

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for
Agricultural Enterprise Ordinance Amendments

Hearing Date: November 29, 2023

Deputy Director: Alex Tuttle

Staff Report Date: November 14, 2023

Division: Long Range Planning

Case Nos.: 23ORD-00005, 23ORD-00006

Supervising Planner: David Lackie

Environmental Document: 23EIR-00003

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1.0 REQUEST

Hearing on the request of the Planning and Development Department (P&D) that the County Planning Commission (Commission) consider the proposed Agricultural Enterprise Ordinance (AEO) project and recommend amendments to the County Land Use Development Code (LUDC) and Article II – Coastal Zoning Ordinance (CZO).

2.0 RECOMMENDATION AND PROCEDURES

Your Commission should:

1. Receive a report from P&D staff regarding the proposed Agricultural Enterprise Ordinance amendment project.
2. Provide direction to staff regarding any modifications the Commission recommends to the draft LUDC and CZO ordinance amendments.

3.0 JURISDICTION

1. **Case No. 23ORD-00005.** The County Planning Commission is considering the proposed LUDC amendment pursuant to LUDC Section 35.104.050.B.1. The LUDC requires that the County Planning Commission, as the designated planning agency for the unincorporated area of the county located outside of the Montecito Community Plan Area, review and consider proposed amendments to the LUDC and provide recommendations to the Board of Supervisors.
2. **Case No. 23ORD-00006.** The County Planning Commission is considering the proposed Article II amendment pursuant to Article II Section 35-180.5. Article II requires that the County Planning Commission, as the designated planning agency for the unincorporated area of the county located outside of the Montecito Community Plan Area, review and consider proposed amendments to Article II affecting the Coastal Zone, including the Montecito Community Plan Area, and provide recommendations to the Board of Supervisors.

4.0 SUMMARY

The County of Santa Barbara (County) proposes to adopt the Agricultural Enterprise Ordinance (Project). The purpose of the proposed Project is to help sustain the economic viability and diversity of

agricultural operations in unincorporated areas of Santa Barbara County. The proposed Project would expand the range and diversity of allowable uses on all unincorporated lands zoned Agricultural II (AG-II), and allow incidental food service at winery tasting rooms zoned Agricultural I (AG-I). The additional allowable uses would be small-scale and ancillary to the primary agricultural uses. The proposed Project would ease permit requirements for a specified range of uses in a way that supports the overall economic viability of agricultural operations while also maintaining the primary agricultural function, productivity, and character of these agricultural zone districts.

The AEO project description is written broadly to include a range of use levels/intensities, and permitting options (i.e., from an exemption (no permit required), Zoning Clearance (not appealable), or Land Use Permit/Coastal Development Permit to a Minor Conditional Use Permit/Conditional Use Permit), so the Commission and Board of Supervisors may rely on the AEO Program Environmental Impact Report (PEIR) analysis when considering a range of ordinance options.

To help facilitate the discussion, this staff report includes: (1) the AEO PEIR project description table of uses and potential permit levels (Attachment A); (2) a list of potential development standards applicable to various AEO uses (Attachment B); and (3) initial draft LUDC and CZO ordinance amendment text (Attachments C & D).

Staff is seeking direction from the Commission regarding appropriate permit levels and level of use/intensity for each potential AEO use; appropriate development standards to address resource and compatibility issues; and how to address potential “stacking” of uses where a landowner may seek to conduct multiple AEO uses on an agricultural premises.

Based on direction received from the Commission, staff will return at a subsequent hearing with revised ordinance language for the Commission to consider for a formal recommendation to the Board of Supervisors.

5.0 PROJECT INFORMATION

Agriculture plays a substantial role in both the economy and cultural history of Santa Barbara County. Given that agriculture is the single largest production industry in terms of dollar value, the County recognizes the need to protect and maintain agricultural viability and economic productivity. Increased flexibility and/or appropriate incentives may allow agricultural landowners to respond to changing market forces, improve land management techniques, and broaden allowable uses to enhance income on agricultural lands while maintaining primary agricultural uses into the future.

The uses and related development enabled by the proposed Project would generate new opportunities for local farmers and ranchers to increase revenues and enhance the economic productivity of their operations. For example, “agritourism” is generally defined as a commercial enterprise at a working farm or ranch conducted for the enjoyment or education of visitors, which also generates supplemental income for the owner. Such uses can also be an effective tool to educate the public about the importance of agriculture, its contribution to the county's economy and quality of life, and to more broadly support the county's important tourism and visitor-serving industry. Agritourism can provide additional benefits for local agriculture, such as enhancing the appeal and demand for local products, fostering regional marketing efforts, and creating value-added and direct-marketing opportunities. When sited and scaled appropriately, such enterprises have the potential to promote the preservation of agricultural land and

operations, thereby preserving the character of the agricultural lands while contributing to economic development and employment opportunities.

5.1 Summary of Proposed Project

The proposed Project would amend the LUDC and Article II CZO to expand upon a tiered permitting structure first adopted for AG-II zoned lands in the Gaviota Coast Plan Area. The proposed AEO uses would be allowed on lands zoned AG-II countywide. In addition, incidental food service would be allowed at winery tasting rooms on lands zoned AG-I. The proposed project would replace the tiered permitting structure that currently exists only in the Gaviota Coast Plan Area.

Proposed AEO uses include both supplementary agricultural uses and various rural recreation uses, as summarized below.

Table 1 – Summary of Uses

Supplementary Agricultural Uses	Rural Recreation Uses
<ul style="list-style-type: none"> • Agricultural processing beyond the raw state (small-scale) 	<ul style="list-style-type: none"> • Small-scale campgrounds
<ul style="list-style-type: none"> • Agricultural product preparation 	<ul style="list-style-type: none"> • Farmstays
<ul style="list-style-type: none"> • Aquaponics 	<ul style="list-style-type: none"> • Educational experiences or opportunities
<ul style="list-style-type: none"> • Composting 	<ul style="list-style-type: none"> • Fishing/hunting operations
<ul style="list-style-type: none"> • Farm stands 	<ul style="list-style-type: none"> • Horseback riding
<ul style="list-style-type: none"> • Firewood processing and sales 	<ul style="list-style-type: none"> • Incidental food service**
<ul style="list-style-type: none"> • Lumber processing/milling 	<ul style="list-style-type: none"> • Small-scale events <p>Small-scale special events may include farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings, and non-motorized trail runs, bike races, equestrian endurance rides, and similar activities, operated on a commercial basis.</p>
<ul style="list-style-type: none"> • Tree nut hulling 	

** On unincorporated lands zoned AG-I, only incidental food service at winery tasting rooms would be allowed under the proposed Project.

5.1.1 Tiered Permitting

The tiered permitting structure for the proposed AEO uses and related development included in the Project Description (Attachment A), includes: (1) a level of use that would allow the use to be exempt from zoning permits; and (2) greater intensities of use that could be allowed with a Zoning Clearance (ZC), Land Use Permit (LUP), Coastal Development Permit (CDP), Minor Conditional Use Permit (MCUP), or Conditional Use Permit (CUP). This tiered permitting structure would provide flexible permitting based on the size, scale, and level of intensity of the use and compliance with development standards. For example, small-scale uses in the Inland Area might be exempt from planning permits or

allowed with a ZC or LUP. In the Coastal Zone, due to the Coastal Act definition of “principal permitted use” and “development,” which includes a “change in the intensity of use,” most uses would likely require a CDP, except farm stands that meet specific standards. This is consistent with how Article II is currently structured for many of the uses that were established as part of the Gaviota Coast Plan.

5.1.2 Description of Permit Types

For most of the proposed agricultural enterprise uses, if the use is not exempt or is not allowed with a ZC or LUP (because the proposed use does not meet the criteria for the lower-level permit), an applicant would be required to obtain a MCUP or CUP for the use.

A use that is exempt from zoning permits still must comply with applicable standards of the LUDC (Inland Area) or Article II (Coastal Zone), including AEO related development standards. Issuance of an exemption from the Planning and Development Department is not required, but may be obtained upon request.

A ZC is a ministerial zoning permit that Planning and Development Department staff issues for certain development and uses within the Inland Area of the county, to ensure that a project complies with required development standards. A ZC is not noticed and is not appealable.

An LUP is a Planning Director-approved zoning permit for certain development and uses within the Inland Area of the county. A LUP is not subject to a public hearing; however, in contrast with a ZC, LUPs are noticed (e.g. mailed notices to neighboring properties and posted placard) prior to approval and LUPs are subject to appeal.

A CDP is a Planning Director-approved zoning permit for certain development and uses within the Coastal Zone. CDPs are subject to specific noticing and administrative appeal procedures set forth in Article II, in order to satisfy requirements of the Coastal Act. A CDP is not subject to a public hearing, but is noticed prior to approval, and is subject to appeal.

A CDP with hearing (CDP-H), is a CDP for certain development within the Coastal Commission appeals jurisdiction, and for non-principal permitted uses. The key distinctions between a “principal permitted use” and “non-principal permitted use” are: (1) the degree to which the use implements the designated land use and intent and purpose of a zone (e.g., AG-II zone district); and (2) principal permitted uses are not subject to a hearing and appeal to the Coastal Commission, whereas non-principal permitted uses require a public hearing and are subject to appeal to the Coastal Commission. The Zoning Administrator is the decision-maker for CDP-Hs, unless the hearing is waived in accordance with applicable provisions of the CZO, in which case the Director becomes the decision-maker. These permits are noticed and the decisions may be appealed to a higher review authority (e.g., Board of Supervisors), including the Coastal Commission.

Minor CUPs and CUPs are discretionary zoning permits for uses that are typically inappropriate for certain zones but, under certain conditions, may be allowed. Decision-makers must make certain, heightened findings (e.g., findings related to neighborhood compatibility) that differ from other zoning permits, in order to approve Minor CUPs and CUPs. The Zoning Administrator is the decision-maker for Minor CUPs and the County Planning Commission is the decision-maker for CUPs. The hearings for these permits are noticed and the decisions may be appealed to a higher review authority (e.g., Board of Supervisors).

Staff is seeking direction from the Commission regarding appropriate permit levels and level of use/intensity for each potential AEO use; including, which uses/levels could be exempt from zoning permits. In general, lower intensity uses and uses that have a low potential to impact surrounding agricultural operations could be allowed with an exemption or a zoning clearance. Uses that have a higher potential for impacts could be allowed with a higher-level permit (e.g., LUP/CDP, MCUP). The zoning permit options are summarized in Table 2, below.

Table 2 – Permit Type Summary

Permit Type	Noticing	Hearing	Decision-maker	Appealable
ZC	No	No	P&D Director	No
LUP	Yes	No	P&D Director	Yes
CDP	Yes	No	P&D Director	Yes
CDP (H) with hearing	Yes	Yes	Zoning Administrator	Yes
Minor CUP	Yes	Yes	Zoning Administrator	Yes
CUP	Yes	Yes	Planning Commission	Yes

5.1.3 Development Standards

The draft LUDC and Article II CZO ordinance amendment text (Attachments C and D) incorporate development standards to minimize potential land use compatibility issues; minimize adverse effects on agricultural resources, the natural environment and resources; and to promote and protect general public health, safety, and welfare. The potential development standards are derived from a variety of sources, including: (1) the AEO PEIR Project Description; (2) PEIR proposed and recommended mitigation measures; (3) existing LUDC and CZO standards; and (4) standards to ensure the proposed AEO uses are consistent with the Santa Barbara County Comprehensive Plan and County Code. The development standards would apply to all AEO permit tiers, including AEO uses proposed to be exempt from zoning permits. For discretionary permit tiers, there is the ability to modify the development standards on a case by case basis as warranted. Examples of development standards include the following. See Attachment B for a more complete summary of the proposed development standards.

- Compliance with Public Health Department requirements, County Fire Code, and Building Code requirements
- Fire Protection Plan for County Fire Department review and approval
- Informational Advisory – Advisory to visitors/guests disclosing the AEO use is located on an active agricultural operation and visitors may be exposed to minor inconveniences such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands
- Setbacks to address land use compatibility, noise, lighting, and signage
- Setbacks from sensitive habitats

5.1.4 Permit Streamlining for Larger Agricultural Structural Developments

The proposed Project also includes amendments to the CZO to provide consistent permit streamlining for larger agricultural structural development (e.g., barns, stables, and sheds) throughout unincorporated lands zoned AG-II. In 2010, the Board of Supervisors adopted an ordinance amending the County LUDC that revised the Development Plan (DVP) thresholds for larger structural agricultural development on lands zoned AG-II. In 2016, the Board adopted, and in 2018, the Coastal Commission certified, this same amendment to Article II with minor modifications, thereby applying it to the Coastal Zone of the Gaviota Coast Plan area.

The proposed Project would amend the CZO to apply the same DVP thresholds to the remainder of the AG-II zone within the Coastal Zone, an area of approximately 6,327 acres that is located west of the City of Guadalupe. A DVP would be required when any one of the following gross floor area thresholds is met:

- Non-agricultural structural development would total 15,000 sf or more, cumulative;
- An individual agricultural structure is proposed to be 15,000 sf or larger;
- An individual agricultural structure is proposed to be at least 10,000 sf and there is another 10,000-sf agricultural structure on the site (i.e., resulting in at least two 10,000-sf agricultural structures on the lot); or
- The proposed structure(s) would result in a total gross floor area on a lot that exceeds the DVP threshold listed for the applicable lot area as shown in Table 17-1 of Article II CZO. Total gross floor area includes the gross floor area of agricultural structural development and non-agricultural structural development, both existing and proposed.

5.1.5 Uniform Rules Amendments

The proposed Project also includes a Uniform Rules amendment to address the compatibility of proposed AEO uses on lands subject to a Williamson Act contract. Over 64% of privately owned AG-II zoned lands (493,600 acres) are also enrolled in the County's Agricultural Preserve Program.

The Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) is the set of rules by which the County administers its Agricultural Preserve Program under the California Land Conservation Act of 1965, better known as the Williamson Act. The purpose of the Williamson Act is the long-term conservation of agricultural and open space lands. The Act establishes a program to enroll land in Williamson Act or Farmland Security Zone contracts whereby the land is restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. Participation in the program is voluntary by the County and by the eligible landowners.

The Uniform Rules implement the Williamson Act by defining eligibility requirements and compatible uses to which each participating landowner must adhere, in order to receive a reduced tax assessment. Often, the Uniform Rules are more restrictive than the underlying agricultural zoning requirements.

The Agricultural Preserve Advisory Committee (APAC) is an advisory committee to the Board of Supervisors. The APAC is currently reviewing the conditions under which various AEO uses could be

considered a compatible use on agricultural preserve contracted lands, and will forward their proposed Uniform Rules amendment recommendation to the Board of Supervisors.

Pursuant to Government Code Section 51231, the Board is the decision making body for amendments to the Uniform Rules regarding allowed uses on lands that are subject to agricultural preserve contracts. Furthermore, pursuant to Government Code Section 51239, the APAC, not the County Planning Commission, advises the Board on the administration of the agricultural preserves in the County. Therefore, proposed amendments to the Uniform Rules, as recommended by the APAC, will be presented at the County Planning Commission hearings for informational purposes only, and will be forwarded to the Board for a final decision.

6.0 ENVIRONMENTAL REVIEW

The County prepared a Program Environmental Impact Report (PEIR), pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168, for the proposed Project. As a Program EIR, the level of detail included in the project description and methodology for impact analysis is more general than a project-level EIR, as individual site-level details within affected agricultural zone districts are not available. In addition, the type, number, and scale of future permit applications that would be processed by the County are unknown, rendering site- and project-specific analyses too speculative for detailed evaluation. This programmatic approach to environmental impact analysis allows the County to consider broad implications and impacts associated with the proposed Project while not requiring a detailed evaluation of individual properties.

The County prepared and distributed a Notice of Completion (NOC) / Notice of Availability (NOA) for the Draft PEIR to relevant agencies and interested parties on August 1, 2023. The NOA provided notice of a 45-day public review and comment period for the Draft EIR, from August 1, 2023, to September 14, 2023. The County received 45 comment letters and staff and the EIR consultant are currently in the process of responding to comments and revising the PEIR as appropriate. The Final PEIR will be available when staff returns to the Planning Commission for a formal recommendation to the Board.

The sections below provide a broad summary of project impacts and project alternatives analyzed in the Draft PEIR. The Draft PEIR is available on P&D's website:

<https://cosantabarbara.app.box.com/s/eh3nfce4t0920d9biyxio5q91vcdazes>

6.1 Summary of Project Impacts

The proposed Project would result in significant and unavoidable impacts related to criteria air pollutant emissions, Greenhouse Gas (GHG) emissions, and increases in countywide Vehicle Miles Traveled (VMT), as summarized below. Individual uses and related development under the proposed Project would be small-scale, secondary, and supplemental to existing agricultural uses. These projects would not generate significant and unavoidable impacts individually, but depending on the extent to which property owners make use of the ordinance and the popularity of the uses, these projects could have collective impacts related to an increase in vehicle trips and mobile-source emissions. The operation of new visitor-oriented or rural recreation uses in the rural areas of the county such as farmstays, campgrounds, and events have the potential to attract a large number of visitors to the rural area from

both within and outside Santa Barbara County; resulting in cumulative increases of vehicle trips, VMT, and associated air quality and GHG emissions.

- **Air Quality.** The proposed Project may generate new cumulatively considerable long-term mobile-source nitrogen oxide (NO_x) and reactive organic compound (ROC) emissions exceeding Santa Barbara County Air Pollution Control District (SBCAPCD) significance thresholds. These emissions would have a cumulatively considerable contribution to the South Central Coast Air Basin's (SCCAB's) nonattainment status for ozone (O₃) precursors.
- **Greenhouse Gas Emissions.** The proposed Project may generate new long-term GHG emissions exceeding the County's adopted interim GHG significance thresholds. Given the analysis of GHG emissions is cumulative in nature, the proposed Project would also result in a considerable contribution to a cumulative significant impact related to GHG emissions.
- **Transportation.** The proposed Project may generate new vehicle trips, which would generate a net increase in countywide VMT that would exceed the County's adopted VMT thresholds and be inconsistent with State CEQA Guidelines Section 15064.3(d). The contribution of the proposed Project to cumulative increases in total countywide roadway VMT would also be cumulatively considerable.

Based on analysis provided in the Draft PEIR, the proposed Project would also result in potentially significant but mitigable impacts related to: Agriculture, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Noise, and Wildfire. The programmatic mitigation measures identified in the PEIR will be incorporated as development standards in the LUDC and CZO ordinance amendments. Attachment E includes a summary table of impacts, mitigation, and residual impacts from the draft PEIR (Executive Summary, Table ES-1). Staff will present the draft PEIR analyses and findings as part of the first Planning Commission hearing.

6.2 EIR Alternatives

In addition to the proposed Project, the PEIR analyzed the following project alternatives:

- No Project Alternative

Under the No Project Alternative, the County would not approve the proposed Agricultural Enterprise Ordinance and therefore would not amend the LUDC or CZO. Additionally, the County would not amend the Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules). The No Project Alternative would not change any of the current regulatory and permitting mechanisms that govern the uses and related development on unincorporated lands zoned Agricultural II (AG-II) or parcels with winery tasting rooms on lands zoned Agricultural I (AG-I).

- Alternative 1 – Reduced VMT Alternative

The purpose of the Reduced VMT Alternative is to reduce the level of significant and unavoidable impacts (Air Quality, GHG emissions, and Transportation -VMT) to the maximum extent feasible by eliminating the largest trip generating uses.

The Reduced VMT Alternative would revise the scope of the Agricultural Enterprise Ordinance by removing farmstays and eliminating the streamlined permitting tiers for campgrounds, small-scale events, and educational experiences and opportunities. Campgrounds, of any size, would continue to be permitted with a CUP, while commercial small-scale events could be permitted under the current requirement for a Minor CUP (MCUP). Although educational experiences and opportunities are not specifically enumerated as an allowed use the LUDC and Article II CZO, many of the examples of the types of activities that qualify as an educational experience could be allowed pursuant to the various permit options under the temporary uses sections of the LUDC (Section 35.42.260).

This alternative would substantially reduce VMT impacts as well as related mobile-source criteria air pollutant and GHG emissions. In addition, this alternative would retain the current zoning ordinance limits for agricultural processing requiring at least 51 percent of the products originate from the premises (i.e., that no more than 49 percent of the products to be produced on the premises may originate from off the premises). By retaining the current zoning ordinance limits on the sourcing of the products to be processed, this alternative would further reduce VMT compared to the proposed Project, and in turn, further reduce criteria air pollutant and GHG emissions.

- Alternative 2 – Reduced Project Alternative

The Reduced Project Alternative would retain all of the uses included in the proposed Project. However, this alternative would revise downward the levels of intensity for several of the highest VMT generating uses that could otherwise qualify for an exemption or low-level permit under the proposed Project. Similar to the Reduced VMT Alternative, this alternative would retain the current zoning ordinance limits for agricultural processing requiring at least 51 percent of the products originate from the premises (i.e., that no more than 49 percent of the products to be produced on the premises may originate from off the premises). Finally, this alternative would reduce the potential for “stacking” of overnight accommodations on participating premises by allowing one campground or one farmstay per premises, but not both.

Of the alternatives considered, the No Project Alternative eliminates the significant and unavoidable impacts identified for the proposed Project; therefore, it is environmentally superior to any project that would lead to a change in existing conditions. However, the No Project Alternative would not achieve any of the Project Objectives. Without a tiered permitting system, the implementation of small-scale, secondary, supplemental uses would continue to be time consuming and often cost prohibitive. CEQA Guidelines Section 15126.6 also states that if the Environmentally Superior Alternative is the No Project Alternative, the EIR shall also identify an Environmentally Superior Alternative from among the other alternatives.

Other than the No Project Alternative, none of the alternatives would avoid the significant and unavoidable impacts related to VMT. Because the Reduced VMT Alternative, would substantially reduce significant and unavoidable impacts related to criteria air pollutant and GHG emissions to insignificant impacts, it is considered the *Environmentally Superior Alternative*. However, the removal of farmstays and the elimination of permit streamlining for small-scale campgrounds may reduce the potential economic opportunities provided by the proposed Agricultural Enterprise Ordinance. Under the Reduced VMT Alternative, the beneficial impacts to agricultural resources and related plans, goals,

and policies focused on agricultural resources would not be achieved to the same extent as described for the proposed Project.

