



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE September 2, 2016	CONTACT/PHONE Holly Phipps (805) 781-1162	APPLICANT Greengate Farms SLO LLC and Green Gate Farms Edna Valley, LLC	FILE NO. DRC2012-00078
EFFECTIVE DATE September 17, 2016			
SUBJECT A request by <b>GREENGATE FARMS SLO LLC AND GREEN GATE FARMS EDNA VALLEY, LLC</b> for a Minor Use Permit (DRC2012-00078) to allow Temporary Events on a 210 acre site. The Temporary Event program will include: 25 events with up to 500 people; 50 events with up to 300 people; and 50 activities with up to 200 people. Multiple Temporary Events may occur on a single day and the number of Temporary Events per year shall not exceed 125. The proposed project is located within the Agriculture land use category, on the east side of Edna Road (SR 227) at the intersection of Corbett Canyon Road. The project site is approximately 3.6 miles south of the City of San Luis Obispo in the South County planning area (San Luis Obispo Sub Area South).			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2012-00078 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 28, 2016 for this project. Mitigation measures are proposed to address biological resources, hazards, hazardous materials, noise, public services/utilities, and transportation, and are included as conditions of approval.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Flood Hazard, Airport Review	ASSESSOR PARCEL NUMBER 044-161-010, 044-161-009, 044-233-010	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: South County Planning Area, San Luis Bay Inland South Sub Area South.			
LAND USE ORDINANCE STANDARDS: Section 22.62.050 Minor Use Permit Approval; Chapter 22.18 Parking and loading; Chapter 22.20 Sign Ordinance; Section 22.10.180 Water quality, Section 22.10.120 Noise Standards; Section 22.30.610 Temporary Events. Does the project conform to the Land Use Ordinance standards? Yes - see discussion.			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on September 17, 2016, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:  
COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

EXISTING USES: Agricultural operations, ranch house, equestrian facilities, and accessory structures	
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture / agricultural uses, scattered single-family residences East: Agriculture / agricultural uses, scattered single-family residences South: Agriculture / agricultural uses, scattered single-family residences West: Agriculture / agricultural uses, scattered single-family residences	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, County Airport Manager, CALFIRE, Air Pollution Control District, County Sheriff, Caltrans, Regional Water Quality Control Board, and Building Division.	
TOPOGRAPHY: Moderately sloping	VEGETATION: Agriculture and non-native landscaping
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system, portable restrooms Fire Protection: CALFIRE	ACCEPTANCE DATE: March 4, 2016 (after revised project description was received)

## PROJECT DESCRIPTION

The applicant proposes to conduct Temporary Events and activities in accordance with LUO Section 22.30.610 as follows:

- 25 events with up to 500 people
- 50 events with up to 300 people
- 50 activities with up to 200 people

“Temporary Events” would consist of larger gatherings such as symposia, weddings and parties. “Temporary activities” refers to smaller gatherings such as cooking seminars, horse riding retreats, ranch tours, educational retreats, community group meetings. In addition, the application proposes to accommodate events sponsored by local non-profit organizations.

Temporary Events and activities would be held in four separate areas of the site shown on Figure 1 and described below. Multiple Temporary Events may occur on a single day; the number of Temporary Events per year shall not exceed 125.

Figure 1 -- Temporary Event/Activities Areas



*Event Area A -- Main House and Show Barn Location.* The main house's interior and exterior (perimeter identified in yellow on this plan) is intended to be used for small events. This area can be used with or without a tent, with the option for outdoor amplified music. The Show Barn, Smaller Horse Barn, and Arena are also designated sites for equine focused events. Event parking for this area will be located below at the main Parking Area 1 near the Old Barn. Portable restrooms are proposed when the Barns and arena areas are used for Temporary Events.

*Event Area A -- Existing Equestrian Activity Areas.* Equestrian related activities (horse sales, horse shows, training clinics, etc) will continue to occur on the property within Event Area A. The Show Barn and Small Horse Barn will be utilized for event attendees and by horse owners and staff attending to the needs of the horses or cattle. The arena area adjacent to the Show Barn and the existing pastures will also be used for on-site equestrian activities. Portable restrooms will be provided at appropriate locations depending on the location of the activities. Tents may also be used in conjunction with equine and cattle events and certain parking areas will be utilized where they are most convenient for the proposed activity / event.

