Camp that were subject to ratification by the Fairview Gardens' Board of Directors. As of the writing of this staff report, the City had not received written confirmation regarding ratification and authorization to change the current project description (referred to as Option B).

The three options are as follows:

Option A: The location of the farm labor camp remains the same in concept as the February 11, 2008, proposal, but the description of units has been revised. The units would consist of at least four mobile homes and one yurt or five mobile homes to be installed within 6 months and are to contain proper sewer and water fixtures.

Option B: This would be the same project description (yurts; modular homes) reviewed by the Planning Commission on February 11, 2008.

Option C: Removal of the farm labor camp.

Commercial Poultry Operation. The request continues to include a commercial poultry operation with approximately 120 chickens, without any roosters. The operation currently has approximately 100 chickens, and sells 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. The accessory yurts are not to be used as dwelling units.

Bathhouse/Restroom. The applicant proposes to retain the bathhouse/restroom as a demonstration facility, and the applicant has also submitted a draft "Composting Toilet

and Gray Water System Maintenance and Conditions of Use Agreement". Kitchen and bathing facilities would be provided within each of the farm labor camp units.

A concurrent application for annexation of the property to the Goleta Sanitary District has also been filed in order to construct permanent sewer connections.

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 (to be upgraded to 20-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.

ISSUES:

1. Neighborhood Involvement

Numerous meetings between the applicant, neighbors, the Concerned Neighbors of the Fairview Gardens (CNFG), and staff have occurred both as focus group meetings and as community meetings/public hearings.

As part of their action at the February 11, 2008 meeting, the PC directed staff to host a "Meet and Confer" session with the applicant and the CNFG to evaluate the potential for modifying the 6-month performance timeline condition on the farm labor camp permit.

Two sessions were held. Issues were discussed and three options were presented during the sessions, and it appeared a consensus was generated between the applicant and the CNFG for Option A, subject to more details regarding exact location and aesthetic treatment of the units. It is noted that the CNFG does not represent all surrounding property owners and residents, so consensus may not exist for every neighbor of the Fairview Gardens. The project previously reviewed by the PC is now considered Option B. An estimated fee and timeline was created for Option A & B and is included as Attachment 7 of this staff report. Revised plans for Option A are also included in Attachment 7, and plans for Option B are included in Attachment 8.

2. Compliance Issues

Substantial concern has been raised regarding possible compliance issues. A description of the existing conditions is included as Attachment 5 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, greenhouse, and similar structures
- g. Land Use Permit: accessory yurts (2)

The revised proposal would be subject to the following conditions:

- o 3 months: resubmit for OAs 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 concerns were raised regarding general sanitary conditions on the farm, the use of gray water for dust mitigation, and operation and maintenance of the existing bathhouse/restroom facility.

Staff inspected the site for areas reported to contain human fecal matter, but no human fecal matter was found.

Concern was expressed that the gray water was being used for growing produce or for dust mitigation, but this was not a practice used at Fairview Gardens. Gray water is used as irrigation within the avocado orchard, but it does not have any contact with the edible portion of the fruit.

Concern was raised that the bathhouse/restroom facility leaching fields may not be working properly as flies had been observed. Plans clarified that the composting toilet is serviced by a private septic company and is not connected to the leach field. Since the Planning Commission's meeting a vent has been added, and the system appears to be working 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 five unit farm labor camp to a location along the existing driveway between the farmhouse and the accessory yurt. Exact locations of the structures have not been provided, but general development envelopes have been indicated on the revised site plans. The farm labor camp would contain kitchen and bathing facilities within the units that were connected to the Goleta Sanitary District.

Staff recommends a long-term improvement strategy to continually upgrade the farm labor camp's housing onsite to avoid a "temporary" solution becoming a "permanent" solution. A Condition of Approval has been added that when the units are to be replaced they be replaced with a permanent housing type acceptable to the City, such as, modular, stick built or green housing as a long-term/replacement goal. Housing is not to revert to a less permanent structure type. The Design Review Board is to review each revised housing proposal and screening.

The applicant proposes to retain the bathhouse/restroom as a demonstration facility, and the applicant has also submitted a draft "Composting Toilet and Gray Water System Maintenance and Conditions of Use Agreement".

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 direct fundraising and grants and/or loans.

The applicant reported that the farm was pursuing a grants and/or loans from the California Department of Housing and Community Development Infill Incentive Grant Program, the Hutton Foundation, the Joe Serna Farm Worker Housing Grant Program, and was continually researching other grant opportunities. Since that meeting, the farm has been focusing on two programs: Kresge Foundation and the Enterprise Green Communities Program. Both are explicitly for the important (and difficult to fund) planning phases and provide substantial financial rewards. The application materials have been completed but cannot be submitted until the project is approved by the City Council. The farm continues to search for other local, state, and federal funding options.

It is estimated that Option A would cost approximately \$325,000, and it is estimated that fundraising would take approximately 6 months, and it is estimated that Option B would cost approximately \$1,250,000, and it is estimated that fundraising would take approximately 5 years. As discussed in Attachment 6 of this staff report.

5. **Commercial Poultry Operation**

The proposal includes a commercial poultry operation with approximately 120 chickens, without any roosters, to sell eggs. The commercial poultry operation would follow a Noise Management Plan and an Animal Waste Management Plan that is included as Attachment 6 of this staff report.