ATTACHMENTS

- A. Table – Proposed AEO Uses
- B. Summary of Potential Development Standards
- C. Draft LUDC Ordinance Amendment text
- D. Draft Article II – CZO Ordinance Amendment text
- E. Table – Summary of Impacts and Mitigation

ATTACHMENT A
DESCRIPTION OF PROPOSED AEO USES

Use	Summary Descriptions	Exempt	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Minor Conditional Use Permit (CUP) or CUP
<i>Rural Recreational Uses</i>				
Small-scale campground	A site for temporary occupancy by campers which may include individual campsites. May include accommodations for RVs.	N/A	<p>Number of campsites per premises size:</p> <ul style="list-style-type: none"> • ≤ 100 acres (ac): up to 15 sites • > 100-320 ac: up to 20 sites • > 320 ac: up to 30 sites • 2 vehicles per campsite <p>Landowner may provide no more than one of the following semi-permanent accommodations per campsite:</p> <ul style="list-style-type: none"> • Park trailer (trailer designed to be parked in one location for an extended period of time and function as a cabin) • Yurt or tent cabin • Travel trailer (Airstreams or other RV trailers that would be towed to/from the site) <p>30-day maximum (max) stay</p>	<p>Larger campgrounds, guest ranches, or those otherwise not complying with standards for ZC/LUP/CDP may be allowed with CUP per existing regulations</p> <p>(LUDC Subsection 35.42.240.B and Article II CZO Subsection 35-460.J.1.b)</p>
Farmstay	Transient lodging visitor-serving accommodations provided as part of a working farm or ranch operation. Lodging and food service is only available to registered guests of the farmstay operation.	N/A	<p><u>Maximum guests/bedrooms</u></p> <ul style="list-style-type: none"> • ZC: 10 guests/4 bedrooms • LUP/CDP: 15 guests/6 bedrooms <p><u>Farmstay accommodations</u></p> <ul style="list-style-type: none"> • ZC/CDP: Existing principal dwelling only • LUP/CDP (H): Any combination of an existing principal dwelling, conversion of existing building/structure, proposed cottage, or park trailer <p><u>Location</u></p> <ul style="list-style-type: none"> • ZC/CDP: Existing principal dwelling only • LUP/CDP (H): All farmstay accommodations clustered in proximity to existing principal dwelling 	<p><u>Maximum guests/bedrooms</u> 15 guests/6 bedrooms</p> <p><u>Farmstay accommodations</u> Any combination of an existing principal dwelling, conversion of existing building/structure, proposed cottage, or park trailer</p> <p><u>Location</u> A majority of allowed farmstay accommodations shall be clustered in proximity to existing principal dwelling. A portion of accommodations may be located in a remote envelope not to exceed 1 acre.</p>

Use	Summary Descriptions	Exempt	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Minor Conditional Use Permit (CUP) or CUP
Educational Experience or Opportunity	<p>Educational experiences or opportunities include:</p> <ul style="list-style-type: none"> • Small guided tours of farm or ranch • Academic and technical training for farmers and ranchers in all areas of the agricultural sciences and agricultural business • Educational workshops and experiences for the general public regarding the agricultural and natural resources on the premises including: <ul style="list-style-type: none"> ○ Larger guided farm and ranch tours ○ Botany ○ Bird and wildlife viewing and studies ○ Photography ○ Astronomy ○ Other similar agricultural, natural resources, and cultural educational experiences 	<p>Small Guided Tours</p> <ul style="list-style-type: none"> • 15 attendees max per small guided tour • Not more than 80 small guided tours per year <p>Other Educational Experiences or Opportunities</p> <ul style="list-style-type: none"> • ≤ 100 ac: 50 attendees max • > 100-320 ac: 75 attendees max • > 320 ac: 100 attendees max • Not more than 24 days per year <p>Annual Maximum Attendance Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> • ≤ 100 ac: 1,200 attendees • > 100-320 ac: 1,800 attendees • > 320 ac: 2,400 attendees <p>No new structures or additions requiring planning permits</p>	<p>Small Guided Tours</p> <ul style="list-style-type: none"> • 15 attendees max per small guided tour • Not more than 128 small guided tours per year <p>Other Educational Experiences or Opportunities</p> <ul style="list-style-type: none"> • ≤ 100 ac: 80 attendees max • > 100-320 ac: 120 attendees max • > 320 ac: 150 attendees max • Not more than 24 days per year <p>Annual Maximum Attendance Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> • ≤ 100 ac: 1,920 attendees • > 100-320 ac: 2,880 attendees • > 320 ac: 3,600 attendees <p>One new agricultural enterprise accessory structure not to exceed 2,500 sf gross floor area</p>	<p>Educational activities that do not comply with standards for exemption or ZC/LUP/CDP may be allowed with a MCUP per existing regulations as a “similar gathering”</p> <p>(LUDC Subsection 35.42.260.F.9 and Article II CZO Subsection 35-137.3.3.a)</p>
Fishing Operation	The activity of catching fish either for food or as a sport.	<ul style="list-style-type: none"> • 20 participants daily maximum • No new structures or additions requiring planning permits 	<ul style="list-style-type: none"> • 30 participants daily maximum • Gross floor area of any new structure is less than 600 sf 	Operation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP
Hunting	The activity of hunting animals, either for food or as a sport.	<ul style="list-style-type: none"> • Allowed use pursuant to California Fish and Game Code, and County-Code Chapter 14A, Firearms • No new structures or additions requiring planning permits 	<ul style="list-style-type: none"> • Gross floor area of any new structure is less than 600 sf 	Operation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP

Use	Summary Descriptions	Exempt	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Minor Conditional Use Permit (CUP) or CUP
Horseback Riding ¹	Fee-based rental of horses for riding on the farm or ranch (includes allowing someone to bring own horse to ride on the farm or ranch).	<ul style="list-style-type: none"> • 24 participants daily maximum • Existing roads and trails; no new structures or additions requiring planning permits 	Inland: Operation that does not comply with standards for exemption may be allowed with LUP (LUDC Subsection 35.21.030.E Table 2-1, as part of an equestrian facility)	Coastal: Operation that does not comply with standards for CDP may be allowed with a CUP (Article II CZO Subsection 35-69.4.2)
Incidental Food Service at Winery Tasting Rooms in AG-I and AG-II	Provision of food that is incidental and subordinate to the winery tasting room.	<ul style="list-style-type: none"> • Non-potentially hazardous prepackaged food (California Retail Food Code Section 113871[c] and 114365.5[b]) (e.g., shelf stable, refrigeration not required) • Potentially hazardous prepackaged food (California Retail Food Code Section 113871) (e.g., perishable, may require refrigeration or other temperature control) • Prepackaged meals or picnics (e.g., salads and sandwiches) • Food truck • Catered food 	Provision of foods that exceed those allowed through an exemption including an outdoor barbeque or pizza oven that is not part of a food truck or catered food operation ² Service limited to the hours of operation of the tasting room	N/A
Incidental Food Service (not at winery tasting rooms)	Provision of food that is incidental and subordinate to the primary agricultural use of the property. Incidental food service only allowed in conjunction with another ag enterprise activity that brings the public to the farm or ranch.	<ul style="list-style-type: none"> • Non-potentially hazardous prepackaged food (California Retail Food Code Section 113871[c] and 114365.5[b]) (e.g., shelf stable, refrigeration not required) • Potentially hazardous prepackaged food (California Retail Food Code Section 113871) (e.g., perishable, may require refrigeration or other temperature control) • Prepackaged meals or picnics (e.g., salads and sandwiches) • Food truck • Catered food • No new structures or additions requiring planning permits 	Outdoor barbeque or pizza oven that is not part of a food truck or catered food operation but is incidental to another ag enterprise use that brings the public to the farm or ranch	N/A

Use	Summary Descriptions	Exempt	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Minor Conditional Use Permit (CUP) or CUP
Small-Scale Events (Mix and Match) (winery events are governed by winery ordinance and permits approved thereunder, LUDC Section 35.42.280)	May include any combination of the following operated on a commercial basis: <ul style="list-style-type: none"> • Farm-to-table dinners • Cooking classes • Weddings • Receptions • Parties • Writing or yoga workshops • Non-motorized trail runs, bike races, equestrian endurance rides, and similar activities • Similar gatherings 	<ul style="list-style-type: none"> • ≤ 100 ac: 50 attendees max • > 100-320 ac: 75 attendees max • > 320 ac: 100 attendees max • Not more than 8 days per year • Not more than 2 days per month • No new structures or additions requiring planning permits 	<ul style="list-style-type: none"> • ≤ 100 ac: 80 attendees max • > 100-320 ac: 120 attendees max • > 320 ac: 150 attendees max • Not more than 12 days per year • Not more than 3 days per month • One new agricultural enterprise accessory structure not to exceed 2,500 sf gross floor area 	Events that do not comply with standards for exemption or ZC/LUP/CDP may be allowed with Minor CUP pursuant to existing regulations (LUDC Subsection 35.42.260,F.9 and Article II CZO Subsection 35-137.3.3.a)
Supplementary Agricultural Uses				
Agricultural Processing Beyond the Raw State (small-scale)	Small-scale processing beyond the raw-state of agricultural products produced on the same site or from other properties. Does not include agricultural uses that are already subject to ag processing standards (e.g., winery or cannabis).	<ul style="list-style-type: none"> • All material to be processed originates from the premises • No new structures or additions that would require planning permits 	<ul style="list-style-type: none"> • Any new structures limited to less than 5,000 sf gross floor area³ 	Ag processing that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP
Agricultural Product Preparation	Drying, freezing, pre-cooling, packaging of ag products, and milling of flour, feed, and grain. Does not include agricultural uses that are already subject to ag processing standards (e.g., winery or cannabis).	<ul style="list-style-type: none"> • All material originates from the premises • No new structures or additions that would require planning permits 	<ul style="list-style-type: none"> • Any new structures limited to less than 5,000 sf gross floor area³ 	Ag product preparation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP
Aquaponics	A closed system of aquaculture in which the waste produced by farmed fish or other aquatic creatures supplies the nutrients for plants grown hydroponically, which in turn purify the water in the system.	<ul style="list-style-type: none"> • No new structures or additions that would require planning permits 	<ul style="list-style-type: none"> • Operation that requires new structures or additions that would require planning permits 	N/A

Use	Summary Descriptions	Exempt	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Minor Conditional Use Permit (CUP) or CUP
Composting	A commercial facility that produces compost from the organic material of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations in California Code of Regulations (CCR), Title 14, Division 7.	<p>Small General Composting</p> <ul style="list-style-type: none"> • Feedstock may be any combination of green material, agricultural material, food material, and vegetative food material • Maximum amount of feedstock and compost, alone or in combination on-site at any one time (\leq 100 cubic yards [cy] and \leq 750 sf) • No limit on amount that can be sold or given away annually (14 CCR §17855[a][4]) <p>Agricultural Material Composting</p> <ul style="list-style-type: none"> • Agricultural material derived from an agricultural site and returned to the same site or agricultural site owned or leased by the owner, parent, or subsidiary • No more than 1,000 cy of compost product may be given away or sold annually (14 CCR §17855[a][1]) • Landowner may conduct both operations if they are separated clearly (spatially or otherwise) so that resources and operations are not commingled 	<p>Small General Composting</p> <ul style="list-style-type: none"> • Feedstock may be any combination of green material, agricultural material, and vegetative food material • Maximum amount of feedstock and compost, alone or in combination may not exceed 1,000 cy on-site at any one time • No limit on amount that can be sold or given away annually <p>Agricultural Material Composting</p> <ul style="list-style-type: none"> • If feedstock is limited to agricultural material, agricultural material composting operations may handle an unlimited quantity of agricultural material on the site and may sell or give away any or all compost they produce (14 CCR §17856) • Landowner may conduct both operations if they are separated clearly (spatially or otherwise) so that resources and operations are not commingled 	Larger operations and/or other composting operations that include food material, vegetative food material, and/or other feedstock materials may be allowed with a CUP pursuant to existing regulations (LUDC Section 35.42.100)
Farm Stand	Revises regulations for farm stands on AG-II to be consistent with state law regulating farm stands (CA Retail Food Code Section 114375).	<ul style="list-style-type: none"> • If a structure is required for sale of ag products, it must occur within an existing agricultural structure or from a separate stand, not exceeding 800 sf • Allows sale of artisanal crafts (up to 20% of floor area) • Up to 50 sf of sales area for bottled water, sodas, and other non-hazardous foods produced off-site 	<ul style="list-style-type: none"> • New farm stand structure up to 1,500 sf may be allowed • Allow sales of artisanal crafts (up to 20 percent of floor area) • Up to 50 sf of sales area for bottled water, sodas, and other non-hazardous foods produced off-site 	N/A

Use	Summary Descriptions	Exempt	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Minor Conditional Use Permit (CUP) or CUP
Firewood Processing and Sales	The conversion of raw plant material into firewood and the sale thereof.	<ul style="list-style-type: none"> All materials shall originate from the premises Premises shall be planted with the source product No new structures or additions requiring planning or water/wastewater permits In compliance with Deciduous Oak Tree Protection and Regeneration Ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal 	<ul style="list-style-type: none"> No new structures or additions that would require planning permits In compliance with Deciduous Oak Tree Protection and Regeneration Ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal 	<p>Operation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP</p> <p>In compliance with Deciduous Oak Tree Protection and Regeneration Ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal</p>
Lumber Processing and Milling	A facility that produces lumber including dimensional boards and specific shaped items from harvested trees.	N/A	<ul style="list-style-type: none"> Premises shall be planted with the source product No new structures or additions that would require planning permits In compliance with Deciduous Oak Tree Protection and Regeneration ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal 	<p>Operation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP</p> <p>In compliance with Deciduous Oak Tree Protection and Regeneration Ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal</p>
Tree Nut Hulling	Removing the outer hull (also known as the husk) or shell from the nut by manual or mechanical methods.	<ul style="list-style-type: none"> All material originates from the premises No new structures or additions that would require planning permits 	<ul style="list-style-type: none"> Any new structures limited to less than 5,000 sf gross floor area⁴ 	<p>Agricultural processing that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP</p>

ATTACHMENT B

Summary of Potential Development Standards

The list below is a summary of common development standards that would apply to proposed AEO uses. All proposed development standards are included in the draft LUDC and CZO ordinance amendment text included in Attachments C and D.

Development standards are proposed to: (1) support the objectives of the project to allow supplemental agricultural uses and rural recreational/agritourism uses on lands zoned AG-II that will support agricultural operations while minimizing potential adverse effects on agricultural resources, the natural environment and natural resources, and the general public health, safety, and welfare, (2) address the mitigation measures identified in the Draft Environmental Impact Report, and (3) ensure that AEO uses are consistent with the Santa Barbara County Comprehensive Plan and the County Code. Certain standards, such as those for parking, differ for uses that would have different parking needs (e.g., small-scale special events and farmstands) and are not presented in this summary.

1. The use shall be incidental, supportive, and supplemental to the primary agricultural uses of working farms and ranches that produce agricultural products on the premises.
2. The operation shall not significantly compromise the agricultural operations or the long-term productive agricultural capability or natural resources of the subject premises or adjacent and surrounding premises.
3. **Informational Advisory.** Operators of farmstays, campgrounds, fishing, horseback riding, hunting, educational experiences and opportunities, and small-scale special events shall provide an informational advisory to guests disclosing the following:
 - a. The operation is located on an active agricultural operation and visitors may be exposed to minor inconveniences associated with the agricultural operation such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands.
 - b. The informational advisory shall also advise potential guests that visitors to active agricultural lands must respect the property and pre-existing agricultural operations, and avoid trespassing beyond designated visitor areas.
4. **Fire Protection Plan.** Prior to commencement of agricultural enterprise uses that bring the public to the premises, the applicant shall submit a Fire Protection Plan to the County Fire Department for review and approval in compliance with Chapter 15 (Fire Prevention) of the County Code. The Fire Protection Plan shall identify potential ignition sources (such as campfire rings), measures intended to reduce the potential for wildfire, firefighting infrastructure, emergency ingress and egress, emergency evacuation routes and shelter locations in the event of wildfire, and any additional information required by the County Fire Department. The Plan shall be updated and resubmitted, as necessary, should there be any changes to the conditions on the site (such as increased intensity of uses, change of use, or additional uses). The County Fire Department shall retain the ability to modify the conditions in the plan to address any safety issues that may arise.
5. **Setbacks from Sensitive Habitats.**
 - a. Agricultural enterprise uses and related development, including, parking, grading, and ground-disturbing activities in support of new development, shall be located a minimum of 100 feet from the edge of the following sensitive habitats:

- (1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - (2) Wetlands
 - (3) Vernal pools
 - (4) Native woodlands and forests
 - (5) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - (6) Native grasslands
 - (7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
 - b. The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department.
 - c. Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing an exempt use, prior to issuance of a Zoning Clearance, or prior to approval of a Land Use Permit, Coastal Development Permit, or Conditional Use Permit, as applicable.
6. **Oak Tree and other Native Tree Protection.** Any new development or parking areas for an agricultural enterprise use, including grading and ground-disturbing activities in support of new development or parking areas, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. If a permit is required, applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.
7. **Fencing for Wildlife Movement.** If fencing is required for agricultural enterprise uses, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.
- a. Fences and gates shall be wildlife-permeable.
 - b. The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
 - c. Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for agricultural enterprise uses unless necessary to separate livestock operations from the use.
8. **Cultural Resources.** Archaeological and other tribal cultural resources shall be protected in compliance with applicable cultural resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. If subsurface ground disturbing activities are proposed for agricultural enterprise uses on lands where no previous permitted ground disturbance or prior archaeological surveys have occurred, the applicant shall submit to the Department a Phase 1 cultural resource study prepared by a qualified archaeologist documenting the absence or presence of cultural resources in the project area.

9. **Historic Resources.** Historic resources shall be preserved, restored, and renovated consistent with applicable historic resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. Applicants proposing to repurpose existing structures that are greater than 50 years in age and/or designated as an historic landmark or place of historic merit for an agricultural enterprise use shall submit to the Department a Phase 1 investigation prepared by a qualified historian.
10. **Hazardous Materials Avoidance and Incidental Discovery.** Agricultural enterprise uses shall be located to avoid areas that are known to be contaminated with hazardous agricultural chemicals. In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during grading or construction for an agricultural enterprise use, construction activities in the immediate vicinity of the contamination shall cease immediately and the applicant shall immediately notify the Department and, as applicable the Hazardous Waste Unit of County Fire and Site Mitigation Unit of County Environmental Health.
11. The agricultural enterprise use shall not include a new at-grade crossing of Highway 101 or State highways.
12. **Signs.** Signs accessory to agricultural enterprise uses shall comply with Chapter 35.38 (Sign Standards).
13. **Lighting.** Lighting accessory to agricultural enterprise uses shall comply with Section 35.30.120 (Outdoor Lighting).
14. **Critical Viewshed Corridor Overlay.** Agricultural enterprises uses within the Gaviota Coast Plan area shall comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.
15. Existing structures to be repurposed for use as part of an agricultural enterprise operation shall be reviewed by the County Building and Safety Division and County Fire Department for compliance with Chapter 10 (Building Regulations) and Chapter 15 (Fire Prevention), respectively, and shall comply with all required changes to ensure the structure meets the minimum public health and safety requirements for the proposed use.

The following standards would apply to projects that would bring the public to the property (e.g. campgrounds, farmstays, educational opportunities, small-scale special events).

16. Prior to commencement of an exempt use in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), the issuance of a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances), the approval of a Land Use Permit approved in compliance with Section 35.82.110 (Land Use Permits), or, in the Coastal Zone, the approval of a Coastal Development Permit approved in compliance with Section 35-169, the use shall be reviewed and approved by:
 - a. The Public Health Department in regards to the provision of sufficient onsite wastewater disposal in compliance with Chapter 18C (Environmental Health Services), and sufficient potable water in compliance with Chapter 35B (Domestic Water Systems), of the County Code.
 - b. The County Fire Department in regards to fire safety in compliance with Chapter 15 (Fire Prevention) of the County Code.
17. **Noise standards.** Small-scale special events and educational experiences and opportunities shall comply with the following standards:

- a. Outdoor amplified sound shall only be allowed from 10 a.m. to 10 p.m.
 - b. Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the premises.
 - c. Sources of amplified sound shall be located no closer than 500 feet from the exterior boundary of the premises. If the premises boundary is adjacent to a lot zoned for residential uses, activities shall be located no closer than 1,000 feet from the premises boundary.
 - d. Amplified sound system speakers shall be directed away from the premises boundary.
18. **Incidental Food.** Development standards and use limitations applicable to all incidental food services.
- a. The provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and the agricultural enterprise use that brings the public to the agricultural premises. Incidental food service shall not be operated as a food service establishment independent of the agricultural enterprise use.
 - b. Incidental food service shall be limited to the hours of operation of the agricultural enterprise use that brings the public to the agricultural premises.
 - c. The incidental food service operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:
 - a. Use a waste collection company if the premises is already receiving regular solid waste handling services.
 - b. Transport the solid waste to an authorized solid waste facility.
 - d. The incidental food service shall comply with all standards regarding the provision, storage, and service of food, in addition to water supply and sanitation facilities, as required by the County Public Health Department.
 - e. County Fire Department requirements shall be met.
19. **Campgrounds.** See draft LUDC and CZO amendments for additional campground development standards.
- a. Stays are limited to a maximum of 30 consecutive days.
 - b. The campground operation shall maintain quiet hours in effect from 10:00 PM to 7:00 AM seven days a week.
 - c. All campground facilities and activities shall be located no closer than 1,000 feet from the property line of the farm or ranch premises on which the campground is located or from a public road.
 - d. The campground shall not be located on property zoned with the Critical Viewshed Corridor Overlay unless the Director determines that the location of the campground is not visible from Highway 101 due to natural intervening topography.

ATTACHMENT C

**Draft Agricultural Enterprise Ordinance Amendment Language
County Land Use and Development Code (LUDC)**

The draft agricultural enterprise ordinance amendment language is provided for the Planning Commission’s review and consideration. Each section is presented in the order in which it appears in the LUDC with a brief introduction to the proposed changes. Existing ordinance language will be presented in standard font, with proposed revisions in strikethrough and underline fonts. In some instances, ordinance language has been relocated to a different section of the LUDC and is presented as existing text with proposed revisions in strikethrough and underline fonts.

At the beginning of each section, for context and ease of reference, this attachment presents definitions relevant to the uses in the section. The ordinance amendment will include several new definitions and proposes to amend others. The definitions and any amendments will be addressed in Section 35.110.020 of the LUDC.

Zoning Clearance or Land Use Permit. *For each of the agricultural enterprises uses (including existing uses to be amended and proposed new uses), the ordinance will propose levels or intensities of use at which the use may be exempt or allowed with a Zoning Clearance or Land Use Permit. At the permit level, the draft presents a level of use that may be allowed with either a Zoning Clearance or Land Use Permit. The required permit type will be decided by the Board of Supervisors, with a recommendation from the Planning Commission.*

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Subsection 35.21.030.E Agricultural Zones Allowable Land Uses – Table 2-1

Table 2-1 of Section 35.21.030.E (Agricultural Zones Allowable Land Uses) presents the allowable land uses and permit requirements for the agricultural zones. Table 2-1 will be amended to add new agricultural enterprise uses and proposed changes to the permit requirements for existing uses that will be amended by the proposed ordinance. The proposed changes to the table are presented beginning on the next page.