*Event Area B -- Old Barn.* This event location within the yellow dashed line includes both indoor and outdoor event areas. The Old Barn can accommodate visitors within the barn, on the lawn area within tents, or outside the Old Barn in the courtyard. An adjacent

garage is proposed to be utilized for both Ag and event storage, and caterer staging, and the permanent restrooms adjacent to the garage on the other side of the courtyard will be utilized for small events. For larger events, portable restrooms will be provided. Outdoor amplified music is proposed in this location, and parking for this venue will be in Parking Areas 1 and 3.

*Event Area C – Ponds.* The pond site, identified by the yellow dashed line, is an outdoor event area. The intention for this location is to allow smaller, more intimate gatherings and casual walking around the perimeter of the ponds. Vehicle access will not be permitted near the ponds. No permanent structures (except for possibly a small gazebo in the future) or improvements are proposed in this location. Events such as wedding ceremonies, funerals, or other ceremonial types of activities may occur at this location. There is a parking area adjacent to the corral (Parking Area 2) where visitors can park while utilizing this event location. Outdoor amplified music is proposed in this event site and will be restricted to County requirements for hours of operation.

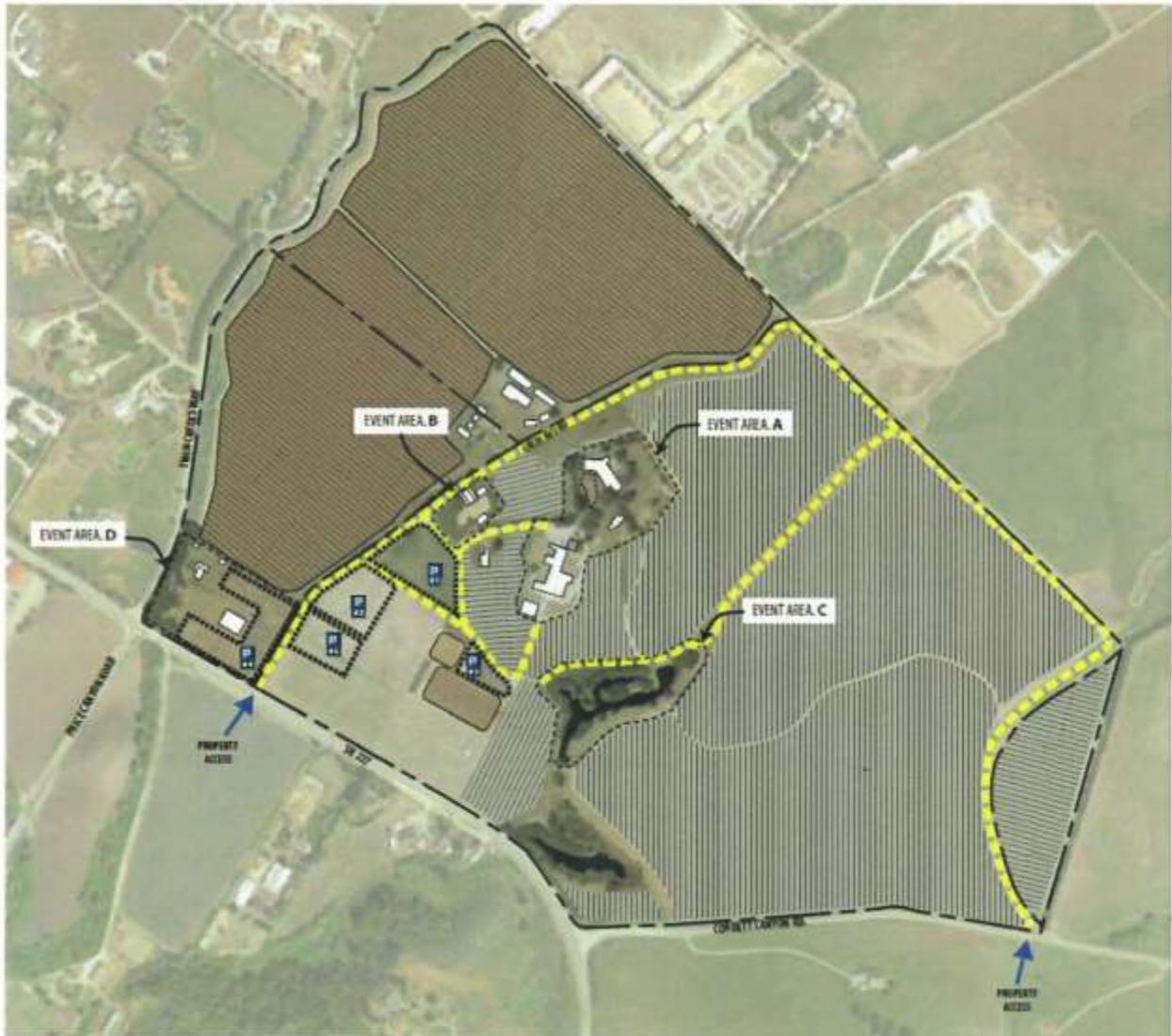
*Event Area D -- White Barn.* The White Barn event area defined by the yellow dashed line is proposed to be utilized for indoor and outdoor events. The outdoor area behind or on the side of the barn will be used for additional event space and tents may be used to accommodate certain types of needs. There is ample parking area adjacent to the White Barn. Should overflow parking be necessary, visitors will be directed to park directly across Green Gate Road in Parking Area 5 and walk or be carted over to the White Barn venue. The existing residential structure in this area will be brought up to code and will be utilized as a VRBO use and appropriate Temporary Events in similar fashion to the other residences in Area A. Outdoor amplified music is proposed in Area D, however, mitigation measures are proposed in the noise study. As noted for the other event areas, portable restrooms will be employed to accommodate visitor needs.