The revised proposal would be subject to the following conditions:

- 3 months: implement Noise Management Plan; revised 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**

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.

The PC directed staff to provide the City Council with the additional information regarding use, impacts, and restrictions, which follows:

Use of the easement for normal ingress/egress will be for residents and workers at the farm exclusively. All non-emergency vehicles with more than two axles and all commercial delivery vehicles are prohibited from use of this easement and will be directed to the north entrance off of Stow Canyon Road. Retail customers visiting the farm are prohibited from use of this easement. This easement does not allow for parking in the library parking lot at any time for the workers, residents and/or guests of the farm.

If the existing use terminates or changes under the Conditional Use Permit, this easement will become null and void or will need to be renegotiated.

7. **Flood Control Easement**

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 OAs as those 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 3. 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 proposed project is consistent with the City's Inland Zoning Ordinance, Chapter 35, Article III, (§35-216, AG-I Zone District Regulations; §35-251 et seq., Parking Regulations), subject to approval of a parking modification. The analysis applies to the proposed farm labor camp and commercial poultry operation. The project was found consistent with all applicable policies as shown in the analysis in Attachment 3.

No zoning ordinance consistency analysis is required for the elements of the revised submittal that are being recommended for denial without prejudice.

GOLETA STRATEGIC PLAN:

The proposed project is consistent with the affordable housing goals of the City's Strategic Plan. Specifically, the project would provide five residential units for a special needs population (farm worker) with approval of the decision makers.

ALTERNATIVES:

The following alternatives are identified:

None

LEGAL REVIEW:

This matter was discussed with the City Attorney's office.

FISCAL IMPACTS:

The applicant has verbally requested that processing costs associated with the proposed OA and CUP request be waived. Waiver of these fees would be a loss of approximately \$20,000-25,000 from the Planning and Environmental Services, Current Planning Division revenue projections. This loss would need to be recovered from the General Fund. Staff does not support a waiver of processing fees but does recommend deferral of payment for a period of one year from final action on the project.

The applicant has also verbally requested that Development Impact Fees associated with the proposed CUP request be waived. These fees total approximately \$53,000 and under the fee ordinances would be the subject of a separate hearing before the City Council.

Submitted By:

Reviewed by:

Approved By:

Steve Chase, Director
Planning & Environmental
Services

Michelle Greene, Director
Administrative Services

Daniel Singer
City Manager

ATTACHMENTS:

- 1. City Council Resolution 08-_____
- 2. CEQA Notice of Exemption
- 3. Consistency Analysis: General Plan/Coastal Land Use Plan; Inland Zoning Ordinance
- 4. Planning Commission Resolution 08-01
- 5. Project Existing Conditions
- 6. Revised Noise Management Plan & Revised Animal Waste Management Plan
- 7. Estimated Costs/Timeline: Option A, Option B & Revised Plans dated April 28, 2008 (11 x 17 reductions)
- 8. Project Plans dated January 15, 2008 (11 x 17 reductions)

General Plan/Coastal Land Use Plan Consistency Analysis

The following consistency analysis applies to the elements of the project being recommended for approval with conditions. These elements include the farm labor camp and the commercial poultry operation.

LU 1.13 Adequate Infrastructure and Services. [GP/CP] *For health, safety, and general welfare reasons, approvals of new development shall be subject to a requirement that adequate infrastructure will be available, including the following:*

- d. Sewer, water, and other infrastructure capacities are sufficient to serve the new development or will be available by the time the development is constructed.*

Consistent. The proposed project is presently served by the Goleta Water District and such service would continue. The proposal includes a concurrent application for annexation to the Goleta Sanitary District and the project is conditioned to complete the annexation process and provide connection. Access to the property is via existing public roads and the internal driveway would be upgraded from 16 feet to 20 feet in width.

LU 7.4 Agriculture Permitted Uses. [GP] *The Agriculture designation allows for a wide range of agricultural uses, including, but not limited to, grazing, raising of livestock and poultry, orchards, vineyards, growing of food and fiber crops, nurseries, and other forms of horticulture. Structures customary and incidental to agricultural activities are permitted, including one primary dwelling unit; farm worker housing, limited to workers employed on-site; barns; storage sheds; fences; and similar improvements. Except for these structures and appropriate utility and access improvements, activities or structures that impair the productivity of soils shall not be allowed. Retail sale of produce and products produced on the site, products produced by wineries and other small-scale processing facilities, and agricultural products grown off-site are allowed subject to approval of a conditional use permit.*

CE 11.6 Community Supported Agriculture. [GP/CP] *The City encourages local food production through the Community Supported Agriculture approach. Fairview Gardens, the primary example of this type of agriculture, shall be preserved and protected as a model for future uses.*

Consistent. The existing agricultural uses are consistent with these policies. The proposed project would be consistent with the directive regarding the commercial poultry operation and farm worker housing subject to approval of the requested Minor and Major Conditional Use Permits. The policy direction regarding sale of agricultural products grown off-site and the associated requested Ordinance Amendments and

Minor Conditional Use Permit would be reviewed when those applications are resubmitted at a later date.

CE 10.6 Stormwater Management Requirements. [GP/CP] *The following requirements shall apply to specific types of development:*

- e. Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.