Table 2-1 Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	35.42.020
Agricultural processing - On-premises products	P	S,P (3)	35.42.040
Agricultural processing - Off-premises products	—	S,CUP (3)	35.42.040
Agricultural processing - Product preparation	—	S	35.42.040
Agricultural processing - Small-scale beyond the raw state	—	S	35.42.040
Agricultural processing - Tree nut hulling	—	S	35.42.040
Agricultural processing - Extensive	—	CUP (34)	35.42.040
Animal keeping (except equestrian facilities, see RECREATION)	S	S	35.42.060
Aquaculture	—	CUP	
Aquaponics	—	S (5)	35.21.035060
Cannabis – Cultivation and nursery	S	S	35.42.075
Cannabis – Microbusiness	—	S	35.42.075
Cultivated agriculture, orchard, vineyard	E	E	
Grazing	E	E	
Greenhouse	P	P (46)	35.42.140
Hoop structure and shade structure	S	S	35.42.140
Mining - Agricultural soil export	—	MCUP	35.82.160
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (57)	P (57)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	35.82.160
Oil and gas uses	S	S	35.5
Utility-scale photovoltaic facilities	—	CUP	35.59
Winery	S	S	35.42.280

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Cannabis – Manufacturing	S	S	35.42.075
Cannabis – Testing	—	—	
Composting facility	MCUP	MCUP	35.42.100
Composting (small scale and agricultural material)	—	S (5)	35.21.100060
Fertilizer manufacturing	—	CUP (34)	
Firewood processing and sales	—	S (5)	35.21.035060
Lumber processing, milling (small scale)	—	S (5)	35.21.035060

Key to Zone Symbols

AG-I	Agriculture I	AG-II	Agriculture II
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Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.21.030.C](#).
- (3) See Subsection [35.42.040.C](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (34) Use limited to areas designated on the Land Use Element Maps with the “Agricultural Industry overlay.”
- (5) Limited to locations within the Gaviota Coast Plan area.
- (46) See Subsection [35.42.140.B.2](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (57) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

<u>Campground</u>	==	S	<u>35.42.240</u>
Country club	CUP	CUP	
<u>Educational experiences and opportunities</u>	==	S	<u>35.42.035</u>
Equestrian facilities	CUP	P-(3)	
Fairgrounds	CUP	CUP	
<u>Fishing operation</u>	==	S	<u>35.42.240</u>
Golf course	CUP	CUP	
Golf driving range	CUP	CUP	
<u>Horseback riding</u>	==	S	<u>35.42.240</u>
<u>Hunting</u>	==	S	<u>35.42.240</u>
<u>Incidental food service</u>	==	S	<u>35.42.035</u>
Meeting facility, public or private	CUP	CUP	
Meeting facility, religious	CUP	CUP	
Museum	CUP	CUP	
Rural recreation	—	CUP-(3)	<u>35.42.240</u>
School	CUP	CUP	
School - Business, professional or trade	CUP	CUP	
<u>Small-scale special events</u>	==	S	<u>35.42.035</u>
Sports and outdoor recreation facilities	CUP	CUP	

Key to Zone Symbols

AG-I	Agriculture I
AG-II	Agriculture II

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.21.030.C](#).
- (3) See Subsection [35.42.240.D](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

RESIDENTIAL USES

Accessory dwelling unit	S	S	35.42.015
Agricultural employee housing	S	S	35.42.030
Artist studio	P	P	35.42.150
Dwelling, one-family (3)	P	P	
Farmworker dwelling unit	P	P	35.42.135
Farmworker housing complex	P	CUP	35.42.135
Guesthouse	P	P	35.42.150
Home occupation	P	P	35.42.190
Incentive dwelling unit	—	P (4)	35.28.210.I
Junior accessory dwelling unit	S	S	35.42.015
Monastery	CUP	CUP	
Residential accessory uses and structures	P	P	35.42.020
Special care home, 7 or more clients	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	35.42.090

RETAIL TRADE

Agricultural product sales, <u>Farm stands</u>	P	<u>S P-(5)</u>	35.42.050
Cannabis - Retail	—	—	

SERVICES

Cemetery	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	
Large family day care home	P	P	35.42.090
Small family day care home	E	E	35.42.090
Day care center, Non-residential	MCUP	MCUP	35.42.090
Day care center, Residential	MCUP	MCUP	35.42.090
<u>Lodging - Farmstay</u>	—	<u>S</u>	<u>35.42.134</u>
Lodging - Guest ranch	—	CUP-(6)	<u>35.42.240</u>
Lodging - Homestay	P	—	35.42.193
Lodging - Hostel	—	CUP	35.42.240
Lodging - Short-term rental	—	—	
Mausoleum	CUP	CUP	
Medical services - Animal hospital	MCUP	P	35.42.250
Mortuary, accessory to cemetery	CUP	CUP	35.42.120

Key to Zone Symbols

AG-I	Agriculture I
AG-II	Agriculture II

Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection [35.21.030.C](#).
- (3) One-family dwelling may be a mobile home on a permanent foundation, see [Section 35.42.205](#).
- (4) Limited to locations within the Gaviota Coast Plan area; see Subsection [35.28.210.I](#).
- (5) See Subsection [35.42.050.E](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (6) See Subsection [35.42.240.D](#) for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Agricultural product transportation facility	—	CUP	35.42.040.B.2
Airport, public	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	
Cannabis - Distribution	S	S	35.42.075
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project, less than 20,000 sf total area	P	P	
Flood control project, 20,000 sf or more total area	MCUP	MCUP	
Heliport	CUP	CUP	
Pipeline - Oil or gas	P	P	35.5
Public utility facility	CUP	CUP	
Public works or private service facility	MCUP	MCUP	
Road, street, less than 20,000 sf total area	P	P	
Road, street, 20,000 sf or more total area	P	P	
Telecommunications facility	S	S	35.44
Wind turbines and wind energy systems	S	S	35.57

WATER SUPPLY & WASTEWATER FACILITIES

Onsite Wastewater Treatment System, individual, alternative	MCUP	MCUP	
Onsite Wastewater Treatment System, individual, conventional	E	E	
Onsite Wastewater Treatment System, individual, supplemental	E	E	
Pipeline - Water, reclaimed water, wastewater	P	P	
Reservoir, less than 50,000 sf of total development	P	P	
Reservoir, 50,000 sf or more of total development	MCUP	MCUP	
Wastewater treatment facility, less than 200 connections	CUP	CUP	
Water diversion project	P	P	
Water extraction, commercial	CUP	CUP	
Water system with 1 connection	E	E	
Water system with 2 to less than 5 connections	P	P	
Water system with 5 or more connections	MCUP	MCUP	
Water well, agricultural	E	E	

Key to Zone Symbols

AG-I	Agriculture I		
AG-II	Agriculture II		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Subsection 35.21.030.C.
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

***Delete* Section 35.21.060 - Permit Requirements and Development Standards for Specific Land Uses in the Gaviota Coast Plan Area**

Section 35.21.060 (Permit Requirements and Development Standards for Specific Land Uses in the Gaviota Coast Plan Area) provides permit requirements and development standards for the following four uses on lands zoned AG-II in the Gaviota Coast Plan Area: aquaponics, composting (small scale), firewood processing and sales, and lumber processing, milling (small scale). The proposed Agricultural Enterprise Ordinance would delete Section 35.21.060 in its entirety and (1) relocate and amend the regulations for aquaponics, firewood processing and sales, and lumber processing and milling (small scale) to a new section, Section 35.42.035 (Agricultural Enterprises), and (2) relocate and amend composting (small scale) to existing Section 35.42.100 (Composting Facilities).

~~35.21.060 – Permit Requirements and Development Standards for Specific Land Uses in the Gaviota Coast Plan Area~~

~~**A. Purpose and intent.** This Section determines the type of planning permit required for the specific land uses listed below, and provides development standards and structure size limitations related to the intensity of the land use. The intent is to provide for flexibility in the development of uses that are individually and cumulatively accessory to, supportive of, and subordinate to the primary agricultural use of the property while promoting orderly development of these uses within the Gaviota Coast Plan area, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, and prevent impacts to natural, cultural, and visual resources. The cumulative uses on any premises shall be incidental and subordinate to the agriculture activity located on the premises.~~

~~**B. Applicability.** The requirements of this Section 35.21.060 (Permit Requirements and Development Standards for Specific Uses in the Gaviota Coast Plan Area) apply to applications for development of land uses that are that are proposed to be located on property zoned Agricultural II (AG II) within the Gaviota Coast Plan area.~~

~~**C. Specific land uses.** A land use and/or activity addressed by this Section shall comply with the provisions of each subsection applicable to the specific use in addition to all other applicable provisions of this Development Code.~~

~~**1. Aquaponics (closed system).**~~

~~a. An Aquaponics system may be allowed with an exemption in compliance with [35.20.040 \(Exemptions from Planning Permit Requirements\)](#) if the activity complies with the following development standards:~~

~~(1) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~

~~b. An Aquaponics system (closed) that does not comply with the development standards in Subsection C.1.a, above, may be allowed in compliance with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#).~~

~~**2. Composting (small scale).**~~

~~a. A composting (small scale) operation may be allowed with an exemption in compliance with [35.20.040 \(Exemptions from Planning Permit Requirements\)](#) if the activity complies with the~~

~~following development standards.~~

- ~~(1) The feedstock for the composting operation originates from onsite.~~
- ~~(2) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
- ~~(3) There is no more than 500 cubic yards of compost on site at any one time.~~
- ~~(4) No more than 1,000 cubic yards of compost is sold or given away annually.~~
- ~~(5) The compostable material may also include up to 10 percent food matter.~~
- ~~(6) Compost piles shall not exceed 12 feet in height.~~
- ~~(7) The operator of the Composting (small scale) operation shall maintain and follow an odor abatement plan per Santa Barbara County Air Pollution Control District guidance.~~
- ~~(8) The operation shall be located a minimum of 200 feet from any adjacent lot and 300 feet from any dwelling located on an adjacent lot.~~
 - ~~(a) The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.~~
 - ~~(b) The operation shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the operation commences production, a dwelling is constructed on an adjacent lot that is not under the same ownership as the lot that the operation is located on and the location of the dwelling is within the setback distance specified above.~~

~~b. A composting (small scale) operation may be allowed in compliance with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) if the activity complies with the following development standards.~~

- ~~(1) All of the material used in the operation shall originate within Santa Barbara County.~~
- ~~(2) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
- ~~(3) There is no more than 500 cubic yards of compost on site at any one time.~~
- ~~(4) No more than 1,000 cubic yards of compost is sold or given away annually.~~
- ~~(5) The compostable material may also include up to 10 percent food matter.~~
- ~~(6) Compost piles shall not exceed 12 feet in height.~~
- ~~(7) The operator of the Composting (small scale) operation shall maintain and follow an odor abatement plan per Santa Barbara County Air Pollution Control District guidance.~~
- ~~(8) The operation is in compliance [Section 35.28.070 \(Critical Viewshed Corridor \(CVC\) Overlay\)](#), if applicable.~~
- ~~(9) The operation shall be located a minimum of 200 feet from any adjacent lot and 300 feet from any dwelling located on an adjacent lot.~~
 - ~~(a) The applicable setback does not apply if the adjacent lot is under the same~~

ownership as the lot that the operation is located on.

~~(b) The operation shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the operation commences production, a dwelling is constructed on an adjacent lot that is not under the same ownership as the lot that the operation is located on and the location of the dwelling is within the setback distance specified above.~~

~~3. Firewood processing and sales.~~

~~a. Firewood processing and sales may be allowed with an exemption in compliance with [35.20.040 \(Exemptions from Planning Permit Requirements\)](#) if the activity complies with the following development standards.~~

- ~~(1) All of the material used in the Firewood processing and sales operation shall originate from the premises where the processing occurs.~~
- ~~(2) The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this section.~~
- ~~(3) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
- ~~(4) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
- ~~(5) The operation shall be in compliance with the Agricultural Commissioner's Guidelines for export of plant material.~~
- ~~(6) Firewood processing and sales operations shall be in compliance with [Section 35.28.100 \(Environmentally Sensitive Habitat Area Overlay Zone\)](#) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~
- ~~(7) The use will not significantly compromise the long term productive agricultural capability or natural resources of the subject lots(s) or adjacent lot(s).~~

~~b. Firewood processing and sales may be allowed in compliance with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) if the activity complies with the following development standards.~~

- ~~(1) Firewood from offsite sources shall be limited to no more than 49 percent of the total volume of firewood processed on the facility premises.~~
- ~~(2) The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this section.~~
- ~~(3) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
- ~~(4) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
- ~~(5) The operation shall be in compliance with the Agricultural Commissioner's Guidelines~~

for import and export of plant material.

- (6) ~~Firewood processing and sales operations shall be in compliance with [Section 35.28.100 \(Environmentally Sensitive Habitat Area Overlay Zone\)](#) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~
- (7) ~~The use will not significantly compromise the long term productive agricultural capability or natural resources of the subject lots(s) or adjacent lot(s).~~
- e. ~~Firewood processing and sales operations that do not comply with the development standards in Subsection C.3.a or Subsection C.3.b, above, may be allowed in compliance with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:~~
 - (1) ~~The operation will not result in significant adverse impacts to visual resources.~~
 - (2) ~~The operation will not include a new at grade crossing of Highway 101.~~
 - (3) ~~The operation will be in compliance with [Section 35.28.100 \(Environmentally Sensitive Habitat Area Overlay Zone\)](#) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~

4. ~~Lumber processing, milling (small scale).~~

- a. ~~Lumber processing and milling may be allowed in compliance with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) if the activity complies with the following development standards.~~
 - (1) ~~All of the material used in the lumber processing, milling operation shall originate within Santa Barbara County.~~
 - (2) ~~Lumber from offsite sources shall be limited to no more than 49 percent of the total volume of lumber processed on the facility premises.~~
 - (3) ~~The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this section.~~
 - (4) ~~The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
 - (5) ~~The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
 - (6) ~~The operation shall be in compliance with the Agricultural Commissioner's Guidelines for import and export of plant material.~~
 - (7) ~~Lumber processing and milling operations shall be in compliance with [Section 35.28.100 \(Environmentally Sensitive Habitat Area Overlay Zone\)](#) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~
- b. ~~Lumber processing and milling operations that do not comply with the development standards in Subsection C.4.a, above, may be allowed in compliance with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:~~

- (1) ~~The operation will not result in significant adverse impacts to visual resources.~~
- (2) ~~The operation will not include a new at grade crossing of Highway 101.~~
- (3) ~~The operation will be in compliance with [Section 35.28.100 \(Environmentally Sensitive Habitat Area Overlay Zone\)](#) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~

New Draft Section 35.42.035 – Agricultural Enterprises

In addition to amending aquaponics, firewood processing and sales, and lumber processing and milling (small scale), new Section 35.42.035 also proposes permit requirements and development standards for the following new agricultural enterprise uses: educational experiences and opportunities, incidental food service, and small-scale special events. The draft text below presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Definitions

~~**Agricultural and Natural Resource Educational Experience.** An instructional program that integrates academic and technical preparation and includes real world relevant experiences in areas such as agricultural business, agricultural mechanics, agriscience, animal science, forestry and natural resources, ornamental horticulture, and plant and soil science. Program components may include classroom and laboratory instruction, and supervised agricultural experience projects.~~

Educational Experiences and Opportunities. An agricultural enterprise use, operated on a commercial basis, consisting of the following uses: small guided tours of a farm or ranch; academic and technical training for farmers and ranchers in all areas of the agricultural sciences and agricultural business; and educational workshops and experiences for the general public regarding the agricultural and natural resources on the premises including large guided farm and ranch tours, botany, bird and wildlife viewing and studies, photography, astronomy, and other similar agricultural, natural resources, and cultural educational experiences.

Aquaponics. A closed system of aquaculture in which the waste produced by farmed fish or other aquatic creatures supplies the nutrients for plants grown hydroponically which in turn purify the water in the system.

Agricultural Premises. The area of agricultural land consisting of a single lot or multiple contiguous lots under one ownership.

Firewood Processing and Sales. The conversion of raw plant material into firewood and the sale thereof.

Incidental Food Service. Provision of food to guests of an agricultural premises allowed in conjunction with an agricultural enterprise activity that brings the public to the farm or ranch. Provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and the agricultural enterprise uses.

Lumber Processing, and Milling. A facility that produces lumber including dimensional boards and specific shaped items from harvested trees.

Small-Scale Special Event – Agricultural Enterprise. A use or event of short duration (one day or less) that is accessory and incidental to the principal agricultural use of an agricultural premises, operated on a commercial basis. The use may recur on an intermittent basis. The recurring use or event may include farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings, and non-motorized trail runs, bike races, equestrian endurance rides, and similar activities.

35.42.035 – Agricultural Enterprises

- A. **Purpose and intent.** This Section determines the type of planning permit required for the specific agricultural enterprise land uses listed below, and provides development standards and structure size limitations related to the intensity of ~~the each~~ land use. The intent is to provide for flexibility in the development of uses that are individually and cumulatively accessory to, supportive of, and subordinate to the primary agricultural use of the property while promoting orderly development of these uses ~~within the Gaviota Coast Plan area~~ on agricultural lands zoned AG-II, and to ensure their compatibility with

surrounding land uses in order to protect the public health and safety, and prevent impacts to natural, cultural, agricultural, and visual resources. The cumulative uses on any premises shall be incidental and subordinate to the agriculture activity located on the premises.

B. Applicability.

1. AG-II zone. The requirements of this Section 35.42.035 (Agricultural Enterprises) ~~35.21.060 (Permit Requirements and Development Standards for Specific Uses in the Gaviota Coast Plan Area)~~ apply to ~~applications for development of agricultural enterprise land uses that are proposed to be located on property lands zoned Agricultural II (AG-II), within the Gaviota Coast Plan area.~~

2. Agricultural Use Required. The proposed agricultural enterprise uses and related development shall be allowed only on active working farms or ranches that produce agricultural products, which serves as the primary land use of the premises.

3. Allowed uses.

a. The following agricultural enterprise uses may be allowed in compliance with Subsection 25.42.035.C (Specific land uses), below.

1. Aquaponics (closed system).
2. Educational experiences and opportunities.
3. Firewood processing and sales.
4. Incidental food service.
5. Lumber processing and milling (small scale).
6. Small-scale special events.

b. In addition to the specific land uses allowed by Subsection 35.42.035.C (Specific land uses), below, the following agricultural enterprises uses may be allowed in compliance with the specific Sections referenced below:

1. Agricultural processing, including product preparation, small-scale processing beyond the raw state, and tree nut hulling in compliance with Section 35.42.050 (Agricultural Processing).
2. Agricultural product sales, including farm stands, in compliance with Section 35.42.050 (Agricultural Product Sales).
3. Composting (small scale) in compliance with Section 35.42.100 (Composting Facilities).
4. Farmstays in compliance with Section 35.42.134 (Farmstays).
5. Rural recreation, including campgrounds, fishing operation, horseback riding, and hunting, in compliance with Section 35.42.240.
6. Incidental food service at wineries with tasting rooms in compliance with Section 35.42.280 (Wineries).

C. Specific land uses. An agricultural enterprise land use and/or activity addressed by this Section shall comply with the provisions of each subsection applicable to the specific use and applicable development standards in Subsection D, below, in addition to all other applicable provisions of this Development Code.

1. Aquaponics (closed system).

- a. An Aquaponics system (closed) may be exempt from the requirement to obtain a permit allowed with an exemption in compliance with 35.20.040 (Exemptions from Planning Permit Requirements) if provided the activity complies with the following development standards.
- (1) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
- b. An Aquaponics system (closed) that does not comply with the development standards in Subsection C.1.a, above, may be allowed in compliance with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits).

2. Composting (small scale).

- a. A composting (small scale) operation may be allowed with an exemption in compliance with 35.20.040 (Exemptions from Planning Permit Requirements) if the activity complies with the following development standards.
- (1) The feedstock for the composting operation originates from onsite.
 - (2) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
 - (3) There is no more than 500 cubic yards of compost on site at any one time.
 - (4) No more than 1,000 cubic yards of compost is sold or given away annually.
 - (5) The compostable material may also include up to 10 percent food matter.
 - (6) Compost piles shall not exceed 12 feet in height.
 - (7) The operator of the Composting (small scale) operation shall maintain and follow an odor abatement plan per Santa Barbara County Air Pollution Control District guidance.
 - (8) The operation shall be located a minimum of 200 feet from any adjacent lot and 300 feet from any dwelling located on an adjacent lot.
 - (a) The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.
 - (b) The operation shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the operation commences production, a dwelling is constructed on an adjacent lot that is not under the same ownership as the lot that the operation is located on and the location of the dwelling is within the setback distance specified above.
- b. A composting (small scale) operation may be allowed in compliance with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) if the activity complies with the following development standards.
- (1) All of the material used in the operation shall originate within Santa Barbara County.
 - (2) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.

- ~~(3) — There is no more than 500 cubic yards of compost on site at any one time.~~
- ~~(4) — No more than 1,000 cubic yards of compost is sold or given away annually.~~
- ~~(5) — The compostable material may also include up to 10 percent food matter.~~
- ~~(6) — Compost piles shall not exceed 12 feet in height.~~
- ~~(7) — The operator of the Composting (small scale) operation shall maintain and follow an odor abatement plan per Santa Barbara County Air Pollution Control District guidance.~~
- ~~(8) — The operation is in compliance [Section 35.28.070 \(Critical Viewshed Corridor \(CVC\) Overlay\)](#), if applicable.~~
- ~~(9) — The operation shall be located a minimum of 200 feet from any adjacent lot and 300 feet from any dwelling located on an adjacent lot.
 - ~~(a) — The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.~~
 - ~~(b) — The operation shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the operation commences production, a dwelling is constructed on an adjacent lot that is not under the same ownership as the lot that the operation is located on and the location of the dwelling is within the setback distance specified above.~~~~

2. Educational experiences and opportunities.

- a. Applicability.** Educational experiences and opportunities may be allowed in compliance with this Section 35.42.035.
- b. Allowed uses.** Allowed educational experiences and opportunities include the following:
 - (1) Small guided tours of farms or ranches.
 - (2) Educational workshops and experiences for the general public regarding the agricultural and natural resources on the premises including:
 - (a) Large guided tours of farms or ranches.
 - (b) Academic and technical training for farmers and ranchers in all areas of the agricultural sciences and agricultural business.
 - (c) Botany.
 - (d) Bird and wildlife viewing and studies.
 - (e) Photography.
 - (f) Astronomy.
 - (g) Other similar agricultural, natural resources, and cultural educational experiences.
- c. Permit requirements.** Educational experiences and opportunities may be exempt from the requirements to obtain a permit or may be allowed with a permit in compliance with the permit requirements identified in Table 4-2 below.

Table 4-2				
Permit Requirements for Educational Experiences and Opportunities on AG-II.				
		E Exempt ZC Zoning Clearance LUP Land Use Permit (1) MCUP Minor Conditional Use Permit		
Permit Requirement	Small Guided Tours	Other Educational Experiences and Opportunities	Combination of Small Guided Tours and Educational Experiences	Structure(s)
E	Maximum 15 attendees per tour and 80 tours per calendar year	Not to exceed 24 days per calendar year Maximum attendance shall not exceed: <ul style="list-style-type: none"> 50 attendees on premises of ≤ 100 acres 75 attendees on premises of > 100 to ≤ 320 acres 100 attendees on premises of > 320 acres 	Any combination of small guided tours and other educational experiences or opportunities may be allowed provided the maximum annual attendance shall not exceed: <ul style="list-style-type: none"> 1,200 attendees on premises of ≤ 100 acres 1,800 attendees on premises of > 100 to ≤ 320 acres 2,400 attendees on premises > 320 acres 	Does not propose the construction of any new structure(s) or addition(s) to existing structures that would require a planning permit. No grading or construction of new roads or trails.
ZC or LUP	Maximum 15 attendees per tour and 128 tours per calendar year	Not to exceed 24 days per calendar year Maximum attendance shall not exceed: <ul style="list-style-type: none"> 80 attendees on premises of ≤ 100 acres 120 attendees on premises of > 100 to ≤ 320 acres 150 attendees max on premises of ≥ 320 acres 	Any combination of small guided tours and other educational experiences or opportunities may be allowed provided the maximum annual attendance shall not exceed: <ul style="list-style-type: none"> 1,920 attendees on premises of < 100 acres 2,880 attendees on premises of > 100 to < 320 acres 3,600 attendees on premises > 320 acres 	One new accessory structure not to exceed 2,500 square feet of gross floor area may be allowed. No grading or construction of new roads or trails.
MCUP	Any educational experience not qualifying for an Exemption, Zoning Clearance or Land Use Permit.			

Note:

(1) Development Plan approval may also be required; see Subsection 35.21.030.C.

d. Specific use standards and use limitations for educational experiences and opportunities.

The following development standards and use limitations apply to all educational experiences and opportunities.

- (1) Educational experiences and opportunities shall be secondary, incidental, and subordinate to the primary agricultural use of the premises.

(2) Parking.

- (a) Sufficient usable area shall be available to accommodate all user vehicles entirely on the premises.
 - (b) Parking shall be limited to pre-existing disturbed areas free of combustible materials; parking shall not be allowed on areas of active cultivation or native vegetation.
 - (c) Appropriate temporary signage shall be placed on the premises prior to the commencement of each educational experiences activity directing attendees to and indicating the location of parking areas.
 - (d) A parking coordinator shall be present at all times during any educational experiences activity attended by 100 or more persons to manage and direct vehicular movement.
 - (e) Dust control measures shall be used to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
 - (f) Parking shall not be allowed within an adjoining road right-of-way or trail easement.
- (3) The educational experiences and opportunities operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:
- (a) Use a waste collection company if the premises is already receiving regular solid waste handling services.
 - (b) Transport the solid waste to an authorized solid waste facility.
- (4) Noise standards.** Educational experiences and opportunities shall comply with the following standards:
- (a) Outdoor amplified sound, if used for educational experiences and opportunities, shall only be allowed from 10 a.m. to 10 p.m.
 - (b) Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the premises.
 - (c) Sources of amplified sound shall be located no closer than 500 feet from the exterior boundary of the premises. If the premises boundary is adjacent to a lot zoned for residential uses, activities using amplified sound shall be located no closer than 1,000 feet from the nearest premises boundary.
 - (d) Amplified sound system speakers shall be directed away from the nearest premises boundary.