Temporary Events and activities would be conducted up to 125 total calendar days per year throughout the year, assuming each event/activity occurs on a separate day. Although multiple events/activities could occur on a single day, the number of Temporary Events/activities per year would not exceed 125.

Outdoor amplified sound is proposed in conjunction with events and activities conducted in areas A, B, C and D on Figure 1. Outdoor amplified sound would be conducted between the hours of 10:00 AM and 10:00 PM. If related to an agricultural event, outdoor amplified sound would occur between the hours of 8:00 AM and 10:00 PM.

No new buildings, roads or grading are proposed. Options for Temporary Events parking are provided in five locations (Figure 2). All event parking areas will be covered with non-combustible materials and are less than 10% slope; no grading or clearing of the land will be required. For the larger events (500 attendees) it is estimated that an area of about 80,000 square feet (about 2 acres) would be needed. The plans show that the five parking areas cover about 3.3 acres and would accommodate about 365 vehicles, assuming 400 square feet per vehicle.

Figure 2 -- Parking and Access



## BACKGROUND

Greengate Farms began as a dairy farm back in the 1800's and has been an equestrian facility since the 1960's. The project site is also used for the cultivation of row crops, cattle grazing and vineyards; there are no wine processing facilities. The project site also includes a main residence as well as several smaller residences and assorted farm support buildings and barns.

The project site consists of flat to moderately rolling terrain on the floor of the Edna Valley. The northern property line follows East Corral de Piedra Creek, a tributary of Pismo Creek; the project site also supports two ponds and associated riparian vegetation.

There are two existing vehicular access points onto the project site. The main access point is from Edna Road (SR 227) onto Green Gate Road, a County maintained road that passes northeast/southwest through the project site and provides access to two adjoining parcels. There is an additional access road extending north from Corbett Canyon Road along the southern property line; this road is currently used for vineyard/agricultural access (RCD road grading permit GRA2012-00010). Existing agricultural operations are served by a network of unpaved roads which will also provide vehicular access for Temporary Events.

Permit history associated with the project site includes the following:

- Various repairs and renovations of existing residences;
- Drainage and erosion control improvements;
- Remodel and renovation of equestrian facilities;
- Approval of a vacation rental permit and horse breeding facility.

## RECOMMENDED TIME LIMIT

### Board Resolution No. 2008-152 Temporary Events

On October 6, 2009, the Board of Supervisors adopted a resolution interpreting the Temporary Events Ordinance (Section 22.30.610 of the Land Use Ordinance). The Board of Supervisors concluded that, while a Minor Use Permit can authorize multiple events, the life of the Minor Use Permit shall be defined as part of the approval. This means that Temporary Events may not be authorized in perpetuity through the granting of a single Minor Use Permit.