Consistent. The proposed project has been conditioned to provide a covered trash storage area.

SE 1.6 Enforcement of Building Codes. [GP] *The City shall ensure through effective enforcement measures that all new construction in the city is built according to the adopted building and fire codes.*

Consistent. The proposed project is subject to adopted building codes and fire codes. Building, plumbing, and electrical plans are subject to review and approval by the Building and Safety Division, the Fire Department, and other applicable agencies prior to issuance of a building permit. Specifically, as conditioned for proper bathroom/shower and kitchen facilities, the farm labor camp units would be upgraded to meet Uniform Building Code (UBC) standards. Future units would also be required to meet building and fire codes. Additionally, in order to comply with fire codes, all project access ways must be maintained in a condition acceptable to the Fire Department. Enforcement is ensured through inspections, the occupancy clearance process, and ongoing compliance reviews and site inspections.

HE 5.1 Special Needs Groups. [GP] The development of new and rehabilitation of existing housing for special needs groups is encouraged, including housing to meet the needs of seniors, people with disabilities, farmworkers, homeless persons, people with HIV/AIDS and other illnesses, people in need of mental health care, single-parent families, large families, and other persons in Goleta identified as having special housing needs.

HE 5.2 Provision of Affordable Housing for Special Needs Households. [GP] Continue to work with appropriate organizations to provide programs for a variety of affordable housing to be constructed or acquired for special needs groups, including assisted housing and licensed board and care facilities.

Specific types of housing include:

- e. Affordable housing for farmworkers.

Consistent. The proposed Fairview Gardens farm labor camp would provide housing for farmworkers and approval of the request would satisfy this policy direction regarding Special Needs Groups and Special Needs Households.

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

Attachment 3: Consistency Analysis

<p>Parking</p>	<p>50 Parking spaces, including 2 ADA parking spaces, are required for the entirety of the Fairview Gardens' operations: §35-261.1 requires 2 spaces per acre of land in agricultural use.</p> <ul style="list-style-type: none"> • 25 parking spaces would be required by the ordinance. <p>§35-256.1 requires 2 spaces per unit.</p> <ul style="list-style-type: none"> • 2 parking spaces would be required by the ordinance. <p>§35-256.4 requires 2 spaces per trailer (residential yurt) which may be tandem & 1 space for every 3 trailers (residential yurt) for guest parking.</p> <ul style="list-style-type: none"> • 10 parking spaces for residents and 2 guest parking spaces would be required by the ordinance. <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"> • 3 parking spaces would be required by the ordinance. • The 5 agricultural vehicle spaces intended for "full time" storage of the vehicles should be in addition to the required parking spaces. <p>§35-258.4 requires 1 space per 500 square feet of retail space</p> <ul style="list-style-type: none"> • 3 parking spaces would be required by the ordinance. 	<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>	<p>To be determined, subject to modification approval.</p>
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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.

PROJECT INFORMATION:

Site Information	
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	<p><i>North:</i> Single-Family Residential; 7-R-1 (Single-Family Residential)</p> <p><i>East:</i> Single-Family Residential; 8-R-1 (Single-Family Residential)</p> <p><i>South:</i> Single-Family Residential; 8-R-1 (Single-Family Residential)</p> <p><i>Southwest:</i> City of Goleta Library, Christian Science First Church of Christ Scientist; PI (Professional & Institutional) and 8-R-1 (Single-Family Residential)</p> <p><i>West:</i> North Fairview Avenue, Goleta Baptist Church and Goleta Union School District; DR-4.6 (Design Residential)</p>

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.

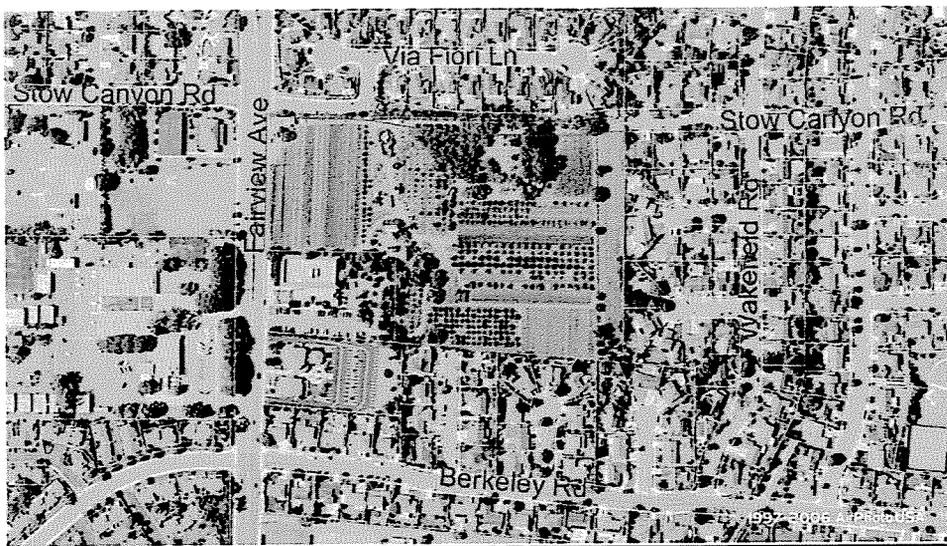


Photo 1. Aerial photograph of the project site and surrounding uses.