3. Firewood processing and sales.

- a. **Exempt.** Firewood processing and sales may be exempt from the requirements to obtain a permit ~~allowed with an exemption~~ in compliance with 35.20.040 (Exemptions from Planning Permit Requirements) if provided the activity complies with the following development standards.

- (1) All of the material used in the Firewood processing and sales operation shall originate from the premises where the processing occurs.
 - (2) The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this section.
 - (3) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
 - (4) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
 - (5) The operation shall be in compliance with the Agricultural Commissioner’s Guidelines for export of plant material.
 - (6) Firewood processing and sales operations shall be in compliance with ~~Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone)~~ and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code, and Appendix A (Grading Ordinance Guidelines for Native Oak Tree Removal) of Chapter 14 of the County Code.
 - ~~(7) The use will not significantly compromise the long term productive agricultural capability or natural resources of the subject lots(s) or adjacent lot(s).~~
- b. Land Use Permit.** Firewood processing and sales may be allowed in compliance with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) ~~if provided~~ the activity complies with the following development standards.
- ~~(1) Firewood from offsite sources shall be limited to no more than 49 percent of the total volume of firewood processed on the facility premises.~~
 - ~~(12)~~ (2) The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this section.
 - ~~(23)~~ (3) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
 - ~~(34)~~ (4) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
 - ~~(45)~~ (5) The operation shall be in compliance with the Agricultural Commissioner’s Guidelines for import and export of plant material.
 - ~~(56)~~ (6) Firewood processing and sales operations shall be in compliance with ~~Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone)~~ and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code, and Appendix A (Grading Ordinance Guidelines for Native Oak Tree Removal) of Chapter 14 of the County Code.
 - ~~(7) The use will not significantly compromise the long term productive agricultural capability or natural resources of the subject lots(s) or adjacent lot(s).~~

- c. **Conditional Use Permit.** Firewood processing and sales operations that do not comply with the development standards in Subsection C.3.a or Subsection C.3.b, above, may be allowed in compliance with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits). ~~provided the following additional findings are first made:~~
- ~~(1) The operation will not result in significant adverse impacts to visual resources.~~
 - ~~(2) The operation will not include a new at grade crossing of Highway 101.~~
 - ~~(3) The operation will be in compliance with Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~

4. Incidental food service.

a. Applicability.

- (1) Does not apply to wineries regulated separately.** This Subsection shall not apply to winery tasting rooms that are regulated by Section 35.42.280 (Wineries) of this Development Code. Incidental food service at winery tasting rooms on agricultural-zoned lands is regulated by Subsection 35.42.280.C.8. (Incidental food service at tasting rooms).
- (2) Incidental food service may be allowed on lands zoned AG-II as part of an exempt or approved agricultural enterprise use that brings members of the public to the premises and is a concurrent operation. Eligible agricultural enterprise uses include the following:**
 - (a) Campground, in compliance with Subsection 35.42.240.D.1.**
 - (b) Educational opportunities and experiences, in compliance with Subsection 35.42.035.C.2, above.**
 - (c) Fishing, in compliance with Subsection 35.42.240.D.2.**
 - (d) Horseback riding, in compliance with Subsection 35.42.240.D.3.**
 - (e) Hunting, in compliance with Subsection 35.42.240.D.4.**
 - (f) Small-scale special events, in compliance with Subsection 35.42.035.C.6, below.**

b. Permit Requirements.

- (1) Exempt.** The following types of incidental food service may be exempt from the requirements to obtain a permit in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) provided the use does not include new structures or additions to existing structures and complies with Subsection C.4.c. (Specific use standards and use limitations for incidental food service) and Subsection 35.42.035.D. (Development standards), below.
 - (a) Non-potentially hazardous prepackaged foods in compliance with California Retail Food Code Section 113871[c] and 114365.5[b] including shelf stable foods that do not require refrigeration.**
 - (b) Potentially hazardous prepackaged food in compliance with California Retail Food Code Section 113871 including perishable foods that may require refrigeration or other temperature control.**

(c) Prepackaged meals or picnics, such as salads or sandwiches, or other food prepared and delivered by an offsite permitted food facility.

(d) Food trucks.

(e) Catered food.

(2) Zoning Clearance or Land Use Permit. In addition to the foods allowed in compliance with Subsection C.4.b.(1) above, the following types of incidental food service may be allowed with a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances) or a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) provided the operation complies with Subsection C.4.c. (Specific use standards and use limitations for incidental food service) and Subsection 35.42.035.D. (Development standards), below.

(a) An outdoor barbeque not part of a food truck or catered food operation.

(b) An outdoor pizza oven not part of a food truck or catered food operation.

c. Specific use standards and use limitations for incidental food service. The following development standards and use limitations apply to all incidental food services.

(1) The provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and the agricultural enterprise use that brings the public to the agricultural premises. Incidental food service shall not be operated as a food service establishment independent of the agricultural enterprise use.

(2) Incidental food service shall be limited to the hours of operation of the agricultural enterprise use that brings the public to the agricultural premises.

(3) The incidental food service operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:

(a) Use a waste collection company if the premises is already receiving regular solid waste handling services.

(b) Transport the solid waste to an authorized solid waste facility.

(4) The incidental food service shall comply with all standards regarding the provision, storage, and service of food, in addition to water supply and sanitation facilities, as required by the County Public Health Department.

(5) County Fire Department requirements shall be met.

45. Lumber processing, and milling (small scale).

a. Land Use Permit. Small-scale L lumber processing and milling may be allowed in compliance with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) ~~if~~ provided the activity complies with the following development standards.

(1) All of the material used in the lumber processing, and milling operation shall originate within Santa Barbara County.

(2) ~~Lumber from offsite sources shall be limited to no more than 49 percent of the total volume of lumber processed on the facility premises.~~

- (23) The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this section.
 - (34) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
 - (45) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
 - (56) The operation shall be in compliance with the Agricultural Commissioner’s Guidelines for import and export of plant material.
 - (67) Lumber processing and milling operations shall be in compliance with ~~Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone)~~ and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code, and Appendix A (Grading Ordinance Guidelines for Native Oak Tree Removal) of Chapter 14 of the County Code.
- b. **Conditional Use Permit.** Lumber processing and milling operations that do not comply with the development standards in Subsection ~~C.4.a, C.5.a,~~ above, may be allowed in compliance with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), ~~provided the following additional findings are first made:~~
- (1) ~~The operation will not result in significant adverse impacts to visual resources.~~
 - (2) ~~The operation will not include a new at grade crossing of Highway 101.~~
 - (3) ~~The operation will be in compliance with Section 35.28.100 (Environmentally Sensitive Habitat Area Overlay Zone) and Article IX (Deciduous Oak Tree Protection and Regeneration) of Chapter 35 of the County Code.~~

6. Small-scale special events.

a. Applicability.

- (1) **Does not apply to wineries regulated separately.** This Subsection shall not apply to small-scale special events on agricultural lands with a winery on the premises that are regulated by Section 35.42.280 (Wineries) of this Development Code.
 - (2) **Does not apply to charitable and other noncommercial functions regulated separately.** This Subsection shall not apply to charitable and other noncommercial functions that are regulated by Subsection 35.42.260.F.4 (Charitable and other noncommercial functions).
 - (3) A small-scale special events operation may be allowed in compliance with this Section 35.42.035 instead of Subsection 35.42.260.F.9 (Reception facilities) and in addition to other temporary uses allowed by Section 35.42.260 (Temporary Uses and Trailers) provided there is not a winery on the premises.
- b. **Allowed events.** Small-scale special events may include farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings, and

non-motorized trail runs, bike races, equestrian endurance rides, and similar activities, operated on a commercial basis.

- c. Permit requirements.** Small-scale special events may be exempt from the requirements to obtain a permit or may be allowed with a permit in compliance with the permit requirements identified in Table 4-3 below.

<u>Table 4-3</u> <u>Permit Requirements for Small-scale Special Events on AG-II.</u>			<u>E</u> <u>Exempt</u> <u>ZC</u> <u>Zoning Clearance</u> <u>LUP</u> <u>Land Use Permit (1)</u> <u>MCUP</u> <u>Minor Conditional Use Permit</u>
<u>Permit Requirement</u>	<u>Number of Attendees</u>	<u>Number of Events</u>	<u>Structure(s)</u>
<u>E</u>	<u>Maximum attendance shall not exceed:</u> <ul style="list-style-type: none"> • <u>50 attendees on premises of ≤ 100 acres</u> • <u>75 attendees on premises of ≥ 100 to < 320 acres</u> • <u>100 attendees on premises of ≥ 320 acres</u> 	<u>Not to exceed:</u> <ul style="list-style-type: none"> • <u>2 days per month</u> • <u>8 days per calendar year</u> 	<u>No new structures or additions requiring planning permits.</u> <u>No grading or construction of new roads or trails.</u>
<u>ZC or LUP</u>	<u>Maximum attendance shall not exceed:</u> <ul style="list-style-type: none"> • <u>80 attendees on premises of ≤ 100 acres</u> • <u>120 attendees on premises of ≥ 100 to < 320 acres</u> • <u>150 attendees on premises of ≥ 320 acres</u> 	<u>Not to exceed:</u> <ul style="list-style-type: none"> • <u>3 days per month</u> • <u>12 days per calendar year</u> 	<u>One new accessory structure not to exceed 2,500 square feet of gross floor area may be allowed.</u> <u>No grading or construction of new roads or trails.</u>
<u>MCUP</u>	<u>Any small-scale special events not qualifying for an Exemption, Zoning Clearance or Land Use Permit.</u>		

Note:

(1) Development Plan approval may also be required; see Subsection 35.21.030.C.

- d. Specific use standards and use limitations.** The following development standards and use limitations apply to all small-scale special events.

(1) Small-scale special events shall be secondary, incidental, and subordinate to the primary agricultural use of the premises.

(2) Parking.

(a) Sufficient usable area shall be available to accommodate all user vehicles entirely on the premises.

- (b) Parking shall be limited to pre-existing disturbed areas free of combustible materials; parking shall not be allowed on areas of active cultivation or native vegetation.
- (c) Appropriate temporary signage shall be placed on the premises prior to the commencement of each event directing attendees to and indicating the location of parking areas.
- (d) A parking coordinator shall be present at all times during any event attended by 100 or more persons to manage and direct vehicular movement.
- (e) Dust control measures shall be used to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
- (f) Parking shall not be allowed within an adjoining road right-of-way or trail easement.

(3) Noise standards. Small-scale special events shall comply with the following standards:

- (a) Small-scale special events shall only be allowed from 10 a.m. to 11 p.m. If the event includes amplified sound, the amplified sound shall cease by 10 p.m.
 - (b) Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the premises.
 - (c) Event activities shall be located no closer than 500 feet from the exterior boundary of the premises. If the premises boundary is adjacent to a lot zoned for residential uses, event activities shall be located no closer than 1,000 feet from the premises boundary.
 - (d) Amplified sound system speakers shall be directed away from the nearest premises boundary.
- (4) The small-scale special events operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:
- (a) Use a waste collection company if the premises is already receiving regular solid waste handling services.
 - (b) Transport the solid waste to an authorized solid waste facility.
- (5) Small-scale special events shall comply with all standards regarding the provision, storage, and service of food, as applicable, and the provision of water supply and sanitation facilities, as required by the County Public Health Department.
- (6) Small-scale special events do not include agricultural industry-wide events, such as a countywide farm day. Participation in an agricultural industry-wide event will not count towards the maximum number of events allowed by the exemption, Zoning Clearance, or Land Use Permit.

D. Development standards. The following development standards shall apply to all agricultural enterprise uses allowed by this Section 35.42.035, unless modified as part of a Conditional Use Permit in compliance with Section 35.82.060.I (Conditional Use Permits and Minor Conditional Use Permits - Conditions, restrictions, and modifications).

1. The use shall be incidental, supportive, and supplemental to the primary agricultural uses of working farms and ranches that produce agricultural products on the premises.
2. The operation shall not significantly compromise the agricultural operations or the long-term productive agricultural capability or natural resources of the subject premises or adjacent and surrounding premises.
3. Existing structures to be repurposed for use as part of an agricultural enterprise operation shall be reviewed by the County Building and Safety Division and County Fire Department for compliance with Chapter 10 (Building Regulations) and Chapter 15 (Fire Prevention), respectively, and shall comply with all required changes to ensure the structure meets the minimum public health and safety requirements for the proposed use.
4. The agricultural enterprise use shall not include a new at-grade crossing of Highway 101 or State highways.
5. **Fire Protection Plan.** Prior to the commencement of an exempt agricultural enterprise use allowed in compliance with this Section 35.42.035, or prior to the approval of a Zoning Clearance, Land Use Permit or Conditional Use Permit for an agricultural enterprise use, the applicant shall submit a Fire Protection Plan to the County Fire Department for review and approval in compliance with Chapter 15 (Fire Prevention) of the County Code. The Fire Protection Plan shall identify, as applicable to the specific use, potential ignition sources, measures intended to reduce the potential for wildfire, firefighting infrastructure (for example, fire extinguishers), emergency ingress and egress, emergency evacuation routes, and shelter locations in the event of wildfire, and any additional information required by the County Fire Department. The Plan shall be updated and resubmitted, as necessary, should there be any changes to the conditions on the site (such as increased intensity of uses, change of use, or additional uses). The County Fire Department shall retain the ability to modify the conditions in the plan to address any safety issues that may arise.
6. **Setbacks from Sensitive Habitats.**
 - (a) Agricultural enterprise uses and related development (including, parking, grading, and ground-disturbing activities in support of new development) shall be located a minimum of 100 feet from the edge of the following sensitive habitats:
 - (1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - (2) Wetlands
 - (3) Vernal pools
 - (4) Native woodlands and forests
 - (5) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - (6) Native grasslands
 - (7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
 - (b) The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department as part of a permit application when a permit is required.

- (c) Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing an exempt use, prior to issuance of a Zoning Clearance, or prior to approval of a Land Use Permit or Conditional Use Permit, as applicable.
- 7. Oak Tree and Other Native Tree Protection.** Any new development or parking areas for an agricultural enterprise use, including grading and ground-disturbing activities in support of new development or parking areas, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. If a permit is required, applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.
- 8. Fencing for Wildlife Movement.** If fencing is required for an agricultural enterprise use, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.
- (a) Fences and gates shall be wildlife-permeable.
- (b) The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
- (c) Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for agricultural enterprise uses unless necessary to separate livestock operations from the use.
- 9. Cultural Resources.** Archaeological and other tribal cultural resources shall be protected in compliance with applicable cultural resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. If subsurface ground disturbing activities are proposed for agricultural enterprise uses on lands where no previous permitted ground disturbance or prior archaeological surveys have occurred, the applicant shall submit to the Department a Phase I cultural resource study prepared by a qualified archaeologist documenting the absence or presence of cultural resources in the project area.
- 10. Historic Resources.** Historic resources shall be preserved, restored, and renovated consistent with applicable historic resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. Applicants proposing to repurpose existing structures that are greater than 50 years in age and/or designated as an historic landmark or place of historic merit for an agricultural enterprise use shall submit to the Department a Phase I investigation prepared by a qualified historian.
- 11. Hazardous Materials Avoidance and Incidental Discovery.** Agricultural enterprise uses shall be located to avoid areas that are known to be contaminated with hazardous agricultural chemicals. In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during grading or construction for an agricultural enterprise use, construction activities in the immediate vicinity of the contamination shall cease immediately and the applicant shall immediately notify the Department and, as applicable the Hazardous Waste Unit of County Fire and Site Mitigation Unit of County Environmental Health.
- 12. Signs.** Signs accessory to agricultural enterprise uses shall comply with Chapter 35.38 (Sign Standards).

- 13. Lighting.** Lighting accessory to agricultural enterprise uses shall comply with Section 35.30.120 (Outdoor Lighting).
- 14. Critical Viewshed Corridor Overlay.** Agricultural enterprises uses within the Gaviota Coast Plan area shall comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.
- 15. Informational Advisory.** Operators of educational experiences and opportunities and small-scale special events shall provide an informational advisory to guests disclosing the following:

 - (a) The operation is located on an active agricultural operation and visitors may be exposed to minor inconveniences associated with the agricultural operation such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands.
 - (b) The informational advisory shall also advise potential guests that visitors to active agricultural lands must respect the property and pre-existing agricultural operations, and avoid trespassing beyond designated visitor areas.

Draft Amendments to Section 35.42.040 – Agricultural Processing

The proposed Agricultural Enterprise Ordinance, would amend Section 35.42.040 (Agricultural Processing) to allow small-scale agricultural processing through exemptions or low level permits on lands zoned AG-II countywide instead of only within the Gaviota Coast Plan area. The revised text updates and combines development standards that are common to the three small-scale processing uses (product preparation, small-scale processing beyond the raw state, and tree nut hulling) so as to simplify the ordinance once adopted. The draft text presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Definitions

Agricultural Processing and Product Preparation. The initial processing or preparation for shipping of agricultural products, not including animal products, including milling by simple mechanical process without additives, chemical reactions, changes in ambient temperatures and/or hazardous materials produced on the same site ("on-premises products") or from other properties ("off-premises products"), for onsite marketing or for additional processing and/or packaging elsewhere. Examples of this land use include the following:

drying of corn, rice, hay, fruits and vegetables
flower ~~growing~~ packing or packaging
freeze-drying of fruits and vegetables
milling by simple mechanical process without additives, chemical reactions, changes in ambient temperatures and/or hazardous materials
pre-cooling and packaging of fresh or farm dried fruits and vegetables
pressing olives to create olive oil
sorting, grading and packing of fruits and vegetables

Does not include "cannabis" and "wineries," which are defined separately.

Agricultural Processing - Extensive. The refinement or other processing of agricultural products to substantially change them from their raw form, which involves machinery, chemical reactions, and/or hazardous or highly odiferous materials or products. Examples of this land use include the following:

corn shelling
cotton ginning
grain cleaning and custom grinding
grist mills
milling of flour, feed and grain
sugar mills

Product Preparation. ~~The preparation of agricultural and horticultural product by activities including drying, freezing, pre-cooling, packaging, and milling of flour, feed, and grain to facilitate marketing and wholesale sales.~~

Small-Scale Processing Beyond the Raw State. On a limited scale, the refinement or other processing of agricultural products (not including animal products) to substantially change them from their raw form. Small-scale processing beyond the raw state may involve the use of machinery, additives, chemical reactions, and changes in ambient temperature but not the use of hazardous or highly odiferous materials or products. Small-scale processing beyond the raw state may include activities such as curing, pickling, preserving, and small-scale milling of flour, feed and grain. Does not include "cannabis" and "winery," which are defined separately.

Artisanal Crafts. Anything handmade and designed by a person skilled in an applied art; examples include glass blowing, jewelry making, leatherworking, metalworking, pottery, and woodworking.

Tree Nut Hulling. Removing the soft outer hull (also known as the husk) from the nut by manual or mechanical methods.

35.42.040 - Agricultural Processing Facilities

- A. Purpose and applicability.** This Section establishes standards and procedures for agricultural processing facilities, where allowed by Article 35.2 (Zones and Allowable Land Uses) and by Subsection C (Specific allowable uses and development standards for ~~the AG-II zone~~~~the Gaviota Coast Plan area~~), below. The standards and procedures of this Section shall not apply to cannabis processing, allowed in compliance with Section 35.42.075 (Cannabis Regulations), or wineries, allowed in compliance with Section 35.42.280 (Wineries).
- B. Standards.** This Subsection B (Standards) does not apply to uses allowed in compliance with Subsection C (Specific allowable uses and development standards for ~~the AG-II zone~~~~the Gaviota Coast Plan area~~), below.
1. Agricultural processing facilities shall be subject to the following standards.
 - a. The facility may be used for the sorting, cleaning, packing, freezing, milling, bottling and storage of horticultural and agricultural products (other than animals) grown on or off the premises preparatory to wholesale or the retail sale and/or shipment in their natural form or in a milled liquid form.
 - b. Agricultural processing that includes milling and/or bottling of horticultural or agricultural products shall be limited to the following standards:
 - (1) Agricultural processing is limited to simple mechanical processing to convert fruit from a solid to a liquid without additives, chemical reactions or changes in natural ambient temperatures.
 - (2) Milling of agricultural products shall not generate wastewater discharges, or hazardous wastes.
 - (3) All process water and waste material from milling shall be managed onsite as recycled irrigation water or organic compost. Exceptions are permissible in those unusual circumstances where some process water and/or waste material may be legally discharged into a sanitary sewer system, or legally disposed of as a solid waste (e.g., in those cases involving an unexpected contaminant).
 - (4) Milling of horticultural or agricultural products from offsite sources shall be limited to no more than 49 percent of the total volume of milled products on the facility premises, and where such premises comprise more than one legal parcel, at least five percent of the total volume of milled products shall be harvested from the legal parcel upon which the processing operation is located.
 - (5) The legal parcel on which the processing occurs is planted with the horticultural or agricultural product prior to the commencement of any processing allowed in compliance with this Section.
 - (6) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one acre.
 - (7) Onsite retail sales of any product resulting from the agricultural processing are not allowed.
 - c. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands that are located within 25 miles of the boundaries of the County.

- d. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of the County for local processing, distribution, or sale.
 - e. Products processed at the facility are determined by the review authority to be the same as or similar to products grown on the premises where the facility is located or on other local agricultural lands located within 25 miles of the boundaries of the County.
 - f. The facility and products shall be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones.
 - g. This type of facility shall not be located on prime soils unless an alternative location on nonprime soils does not exist within a reasonable distance of the proposed site.
2. Additional agricultural processing facilities, consisting of commercial and/or industrial development, structures, uses, and areas that are directly related to the processing, packaging, treatment and/or sale of agricultural commodities, and transportation facilities required to support agriculture or fertilizer manufacturing, are allowed within the Rural Area as designated on the Comprehensive Plan maps and designated with the Agricultural Industry Overlay on the Comprehensive Plan maps, provided that a Development Plan is approved in compliance with Section 35.82.080 (Development Plans).

C. Specific allowable uses and development standards for the AG-II zone. ~~the Gaviota Coast Plan area.~~

1. **Purpose and Intent.** This Subsection C lists the agricultural processing facilities that may be allowed on lots zoned ~~Agricultural II (AG-II) located within the Gaviota Coast Plan area,~~ determines the type of planning permit required for each type of facility, and provides development standards related to the intensity of use of the proposed facility. The intent is to provide for flexibility in the development of agricultural processing facilities that are accessory to and supportive of agriculture while promoting orderly development of these facilities, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, while preventing impacts to natural, cultural, and visual resources.
2. **Agricultural Use Required.** The proposed agricultural processing uses and related development shall be allowed only on active working farms or ranches that produce agricultural products, which serves as the primary land use of the premises.
3. **Permit requirements, and**
 - a. This Subsection ~~C.2C.3~~ provides the permit requirements ~~and development standards~~ for specific agricultural processing ~~uses~~ facilities used for the sorting, cleaning, packing, freezing, milling, bottling, and storage of horticultural and agricultural products (other than animals) grown on or off the premises preparatory to wholesale or the retail sale and/or shipment in their natural form or in a milled liquid form, allowed in the AG-II zone. ~~within the Gaviota Coast Plan area.~~
 - b. A product preparation, small-scale processing beyond the raw state, or tree nut hulling operation may be allowed on lots zoned AG-II in compliance with Table 4-4 (Permit Requirements for Agricultural Processing on AG-II Zone). The uses listed below are in addition to the uses listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones).
 - ~~cb.~~ A Pproduct preparation, small-scale processing beyond the raw state, or tree nut hulling operation that does not qualify for an exemption, Zoning Clearance, or Land Use Permit in compliance with Table 4-4, or that does not comply with Subsection C.3 (Development

standards) below, ~~may not be allowed in compliance with Subsections C.2.a.(1) and C.2.a.(2), above,~~ may be allowed in compliance with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), ~~provided the following additional findings are first made:~~

- ~~(a) — The operation will not result in significant adverse impacts to visual resources.~~
- ~~(b) — The operation will not include a new at-grade crossing of Highway 101.~~

Table 4-4		<u>E</u>	<u>Exempt</u>
Permit Requirements for Agricultural Processing Uses on AG-II Zone		<u>ZC</u>	<u>Zoning Clearance</u>
		<u>LUP</u>	<u>Land Use Permit (2)</u>
		<u>MCUP</u>	<u>Minor Conditional Use Permit</u>
		<u>CUP</u>	<u>Conditional Use Permit</u>
<u>Use (1)</u>	<u>Permit Requirement</u>	<u>Permit Threshold or Standard</u>	
<u>Product Preparation</u>	<u>E</u>	<u>All of the material used in the processing operation shall originate from the premises.</u>	
<u>Small-scale Processing Beyond the Raw State</u>		<u>Does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.</u>	
<u>Tree Nut Hulling</u>	<u>ZC or LUP</u>	<u>Any new structure proposed as part of the processing operation shall be less than 5,000 square feet in gross floor area.</u>	
<u>Other Agricultural Processing (3)</u>	<u>CUP</u>	<u>Any agricultural processing not qualifying for an Exemption, Zoning Clearance, or Land Use Permit</u>	

Notes:

- (1) See Article 35.11 (Glossary) for use definitions.
- (2) Development Plan approval may also be required; see Subsection 35.21.030.C.
- (3) As may be allowed by Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones).

d. Additional agricultural processing facilities, consisting of commercial and/or industrial development, structures, uses, and areas that are directly related to the processing, packaging, treatment and/or sale of agricultural commodities, and transportation facilities required to support agriculture or fertilizer manufacturing are allowed within the Rural Area as designated on the Comprehensive Plan maps and designated with the Agricultural Industry Overlay on the Comprehensive Plan maps, provided that a Development Plan is approved in compliance with Section 35.82.080 (Development Plans).