The Board of Supervisors did not establish criteria for how long a Minor Use Permit may be in effect. Instead, this decision has been made on a case-by-case basis by the Review Authority after considering such project-specific issues as project access and roadway safety, the number and size of proposed Temporary Events, the proximity of noise sensitive uses and the proximity of other approved locations for Temporary Events. Accordingly, previous requests for Temporary Events have received approval for periods that range from 5 to 20 years, with the average of about 15 years.

Since the Board has adopted this interpretation, six other temporary event authorizations have been granted as summarized on the following table:

Project	<b>Lemm</b> DRC2007-00176	<b>Vogt</b> DRC2008-00047	<b>Waddell</b> DRC2008-00110	<b>Edwards</b> DRC2008-00148	<b>Judd</b> DRC2009-00056	<b>Rava</b> DRC2010-00086
Historic Use of Site	Residential, agricultural	Residential, agricultural	Residential, agricultural	Non-profit events	Residential, agricultural	Agriculture
Access	Local road	Arterial highway	Principal arterial	Arterial road	Collector road	Arterial road
Zoning	Agriculture	Agriculture	Agriculture	Residential Rural	Agriculture	Agriculture
Events	20, annually	12, annually	18, annually	16, annually (plus non-profit events)	20, annually	25, annually
Guests	Up to 100	Up to 150	Up to 200	Up to 200	Up to 150	250 to 1000
Life	5 years	8 years	18 years	20 years	15 years	20 years

The applicant is requesting that the event program run in perpetuity with the land. However, in this specific case, staff recommends a 20-year time limit for this Minor Use Permit. This period is being recommended because of the following project-specific site characteristics:

- Number and Size of Events – This Minor Use Permit would authorize up to 125 Temporary Events per year with up to 500 guests. One previous approval authorizes Temporary Events involving 500 or more guests.

- Traffic Safety – The site is located on a two-lane arterial road approximately 3.6 miles south of the City of San Luis Obispo at the intersection of Edna Road (SR 227) and Price Canyon Road. The travel lanes are 11-12 feet wide and the existing traffic volumes on Edna Road at Price Canyon Road are relatively high (11,500 ADT) based on counts taken by Caltrans in 2014. Average vehicle speeds on SR 227 adjacent to Greengate Road and Corbett Canyon Road are approximately 50-55 mph. The intersection is controlled by a traffic signal.

*Incidence of Traffic Accidents on Adjacent and Surrounding Roadways* -- CHP data were reviewed for the 1.5 mile segment of SR 227 within approximately three miles of the project site. There were 11 reported accidents on SR 227 (2-2008, 1-2009, 3-2010, 5-2011 and 0-2012); 3 accidents on Price Canyon Road and 1 accident on Corbett Canyon Road during the 5 year period for which data was provided. Nine (9) of the accidents (60%) were single vehicle (SV) accidents, with 5 occurring under nighttime conditions. There was only 1 accident on SR 227 that occurred between Price Canyon Road and Corbett Canyon Road, with no reported accidents at Greengate Road. These data suggest that traffic accidents have occurred infrequently in the vicinity of the project site, given the speed and volume of traffic on surrounding streets.

*Project Access* -- An evaluation of left turn lane warrants was conducted on SR 227 at Greengate Road and Corbett Canyon Road at the Greengate Ranch private road. The evaluation concluded that a southbound left turn lane would be required on SR 227 at Greengate Road to safely accommodate traffic associated with the proposed uses under the CUP.

The evaluation of access included a review of sight distance on SR 227 and Corbett Canyon Road. The review of sight distance was conducted using the County standard and criteria published in the Caltrans Highway Design Manual. The review concluded that there is adequate stopping sight distance on SR 227 for vehicles approaching Greengate Road and adequate corner sight distance for vehicles exiting Greengate Road. However, the corner sight distance looking north at southbound traffic on SR 227 was slightly below the minimum. The controlling line-of-sight factor for southbound vehicles approaching Corbett Canyon Road is the embankment west of the southbound shoulder. The clearing of existing vegetation on the embankment would increase the line-of-sight of southbound traffic approaching Corbett Canyon Road. Stopping sight distance for vehicles on Corbett Canyon Road approaching the Greengate Ranch private road connection is also adequate for the observed speeds and posted speed limit. Corner sight distance for vehicles exiting the Greengate Ranch private road on Corbett Canyon Road complies with the County standard. The evaluation of access also concluded that stopping sight distance for vehicles on Greengate Road approaching the main Greengate Ranch driveway is adequate.