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).

Fairview Gardens Noise Management Plan

Center for Urban Agriculture at Fairview Gardens aka "Fairview Gardens"

Fairview Gardens has applied for a Conditional Use Permit to operate a Commercial Poultry Operation. This document is a guideline for managing the noise associated with chickens.

Implementation Details

The chickens at the farm are housed within a small chicken coop (see accompanying photograph) housing up to 120 chickens. The chicken coop is rotated through-out the entire farm for purposes of fertilization and pest control. The "home base" for the coop is the farm's compost pile, which is located in the center of the farm by the farm house.

In order to minimize noise associated with the chickens, the farm proposes to implement the following:

- Divide the farm into meaningfully prescribed quadrants¹ in an effort to limit the amount of noise received by a given neighborhood (see attached Exhibit)
- Rotate the chicken coop within these four areas and the compost pile "home base". The chicken coop will be located in any given quadrant a maximum of three weeks out of every twelve with the exception of the "home base" on which there is no restriction.
- Maximum chicken population is 120.
- Maintain a minimum one hundred foot (100') separation between the chicken enclosure/fence and adjacent residential properties.

The Farm Manager shall be responsible for implementation of this plan. Questions regarding compliance with these measures can be directed to the Farm Manager in one of the following ways:

1. Personal Communication – The farm encourages neighbors to contact the Farm Manager personally by coming to the farm house at 598 North Fairview Avenue
2. Phone: 967-7369
3. E-mail: Info@FairviewGardens.Com

¹ The largest quadrant is in the southeast area of the farm. Since many neighbors from that area claimed the noise level was the highest in that location, the Farm responded by designating a larger quadrant in that area to minimize the noise levels for an increased number of neighbors.

Animal Waste Management Plan

Center for Urban Agriculture at Fairview Gardens

~~March 31, 2008~~

Fairview Gardens is applying for a permit to house up to 120 poultry units and three (3) goats. For reference, 312 poultry units is equivalent to 1 animal unit¹, hence the Animal Waste Management Plan represents approximately a 1/3 animal unit on 12.5 acres. This management plan addresses managed rotational grazing, not animal confinement.

Volume of Waste:

120 poultry units produce approximately 1.2 pound of waste per day. The poultry is housed in a wheeled coop surrounded by a 2500 square foot transportable pen. The pen and coop shift around the entire farm but are centrally based at the farm's compost pile/"home base", located by the Farm House. The coop may spend a maximum of 26 weeks per year at home base. For the remaining 26 weeks per year, the chicken coop would be rotated within four (4) separate quadrants. At a maximum, the chicken coop would hypothetically stay for three (3) weeks in a specific quadrant during a twelve (12) week period. This chicken coop quadrant rotation would be primarily sensitive to the farm's agricultural needs but would also be conscientious of surrounding residences. This proposed rotation pattern would result in a maximum deposit of .0874 lb. per square foot / year of manure over the total twelve and a half (12.5) acres of farmland.

The three (3) goats are located separately in their own pen. The goat pen is stationary and does not have a rotation pattern. The goat pen is cleaned out once a week and the goat manure is placed in the farm's compost pile.

The attached site plan indicates the location of the compost pile base area and the potential locations of the quadrant rotation of the mobile pen and coop.

Collection and Disposal of Waste:

Environmental health recommendations require collection of soiled bedding for 1 animal unit twice per week, or every 11 days for the 1/3 animal unit which we are managing. In practice, the manure and bedding inside the coop is collected weekly. Collected manure is incorporated into the farm's compost pile. When appropriate, the compost pile is

¹Animal Unit - An animal unit (AU) is one mature cow of approximately 1000 pounds and a calf up to weaning, usually 6 months of age, or their equivalent. (From the National Range and Pasture Handbook (NRPH)).

covered with breathable poly to protect it from rainfall and managed through regular turning and mixing with tractor and loader.

Manure deposited by the poultry in nearly insignificant amounts (see above calculations), is incorporated naturally through scratching behavior of the poultry.

Sanitation:

All refuse and waste materials, including vegetable culls spilled feed shall be collected at least every 11 days and incorporated into the compost pile.

Animal paddocks shall incorporate both sun and shaded areas and good air circulation.

Poultry consume maggots and serve as their own fly control.

Additionally, natural bio-control agents (insect eating songbirds) are provided year round habitat to encourage their presence on the farm.

Equipment:

The following equipment is used in conjunction with this waste management plan – 75 hp tractor with loader, pick up truck, tarps, wheelbarrows, shovels, rakes, irrigation sprinklers. There are staff members living on-site year round who maintain the poultry and composting operation.



PROJECT DESCRIPTION
 THE PROPOSED PROJECT IS A REQUEST FOR APPROVAL OF A MAJOR CONDITIONAL USE PERMIT FOR AN EXISTING FARM LABOR CAMP TO ALLOW HOUSING FOR FARMWORKERS. THE UTILITIES INCLUDE TWO (2) YARDS FOR FARM WORKER HOUSING, AND A YARD FOR FARM OFFICE PURPOSES. THREE EXISTING TRAILERS WILL BE REMOVED. A KITCHEN TRAILER WILL BE ADDED.