3.4. ~~d~~Development standards for specific land uses. This Subsection C.4 provides the development standards for specific agricultural processing uses allowed within the AG-II zone. A land use and/or activity addressed by this Subsection C shall comply with the provisionsdevelopment standards below of each subsection applicable to the specific use in addition to all other applicable provisions of this Development Code.

a. **Product preparation, small-scale processing beyond the raw state, and tree nut hulling.** The following development standards shall apply to any product preparation, small-scale

processing beyond the raw state, and tree nut hulling operation that may be exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), or allowed with a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits). Product preparation includes drying, freezing, pre-cooling, packaging, and milling of flour, feed, and grain.

~~(1) A Product preparation operation may be allowed with an exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) if the operation complies with the following development standards.~~

~~(1) (a) The agricultural processing operation is incidental to agricultural operations located on the same lot premises that the product preparation processing operation is located on.~~

~~(b) All of the material used in the operation shall originate from the premises.~~

~~(2) (e) The lot premises on which the operation occurs is planted with the horticultural or agricultural product prior to the commencement of any preparation processing allowed in compliance with this Section.~~

~~(3) (d) The preparation processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the lot premises that the product preparation operation is located on, or one acre, whichever is smaller.~~

~~(e) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~

~~(4) (f) The operation will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) premises or adjacent lot(s) premises.~~

~~(5) The operation shall comply with Chapter 10 (Building Regulations) and Chapter 15 (Fire Prevention) of the County Code, and the air quality regulations of the Santa Barbara County Air Pollution Control Board, as applicable.~~

~~(6) The operation shall not include a new at-grade crossing of Highway 101 or State highways.~~

~~**(7) Critical Viewshed Corridor Overlay.** Agricultural processing operations within the Gaviota Coast Plan area shall comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.~~

~~(2) A Product preparation operation may be allowed in compliance with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) if the operation complies with the following development standards.~~

~~(a) All of the material used in the operation shall originate within San Luis Obispo, Santa Barbara and Ventura counties.~~

~~(b) Products from offsite sources shall be limited to no more than 49 percent of the total volume of products prepared on the facility premises.~~

- ~~(e) The premises where the preparation occurs is planted with the source product prior to the commencement of any preparation allowed in compliance within this Section.~~
- ~~(d) The preparation facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
- ~~(e) Any new structure proposed as part of the operation shall be less than 3,000 square feet in net area.~~
- ~~(f) The use will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~(g) The operation will comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.~~

b. Setbacks from Sensitive Habitats.

- (1) Product preparation, small-scale processing beyond the raw state, and tree nut hulling, and related development (including, parking, grading, and ground-disturbing activities in support of new development) shall be located a minimum of 100 feet from the edge of the following sensitive habitats:
 - (a) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - (b) Wetlands
 - (c) Vernal pools
 - (d) Native woodlands and forests
 - (e) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - (f) Native grasslands
 - (g) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
- (2) The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department.
- (3) Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing an exempt use, prior to issuance of a Zoning Clearance, or prior to approval of a Land Use Permit or Conditional Use Permit, as applicable.

c. Oak Tree and other Native Tree Protection. New development or parking areas, including grading and ground-disturbing activities in support of new development or parking areas, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. If a permit is required, applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.

- d. Fencing for Wildlife Movement.** If fencing is required for small-scale agricultural processing uses, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.
- (1) Fences and gates shall be wildlife-permeable.
 - (2) The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
 - (3) Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for agricultural processing uses unless necessary to separate livestock operations from the use.
- e. Signs.** Signs accessory to agricultural processing shall comply with Chapter 35.38 (Sign Standards).
- f. Lighting.** Lighting accessory to agricultural processing shall comply with Section 35.30.120 (Outdoor Lighting).
- g. Additional standards for agricultural processing that includes milling and/or bottling of horticultural or agricultural products.** Agricultural processing that includes milling and/or bottling of horticultural or agricultural products shall comply with the following standards:
- (1) Agricultural processing shall be limited to simple mechanical processing to convert fruit from a solid to a liquid without additives, chemical reactions or changes in natural ambient temperatures.
 - (2) Milling of agricultural products shall not generate wastewater discharges, or hazardous wastes.
 - (3) All process water and waste material from milling shall be managed onsite as recycled irrigation water or organic compost. Exceptions are permissible in those unusual circumstances where some process water and/or waste material may be legally discharged into a sanitary sewer system, or legally disposed of as a solid waste (e.g., in those cases involving an unexpected contaminant).
 - (4) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one acre.
- ~~(3) A Product preparation operation that may not be allowed in compliance with Subsections C.2.a.(1) and C.2.a.(2), above, may be allowed in compliance with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:~~
- ~~(a) The operation will not result in significant adverse impacts to visual resources.~~
 - ~~(b) The operation will not include a new at-grade crossing of Highway 101.~~
- b. Small scale processing beyond the raw state.**
- ~~(1) A Small scale processing operation may be allowed with an exemption in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#) if the operation complies with the following development standards.~~
 - ~~(a) The operation is incidental to agricultural operations located on the same lot that the operation is located on.~~

- ~~(b) All of the material used in the operation shall originate from the premises.~~
- ~~(c) The lot on which the operation occurs is planted with the horticultural or agricultural product prior to the commencement of any processing allowed in compliance with this Section.~~
- ~~(d) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the lot that the small scale processing is located on, or one acre, whichever is smaller.~~
- ~~(e) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
- ~~(f) The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~(2) A Small scale processing operation may be allowed in compliance with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) if the operation complies with the following development standards.~~
 - ~~(a) The operation is incidental to agricultural operations located on the same lot that the operation is located on.~~
 - ~~(b) All of the material used in the operation shall originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
 - ~~(c) No more than 49 percent of the total volume of processed products shall be from horticultural or agricultural products that do not originate from the premises that the operation is located on.~~
 - ~~(d) The lot on which the operation occurs is planted with the horticultural or agricultural product prior to the commencement of any processing allowed in compliance with this Section.~~
 - ~~(e) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the lot that the small scale processing is located on, or one acre, whichever is smaller.~~
 - ~~(f) Any new structure proposed as part of the operation shall be less than 3,000 square feet in net floor area.~~
 - ~~(g) The operation will not significantly compromise the long term productive agricultural capability or natural resources of the lot(s) that the operation is located on or adjacent lot(s).~~
 - ~~(h) The operation will comply with [Section 35.28.070 \(Critical Viewshed Corridor \(CVC\) Overlay Zone\)](#), if applicable.~~
- ~~(3) A Small scale processing operation that may not be allowed in compliance with Subsections C.2.b(1) and C.2.b(2), above, may be allowed in compliance with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:~~
 - ~~(a) The operation will not result in significant adverse impacts to visual resources.~~

~~(b) The operation will not include a new at grade crossing of Highway 101.~~

~~e. **Tree nut hulling.**~~

- ~~(1) A Tree nut hulling operation may be allowed with an exemption in compliance with [Section 35.20.040 \(Exemptions from Planning Permit Requirements\)](#) if the operation complies with the following development standards.~~
 - ~~(a) All of the material used in the operation shall originate from the premises that the operation is located on.~~
 - ~~(b) The lot on which the operation occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Section.~~
 - ~~(c) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the lot that the tree nut hulling facility, or one acre, whichever is smaller.~~
 - ~~(d) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
 - ~~(e) The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~(2) A Tree nut hulling operation may be allowed in compliance with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) if the operation complies with the following development standards.~~
 - ~~(a) All of the material used in the operation shall originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
 - ~~(b) Material from offsite sources shall be limited to no more than 49 percent of the total volume of products processed on the facility premises.~~
 - ~~(c) The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Section.~~
 - ~~(d) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
 - ~~(e) Any new structure proposed as part of the operation shall be less than 3,000 square feet in net floor area.~~
 - ~~(f) The use will not significantly compromise the long term productive agricultural capability or natural resources of the lot(s) that the operation is located on or adjacent lot(s).~~
 - ~~(g) The operation will comply with [Section 35.28.070 \(Critical Viewshed Corridor \(CVC\) Overlay Zone\)](#), if applicable.~~
- ~~(3) A Tree nut hulling operation that may not be allowed in compliance with Subsections C.2.e(1) and C.2.e(2), above, may be allowed in compliance with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and](#)~~

~~Minor Conditional Use Permits~~ provided the following additional findings are first made:

- ~~(a) The operation will not result in significant adverse impacts to visual resources.~~
- ~~(b) The operation will not include a new at-grade crossing of Highway 101.~~

Draft Amendments to Section 35.42.050 – Agricultural Product Sales

The proposed Agricultural Enterprise Ordinance, would amend Section 35.42.050 (Agricultural Product Sales) to allow additional farm stand uses on lands zoned AG-II countywide. The draft text presents existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Definitions

Agricultural Product Sales. The sale of agricultural products, including flowers, fresh fruit, herbs, plants and vegetables, grown on or off the premises or other products as allowed by Section 35.42.050 (Agricultural Product Sales) of this Development Code.

Farm sStand. A ~~stand~~structure, which may be of permanent or temporary construction, that sells farm produce and other incidental items.

35.42.050 - Agricultural Product Sales

- A. Purpose.** The purpose of this Section is to provide development and operational standards for the retail sale of agricultural commodities on property that is zoned to allow and is primarily used for agricultural activities and to promote the orderly development of such agricultural sales within the County and ensure their compatibility with surrounding land uses in order to protect and maintain the public health and safety and natural and visual resources.
- B. Accessory use.** Agricultural product sales shall be allowed only where the primary use of the lot is agriculture and the lot is located either:
1. In a zone as specified in Subsection C. (Specific allowable uses and development standards for the AG-I, RR, M-1, M-2, M-CR, R-1, R-2, DR, PRD, CH, and NTS zones~~Permit Requirements~~), below, or
 2. In the AG-II zone as specified in Subsection D. (Specific allowable uses and development standards for the AG-II zone)~~Gaviota Coast Plan area and the agricultural product sales is allowed in compliance with Subsection E (Specific allowable uses and development standards for the Gaviota Coast Planning Area)~~, below.
- C. Specific allowable uses and development standards for the AG-I, RR, M-1, M-2, M-CR, R-1, R-2, DR, PRD, CH, and NTS zones.** Agricultural product sales may be allowed within the specified zones in compliance with Subsection 35.42.050.C.1 (Permit requirements) and Subsection 35.42.050.C.2 (Development standards), below.
- 1. Permit requirements.** ~~This Subsection C. does not apply to uses allowed in compliance with Subsection E (Specific allowable uses and development standards for the Gaviota Coast Plan area), below.~~ An appropriate application shall be filed with the Department as provided below. Additional permits may be required by other provisions of this Development Code (e.g., for structures accessory to the agricultural sales). Prior to the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances), a permit for the sale of agricultural products shall be obtained from the Department of Public Health (Title 17, California Administrative Code Section 13653) if required.
 - a.1.** Within the AG-I, ~~AG-II~~, RR, M-1, M-2, and M-CR zones, the following activities shall be exempt from the requirement to obtain a Land Use Permit provided the activity is conducted

in compliance with the development standards specified in Subsection ~~2D~~. (Development Standards) below.

- (1)~~a~~. Sales of agricultural products, operated by a single proprietor, and either grown (1) onsite, or (2) on other property located within the County that is either owned or leased by the same owner or lessee of the lot on which the sales occur, or (3) on other property within a 25-mile radius of the lot on which the sales occur. This includes operations where customers have access to the growing areas and pick the product themselves (e.g., Christmas tree farms, pumpkin patches, apple or fruit picking farms).
 - (2)~~b~~. Sales of ornamental trees, shrubs and plants, grown in containers that may be imported from off-site, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is limited to 10,000 square feet.
 - (3)~~c~~. Sales of imported vegetative holiday sales products (e.g., pumpkins, Christmas trees) provided the area to which the public has access is limited to 10,000 square feet.
- ~~b.2~~. Within the AG-I, ~~AG-H~~, RR, M-1, M-2, and M-CR zones, Development Plan approval by the Director in compliance with Section 35.82.080 (Development Plans) is required for the sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.
- ~~c.3~~. Within the R-1, R-2, DR, PRD and CH zones, the following activities require Conditional Use Permit approval in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits):
- (1)~~a~~. Sales of agricultural products, operated by a single proprietor, and either (1) grown predominantly onsite or (2) on other property within a 25-mile radius of the lot on which the sales occur. This includes operations where customers have access to the growing areas and pick the product themselves (e.g., Christmas tree farms, pumpkin patches, apple or fruit picking farms).

d.4. NTS zone.

- (1)~~a~~. The sale of agricultural products grown onsite shall be exempt from the requirement to obtain a Land Use Permit provided the activity is conducted in compliance with the development standards specified in Subsection ~~D2~~. (Development Standards) below.

2.D. Development Standards. Agricultural product sales within the AG-I, RR, M-1, M-2, M-CR, R-1, R-2, DR, PRD, CH, and NTS zones shall comply with the following development standards, as applicable. This Subsection D. does not apply to uses allowed in compliance with Subsection E (Specific allowable uses and development standards for the Gaviota Coast Plan area), below.

- ~~a.1~~. Except on a lot zoned NTS, if a structure is required for the sale of agricultural products, the sale shall be conducted within an existing agricultural structure or from a separate stand not exceeding 600 square feet of gross floor area and located no closer than 20 feet to the right-of-way line of any street.
- (1)~~a~~. On a lot zoned NTS if a structure is required for the sale of agricultural products, the sale shall be conducted within an existing agricultural structure or from a separate stand not exceeding 200 square feet of gross floor area and located no closer than 20 feet to the right-of-way line of any street.

- b2. The area devoted to retail sales of non-plant materials, if allowed, shall be limited to a single location no greater than 300 square feet in area. Product inventory related to the retail sales of non-plant materials may be stored separately and the area devoted to storage shall not be included within the 300 square feet, provided the inventory storage area is neither visible nor accessible to the public.
- c3. Parking shall be provided as follows:
- (1)a. All parking areas, except as provided in Subsection c.(2)4.b below shall be constructed in compliance with the following:
- (a)± All parking areas shall have an all-weather surface consisting of a minimum of crushed rock, asphalt, chip seal, concrete, brick, or other masonry paving units or equivalent surface.
- (2)b. Parking areas associated with short-term, seasonal sales may be unimproved; however, dust generation shall not be allowed to become a nuisance and shall be kept to a minimum through the periodic wetting of the surface.
- (3)e. Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.
- (4)d. Parking shall not be allowed within any ~~adjacent~~ adjoining road rights-of-way or trail easements.
- d.4. Ingress and egress to the agricultural sales area shall be clearly visible, and turning movements into the premises from adjacent road rights-of-way shall not create congestion or cause unnecessary slowing at access points.
- e5. **Signs.** Signs advertising the sale of agricultural products shall ~~be in compliance~~ comply with Chapter 35.38 (Sign Standards).
- f6. An agricultural product sales establishment and operation shall comply with applicable ~~Sections of Chapter 10 (Building Regulations) and Chapter 15 (Fire Prevention) of the County Code, the Uniform Building Code and the Uniform Fire Code as adopted by the County.~~
- g7. Structures that are not used for a period of 12 months shall be removed within the three months following the 12 months of non-use.
- h8. Exterior lighting fixtures associated with the agricultural sales area shall be of a low intensity, low glare design, and shall be shielded with full cut-off design and directed downward so that neither the lamp nor the related reflector interior surface is visible from any location off of the project site in order to prevent spill over onto adjacent lots under separate ownership. No exterior lighting shall be installed or operated in a manner that would throw light, either reflected or directly, in an upward direction.
- i9. In addition to the development standards listed above, the following development standards shall also apply to agricultural sales on property zoned R-1, R-2, DR, PRD and CH:
- (1)a. The lot upon which the agricultural sales occur shall consist of a minimum of two acres (gross).
- (2)b. If a structure is required for the sale of agricultural products, the sale shall be conducted either within an existing accessory structure or from a separate stand not to exceed 200

square feet of sales and storage area, except that if the premises consist of five or more contiguous acres, the structure shall not exceed 600 square feet.

- (3)e. Only one stand shall be allowed on the premises.
- (4)d. New structures shall be subject to Design Review in compliance with Section 35.82.070 (Design Review).
- (5)e. Parking shall be provided in compliance with Section 35.36.100 (Standards for Residential Zones and Uses) and Section 35.36.110 (Standards for Nonresidential Zones and Uses).

DE. **Specific allowable uses and development standards for the AG-II zone, the Gaviota Coast Planning area.** Agricultural product sales and farm stands may be allowed in the AG-II zone in compliance with Subsection 35.42.050.D.1 (Permit requirements) and Subsection 35.42.050.D.2 (Development standards), below. ~~The following use may be allowed in the Gaviota Coast Planning area in addition to agricultural product sales allowed in compliance with Subsection C (Permit requirements), above.~~

1. **Farmstands-Permit requirements.** Prior to commencing an exempt farm stand operation, or the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances), a permit for the sale of agricultural products shall be obtained from the Department of Public Health (Title 17, California Administrative Code Section 13653) if required.
 - a. **Exempt.** A farm stand operation may be exempt from the requirements to obtain a permit ~~allowed with an exemption~~ in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) ~~if provided~~ the operation complies with the development standards specified in Subsection 2, below, and the following: development standards.
 - (1) The farm stand operation is incidental to agricultural operations located on the same premises that the farm stand operation is located on.
 - (2) If a structure is required for the sale of agricultural products, the sale shall be conducted within an existing agricultural structure or from a separate farm stand, not to exceed 800 square feet of gross floor area.
 - (3) Sales of ornamental trees, shrubs and plants, grown in containers that may be imported from off-site, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public are allowed provided the area to which the public has access is limited to 10,000 square feet.
 - (4) Sales of imported vegetative holiday sales products (e.g., pumpkins, Christmas trees) are allowed provided the area to which the public has access is limited to 10,000 square feet.
 - b. **Zoning Clearance or Land Use Permit.** A farm stand operation and other agricultural product sales may be allowed with a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) provided the operation complies with the development standards specified in Subsection 2, below, and the following:
 - (1) The farm stand or other agricultural product sales are incidental to agricultural operations located on the same premises that the operation is located on.
 - (2) The sale of agricultural products may be conducted from a new farm stand structure not to exceed 1,500 square feet of gross floor area.

c. **Development Plan.** Development Plan approval by the Director in compliance with Section 35.82.080 (Development Plans) is required for the sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.

2. **Development standards.** Agricultural product sales and farm stands within the AG-II zone shall comply with the following development standards, as applicable.

a. Any new structure for a farm stand or agricultural product sales operation shall be located no closer than 20 feet from the right-of-way line of any street or highway.

b. (2) Including operations where customers have access to the growing areas and pick the product themselves (e.g., Christmas tree farms, pumpkin patches, apple or fruit picking farms), the farm stand operation is agricultural product sales operated by a single proprietor and sales of agricultural products are limited to those that are either grown either:

(1a) Onsite, or

(2b) On other property located within the County that is either owned or leased by the same owner or lessee of the lot on which the sales occur, or

(3e) On other property located within a 25-mile radius of the lot on which the sales occur.

(3) Sales of ornamental trees, shrubs and plants, grown in containers that may be imported from off site, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public are allowed provided the area to which the public has access is limited to 10,000 square feet.

(4) Sales of imported vegetative holiday sales products (e.g., pumpkins, Christmas trees) are allowed provided the area to which the public has access is limited to 10,000 square feet.

(5) If a structure is required for the sale of agricultural products, the sale shall be conducted within an existing agricultural structure or from a separate stand not exceeding 800 square feet of gross floor area and located no closer than 20 feet to the right of way line of any street.

c.(6) The sale of artisanal crafts created within Santa Barbara County is allowed if subordinate to farm stand sales. The area devoted to the sale of artisanal crafts is limited to 20 percent of the gross floor area of the farmstand.

d. (7) The area devoted to retail sales of non-plant materials, including the sale of artisanal crafts created within Santa Barbara County, shall be limited to a single location no greater than 300 square feet in area. Product inventory related to the retail sales of non-plant materials may be stored separately and the area devoted to storage shall not be included within the 300 square feet, provided the inventory storage area is neither visible nor accessible to the public.

de. Food sales from farm stands shall comply with the California Retail Food Code Section 114375 and shall be limited to the following:

(1) Whole produce and shell eggs as described in California Retail Food Code Section 113789(c)(6).

~~(2)~~ Nonpotentially hazardous prepackaged food products from an approved source that were grown or produced in close proximity to the farm stand in a manner consistent with the intent of the Food and Agricultural Code Division 17 Section 47000 et seq.

~~(3)~~ All prepackaged processed food products shall meet the applicable requirements provided in California Retail Food Code Section 113980 and be stored in an approved vermin proof area or container when the farm stand operation is closed.

~~(48)~~ The area devoted to the sale and storage of bottled water, sodas-soft drinks, and other non-hazardous products that have not been grown or produced in close proximity to the farm stand shall be are produced off-site and comply with the California State Farm Standards Regulations is limited to 50 square feet.

~~f.(5)~~ Food preparation is prohibited at farm stands with the exception of food samples, which may occur only if in compliance with California Retail Food Code Section 114371(b). If a farm stand operation provides food sampling, approved toilet and handwashing facilities consistent with California Retail Food Code Section 113325 shall be available for use by farm stand operators and employees.

~~g.(6)~~ No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. This does not apply to guide dogs, signal dogs, or service dogs.

~~h.(7)~~ All garbage and refuse shall be stored and disposed of in an appropriate manner.

f. (10)–Parking and parking areas.

~~(19)~~ All parking areas, except those serving short-term, seasonal sales, shall have an all-weather surface consisting of a minimum of crushed rock, asphalt, chip seal, concrete, brick, or other masonry paving units or equivalent surface. Non-permeable surfacing materials (such as asphalt, concrete, or chip seal) may be used only if necessary to comply with the disabled access requirements of Title 24 of the California Code of Regulations as applicable. The use of any non-permeable surface materials shall be the minimum necessary to comply with requirements for the provision of disabled access.

~~(2a)~~ Parking areas associated with short-term, seasonal sales may be unimproved; however, dust generation shall not be allowed to become a nuisance and shall be kept to a minimum through the periodic wetting of the surface.

~~(3b)~~ Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.

~~(4e)~~ Parking shall not be allowed within any adjacent-adjointing road rights-of-way or trail easements.