*Transportation Demand Management Plan.* The project includes a Transportation Demand Management Plan (TDM) prepared by Pinnacle Traffic Engineering (September, 2015). The TDM strategies were developed for large events and/or activities (i.e. greater than 100 guests) to ensure that no guest and/or participant traffic is generated during typical weekday and weekend day peak periods. The TDM strategies include recommended restrictions on the timing of the start of larger events on weekdays and weekends to avoid the morning and afternoon peak hours, and the implementation of a shuttle bus service for events with 300 – 500 guests. Traffic management and monitoring is also recommended to ensure implementation.

With incorporation of the recommended mitigation measures, implementation of the TDM plan, and based on the arrival and departure patterns, trips associated with Temporary Events are not expected to have a significant impact on safety nor adversely impact current circulation patterns.

- Noise - The project proposes to have up to 125 special events per year; events will be conducted between the hours of 10AM and 10PM. Amplified music would occur at event areas A, B, C and D (Figure 1). Noise impacts are considered less than significant because:
  - Event areas "A" and "B" share a common trait in that both are located toward the center of the 210 acre parcel. Sound attenuates with distance. The noise study prepared for the project concludes that both sites are far enough from neighboring uses that there is little likelihood of exceeding County noise standards. The nearest dwellings are at least 1,000 feet from the event areas.
  - Event Area C is proposed for outdoor "ceremonial" events such as weddings. The setting is a pond surrounded by willows. There will be no permanent structure on the site (except possibly a small gazebo or overlook). This site is 740 feet from the closest neighboring property on the far side of Highway 227. The topographic qualities are a combination of "hard site" (the pond surface) and "soft" (a horse paddock). The estimated maximum level at the neighboring property line is 58 dB (the average of hard and soft site estimates). This is less than the County Lmax standard of 65 dB.
  - Mitigation measures are recommended for Areas A, B and C relating to the, management of loudspeaker directionality which can lessen noise exposure by ten decibels or more. These requirements are recommended as conditions of approval.

## LAND USE ORDINANCE STANDARDS

Ordinance Compliance:

Title 22, Section - 22.30.610 - Temporary Events is an allowable use within the *Agriculture* land use category subject to the specific use standards in Section 22.30.610 and Minor Use Permit approval.

<b>Temporary Events (Section 22.30.610)</b>			
<b>Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>In Compliance</b>
<b>Temporary Events</b>	Allowable on agricultural land subject to Minor Use Permit	Minor Use Permit submitted	Yes
<b>Time Limits</b>	Events may not occur more than 12 consecutive days; Events may not occur more than 4 consecutive weekends	Up to 125 Temporary Events	Yes as conditioned
<b>Located greater than 1,000 feet from land zoned single-family residence</b>	Locate Temporary Events a minimum 1,000 feet from land zoned single-family residence.	All surrounding property is zoned Agriculture.	Yes
<b>Access</b>	Provide (2) two 18 feet wide access points	Project plans shows two points of vehicular access to the site: One from Edna Road (State Route 227) via Greengate Road, a paved roadway, and another from Corbett Canyon Road which	Yes

		is an unpaved agriculture road (Figure 2). Both roadways satisfy CALFIRE access requirements for Temporary Events.	
<b>Parking</b>	400 sf per vehicle;  Located on open areas with slopes of 10 % or less, free of combustible material;  Assuming 20 vehicles per 100 guests, an event with 500 guests would require: 20 x 5 = 100 parking spaces.	The project can provided parking for about 365 vehicles at 400 sf per vehicle. Assuming an average of 20 vehicles per 100 guests, the proposed parking areas can accommodate an event (or combination of events) with as many as 913 guests. The number of vehicles accommodated on-site, in conjunction with implementation of the Transportation Demand Management plan, will ensure sufficient parking is provided.	Yes
<b>Fire Safety</b>	To be provided by CALFIRE	CALFIRE will require a Final Protection Master Plan	Yes as conditioned
<b>Water and Wastewater</b>	Facilities to be provided as required by Environmental Health	Environmental Health has reviewed; permits may be required.	Yes as conditioned