LEGAL DESCRIPTION
 LOTS 1, 2 AND 3, IN THE CITY OF GOLETA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE "PLAT OF THE PARTITION OF THE ELA HECHS ESTATE OF GOLETA, SANTA BARBARA COUNTY, CALIFORNIA, DATED SEPTEMBER 25, 1988, GEO. S. COLLINS, SURVEYOR", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 5, 1998 IN BOOK 1, PAGE 75 OF MAPS AND SURVEYS.

- EASEMENTS**
- (A) 12.5 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES AS GRANTED TO SD, CALIFORNIA Edison PER BOOK 1777, PAGE 459 OF OFFICIAL RECORDS. (PTR ITEM #4)
 - (B) 20.00 FOOT WIDE AND VARIABLE WIDTH EASEMENT FOR FLOOD CONTROL, STORM DRAIN, RIGHT-OF-WAY AND RIGHTS INCIDENTAL THERETO AS GRANTED TO COUNTY OF SANTA BARBARA PER BOOK 2222, PAGE 252 OF OFFICIAL RECORDS. (PTR ITEM #5)
 - (C) 12.00 FOOT WIDE EASEMENT FOR ELECTRICAL LINES AND INCIDENTAL PURPOSES AS GRANTED TO SD, CALIFORNIA Edison PER BOOK 2280, PAGE 1231 OF OFFICIAL RECORDS. (PTR ITEM #6)
 - (D) 12.00 FOOT WIDE EASEMENT FOR ELECTRICAL LINES AND INCIDENTAL PURPOSES AS GRANTED TO GENERAL TELEPHONE CO. PER BOOK 2284, PAGE 701 OF OFFICIAL RECORDS. (PTR ITEM #7)
 - (E) 15.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES AS GRANTED TO SD, CALIFORNIA GAS CO. PER BOOK 2259, PAGE 867 OF OFFICIAL RECORDS. (PTR ITEM #8)
 - (F) THE RIGHT OF THE PUBLIC TO USE FOR ROAD PURPOSES ANY PORTION OF PROPERTY LYING WITHIN ANY PUBLIC STREET OR HIGHWAY.
 - (G) A PROPOSED 10 FOOT WIDE STREET EASEMENT ALONG THE ENTIRE FAIRVIEW AVENUE FRONTAGE FOR ALL STREET PURPOSES, TO BE OFFERED FOR DEDICATION TO THE CITY OF GOLETA.

BOUNDARY, TOPOGRAPHIC & UTILITY DATA

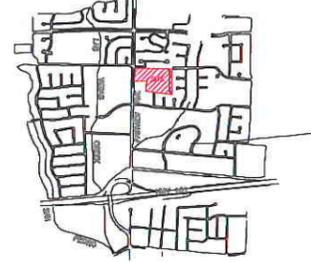
1. BOUNDARY & TOPOGRAPHIC INFORMATION:
 BOUNDARY INFORMATION SHOWN HEREON IS COMPILED FROM RECORDED DOCUMENTS AND MAPS. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AERIAL PHOTOGRAMMETRIC COMPILED FROM AERIAL PHOTOGRAPHY AND SUPPLEMENTED BY FIELD SURVEYS.
2. UTILITY INFORMATION:
 SURFACE UTILITY INFORMATION AS SHOWN HEREON IS DEPICTED FROM FIELD AND AERIAL SURVEY COMPILATIONS. SUBSURFACE UTILITY INFORMATION IS TAKEN FROM PUBLIC UTILITY PLANS AND DRAWINGS. THE PREPARER OF THIS MAP ASSUMES NO RESPONSIBILITY FOR THE CHARACTER, SIZE, LOCATION, DEPTH, CAPACITY OR AVAILABILITY OF SUCH UTILITY INFORMATION.
3. WATER SERVICE: WATER SERVICE IS PROVIDED BY GOLETA WATER DISTRICT BY MEANS OF EXISTING WATER MAINS, LATERALS AND METERS. NO NEW WATER INFRASTRUCTURE IS REQUIRED FOR THE PROJECT.
4. SEWER SERVICE: SEWER SERVICE IS PROVIDED BY ON-SITE SEPTIC TANKS AND DRY WELLS SERVING WASTEWATER DISCHARGE FACILITIES ON THE PROPERTY. NO ADDITIONAL WASTEWATER INFRASTRUCTURE IS PROPOSED.
5. ELECTRICAL, TELEPHONE, GAS AND CATV SERVICE IS PROVIDED BY EXISTING LINES OVERHEAD LINES AND SUBSURFACE PIPES. NO ADDITION INFRASTRUCTURE IS PROPOSED.

PROJECT SITE DATA

1. PROJECT ADDRESS: 588 N. FAIRVIEW AVENUE, GOLETA, CA.
2. ASSESSOR'S PARCEL DESIGNATION: 069-090-052.
3. PROJECT AREA: 12.52 ACRES (GROSS)
12.29 ACRES (NET)
4. GENERAL PLAN DESIGNATION: AGRICULTURE I (AGRICULTURE)
5. ZONING DESIGNATION: AG-1-S (AGRICULTURE, 5 ACRE MINIMUM PARCEL SIZE).