~~g. (11)–~~ Ingress and egress to the agricultural sales area shall be clearly visible, and turning movements into the premises from adjacent road rights-of-way shall not create congestion or cause unnecessary slowing at access points.

~~h. (12)–~~ Direct access to Farmstand sales area from an at-grade crossing with Highway 101 shall be prohibited. The farm stand shall not include a new at-grade crossing from Highway 101 or State highways.

~~i. (13)–~~ **Signs.** Signs advertising the sale of agricultural products shall be in compliance-comply with Chapter 35.38 (Sign Standards).

- j. ~~(14)~~—An agricultural product sales establishment and farm stand operation shall comply with applicable ~~S~~sections of Chapter 10 (Building Regulations), Chapter 15 (Fire Prevention), and Chapter 18C (Environmental Health Services) of the County Code, ~~the Uniform Building Code and the Uniform Fire Code as adopted by the County.~~
- k. ~~(15)~~—Exempt farm stand ~~S~~structures that are not used for a period of 12 months shall be removed within the three months following the 12 months of non-use.
- l. ~~(16)~~—**Lighting.** Lighting accessory to an agricultural sales area shall comply with Section 35.30.120 (Outdoor Lighting). Exterior lighting fixtures associated with the agricultural sales area shall be of a low intensity, low glare design, and shall be shielded with full cut-off design and directed downward so that neither the lamp nor the related reflector interior surface is visible from any location off of the project site in order to prevent spill over onto adjacent lots under separate ownership. No exterior lighting shall be installed or operated in a manner that would throw light, either reflected or directly, in an upward direction.
- m. ~~(17)~~—The Ffarm stand operation (including new structure and parking) shall not be located within 100 feet of the edge of the following sensitive habitats: ~~or adjacent to environmentally sensitive habitat area~~
- (1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - (2) Wetlands
 - (3) Vernal pools
 - (4) Native woodlands and forests
 - (5) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - (6) Native grasslands
 - (7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
- ~~en.~~ The farm stand operation (including new structure and parking) shall be located at least six feet outside the canopy dripline of oak trees and other native tree species.
- o. ~~(18)~~—The ~~F~~farm stand operation shall not result in any potential adverse effects to public hiking and equestrian trails.
- p. ~~(19)~~—The ~~F~~farm stand operation shall not result in significant adverse impacts to scenic views from parklands, public viewing areas, and public roadways.
- q. Critical Viewshed Corridor Overlay.** A farm stand within the Gaviota Coast Plan area shall comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.

Draft Amendments to Section 35.42.100 – Composting Facilities

The proposed Agricultural Enterprise Ordinance, would amend Section 35.42.100 (Composting Facilities) to allow smaller composting operations on lands zoned AG-II countywide without a Conditional Use Permit provided they align with State regulations. The draft text presents existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Definitions

Composting Facility. A commercial facility or agricultural operation that produces compost from the organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations in California Code of Regulations, Title 14, Division 7.

Composting Operation. A commercial facility or agricultural operation that produces compost from the organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations in California Code of Regulations, Title 14, Division 7.

35.42.100 - Composting Facilities

A. Purpose and applicability.

1. This Section provides standards for the operation of composting facilities, where allowed in compliance with Article 35.2 (Zones and Allowable Land Uses), and in compliance with Subsection C (Specific allowable uses and development standards for the AG-II zone), below.
2. The standards and procedures of this Section shall not apply to composting associated with cannabis projects, allowed in compliance with Section 35.42.075 (Cannabis Regulations), or wineries, allowed in compliance with Section 35.42.280 (Wineries), which are regulated separately.

B. Standards. Composting facilities may include the use of off-premises generated feedstock and the on-premises commercial sale of the resultant compost products. All composting operations and facilities shall be subject to, at a minimum, the following standards:

1. **Applicable State law.** The facility shall at all times comply with the applicable requirements of California Code of Regulations, Title 14, Division 7.
2. **Structure for sale of composting product.** If a structure is required for the sale of a product, the sale shall be conducted either within an existing accessory structure or from a single, separate stand not to exceed 600 square feet of sales and storage area.
3. **Parking.** A minimum of two permanently maintained onsite parking spaces shall be provided for a nonexempt composting operation, which shall not be located closer than 20 feet to the right-of-way line of any street.
4. **Permit requirements.** All other permits required by County Departments for a facility, ~~except those permits required by the Division of Building and Safety,~~ shall be obtained prior to commencement of an exempt composting operation or, with the exception of those permits required by the Division of Building and Safety, prior to before approval of a Zoning Clearance or Land Use Permit.
5. **Reporting requirements.** Tonnage reports showing the amount of materials used in the composting operation shall be provided to the Department of Public Works, Solid Waste Division, and the Public Health Department, Environmental Health Services Division, on a quarterly basis.

6. **Signs.** Signs accessory to the composting facility shall ~~conform to~~ comply with Chapter 35.38 (Sign Standards).

C. **Specific allowable uses and development standards for the AG-II zone.** ~~Additional findings for the Gaviota Coast Plan Area~~

1. Purpose and intent. This Subsection lists the composting operations and facilities that may be allowed on lands zoned AG-II, determines the type of planning permit required for each type of composting operation, and provides development standards related to the intensity of use of the proposed operation or facility. The intent is to provide for flexibility in the development of composting operations or facilities that are accessory to and supportive of agriculture while promoting orderly development of these facilities, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, while preventing impacts to natural, cultural, and visual resources.

2. Permit requirements.

a. Exempt. A composting facility may be exempt from the requirements to obtain a permit in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) provided the composting facility complies with Subsection 3. (Development standards for composting for the AG-II zone), below, and the following:

(1) Small General Composting.

- (a) The feedstock may be any combination of green material, agricultural material, food material, and vegetative food material.
- (b) The maximum amount of feedstock and compost, alone or in combination, on the premises at any one time shall not exceed 100 cubic yards in volume and 750 square feet in area.
- (c) There is no limit on the amount of compost sold or given away annually.
- (d) The operation does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.

(2) Agricultural Material Composting.

- (a) Feedstock to be used in the operation shall be limited to agricultural materials derived from the agricultural premises on which the composting operation is located and returned to the same premises or another agricultural site owned or leased by the same owner, parent, or subsidiary.
- (b) No more than 1,000 cubic yards of compost may be sold or given away annually.
- (3) The landowner may conduct both a Small General Composting operation and an Agricultural Material Composting operation at the same time if they are separated clearly (spatially or otherwise) so that feedstock, resources, compost, and operations are not comingled.
- (4) **Agricultural Use Required.** The proposed composting operation and related development shall be allowed only on active working farms or ranches that produce agricultural products, which serves as the primary land use of the premises.

b. Zoning Clearance or Land Use Permit. A composting facility may be allowed with a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances) or Land Use

Permit issued in compliance with Section 35.82.110 (Land Use Permits) provided the composting facility complies with Subsection 3 (Development standards for composting for the AG-II zone), below, and the following:

(1) Small General Composting.

- (a) The feedstock may be any combination of green material, agricultural material, and vegetative food material.
- (b) The maximum amount of feedstock and compost, alone or in combination, on the premises at any one time shall not exceed 1,000 cubic yards.
- (c) There is no limit on the amount of compost sold or given away annually.

(2) Agricultural Material Composting.

- (a) Feedstock to be used in the operation shall be limited to agricultural materials.
- (b) There is no limit on the amount of agricultural materials on the premises at any one time.
- (c) There is no limit on the amount of compost sold or given away annually.

(3) The landowner may conduct both a Small General Composting operation and an Agricultural Material Composting operation at the same time if they are separated clearly (spatially or otherwise) so that feedstock, resources, compost, and operations are not comingled.

(4) Agricultural Use Required. The proposed composting operation and related development shall be allowed only on active working farms or ranches that produce agricultural products, which serves as the primary land use of the premises.

c. Conditional Use Permit. Larger composting facilities, and other composting operations that include food material, vegetative food material, and other feedstock materials may be allowed with a Conditional Use Permit approved in compliance with Subsection 35.42.100.B above, and Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

3. Development standards for composting for the AG-II zone. In addition to the development standards of Subsection B, above and all other applicable provisions of this Development Code, a composting operation allowed by this Subsection C shall comply with the development standards below.

- ~~a. **Applicable State law.** The composting operation shall at all times comply with the applicable requirements of California Code of Regulations, Title 14, Division 7.~~
- ~~b. **Structure for sale of composting product.** If a structure is required for the sale of compost produced by the operation, the sale shall be conducted either within an existing accessory structure or from a single, separate stand not to exceed 600 square feet of sales and storage area.~~
- ~~e. **Parking.** A minimum of two permanently maintained onsite parking spaces shall be provided which shall not be located closer than 20 feet to the right of way line of any street.~~
- ~~d. **Permit requirements.** All other permits required by County Departments for a compost facility or operation, except those permits required by the Division of Building and Safety, shall be obtained prior to commencement of an exempt composting operation or prior to approval of a Land Use Permit.~~

- ~~e. **Reporting requirements.** Tonnage reports showing the amount of materials used in the composting operation shall be provided to the Department of Public Works, Solid Waste Division, and the Public Health Department, Environmental Health Services Division, on a quarterly basis.~~
- ~~f. **Signs.** Signs accessory to the composting facility shall conform to [Chapter 35.38 \(Sign Standards\)](#)~~
- ~~a. The composting operation shall not include a new at-grade crossing of Highway 101 or State highway.~~
- ~~b.(6) Compost piles shall not exceed 12 feet in height.~~
- ~~c.(7) The operator of the composting operation shall maintain and follow an odor abatement plan in compliance with ~~per~~ Santa Barbara County Air Pollution Control District recommendations~~guidance~~.~~
- ~~d.(9) The operation shall be located a minimum of ~~200~~ 500 feet from any adjacent lot and ~~300~~ 1,000 feet from any ~~dwelling located on an adjacent lot~~ lots zoned Residential.~~
- ~~(1)(a) The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.~~
- e. Setbacks from Sensitive Habitats.**
- ~~(1) Composting facilities and related development, including, parking, grading, and ground-disturbing activities in support of the composting operation, shall be located a minimum of 100 feet from the edge of the following sensitive habitats:~~
- ~~(a) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek.~~
- ~~(b) Wetlands.~~
- ~~(c) Vernal pools.~~
- ~~(d) Native woodlands and forests.~~
- ~~(e) Native shrub lands (e.g., chaparral and coastal sage scrub).~~
- ~~(f) Native grasslands.~~
- ~~(g) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.~~
- ~~(2) The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department.~~
- ~~(3) Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing and exempt use, prior to issuance of a Zoning Clearance, or prior to approval of a Land Use Permit or Conditional Use Permit, as applicable.~~
- f. Oak Tree and other Native Tree Protection.** Composting facilities and related development, including, parking, grading, and ground-disturbing activities in support of the composting

operation, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. If a permit is required, applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.

g. Fencing for Wildlife Movement. If fencing is required for composting operations, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.

- (1) Fences and gates shall be wildlife-permeable.
- (2) The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
- (3) Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for composting operations unless necessary to separate livestock operations from the use.

h. Lighting. Lighting accessory to a composting operation shall comply with Section 35.30.120 (Outdoor Lighting).

i.(8) Critical Viewshed Corridor Overlay. The Composting operations within the Gaviota Coast Plan area shall comply with ~~is in compliance~~ Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.

New Draft Section 35.42.134 – Farmstays

The Agricultural Enterprise Ordinance proposes a new Section 35.42.134 (Farmstays) to allow farmstays on lands zoned AG-II countywide, revising and replacing the regulations for farmstays in the Gaviota Coast Plan Overlay (Subsection 35.42.240.D.2).

Definition

~~**Farmstay.** Transient lodging visitor-serving accommodations provided as part of a A-type of working farm or ranch operation, that is partially oriented towards visitors or tourism by providing guest accommodations. Such an operation may include interactive activities where guests participate in basic farm or ranch operations such as collecting eggs and feeding animals, or a work exchange agreement where the guest works a set number of hours in exchange for free or reduced rate accommodation.~~

35.42.134 - Farmstays

A. Purpose and intent. This Section establishes standards for the siting and development of a farmstay where allowed by Article 35.2 (Zones and Allowable Land Uses). The intent of this section is to: (1) ensure that farmstays are incidental and supportive of the primary agricultural use of the land; and (2) protect, promote, and enhance agricultural operations by providing agriculturalists and their families an opportunity to conduct a rural agricultural use to support their farms and/or ranches.

B. Applicability.

- 1. Premises.** The farmstay shall be located on a premises of 40 acres or greater and the entire premises is located in the AG-II zone.
 - a. Only one farmstay operation may be allowed on a premises.
 - b. The premises shall contain an active working farm or ranch operation that produces agricultural products and is the primary use on the premises.
- 2. Existing Principal Dwelling Requirement.** The farmstay premises shall contain an existing principal dwelling at the time an application for a farmstay is submitted, or the application for the farmstay shall be in conjunction with the principal dwelling. The farmstay shall not be occupied before occupation of the principal dwelling.
- 3. Owner and Operator.** The farmstay is a transient occupancy lodging establishment where the predominant relationship between the occupants thereof and the owner or operator of the farmstay is that of guest and innkeeper. The premises owner (or the major shareholder, officer, partner, or beneficiary of a corporate or trust owner), an employee of the premises owner, or individual or entity under contract with the premises owner, must operate the farmstay.
 - a. The premises owner (or the major shareholder, officer, partner, or beneficiary of a corporate or trust owner), employee thereof, or designated person under contract with the premises owner shall reside on the premises at the same time as the transient occupant(s) of the farmstay.
- 4. Prohibited structures.** Farmstays shall not be allowed in:
 - a. Any dwelling subject to agreements, conditions, or covenants entered into with the County restricting their use including, but not limited to, affordable housing units, agricultural employee housing, and farmworker housing.

b. Any structure or space that may not be legally used for dwelling or overnight accommodations including, but not limited to, tents, park trailers not on permanent foundations, vehicles, and yurts.

c. Accessory dwelling units and junior accessory dwelling units.

C. Permit requirements. A farmstay operation may be allowed provided the operation complies with the following permit requirements:

1. Zoning Clearance. A farmstay operation may be allowed with a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances) provided the operation complies with the following standards:

a. The farmstay accommodations shall be sited in the existing principal dwelling.

(1) Farmstay accessory uses, such as parking or picnic area, and operations shall be sited within the existing disturbed area on the premises, and in clustered proximity to the principal dwelling and existing infrastructure.

(2) Farmstay accommodations and operations shall be sited and designed to maintain the long-term agricultural productivity and capability of the agricultural resources and operations of the subject premises and adjacent agricultural areas.

b. Where a farmstay will be conducted within a dwelling that relies on a private onsite wastewater treatment system, written clearance from the Public Health Department shall be required prior to issuance of the Zoning Clearance.

c. The maximum number of registered guests that can be accommodated and permitted with a Zoning Clearance shall be 10 per night and they shall be accommodated in no more than four bedrooms.

d. The operation shall comply with all standards in Subsection 35.42.134.D (Development standards), below.

e. The Permittee shall establish, manage, and/or operate the farmstay in compliance with all permit conditions prior to and throughout operation of a farmstay.

2. Land Use Permit. A farmstay operation may be allowed with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) provided the operation complies with the following standards:

a. The farmstay accommodations shall be sited within the existing principal dwelling; conversion of existing permitted buildings/structures that are not otherwise prohibited under Subsection 35.42.134.B.4 above; proposed cottages; and/or park trailers on permanent foundations, or any combination thereof.

(1) Farmstay accommodations and operations shall be sited in clustered proximity to the principal dwelling and existing infrastructure within a single contiguous area not to exceed two acres in area.

(2) Farmstay accommodations and operations shall be sited and designed to:

(a) Maintain the long-term agricultural productivity and capability of the agricultural resources and operations of the subject premises and adjacent agricultural areas.

(b) Take maximum advantage of existing roads and infrastructure.

- (c) Be in character with the rural setting and not result in any significant adverse impacts to visual resources.
 - (d) Avoid biological resources, including environmentally sensitive habitat (ESH) and ESH buffers, and preserve natural landforms and native vegetation to the maximum extent feasible.
 - b. The maximum number of registered guests that can be accommodated and permitted with a Land Use Permit shall be 15 per night and they shall be accommodated in no more than six bedrooms.
 - c. The operation shall comply with all standards in Subsection 35.42.134.D (Development standards), below.
 - d. The Permittee shall establish, manage, and/or operate the farmstay in compliance with all permit conditions prior to and throughout operation of a farmstay.
- 3. Minor Conditional Use Permit.** A farmstay operation may be allowed with a Minor Conditional Use Permit issued in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) provided the operation complies with the following standards:
 - a. The farmstay accommodations shall be sited in the existing principal dwelling; conversion of existing permitted buildings/structures that are not otherwise prohibited under Subsection 35.42.134.B.4 above; proposed cottages; and/or park trailers on permanent foundations, or any combination thereof. Farmstay operations shall be located principally within the clustered farmstay development envelope.
 - (1) Farmstay accommodations and operations shall be sited principally in clustered proximity to the principal dwelling and existing infrastructure, within a single contiguous area not to exceed two acres in area. The development area shall include the principal dwelling unit, farmstay related structures, outdoor use areas, and infrastructure (e.g., parking, driveways, fencing, onsite wastewater systems). Roads used for agricultural purposes are not included in the development area.
 - (a) Additionally, a portion of the farmstay accommodations may be allowed on the premises in one remote farmstay development area, not to exceed one contiguous acre. The remote farmstay development area shall include the portion of the farmstay accommodations, and associated outdoor use areas and infrastructure (e.g., parking, driveways, fencing, onsite wastewater treatment system). Roads used for agricultural purposes are not included in the remote farmstay development area.
 - (2) Farmstay accommodations and operations shall be sited and designed to:
 - (a) Maintain the long-term agricultural productivity and capability of the agricultural resources and operations of the subject premises and adjacent agricultural areas.
 - (b) Take maximum advantage of existing roads and infrastructure.
 - (c) Be in character with the rural setting and not result in any significant adverse impacts to visual resources.
 - (d) Avoid biological resources including environmentally sensitive habitats (ESH) and ESH buffers, and preserve natural landforms and native vegetation to the maximum extent feasible.

- b. The maximum number of registered guests that can be accommodated and permitted with a Minor Conditional Use Permit shall be 15 per night and they shall be accommodated in no more than six bedrooms.
- c. The operation shall comply with all standards in Subsection 35.42.134.D (Development standards), below.
- d. The Permittee shall establish, manage, and/or operate the farmstay in compliance with all permit conditions prior to and throughout operation of a farmstay.

D. Development standards. Farmstays shall comply with all of the following standards in addition to any other applicable standards of this Development Code.

- 1. Limitation on occupancy.** Children under three years of age shall not be counted toward occupancy. Only registered guests may utilize the accommodations overnight.
- 2. Lodging and food service.** Lodging and meals are incidental and not the primary function of the farmstay operation.
 - a. Lodging and food service is only available to registered guests of the operation. The cost of any food provided shall be included in the total price for accommodation and not be charged separately.
 - b. A farmstay operation that serves food shall maintain a food facility permit as required by Chapter 16, Article III (County Retail Food Code) of the County Code.
- 3. Compliance with building, fire, and public health codes.** Any dwelling or structure used as part of a farmstay operation shall comply with the applicable standards and regulations of Chapter 10 (Building Regulations), Chapter 15 (Fire Prevention), Chapter 18C (Environmental Health Services), and Chapter 35B (Domestic Water Systems) of the County Code.
 - a. The farmstay operator shall install and regularly maintain clear exit signs, emergency egress lighting, smoke and carbon monoxide detectors, and fire extinguishers in farmstay accommodations.
 - b. The farmstay operator shall submit and implement a Fire Protection Plan to the County Fire Department in compliance with Chapter 15 of the County Code.
- 4. Compliance with water and wastewater codes.** The owner of any dwelling or structure used as a farmstay shall maintain an approved potable water supply and a properly functioning and suitably sized onsite wastewater treatment system or sewer connection, subject to Public Health Department review and approval.
 - a. A public sewer system shall not serve a farmstay operation unless the public sewer system directly serves the structure(s) used in the farmstay operation.
- 5. Maximum height for new structures or park trailers.** New farmstay structures and/or park trailers shall not exceed 16 feet in height and shall be measured in compliance with Section 35.30.090 (Height Measurement, Exceptions and Limitations).
- 6. Access.** The farmstay shall not include a new at-grade crossing of Highway 101 or State highway.
- 7. Parking.** The farmstay operation shall include one parking space per guest bedroom and one space for the onsite operation manager on the premises on which the farmstay is located, in compliance with Chapter 35.36 (Parking and Loading Standards) of this Development Code.

- a. All parking areas shall have an all-weather surface consisting of a minimum of crushed rock, asphalt, chip, seal, concrete, brick, or other masonry paving units or equivalent surface. The use of any non-permeable surface materials shall be the minimum necessary to comply with requirements for the provision of disabled access.
- b. All parking areas shall have an active dust control program.
- c. Parking spaces shall comply with the disabled access requirements of Title 24 of the California Code of Regulations.
- d. Parking shall not be allowed within an adjoining road right-of-way or trail easement.

8. Setbacks from Sensitive Habitats.

- (a) New farmstay accommodations and related development, including, parking, grading, and ground-disturbing activities in support of new development, shall be located a minimum of 100 feet from the edge of the following sensitive habitats:
 - (1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - (2) Wetlands
 - (3) Vernal pools
 - (4) Native woodlands and forests
 - (5) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - (6) Native grasslands
 - (7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
- (b) The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department.
- (c) Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing and exempt use, prior to issuance of a Zoning Clearance, or prior to approval of a Land Use Permit or Conditional Use Permit, as applicable.

9. Oak Tree and other Native Tree Protection. New farmstay accommodations and related development, including parking, grading, and ground-disturbing activities in support of new development, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. Applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.

10. Fencing for Wildlife Movement. If fencing is required for the farmstay operation, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.

- a. Fences and gates shall be wildlife-permeable.

- b. The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
 - c. Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for farmstays unless necessary to separate livestock operations from the farmstay.
- 11. Cultural Resources.** Archaeological and other tribal cultural resources shall be protected in compliance with applicable cultural resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. If subsurface ground disturbing activities are proposed for a farmstay on lands where no previous permitted ground disturbance or prior archaeological surveys have occurred, the applicant shall submit to the Department a Phase 1 cultural resource study prepared by a qualified archaeologist documenting the absence or presence of cultural resources in the project area.
- 12. Historic Resources.** Historic resources shall be preserved, restored, and renovated consistent with applicable historic resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. Applicants proposing to repurpose existing structures that are greater than 50 years in age and/or designated as an historic landmark or place of historic merit for an agricultural enterprise use shall submit to the Department a Phase 1 investigation prepared by a qualified historian.
- 13. Hazardous Materials Avoidance and Incidental Discovery.** Farmstays shall be located to avoid areas that are known to be contaminated with hazardous agricultural chemicals. In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during grading or construction for an agricultural enterprise use, construction activities in the immediate vicinity of the contamination shall cease immediately and the applicant shall immediately notify the Department and, as applicable the Hazardous Waste Unit of County Fire and Site Mitigation Unit of County Environmental Health.
- 14. Noise.** The volume of sound generated by the farmstay shall not exceed 65 dBA or existing ambient levels, whichever is greater, at any point beyond the premises boundary, except that between the hours of 10 p.m. and 8 a.m., the volume of sound generated by the farmstay shall not exceed 45 dBA or existing ambient levels, whichever is greater, at any point beyond the premises boundary.
- 15. Lighting.** Lighting accessory to a farmstay operation shall comply with Section 35.30.120 (Outdoor Lighting).
- 16. Transient Occupancy Tax (TOT).** The farmstay owner/operator shall maintain a TOT license and remain current on all required TOT reports and payments. The owner or authorized agent shall include the TOT certificate number on all contracts or rental agreements, and in any advertising or websites.
- 17. Informational Advisory.** The farmstay operator shall provide an informational advisory to registered guests disclosing the following:
 - a. The farmstay operation is located on an active agricultural operation and visitors may be exposed to minor inconveniences associated with the agricultural operation such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands.

b. The informational advisory shall also advise potential guests that visitors to active agricultural lands must respect the property and pre-existing agricultural operations, and avoid trespassing beyond designated visitor areas.