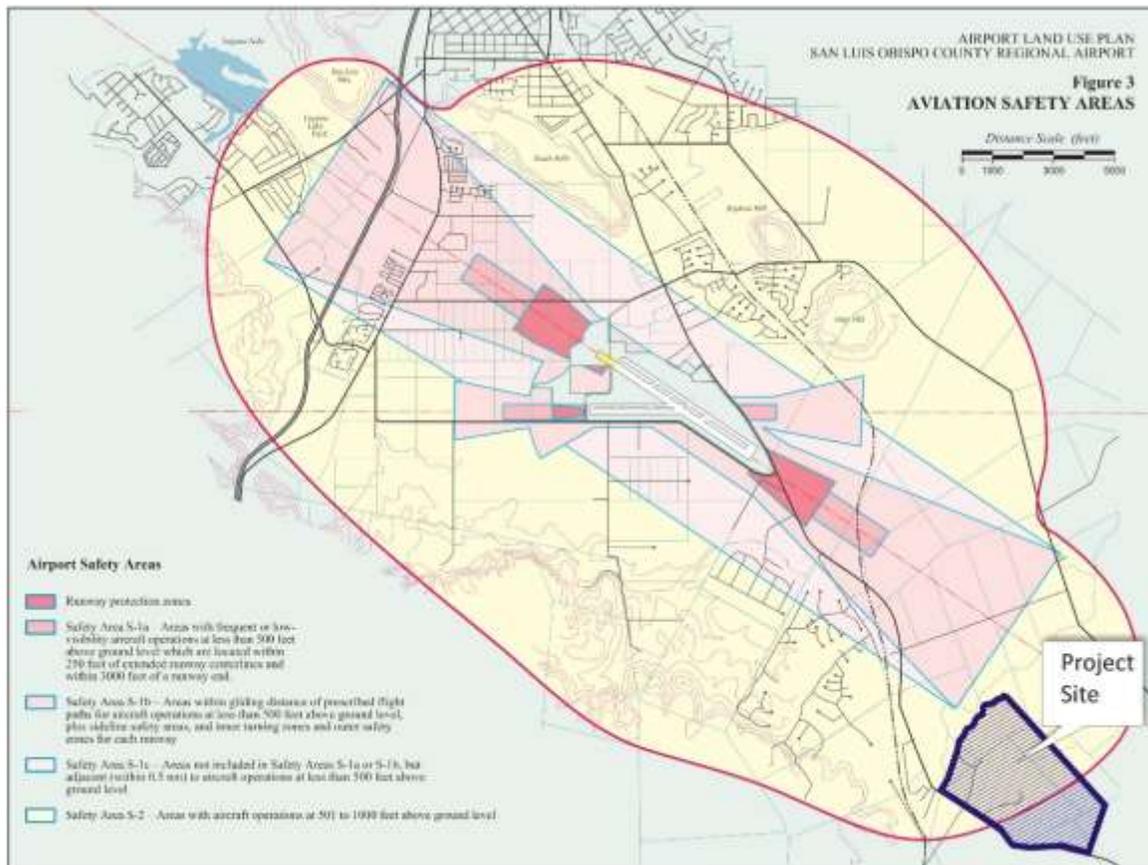
<b>Miscellaneous Ordinance Sections</b>			
<b>Signs</b> (Section 22.60.060)	Maximum of 100 sf of signage; one free standing or monument	No Signs proposed	Yes
<b>Limitation on Use / Noise</b> (Section 22.10.120)	Hourly Leq, decibels - 50 daytime, 45 nighttime	125 Temporary Events per year proposed	Yes, as conditioned

**COMBINING DESIGNATION – AIRPORT REVIEW AREA**

The project is within the Airport Review area for the San Luis Obispo County Regional Airport. According to the Airport Land Use Plan (ALUP), the project site is located partially in *Safety Area S-2, Areas with aircraft operations at 501 to 1,000 feet above ground level* (Figure 3). According to Table 7 of the ALUP, Safety Area 2 allows a maximum of 150 persons per acre in a non-residential use. A special function land use, such as a special event, may be allowed but is subject to an Airport Compatible Open Space Plan (ACOS) and a Detailed Area Plan subject to Airport Land Use Commission approval.