PROJECT NOTES:

1. ALL WEATHER ROAD BASE WILL BE PROVIDED FOR ALL VEHICULAR PATHS UNDER 10% SLOPE, AND A PAVED SURFACE WILL BE PROVIDED FOR ALL VEHICULAR PATHS OVER 10% SLOPE.
2. ALL VEHICULAR PATHS ARE REQUIRED TO MAINTAIN A MINIMUM OF 13.5' VERTICAL CLEARANCE FOR EMERGENCY VEHICLES.
3. ANY GATED ACCESS PORTS SHALL HAVE A FIRE DEPARTMENT APPROVED KNOX BOX FOR EMERGENCY ACCESS PURPOSES.
4. YARDS WILL BE RETROFITTED TO COMPLY WITH UBC AND AMERICAN DISABILITIES ACT STANDARDS, AS NECESSARY.
5. OPTION #2 HAMMERHEAD STYLE TURNAROUND FOR DRIVEWAYS PER COUNTY OF SANTA BARBARA PRIVATE ROAD AND DRIVEWAY DEVELOPMENT STANDARDS.



OWNERS STATEMENT

WE HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAN AND CERTIFY THAT WE ARE THE LEGAL OWNERS OR THE AUTHORIZED AGENT OF THE LEGAL OWNERS OF SAID REAL PROPERTY AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CENTER FOR URBAN AGRICULTURE AT FAIRVIEW GARDENS
 588 NORTH FAIRVIEW AVENUE
 GOLETA, CA 93117
 (805) 867-7389

BY: JOHN BUTTNY, AGENT

PREPARED UNDER THE DIRECTION OF:
 MARK LLOYD P.L.S. 5470 EXP. 6-30-08

PROFESSIONAL LAND SURVEYOR
 MARK LLOYD
 NO. 5470
 EXPIRES 6-30-08
 STATE OF CALIFORNIA

PROJECT NO. 03-026101
 DRAWING NAME: SITE PLAN
 DATE: MARCH 2007

CENTER FOR URBAN AGRICULTURE AT FAIRVIEW GARDENS
 SITE PLAN - MAJOR CONDITIONAL USE PERMIT
 FARM LABOR CAMP - HOUSING AND FACILITIES
 CITY OF GOLETA, CALIFORNIA

CLIENT: FAIRVIEW GARDENS
 588 N. FAIRVIEW AVENUE
 GOLETA, CA 93117
 (805) 867-7389
 ATR: JOHN BUTTNY

3 WEST CARRELL STREET
 SANTA BARBARA, CA 93101
 (805) 962-4141 (FAX)



PROJECT DESCRIPTION

THE PROPOSED PROJECT IS A REQUEST FOR APPROVAL OF A MAJOR CONDITIONAL USE PERMIT FOR AN EXISTING FARM LABOR CAMP TO ALLOW HOUSING FOR FARMWORKERS. STRUCTURES INCLUDE FIVE (5) YURTS FOR FARM WORKER HOUSING, AND A YURT FOR FARM OFFICE PURPOSES. THREE EXISTING TRAILERS WILL BE REMOVED. A KITCHEN TRAILER WILL BE ADDED.

LEGAL DESCRIPTION

LOTS 1, 2 AND 3, IN THE CITY OF GOLETA, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE "PLAT OF THE PARTITION OF THE B.A. HICKS ESTATE OF GOLETA, SANTA BARBARA COUNTY, CALIFORNIA, DATED SEPTEMBER 23, 1908, C.S.O. 2, COLLINS, SURVEYOR", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, OCTOBER 3, 1908 IN BOOK 1, PAGE 75 OF MAPS AND SURVEYS.

EASEMENTS

- (A) 12.5 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES AS GRANTED TO SD, CALIFORNIA EDISON PER BOOK 1777, PAGE 459 OF OFFICIAL RECORDS. (PTR ITEM #4)
- (B) 20.00 FOOT WIDE AND VARIABLE WIDTH EASEMENT FOR FLOOD CONTROL, STORM DRAIN, RIGHT-OF-WAY AND RIGHTS INCIDENTAL THEREOF AS GRANTED TO COUNTY OF SANTA BARBARA PER BOOK 2222, PAGE 252 OF OFFICIAL RECORDS. (PTR ITEM #5)
- (C) 12.00 FOOT WIDE EASEMENT FOR ELECTRICAL LINES AND INCIDENTAL PURPOSES AS GRANTED TO SD, CALIFORNIA EDISON PER BOOK 2280, PAGE 1231 OF OFFICIAL RECORDS. (PTR ITEM #9)
- (D) 12.00 FOOT WIDE EASEMENT FOR ELECTRICAL LINES AND INCIDENTAL PURPOSES AS GRANTED TO GENERAL TELEPHONE CO. PER BOOK 2284, PAGE 701 OF OFFICIAL RECORDS. (PTR ITEM #7)
- (E) 15.00 FOOT WIDE EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES AS GRANTED TO SD, CALIFORNIA GAS CO. PER BOOK 2259, PAGE 667 OF OFFICIAL RECORDS. (PTR ITEM #8)
- (F) THE RIGHT OF THE PUBLIC TO USE FOR ROAD PURPOSES ANY PORTION OF PROPERTY LINED WITHIN ANY PUBLIC STREET OR HIGHWAY.
- (G) A PROPOSED 10 FOOT WIDE STREET EASEMENT ALONG THE ENTIRE FAIRVIEW AVENUE FRONTAGE FOR ALL STREET PURPOSES, TO BE OFFERED FOR DEDICATION TO THE CITY OF GOLETA.