18. Signs. Signs accessory to the farmstay operation shall comply with Chapter 35.38 (Sign Standards).

19. Nuisance response plan.

a. Call response availability.

(1) The owner shall submit the owner’s name, address, and telephone number and/or a local contact who will respond to calls regarding the farmstay.

(2) The owner or local contact shall be available by telephone on a 24-hour basis to respond to calls regarding the farmstay.

(3) Failure to respond to calls in a timely and appropriate manner may result in revocation of the permit issued to allow the use of a farmstay.

(4) For purposes of this Section, responding in a timely and appropriate manner means that an initial call shall be responded to within one hour of the time the initial call was made, and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of this Section.

b. Local contact. The owner is required to immediately notify the County with any changes to their or the local contact’s information.

20. Limitation on visitors. Registered farmstay guests shall not have daytime visitors, or invite unregistered guests to be present at any time.

21. Length of stay. Thirty consecutive days or less.

22. Sale restriction. The farmstay shall not be sold or otherwise conveyed separately from the principal dwelling.

23. Notice to Property Owner. Prior to issuance of the applicable land use entitlement for a farmstay in compliance with Subsection 35.42.134.C (Permit requirements), above, the property owner shall record a “Notice to Property Owner” in compliance with Section 35.82.050 (Recordable Documents) that notifies future owners and successors-in-interest of the subject property of the specific conditions and/or restrictions (if any) that apply to the use of the structure(s) as a farmstay, including the requirement of Subsection B.3.a., above, that the premises owner, employee thereof, or designated person under contract with the owner shall reside on the premises at the same time as the transient occupant(s).

24. Farmstay Accessory Use Structures. A farmstay operation may be permitted to have accessory structures provided the structures shall support the farmstay lodging and food service operations. Permitted structures may include but are not limited to community restroom/shower facilities, benches, picnic tables, shade structures, and barbeque pits.

25. Critical Viewshed Corridor Overlay. Farmstay developments within the Gaviota Coast Plan area shall comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.

E. Revocation. In addition to the bases for revocation in Section 35.84.060 (Revocations), a Zoning Clearance, Land Use Permit, or Minor Conditional Use Permit for a farmstay may be revoked if the Permittee:

1. Makes alterations to the property that compromise the original permit approval (e.g., removal of required parking);
2. Is determined to have submitted false or misleading information to the Department (e.g., information submitted as part of the permit application);
3. Receives, within a 12-month period, more than two documented violations regarding the farmstay. Evidence of documented violations includes, but is not limited to, notices of violation, notices of determination of fines, orders to abate, citations, orders to cease and desist, or other documentation filed by County staff or law enforcement;
4. Fails to comply partially or wholly with any of the permit conditions; or
5. Fails to obtain or comply with any other required County, state or local permit.

Draft Amendments to Section 35.42.240 – Rural Recreation

The proposed Agricultural Enterprise Ordinance would amend Section 35.42.240 (Rural Recreation) to allow small scale rural recreation uses on lands zoned AG-II countywide and revise the applicable permit requirements and development standards. The draft text presents existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Definitions

Campground. A site for temporary occupancy by campers which may include individual campsites. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

Equestrian Facility. A commercial facility for the boarding of horses, donkeys, and mules, and where such animals are available for hire. Examples of these facilities include:

boarding stables
horse exhibition facilities
riding schools and academies

Also includes barns, stables, corrals, and paddocks accessory and incidental to the above uses. Does not include rodeos (see "Rodeo"), or polo fields (see "Sports and Outdoor Recreation Facility").

Fishing. The activity of catching fish, either for food or as a sport.

Fishing Operation. Commercial, recreational fishing within an artificial pond or reservoir that is stocked with fish.

Hunting. The activity of hunting animals, either for food or as a sport.

Park Trailer. A trailer, with or without a permanent foundation, designed for human habitation that meets the requirements of the California Health and Safety Code Section 18009.3.

Recreational Vehicle. A motor home, travel trailer, camper or camping trailer, with or without motorized power, designed for human habitation for recreational or emergency occupancy. Recreational vehicles shall also include trailer-borne boats and other watercraft.

Rural Recreation. Low intensity recreational uses including campgrounds with minimum facilities, hunting clubs, retreats, and summer camps. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

Tent Cabin. A hybrid structure between a tent and a cabin typically with a wood floor, frame, and door, and covered by a heavy-duty or waterproof canvas or other durable fabric.

Trail. A marked or beaten path, as through woods or wilderness.

Yurt. A circular structure with a wood floor, lattice framework, and a conical roof of poles, covered by a heavy-duty or waterproof canvas or other durable fabric.

35.42.240 - Rural Recreation

- A. Purpose and applicability.** This Section provides standards for rural recreation, where allowed in compliance with Article 35.2 (Zones and Allowable Land Uses).
- B. Allowable uses and permit requirement.** Low-intensity recreational development (e.g., recreational camps, hostels, campgrounds, retreats, and guest ranches, trout farm, rifle range, and duck shooting farm) may be allowed subject to a Conditional Use Permit in compliance with Section 35.82.060 (Conditional

Use Permits and Minor Conditional Use Permits) provided the development complies with the applicable development standards included in Subsection C. (~~Standards~~) and Subsection D, below.

C. Development Standards for RMZ and MT-Toro zones.

~~1. — **AG-II zones.** The following development standards shall apply to projects located in the AG-II zone not including projects allowed in compliance with Subsection D (Specific allowable uses and development standards for the Gaviota Coast Plan area), below.~~

~~a. — Is in character with the rural setting.~~

~~b. — Does not interfere with agricultural production on or adjacent to the lot on which it is located.~~

~~c. — Does not include commercial facilities open to the general public who are not using the recreational facility.~~

~~d. — Does not require an expansion of urban services that shall increase pressure for conversion of the affected agricultural lands.~~

~~2. — **RMZ and MT-TORO zones.** The following development standards shall apply to projects located in the RMZ and MT-TORO zones.~~

~~a1. **Retreats.**~~

~~(1)a. Groups may be assembled for periods of not to exceed 21 days.~~

~~(2)b. When retreats are located within Rural Areas as designated on the Comprehensive Plan maps, the retreat must require or benefit from a location surrounded by open land and the facility development shall be limited and subordinate to the character of the surrounding natural environment.~~

~~b2. Rural recreation development shall not contain accommodations for recreational vehicles if located in the RMZ and MT-TORO zones.~~

D. Development standards for all rural recreation uses in the AG-II zones. The following development standards shall apply to all rural recreation projects located on property zoned in the AG-II, including agricultural enterprise rural recreation uses allowed in compliance with Subsection E, below. ~~zone not including projects allowed in compliance with Subsection D (Specific allowable uses and development standards for the Gaviota Coast Plan area), below.~~

a1. Is in character with the rural setting.

b2. Does not interfere with agricultural production on or adjacent to the lot on which it is located.

e3. Does not include commercial facilities open to the general public who are not using the recreational facility.

d4. Does not require an expansion of urban services that shall increase pressure for conversion of the affected agricultural lands.

E. Specific allowable uses and development standards for agricultural enterprise rural recreation in the AG-II zone. ~~Gaviota Coast Plan area.~~ The following allowable uses, permit requirements, and development standards shall apply to agricultural enterprise rural recreation projects located in the Gaviota Coast Plan area on property zoned AG-II, in addition to development standards in compliance with Subsection F (Additional development standards for agricultural enterprise rural recreation uses), below. These uses are allowed in addition to uses allowed in compliance with Subsection B (Allowable uses and permit requirement), above.

1. Campgrounds.

- a. A ~~C~~campground operation may be allowed with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) provided the operation complies with the following development standards:
- ~~(1) The project does not include any of the following:~~
 - ~~(a) New grading or structures that would require a grading or planning permit. This does not apply to grading and structures that are required in order to comply with the requirements of the Public Health Department in regards to the provision of sufficient potable water and onsite wastewater disposal.~~
 - ~~(b) Electrical hookups for vehicles including recreational vehicles and trailers.~~
 - ~~(c) New impervious surfaces.~~
 - ~~(2) The project is not located on property zoned with the Critical Viewshed Corridor Overlay unless the Director determines that the location of the campground is not visible from Highway 101 due to natural intervening topography.~~
 - (1) A campground operation may include low-impact, wilderness campsites, individual developed campsites, or any combination thereof.
 - (2) A campground operation shall be located within one or two development areas.
 - (a) A campground operation shall be clustered on the premises to the maximum extent feasible to minimize impacts to agricultural resources.
 - (a) A portion of the campground accommodations (campsites and accessory structures) may be allowed on the premises in one remote development area, not to exceed one contiguous acre.
 - (b) The campground development area allowance, including road widening, turn-outs, or new access roads required to comply with County Fire Department access requirements, shall not exceed five acres of total disturbance.
 - ~~(3) There are no more than 10 campsites.~~
 - (3) The following number of campsites may be allowed per premises:
 - (a) Up to 15 campsites on premises of 100 acres or less.
 - (b) Up to 20 campsites on premises larger than 100 acres and up to 320 acres.
 - (c) Up to 30 campsites on premises larger than 320 acres.
 - (4) No more than eight persons shall occupy each campsite.
 - (5) (a) No more than two vehicles shall be parked at each campsite, one of which may be a recreational vehicle.
 - ~~(b) A maximum of one-half of the total number of campsites may be used at any one time for the parking of not more than two recreational vehicles or trailers per site. Recreational vehicles and trailers shall not exceed 25 feet in length.~~
 - (6) The landowner may provide no more than one semi-permanent accommodation per campsite. Semi-permanent accommodations include park trailer, recreational vehicle, travel trailer, tent cabin, or yurt.

(7) Campground accessory structures that support a camping operation may be provided including the following:

- (a) Community restroom/shower facility.
- (b) Incidental food service in compliance with Section 35.42.035.C.4 (Incidental Food Service).
- (c) Benches.
- (d) Picnic tables.
- (e) Shade structures.
- (f) Community barbeque.
- (g) Fire rings.

(8) Parking.

- (a) Parking for each campsite shall not exceed 30 feet in length and 10 feet in width.
- (b) Campsite parking areas shall have an all-weather surface consisting of a minimum of crushed rock, asphalt, chip, seal, concrete, brick, or other masonry paving units or equivalent surface. The use of any non-permeable surface materials shall be the minimum necessary to comply with requirements for the provision of disabled access.

~~(9) Stays are limited to a maximum of 30 consecutive days, per person per year.~~

~~(10) The campground operation shall maintain quiet hours in effect from 10:00 PM to 7:00 AM seven days a week.~~

~~(5) The use will not significantly compromise the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~

~~(11) **Setback.** All campground facilities and activities shall be located no closer than 1,000 feet from the property line of the farm or ranch premises on which the campground is located or from a public road.~~

~~(12) The project is campground shall not be located on property zoned with the Critical Viewshed Corridor Overlay unless the Director determines that the location of the campground is not visible from Highway 101 due to natural intervening topography.~~

~~(6) Prior to the approval of a Land Use Permit approved in compliance with [Section 35.82.110 \(Land Use Permits\)](#), the plans for the Campground operation shall be reviewed and approved by:~~

~~(a) The Public Health Department in regards to the provision of sufficient potable water and onsite wastewater disposal.~~

~~(b) The County Fire Department in regards to fire safety.~~

b. A ~~campground~~ operation that may not be allowed in compliance with Subsection ~~DE.1.a,~~ above, may be allowed with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), ~~provided the following additional findings are first made:~~

~~(a) The operation will not result in significant adverse impacts to visual resources.~~

~~(b) The operation will not include a new at grade crossing of Highway 101.~~

~~2. Farmstay.~~

~~a. A Farmstay operation may be allowed with a Land Use Permit issued in compliance with [Section 35.82.110 \(Land Use Permits\)](#) provided the operation complies with the following development standards:~~

~~(1) The operation is located on a single lot of 40 acres or greater and the entire lot is located in the AG-II zone. Only one Farmstay operation may be allowed on a lot.~~

~~(2) The operation is housed in a single permitted or nonconforming dwelling existing as of December 9, 2016. However, the operation shall not be housed in an accessory dwelling unit or junior accessory dwelling unit.~~

~~(3) The primary purpose of the Farmstay operation shall be the education of registered guests regarding the agricultural operations on the lot. Lodging and meals are incidental and not the primary function of the Farmstay operation.~~

~~(a) The maximum number of registered guests that can be accommodated shall be 15 per night and they shall be accommodated in no more than six bedrooms. Only registered guests may utilize the accommodations overnight.~~

~~(b) Food service is only available to registered guests of the operation. The cost of any food provided shall be included in the total price for accommodation and not be charged separately.~~

~~(4) The operation shall be consistent with the compatibility guidelines set forth in Uniform Rule Two (Compatible Uses within Agricultural Preserves) of the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.~~

~~(a) If a Farmstay operation is proposed on a lot not subject to a contract executed in accordance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones, then the applicable review authority shall determine if the operation will be consistent with the compatibility guidelines.~~

~~(5) The operation is located on, and is part of, a farm or ranch operation that produces agricultural products, and the Farmstay operation:~~

~~(a) Does not constitute the principal land use of the premises, and~~

~~(b) Is beneficial and inherently related to the farm or ranch operation.~~

~~(6) The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot or adjacent lot(s).~~

~~(7) No sign(s) located on the premises on which the Farmstay operation is located shall advertise or otherwise identify the existence of the Farmstay operation.~~

~~b. A Farmstay operation that may not be allowed in compliance with Subsection D.2.a., above, may be allowed with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:~~

~~(a) The operation will not result in significant adverse impacts to visual resources.~~

~~(b) The operation will not include a new at grade crossing of Highway 101.~~

~~(c) The operation will not be housed in an accessory dwelling unit or junior accessory dwelling unit.~~

32. Fishing operation.

a. Applicability. A fishing operation may be allowed within an artificial pond or reservoir stocked with fish in compliance with the California Fish and Game Code and the California Freshwater Sport Fishing Regulations, as may be amended, and subject to the following permit requirements.

b. Permit requirements.

(1) Exempt. A fishing operation may be exempt from the requirements to obtain a permit ~~allowed with an exemption~~ in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) provided the operation complies with the following development standards:

~~(a1)~~ The operation is limited to 20 participants daily.

~~(2)~~ The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).

~~(b3)~~ The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.

~~(c)~~ The operation does not propose construction of a new pond.

(2)b. Zoning Clearance or Land Use Permit. A fishing operation that may not be allowed in compliance with Subsection ~~E.2.b.(1)~~D.3.a, above, may be allowed with a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances) or a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) provided the operation complies with the following development standards:

~~(a1)~~ The operation is limited to ~~20~~30 participants daily.

~~(b2)~~ The floor area (gross) of any new structure is less than 600 square feet.

~~(3)~~ The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).

~~(c)~~ Total ground disturbance for the fishing operation, including grading for new pond construction, parking, and any accessory structures, shall not exceed one acre.

(3)e. Conditional Use Permit. A fishing operation that may not be allowed in compliance with Subsections ~~D.3.a or D.3.b, E.2.b.(1) or E.2.b.(2)~~, above, may be allowed with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), ~~provided the following additional findings are first made:~~

~~(1)~~ The operation will not result in significant adverse impacts to visual resources.

~~(2)~~ The operation will not include a new at grade crossing of Highway 101.

43. Horseback riding.

a. Exempt. A horseback riding operation may be exempt from the requirements to obtain a permit ~~allowed with an exemption~~ in compliance with Section 35.20.040 (Exemptions from

Planning Permit Requirements) provided the operation complies with the following development standards:

- (1) The horseback riding operation is limited to 20-24 participants daily.
- (2) The horseback riding operation may include the following options:
 - (a) Riders may bring their own horses to the premises for riding.
 - (b) Horses may be brought to the premises for rental and riding on the premises.
 - (c) Rental of horses for horseback riding at existing stables that were permitted for the personal use of a landowner or for commercial boarding in compliance with Table 2-1 of Section 35.21.030 (Agricultural Zones Allowable Land Uses) or Section 35.42.060 (Animal Keeping).
- ~~(2) The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- (3) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit ~~or new water or wastewater permit.~~
- (4) The operation does not propose the construction of any new roads or trails.

b. Land Use Permit. A ~~H~~horseback riding operation that may not be allowed in compliance with Subsection ~~E.3.a-D.4.a.~~, above, may be allowed with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) and Section 35.21.030 (Agricultural Zones Allowable Land Uses – Table 2-1, Equestrian Facilities)., ~~provided the operation complies with the following development standards:~~

- ~~(1) The operation is limited to 20 participants daily.~~
- ~~(2) The operation will not significantly compromise the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~(3) The floor area (gross) of any new structure associated with the operation is less than 1,200 square feet.~~

~~e. A Horseback riding operation that may not be allowed in compliance with Subsections D.4.a. or D.4.b., above, may be allowed with a Conditional Use Permit approved in compliance with [Section 35.82.060 \(Conditional Use Permits and Minor Conditional Use Permits\)](#) provided the following additional findings are first made:~~

- ~~(a) The operation will not result in significant adverse impacts to visual resources.~~
- ~~(b) The operation will not include a new at-grade crossing of Highway 101.~~

4. Hunting.

a. Applicability. A hunting operation may be allowed only in compliance with the California Fish and Game Code and California Department of Fish and Wildlife Hunting Regulations, as may be amended, Chapter 14A (Firearms) of the County Code, and subject to the following permit requirements.

b. Permit requirements.

- (1) Exempt.** A hunting operation may be exempt from the requirements to obtain a permit in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) provided the operation complies with the following development standard:

 - (a) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
- (2) Zoning Clearance or Land Use Permit.** A hunting operation that may not be allowed in compliance with Subsection E.4.b.(1), above, may be allowed with a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances) or a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) provided the operation complies with the following development standard:

 - (a) The gross floor area of any new structure associated with the operation is less than 600 square feet.
- (3) Conditional Use Permit.** A hunting operation that may not be allowed in compliance with Subsections E.4.b.(1) or E.4.b.(2), above, may be allowed with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

F. Additional development standards for agricultural enterprise rural recreation uses. The following development standards shall apply to the specific allowable uses allowed in compliance with Subsection E (Specific allowable uses and development standards for agricultural enterprise rural recreation uses in the AG-II zone), above.

1. The use is located on an active working farm or ranch, which produces agricultural products and which serves as the primary use of the premises, and shall be incidental, supportive, and supplemental to the primary agricultural uses.
2. The use shall not significantly compromise the agricultural operations or the long-term productive agricultural capability or natural resources of the subject premises or adjacent and surrounding premises.
3. Unless determined to be not applicable by the relevant department, prior to commencement of an exempt use in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), the issuance of a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances), or the approval of a Land Use Permit approved in compliance with Section 35.82.110 (Land Use Permits), the use shall be reviewed and approved by:

 - a. The Public Health Department in regards to the provision of sufficient onsite wastewater disposal in compliance with Chapter 18C (Environmental Health Services), and sufficient potable water in compliance with Chapter 35B (Domestic Water Systems), of the County Code.
 - b. The County Fire Department in regards to fire safety in compliance with Chapter 15 (Fire Prevention) of the County Code.
4. The rural recreation use shall not include a new at-grade crossing of Highway 101 or State highway.
5. The rural recreation operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:

- a. Contract with a waste collection company to provide regular solid waste handling services.
- b. Transport the solid waste to an authorized solid waste facility.
- c. Implement and enforce a “Leave No Trace” or “Pack In, Pack Out” policy for the recreational users.

6. Fire Protection Plan. Unless determined to be not applicable by the County Fire Department, prior to commencement of rural recreation uses that bring the public to the premises with an exemption in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), issuance of a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances), or the approval of a Land Use Permit approved in compliance with Section 35.82.110 (Land Use Permits), the applicant shall submit a Fire Protection Plan to the County Fire Department for review and approval in compliance with Chapter 15 (Fire Prevention) of the County Code. The Fire Protection Plan shall identify potential ignition sources (such as campfire rings), measures intended to reduce the potential for wildfire, firefighting infrastructure, emergency ingress and egress, emergency evacuation routes and shelter locations in the event of wildfire, and any additional information required by the County Fire Department. The Plan shall be updated and resubmitted, as necessary, should there be any changes to the conditions on the site (such as increased intensity of uses, change of use, or additional uses). The County Fire Department shall retain the ability to modify the conditions in the plan to address any safety issues that may arise.

7. Setbacks from Sensitive Habitats.

- a. Rural recreation uses and related development, including, parking, grading, and ground-disturbing activities in support of new development, shall be located a minimum of 100 feet from the edge of the following sensitive habitats:
 - (1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - (2) Wetlands
 - (3) Vernal pools
 - (4) Native woodlands and forests
 - (5) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - (6) Native grasslands
 - (7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
- b. The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department.
- c. Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing and exempt use, prior to issuance of a Zoning Clearance, or prior to approval of a Land Use Permit or Conditional Use Permit, as applicable.

- 8. Oak Tree and other Native Tree Protection.** Any new development or parking areas for a rural recreation use, including grading and ground-disturbing activities in support of new development or parking areas, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. If a permit is required, applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.
- 9. Fencing for Wildlife Movement.** If fencing is required for rural recreation uses, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.

 - a. Fences and gates shall be wildlife-permeable.
 - b. The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
 - c. Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for agricultural enterprise rural recreation uses unless necessary to separate livestock operations from the use.
- 9. Cultural Resources.** Archaeological and other tribal cultural resources shall be protected in compliance with applicable cultural resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. If subsurface ground disturbing activities are proposed for rural recreation uses on lands where no previous permitted ground disturbance or prior archaeological surveys have occurred, the applicant shall submit to the Department a Phase 1 cultural resource study prepared by a qualified archaeologist documenting the absence or presence of cultural resources in the project area.
- 10. Historic Resources.** Historic resources shall be preserved, restored, and renovated consistent with applicable historic resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. Applicants proposing to repurpose existing structures that are greater than 50 years in age and/or designated as an historic landmark or place of historic merit for an agricultural enterprise use shall submit to the Department a Phase 1 investigation prepared by a qualified historian.
- 11. Hazardous Materials Avoidance and Incidental Discovery.** Rural Recreation uses shall be located to avoid areas that are known to be contaminated with hazardous agricultural chemicals. In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during grading or construction for an agricultural enterprise use, construction activities in the immediate vicinity of the contamination shall cease immediately and the applicant shall immediately notify the Department and, as applicable the Hazardous Waste Unit of County Fire and Site Mitigation Unit of County Environmental Health.
- 12. Signs.** Signs accessory to a rural recreation use shall comply with Chapter 35.38 (Sign Standards).
- 13. Lighting.** Lighting accessory to a rural recreation use shall comply with Section 35.30.120 (Outdoor Lighting).
- 14. Informational Advisory.** The rural recreation operator shall provide an informational advisory to visitors disclosing the following:

- a. The rural recreation use is located on an active agricultural operation and visitors may be exposed to minor inconveniences associated with the agricultural operation such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands.
- b. The informational advisory shall also advise potential guests that visitors to active agricultural lands must respect the property and pre-existing agricultural operations, and avoid trespassing beyond designated visitor areas.

Draft Amendment to Section 35.42.280 – Wineries

Section 35.42.280 (Wineries) is proposed to be amended solely to add regulations for incidental food services at winery tasting rooms. This is the only agricultural enterprise use that is proposed to be allowed on property zoned AG-I. Therefore, the amendment to Section 35.42.280 is limited to the addition of incidental food service. The draft text presents existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Draft definition for Incidental Food Service at Winery Tasting Rooms

2. Incidental Food Service at Winery Tasting Rooms. Provision of food to guests of a winery tasting room within the same structure and/or footprint of the tasting room area, allowed in conjunction with the marketing and sale of wine produced on the winery premises. Provision of food shall be secondary, incidental, and subordinate to tasting room operations, including wine tasting, sales, and education.

35.42.280 - Wineries

...