The project was referred to the County Airport Manager. In a response from Richard Hewett dated March 29, 2013, the airport manager indicates the project will have no impact on airport operations.

Figure 3 -- Project Location In Relation to Airport Land Use Plan Safety Areas



### PLANNING AREA STANDARDS

The project is located in the South County Planning Area, San Luis Bay Inland South Sub Area South. No planning area standards are applicable to the site.

General Plan policies and land use ordinance special standards require Temporary Events in the Agriculture land use category to be subordinate to, and not interfere with ongoing agricultural operations. Policy 6 of the Agriculture Element requires that visitor-serving uses "...shall be clearly incidental and secondary to the primary agricultural use..." for lands designated Agriculture.

The project site has historically been used for equestrian activities, including horse boarding and riding events. In addition, the site contains agricultural uses that include 70+ acres of vineyards. The project site is not currently under a Williamson Act contract. All of the equestrian and agricultural operations currently undertaken on the site will continue. Although Temporary Events will be conducted on a portion of the project site, agriculture remains the primary use as summarized in the following table.

<b>Table 1 – Greengate Farms Agricultural Uses</b>	
Agricultural Use	Acres
Vineyards	77 <sup>1</sup>
Seasonal vegetable crops	66
Equestrian facilities	+/-12
Total Agricultural Uses:	+/-155
Other Uses:	55
Total Project Site:	210

Notes:

1. Another 11 acres are being prepared for planting.

## **ENVIRONMENTAL REVIEW**

A Mitigated Negative Declaration has been prepared for this project. Mitigation measures are recommended to address the following potentially significant impacts:

- **Biological Resources.** A biological resources assessment (BRA) was prepared for the project by Terra Verde Environmental Consulting, LLC, in May 2014. The BRA found that the proposed Temporary Events could result in significant adverse impacts to listed avian species, western pond turtle, California red-legged frog, and certain species of bats. The BRA also found that grazing within Event Area C may impose temporary impacts to riparian vegetation along pond banks and wetland fringes through grazing, trampling, and/or soil compaction. With recommended mitigation measures, potential impacts are expected to be less than significant.
- **Fire Safety.** All buildings for public assembly must be provided with fire sprinklers and the required fire flow must be documented prior to the conduct of Temporary Events.
- **Noise.** A noise study prepared for the project (David Dubbink Associates, 2013) concludes that noise associated with Temporary Events is not expected to exceed County standards or adversely impact surrounding noise sensitive uses. Mitigation measures are recommended relating to the positioning of loudspeakers to ensure compliance with County standards.
- **Transportation.** A traffic impact analysis (TIA) was prepared as part of the application materials (Pinnacle Traffic Engineering, August 11, 2014). In addition, the project was reviewed by Public Works, CALFIRE and Caltrans. The findings and recommendations of the TIA and agency review have been incorporated as conditions of approval. These requirements include (but are not limited to) the following:
  - Widening of SR 227 at Greengate Road and provide a south-bound left-turn lane.
  - Improving the sight distance along SR227.

- Construction of new driveway approach from SR 227.
- Adherence to, and enforcement of, the intent of the *Transportation Management Plan* prepared by Pinnacle Traffic Engineering, dated September 1, 2015.
- *Water Quality*. A complete erosion and sedimentation control plan is required.

### **COMMUNITY ADVISORY GROUP COMMENTS**

The project is not located within an advisory group purview.

### **AGENCY REVIEW**

Public Works – Standard conditions have been applied to project;

CALFIRE – Fire Protection Master Plan required; fire sprinklers required for all buildings used for public assembly (email dated June 19, 2016);

Environmental Health – The project was reviewed by the Environmental Health Department (letter dated April 29, 2013). The Health Department will require the project to document on-site wastewater system adequacy which may require a soil evaluation. Discharge amounts should be estimated in order to determine if a discharge permit is required from the Regional Water Quality Control Board.

Air Pollution Control District – Dust suppressants required on access roads and event parking areas;

Airport Review – No impacts on operations, (Richard Hewett, March 29, 2013);

Building Division – Project subject to current California Codes.

### **LEGAL LOT STATUS**

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Holly Phipps and reviewed by James Caruso.