BOUNDARY, TOPOGRAPHIC & UTILITY DATA

1. BOUNDARY & TOPOGRAPHIC INFORMATION:
BOUNDARY INFORMATION SHOWN HEREON IS COMPILED FROM RECORDED DOCUMENTS AND MAPS. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AERIAL PHOTOGRAMMETRIC COMPLETIONS DERIVED FROM AERIAL PHOTOGRAPHY AND SUPPLEMENTED BY FIELD SURVEYS.
2. UTILITY INFORMATION:
SURFACE UTILITY INFORMATION AS SHOWN HEREON IS DEPICTED FROM FIELD AND AERIAL SURVEY COMPLETIONS. SUBSURFACE UTILITY INFORMATION IS TAKEN FROM PUBLIC UTILITY PLANS AND DRAWINGS. THE PREPARED OF THIS MAP ASSUMES NO RESPONSIBILITY FOR THE CHARACTER, SIZE, LOCATION, DEPTH, CAPACITY OR AVAILABILITY OF USE SUCH INFORMATION.
3. WATER SERVICE: WATER SERVICE IS PROVIDED BY GOLETA WATER DISTRICT BY MEANS OF EXISTING WATER MAINS, LATERALS AND METERS. NO NEW WATER INFRASTRUCTURE IS REQUIRED FOR THE PROJECT.
4. SEWER SERVICE: SEWER SERVICE IS PROVIDED BY ON-SITE SEPTIC TANKS AND DRY WELLS SERVING WASTEWATER DISPOSAL FACILITIES ON THE PROPERTY. NO ADDITIONAL WASTEWATER INFRASTRUCTURE IS PROPOSED.
5. ELECTRICAL, TELEPHONE, GAS AND CATV SERVICE IS PROVIDED BY EXISTING LINES OVERHEAD LINES AND SUBSURFACE PIPES. NO ADDITION INFRASTRUCTURE IS PROPOSED.

PROJECT SITE DATA

1. PROJECT ADDRESS: 898 N. FARVIEW AVENUE, GOLETA, CA.
2. ASSESSOR'S PARCEL DESIGNATION: 069-090-052.
3. PROJECT AREA: 12.52 ACRES (GROSS)
12.29 ACRES (NET)
4. GENERAL PLAN DESIGNATION: AGRICULTURE I (AGRICULTURE)
5. ZONING DESIGNATION: AG-1-5 (AGRICULTURE, 5 ACRE MINIMUM PARCEL SIZE).

PROJECT NOTES:

1. ALL WEATHER ROAD BASE WILL BE PROVIDED FOR ALL VEHICULAR PATHS UNDER 10% SLOPE, AND A PAVED SURFACE WILL BE PROVIDED FOR ALL VEHICULAR PATHS OVER 10% SLOPE.
2. ALL VEHICULAR PATHS ARE REQUIRED TO MAINTAIN A MINIMUM OF 13.5' VERTICAL CLEARANCE FOR EMERGENCY VEHICLES.
3. ANY GATED ACCESS POINTS SHALL HAVE A FIRE DEPARTMENT APPROVED KNOX BOX FOR EMERGENCY ACCESS PURPOSES.
4. YURTS WILL BE RETROFITTED TO COMPLY WITH UBC AND AMERICAN DISABILITIES ACT STANDARDS, AS NECESSARY.
5. OPTION #2 HAMMERHEAD STYLE TURNAROUND FOR DRIVEWAYS PER COUNTY OF SANTA BARBARA PRIVATE ROAD AND DRIVEWAY DEVELOPMENT STANDARDS.



OWNERS STATEMENT

WE HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAN AND CERTIFY THAT WE ARE THE LEGAL OWNERS OR THE AUTHORIZED AGENT OF THE LEGAL OWNERS OF SAID REAL PROPERTY AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

CENTER FOR URBAN AGRICULTURE AT FAIRVIEW GARDENS
898 NORTH FAIRVIEW AVENUE
GOLETA, CA 93117
(805) 867-7369

BY: JOHN BUTTNY, AGENT

PREPARED UNDER THE DIRECTION OF:
MARK LLOYD P.L.S. 5470 EXP. 6-30-08

PROJECT NO.	03-025.01
DRAWING NAME	BASEMAP FEB 05 12
DATE	FEBRUARY 2005

CENTER FOR URBAN AGRICULTURE AT FAIRVIEW GARDENS
 SITE PLAN - MAJOR CONDITIONAL USE PERMIT
 FARM LABOR CAMP - HOUSING AND FACILITIES
 CITY OF GOLETA, CALIFORNIA

CENTER FOR URBAN AGRICULTURE AT FAIRVIEW GARDENS
 898 N. FAIRVIEW AVENUE
 GOLETA, CA 93117
 (805) 867-7369
 JOHN BUTTNY, LICENSED DIRECTOR

3 STREET CARMELO STREET
 SANTA BARBARA, CA 93101
 (805) 962-4141 (FAX)



OPTION B

ATTACHMENT 7

**Fairview Gardens Overview Documents
(A copy is available for review at the Public Counter at 130
Cremona Dr., Suite B, Goleta, Ca 93117)**

S U Z A N N E  E L L E D G E
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS
SUZANNE ELLEDGE • LAUREL F. PEREZ

21 May 2008

The Honorable City Council
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117
Attn: Scott Kolwitz

RECEIVED
MAY 21 2008
City of Goleta
Planning & Environmental Svcs

Re: Fairview Gardens – Conditional Use Permit for Farm Worker Housing

Dear Members of the City Council,

Our office represents the Center for Urban Agriculture at Fairview Gardens (CUAFG) in their request for five (5) farm worker housing units on the farm. We appreciate the opportunity to bring our project to your Council for review and consideration.

In response to the comments made by Council at the meeting on May 6th, we have provided a package of information for your review. The package includes the following materials:

- Roster CUAFG of Board Members and Farm Management
- Introduction to Fairview Gardens
- History of Fairview Gardens
- Summary of the Benefits of Farmers Living On-site
- Description of the How the Farm House is Used
- Letter from The Land Trust for Santa Barbara County
- Deed of Agricultural Conservation Easement from the Farm to the Land Trust
- By-laws for CUAFG
- CUAFG Budgets from 2004-2007
- CUAFG Profit and Loss Statements from 2004-2007
- CUAFG 990 Tax Forms for 501(c)3

We specifically call your attention to the Introduction and to the Land Trust Easement as they provide an excellent overview of the Farm's operations and are helpful in gaining an understanding of how and why Fairview Gardens operates in the way that it does today.

Additionally, some members of the Council expressed an urgency to address certain aspects of the existing housing. We have responded to these concerns by developing a phased approach which terminates all existing health, safety and code violation issues at the existing farm labor camp within 60 days, and provides for phasing in five (5) permanent high quality farm worker housing units within one to five years of City Council approval. The associated timeframes are as follows:

PROJECT DESCRIPTION

The Farm requests approval of a Major CUP to validate five (5) on-site farm worker housing units. The housing units would be in addition to the existing, permitted farm house.

Phase 1 - Within 30-days of Council approval:

- Correct the Electrical service to the existing units as directed by City building inspector.
- Re-file applications for produce stand and special events.

Phase 2 - Within 60 days of Council approval:

- Remove existing kitchen trailer and related grey water system, terminating all discharges at existing farm labor camp site.
- Add City-approved mobile kitchen, restroom and shower units having storage tanks for water and wastewater. Said units will be regularly serviced by Marborg or other provider.

Phase 3 – Within 9-months of Council approval:

- Complete annexation to the Goleta Sanitary District (GSD) and commence construction of sewer connection.
- Hold informational hearing with the City Planning Commission to review the status of the Farm's compliance with actions required in Phases 1 through 2 above as well as the status of fundraising for future housing.

Phase 4 – Within 12 months of Council approval:

- Terminate use of existing farm labor camp site and remove all structures; relocate occupants to temporary or permanent residential units in approved building envelope.
 - Approved temporary units would consist of up to five (5) yurts¹ meeting code requirements and DRB review for precise location and landscaping with an option to substitute mobile homes based on availability, neighborhood input and DRB review. Cooking and sanitary facilities

¹ The Farm has selected yurts as the primary option based on their affordability and also because they are readily available and easily constructed. Some of the other options that the Farm has considered for an interim solution, while appealing, do not come with the certainty of availability in the timeframe that the Farm is committing to with the proposed plan.

would be provided by mobile kitchen, restroom and shower units and/or individual built-in kitchens and bathrooms, all connected to the GSD system.

- Permanent housing will consist of up to five (5) modular, stick-built, relocated houses or other City-approved permanent housing as approved by the DRB.
- Construction of access improvements as required by the fire department.
- Provision of additional on-site parking as required by the City
- Construction of the sewer line will be completed within one year, subject to approval by GSD

Phase 5 - Within 5 years of Council approval:

- Final permitting and construction of permanent housing will be completed within five (5) years of City Council approval. Permanent housing will consist of modular, stick-built, relocated homes or other City-approved permanent housing for up to five (5) units of farm worker housing.
- All interim housing units to be removed and replaced with permanent housing. Use of kitchen and restroom/shower trailers (if any) is discontinued.

The phased development allows CUAFG sufficient time to raise capital as well as make meaningful progress towards permanent structures. In addition, this plan achieves a primary goal of keeping the farmers on the Farm, where they have lived for a number of years, in the neighborhood where their children have established friendships and attend school.

The Farm is a world renowned example of sustainable urban agriculture and it has been a valuable asset to the Goleta Valley for well over 100 years. Besides providing organic produce to the community Fairview Gardens serves as an important example of how agriculture can thrive in an urban community, which is increasingly relevant in these times of rising fuel prices, food shortages and a mounting desire for local sustainability.

As you consider our request, please understand that an important aspect of sustainable agriculture and of the Goleta General Plan is providing affordable housing for its workforce, particularly on-site as is explained in our supplementary package to you. We are excited about the ability to propose a plan that will enable the Farm to retain its on-site workforce while improving the units and building them for the long term, so that the Farm can continue to successfully operate for the next 100 years and beyond.

We look forward to presenting our plan at the Council chambers on June 3rd. Thank you for your consideration of our project.

Honorable City Council
21 May 2008
Page 4 of 4

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.

A handwritten signature in black ink, appearing to read "Steve Welton". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Welton".

Steve Welton, AICP
Senior Planner