C. Development standards for winery facilities. ...

7. Tasting rooms.

- a. Tasting rooms shall be clearly incidental, accessory, and subordinate to the primary operation of the associated winery as a production facility.
- b. The location of the tasting room shall take into consideration site constraints, onsite access, visual concerns, grading and other environmental issues.
- c. The primary focus of the tasting room shall be the marketing and sale of the wine produced on the winery premises. Sales of souvenirs and clothing bearing the logo of the winery, as well as wine related items and other products that reflect or enhance the character or theme of the winery may also be offered for sale in the tasting room.
- d. If more than one winemaker shares production facilities or more than one winery is located on a winery premises, only one tasting room is allowed. More than one winemaker or winery facility may share a tasting room.

8. Incidental food service at tasting rooms. Incidental food service may be allowed at and in conjunction with a tasting room provided it meets all of the requirements of this Subsection 8.

- a. **Exempt.** The following types of incidental food service at tasting rooms may be exempt from the requirements to obtain a permit in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) provided the use does not include an expansion of the tasting room or new structures or additions to existing structures, and complies with Subsection d. (Additional development standards and use limitations), below:

- (1) Non-potentially hazardous prepackaged foods in compliance with California Retail Food Code Section 113871[c] and 114365.5[b] including shelf stable foods that do not require refrigeration.

- (2) Potentially hazardous prepackaged food in compliance with California Retail Food Code Section 113871 including perishable foods that may require refrigeration or other temperature control.
 - (3) Prepackaged meals or picnics, such as salads or sandwiches, or other foods prepared and delivered by an offsite permitted food facility.
 - (4) Food trucks.
 - (5) Catered food.
- b. Zoning Clearance.** In addition to the foods allowed in compliance with Subsection C.8.a above, the following types of incidental food service at tasting rooms may be allowed with a Zoning Clearance issued in compliance with Section 35.82.210 (Zoning Clearances) provided the use does not include an expansion of the tasting room or new structures or additions to existing structures, and complies with Subsection d. (Additional development standards and use limitations), below:
- (1) Provision of foods that exceed those allowed in compliance with Subsection a. (Exempt), above.
 - (2) An outdoor barbeque not part of a food truck or catered food operation.
 - (3) An outdoor pizza oven not part of a food truck or catered food operation.
- c. Change to an Approved Development Plan.** A proposed expansion of the tasting room footprint or new structures or additions to existing structures in conjunction with incidental food service may be allowed with a modification to the winery’s operational Development Plan in compliance with Subsections 35.42.280.B.2 and 35.42.280.B.3, above, and Section 35.84.040 (Changes to an Approved Project).
- d. Additional development standards and use limitations.** The following development standards and use limitations apply to all incidental food services at tasting rooms.
- (1) The provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and winery tasting room operations, including wine tasting, marketing, sales, and education. Incidental food service shall not be operated as a food service establishment independent of the agricultural enterprise use.
 - (2) Incidental food service shall be provided within the same footprint of the approved tasting room and/or exterior area that is open to the public for wine tasting.
 - (3) Incidental food service shall be limited to the hours of operation of the tasting room.
 - (4) The incidental food service and winery tasting room shall comply with all standards regarding the provision, storage, and service of food, in addition to water supply and sanitation facilities, as required by the County Public Health Department.
 - (5) County Fire Department requirements shall be met.

8.9. Special Events.

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ATTACHMENT D

**Draft Agricultural Enterprise Ordinance Amendment Language
Article II – Coastal Zoning Ordinance (CZO)**

The draft Agricultural Enterprise Ordinance amendment language for the Coastal Zone is provided for the Planning Commission’s review and consideration. Each section is presented in the order in which it appears in the CZO with a brief introduction to the proposed changes. Existing ordinance language will be presented in standard font, with proposed revisions in strikethrough and underline fonts. In some instances, ordinance language has been relocated to a different section of the CZO and is presented as existing text with proposed revisions in strikethrough and underline fonts for context.

At the beginning of each section, for context and ease of reference, this attachment presents definitions relevant to the uses in the section, including existing definitions that will not be amended. The ordinance amendment will include several new definitions and proposes to amend others. In some instances definitions adopted only for the Gaviota Coast Plan Overlay (e.g., farmstay) will be relocated to the general definitions section of the CZO (Division 2, Section 35-58 Definitions).

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Draft Amendments to Section 35-69 – AG-II - Agriculture II

The proposed Agricultural Enterprise Ordinance, would amend Section 35-69 (AG-II- Agriculture II) to update the list of uses permitted on lands zoned AG-II in the Coastal Zone. The draft text below presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Section 35-69. AG-II – Agriculture II

Section 35-69.1 Purpose and Intent.

The purpose of the Agriculture II district is to establish agricultural land use for large prime and non-prime agricultural lands in the rural areas of the County (minimum 40 to 320 acre lots) and to preserve prime and non-prime soils for long-term agricultural use.

Section 35-69.2 Processing.

No permits for development including grading shall be issued except in conformance with [Section 35-169](#) (Coastal Development Permit).

Section 35-69.3 Permitted Uses.

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this [Section 35-69](#).
2. Sale of agricultural products, ~~including at farm stands, subject pursuant~~ to the provisions of [Section 35-131](#) (Agricultural Product Sales). *(Amended by Ord. 4557, 12/07/2004)*
3. Commercial boarding of animals.
4. Private and/or commercial kennels. *(Amended by Ord. 4067, 08/18/1992)*
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of [Section 35-141](#) (General Regulations).
6. One accessory dwelling unit or one junior accessory dwelling unit per legal lot when approved in compliance with [Section 35-142](#) (Accessory Dwelling Units and Junior Accessory Dwelling Units).
7. One guest house or artist studio per legal lot subject to the provisions of [Section 35-120](#) (General Regulations) and accessory to the primary residential use located on the same lot. *(Amended by Ord. 3835, 03/20/1990; Ord. 4557, 12/07/2004)*
8. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in [Section 35-174](#) (Development Plans). *(Amended by Ord. 3838, 03/20/1990)*
9. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in [DIVISION 9, OIL & GAS FACILITIES](#).
10. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of [Section 35-177](#) (Reclamation Plans).
11. Home occupations, subject to the provisions of [Section 35-121](#) (General Regulations) and accessory to a residential use located on the same lot. *(Amended by Ord. 3836, 03/20/1990; Ord. 4557, 12/07/2004)*

12. Special Care Homes, subject to the provisions of [Section 35-143](#) (Community Care Facilities). *(Added by Ord. 4378, 11/16/1999; Amended by Ord. 5004, 12/14/2017)*
13. Transitional and Supportive Housing, subject to the provisions of [Section 35-143.5](#) (Transitional and Supportive Housing). *(Added by Ord. 5004, 12/14/2017)*
14. Agricultural employee dwellings, including mobile homes, manufactured homes, and park trailers, providing housing for one to 24 employees in compliance with [Section 35-144R](#) (Agricultural Employee Dwellings). *(Added by Ord. 5129, 05/13/2021)*
15. Uses, buildings and structures accessory and customarily incidental to the above uses. *(Amended by Ord. 4557, 12/07/2004)*
16. Agricultural enterprise uses, including aquaponics, composting, educational experiences and opportunities, firewood processing and sales, incidental food service, and small-scale special events, subject to the provisions of Section 35-144S (Agricultural Enterprises).
17. Agricultural processing, including product preparation, small-scale processing beyond the raw state, and tree nut hulling, subject to the provisions of Section 35-144S.3.
18. Rural recreation, including campgrounds, fishing operations, horseback riding, and hunting, subject to the provisions of Section 35-144S.10.
19. Farmstays, subject to the provisions of Section 35-144T (Farmstays).
- ~~20.~~16. Cannabis, Cultivation and Nursery, subject to the provisions of [Section 35-144U](#).
- ~~21.~~17. Cannabis, Distribution, subject to the provisions of [Section 35-144U](#).
- ~~22.~~18. Cannabis, Non-volatile Manufacturing, subject to the provisions of [Section 35-144U](#).

Section 35-69.4 Uses Permitted With a Major Conditional Use Permit.

1. Animal hospitals and clinics.
- ~~2.~~ ~~Low intensity recreational development such as hiking trails, public riding stables, recreational camps, campgrounds, retreats, and guest ranches, provided that such development:~~
 - ~~a.~~ ~~Is in character with the rural setting,~~
 - ~~b.~~ ~~Does not interfere with agricultural production on or adjacent to the lot on which it is located,~~
 - ~~c.~~ ~~Does not include commercial facilities open to the general public who are not using the recreational facility, and~~
 - ~~d.~~ ~~Does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.~~
- ~~3.~~2. Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises, provided:
 - a. The winery is located on premises used for vineyard purposes,
 - b. The winery is operated in connection with the processing of wine grapes grown on the premises, and
 - c. Retail sales of wine grape products shall be limited to those processed on the premises.
 - d. If the winery includes a tasting room for retail sales, incidental food service at the tasting room may be allowed provided:
 - 1) Incidental food service is limited to:

- a) Non-potentially hazardous prepackaged foods in compliance with California Retail Food Code Section 113871[c] and 114365.5[b] including shelf stable foods that do not require refrigeration.
 - b) Potentially hazardous prepackaged food in compliance with California Retail Food Code Section 113871 including perishable foods that may require refrigeration or other temperature control.
 - c) Prepackaged meals or picnics, such as salads or sandwiches, or other foods prepared and delivered by an offsite permitted food facility.
 - d) Food trucks.
 - e) Catered food.
 - f) An outdoor barbeque not part of a food truck or catered food operation.
 - g) An outdoor pizza oven not part of a food truck or catered food operation.
- 2) The provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and winery tasting room operations, including wine tasting, marketing, sales, and education. Incidental food service shall not be operated as a food service establishment independent of the agricultural enterprise use.
 - 3) The incidental food service shall be provided within the same footprint of the approved tasting room and/or exterior area that is open to the public for wine tasting.
 - 4) The incidental food service shall be limited to the hours of operation of the tasting room.
 - 5) The incidental food service and winery tasting room shall comply with all standards regarding the provision, storage, and service of food, in addition to water supply and sanitation facilities, as required by the County Public Health Department.
 - 6) County Fire Department requirements shall be met.
- ~~4. Facilities for the sorting, cleaning, packing, freezing, and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:~~
- ~~a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),~~
 - ~~b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale,~~
 - ~~c. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands, and~~
 - ~~d. The facility processes products grown on the premises or on other local agricultural lands.~~
- ~~5.3. Piers and staging areas for oil and gas development subject to the regulations in [DIVISION 9, OIL AND GAS FACILITIES](#).~~
- ~~6.4. Aquaculture, subject to the provisions of [Section 35-136](#) (General Regulations).~~
- ~~7.5. Sorting, cleaning, and further breaking and storing of abalone shells landed live in Santa Barbara County, preparatory to shipment in their natural form.~~

- ~~8-6.~~ Agricultural employee dwellings, including mobile homes, manufactured homes, and park trailers, providing housing for 25 or more employees in compliance with [Section 35-144R](#) (Agricultural Employee Dwellings). *(Amended by Ord. 3838, 03/20/1990; Ord. 4964, 12/14/2017; Ord. 5129, 05/13/2021)*
- ~~9-7.~~ Exploration and production of offshore oil and gas reservoirs from onshore locations, including exploratory and production wells, pipelines, temporary storage tanks, dehydration and separation facilities, and temporary truck terminals located within the Las Flores Canyon Consolidated Oil and Gas Processing Site, subject to the requirements set forth in [DIVISION 9, OIL & GAS FACILITIES](#). *(Added by Ord. 4235, 09/03/1996; amended by Ord. 4602, 03/21/2006)*
- ~~10-8.~~ Consolidated pipeline terminal, subject to being designated for such use in Policy 6-13A and B of the Coastal Plan and the requirements set forth in [DIVISION 9, OIL AND GAS FACILITIES](#). *(Added by Ord. 4602, 03/21/2006)*
- ~~11-9.~~ Cannabis, Microbusiness, subject to the provisions of [Section 35-144U](#).
- ~~12-10.~~ Cannabis, Volatile Manufacturing, subject to the provisions of [Section 35-144U](#).

Section 35-69.5 Minimum Lot Area. *(Amended by Ord. 4557, 12/07/2004)*

1. Each main dwelling unit and its permitted accessory buildings and structures shall be located on a lot having a minimum lot area as indicated below for the symbol shown on the lot on the applicable Santa Barbara County Zoning Map.

Zoning Symbol	Minimum Lot Size
AG-II-40	40 acres
AG-II-100	100 acres
AG-II-320	320 acres

2. A dwelling may be located upon a lot with less area than required in [Section 35-69.6.1](#) unless such lot is a fraction lot. *(Amended by Ord. 4406, 09/12/2000)*

Section 35-69.6 Height Limit and Setback Regulations.

None, except that no building or structure shall be located within 50 feet of the centerline or within 20 feet of the right-of-way line of any street.

Section 35-69.7 Parking.

Parking shall be provided as specified in [DIVISION 6, PARKING REGULATIONS](#) except for: *(Amended by Ord. 4067, 08/18/1992)*

1. Agricultural Developments not requiring Development Plan approval, shall not be required to comply with design specifications for marking or striping ([Section 35-114.3.c](#)), except for handicap parking spaces required under state law. *(Amended by Ord. 4067, 08/18/1992)*
2. Agricultural Development projects requiring Development Plan approval may request that the decision-maker waive certain design specifications for marking or striping otherwise required under [Section 35-114.3.c](#). *(Amended by Ord. 4067, 08/18/1992)*

Draft Amendments to Section 35-131 – Agricultural Product Sales

The proposed Agricultural Enterprise Ordinance, would amend Section 35-131 (Agricultural Sales) to allow additional farm stand uses on lands zoned AG-II in the Coastal Zone. The definitions of agricultural product sales and farm stands currently existing only in the Gaviota Coast Plan Overlay; the proposed amendment would relocate them to the definitions that apply to all of the Coastal Zone (Section 35-58). The draft text below presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Definitions

Agricultural Product Sales. The sale of agricultural products, including flowers, fresh fruit, herbs, plants and vegetables, grown on or off the premises or other products as allowed by Section 35-131 (Agricultural Product Sales).

Farm sStand. A ~~stand~~ structure, which may be of permanent or temporary construction, that sells farm produce and other incidental items.

Section 35-131. Agricultural Product Sales.

(Amended by Ord. 4557, 12/07/2004)

Section 35-131.1. Purpose and Intent.

The purpose of this section is to provide for commercial facilities for the retail sale of agricultural commodities on property that is zoned to allow for agricultural activities and to establish specific permit requirements and development standards for such facilities. The intent is to promote the orderly development of such agricultural sales within Santa Barbara County and ensure their compatibility with surrounding land uses in order to protect the public health and safety and natural and visual resources.

Section 35-131.2. Applicability.

This section shall apply to all lots where the primary use of the lot is agriculture and the lot is located in a zoning district specified in the following ~~section~~ Sections 35-131.3 and 35-131.4.

Section 35-131.3. Permit Requirements and Development Standards for the AG-I, RR, M-CD, M-CR, R-1, R-2, DR, and CH Zone Districts.

Agricultural product sales may be allowed within the specified zones in compliance with Subsection 35-131.3.1 (Permit requirements) and Subsection 35-131.3.2 (Development standards), below.

1. Permit requirements. ~~Permit requirements for agricultural product sales on the AG-I, RR, M-CD, M-CR, R-1, R-2, DR, and CH Zone Districts regulated under this section are specified below. Prior to commencing an exempt farm stand operation, or the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits), a permit for the sale of agricultural products shall be obtained from the Department of Public Health (Title 17, California Administrative Code Section 13653), if required.~~ Additional permits may be required by other provisions of this Article, e.g., for structures accessory to the agricultural sales.

- ~~1.a.~~ Within the AG-I, ~~AG-II~~, RR, M-CD, and M-CR, zoning districts, the following activities are exempt from the requirement to obtain a Coastal Development Permit only if the development will: (1) not be located within or adjacent to a wetland, beach, environmentally sensitive habitat area, or on/within 50 feet of a coastal bluff; and (2) not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantial evidence of prescriptive rights); and (3) not result in significant adverse impacts to scenic views from beaches,

parklands, public viewing areas, and public roadways; and (4) provided the activity is conducted in compliance with the development standards specified by ~~Section 35-131.4~~Section 35-131.3.2, as well as the following standards below.

- ~~a.1)~~ Sales of agricultural products, operated by a single proprietor, and either (1) grown on-site or (2) on other property located within Santa Barbara County that is either owned or leased by the same owner or lessee of the lot on which the sales occur, or (3) on other property within a 25 mile radius of the lot on which the sales occur provided the lot on which the sales occur is not located within the Montecito Planning Area. This includes operations where customers have access to the growing areas and pick the product themselves; (~~such as e.g.,~~ Christmas tree farms, pumpkin patches, ~~and~~ apple or fruit picking farms).
- ~~b.2)~~ Sales of ornamental trees, shrubs and plants, grown in containers that may be imported from off-site, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is limited to 10,000 square feet.
- ~~e.3)~~ Sales of imported vegetative holiday sales products (e.g., pumpkins, Christmas trees) provided the area to which the public has access is limited to 10,000 square feet.
- ~~2b.~~ Within the AG-I, ~~AG-H~~, RR, M-CD, and M-CR zoning districts, ~~the following activities require a Development Plan approved by the Director of Planning and Development pursuant to Section 35-174 and the issuance of a Coastal Development Permit pursuant to Section 35-169 are required for the:~~
 - ~~a.~~ Sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.
- ~~3c.~~ Within the R-1, R-2, DR, and CH zoning districts, the following activities may be allowed pursuant to a Conditional Use Permit approved by the Zoning Administrator pursuant to Section 35-172 and the issuance of a Coastal Development Permit pursuant to Section 35-169:
 - ~~a.1)~~ Sales of agricultural products grown predominantly on-site or, provided the lot on which the sales occur is not located within the Montecito Planning Area, on other property within a 25 mile radius of the lot on which the sales occur and operated by a single proprietor. This includes operations where customers have access to the growing areas and pick the product themselves; (~~such as e.g.,~~ Christmas tree farms, pumpkin patches, and apple or fruit picking farms).

~~Section 35-131.4. — Development Standards.~~

2. Development standards. Agricultural product sales within the AG-I, RR, M-CD, M-CR, R-1, R-2, DR, and CH zone districts shall comply with the following development standards, as applicable.

- ~~1a.~~ 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 gross floor area and located no closer than 20 feet to the right of way line of any street.
- ~~2b.~~ The area devoted to retail sales of non-plant materials is limited to a single location no greater than 300 square feet in area. Product inventory related to the retail sales of non-plant materials may be stored separately and the area devoted to such storage shall not be included within the 300 square feet provided the inventory storage area is neither visible nor accessible to the public.
- ~~3c.~~ Structures which are not used for a period of one year shall be removed within the three months following the year of non-use.

- 4d. Ingress and egress to the agricultural sales area shall be clearly visible, and turning movements into the premises from adjacent road rights-of-way shall not create congestion or cause unnecessary slowing at access points.
- 5e. All parking areas, except for those associated with short-term, seasonal sales, shall be surfaced with a permeable or semi-permeable surface material that shall include at a minimum: ungrouted brick or other masonry paving units or crushed rock surface with the exception that non-permeable surfacing materials (such as asphalt, concrete, or chip seal) may be used only if necessary to comply with the disabled access requirements of Title 24 of the California Code of Regulations, as applicable. The use of any non-permeable surfacing materials shall be the minimum necessary to comply with requirements for the provision of disabled access. Parking areas associated with short-term, seasonal sales may be unimproved, however, any dust generation shall not be allowed to become a nuisance and shall be kept to a minimum through the periodic wetting of the surface. Parking shall not be allowed within any adjacent road rights-of-way or trail easements. Parking areas shall comply with the disabled access requirements of Title 24 of the California Code of Regulations, as applicable.
- 6g. **Lighting.** Lighting accessory to agricultural product sales shall comply with Section 35-139 (Exterior Lighting), and for sales located within the Gaviota Coast Plan Overlay, lighting shall also comply with Section 35-440.B (Outdoor lighting). ~~All exterior lighting fixtures associated with the agricultural sales area shall be of a low intensity, low glare design and shall be shielded with full cut-off design and directed downward so that neither the lamp nor the related reflector interior surface is visible from any location off of the project site in order to prevent spill over onto adjacent lots under separate ownership. No exterior lighting shall be installed or operated in a manner that would throw light, either reflected or directly, in an upward direction.~~
- 7h. In addition to the development standards listed above, the following development standards shall also apply to agricultural product sales on property located within the R-1, R-2, DR, PRD, and CH zoning districts:
- a.1) The lot upon which the agricultural sales occur shall consist of a minimum of two acres (gross).
- b.2) If a building or structure is required for the sale of such products, the sale shall be conducted either within an existing accessory building or from a separate stand not to exceed 200 square feet of sales and storage area except that if the premises consist of five or more contiguous acres, such building shall not exceed 600 square feet.
- e.3) Only one stand shall be allowed on the premises.
- d.4) New structures shall be approved by the Board of Architectural Review.
- e.5) A building permit shall be obtained, if required.
- f.6) Signs advertising the sale of agricultural products shall ~~conform to~~ comply with Section 35-16.2 of Article I (Sign Regulations) of Chapter 35 of the Santa Barbara County Code.
- g.7) A minimum of two permanently maintained onsite parking spaces shall be provided, which shall not be located closer than 20 feet to the right-of-way line of any street.

Section 35-131.4. Permit Requirements and Development Standards for the AG-II Zone District.

Agricultural product sales and farm stands may be allowed in the AG-II zone in compliance with Subsection 35-131.4.1 (Permit requirements) and Subsection 35-131.4.2 (Development standards), below.

- 1. Permit Requirements.** Permit requirements for agricultural product sales on the AG-II Zone District are specified below. ~~**Agricultural product sales.** Agricultural sales allowed in compliance with Section 35-131 (Agricultural Sales) are not allowed on AG-II zoned property located within the Gaviota Coast Plan~~

~~area and instead the following commercial facilities for the retail sale of commodities may be allowed subject to compliance with the applicable permit requirements and development standards: Prior to commencing an exempt farm stand operation, or the issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits), a permit for the sale of agricultural products shall be obtained from the Department of Public Health (Title 17, California Administrative Code Section 13653), if required.~~

1. ~~Farmstands.~~

a. Exempt. ~~A farm stand operation may be exempt from the requirements to obtain a Coastal Development Permit in compliance with Section 35-51B (when in compliance provided the operation complies with the development standards specified in Subsection 35-131.4.2 below, and all of the following:~~

- ~~1) The farm stand is incidental to agricultural operations located on the same premises that the farm stand is located on.~~
- ~~2) If a structure is required for the sale of agricultural products, the sale shall be conducted within an existing agricultural building structure or from a separate farm stand not to exceed that is less than or equal to 600-800 square feet of gross floor area.~~
- ~~2) The structure is located no closer than 20 feet to the right of way line of any street.~~
- 3) The development will:
 - a) Not be located within or adjacent to a wetland, beach, environmentally sensitive habitat area, or on/within 50 feet of a coastal bluff.
 - b) Not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantial evidence of prescriptive rights).
 - ~~ac) Not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.~~
 - ~~b) The operation is incidental to agricultural operations located on the same premises and complies with the development standards of Section 35-460.E.1.b below.~~

b. Coastal Development Permit. ~~A farm stand operation and other agricultural product sales that does not meet the standards of Section 35-460.E.1.a, above, may be considered a component of the Principal Permitted Use and may be allowed with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation is incidental to agricultural operations located on the same premises and complies with the following development standards specified in Subsection 35-131.4.2 below, and the following:~~

- ~~1) The farm stand or other agricultural product sales are incidental to agricultural operations located on the same premises that the operation is located on.~~
- ~~2) The sale of agricultural products may be conducted from a new farm stand structure not to exceed 1,500 square feet of gross floor area.~~

c. Development Plan. ~~Development Plan approval by the Director in compliance with Section 35-174 (Development Plans) and the issuance of a Coastal Development Permit in compliance with Section 35-169 are required for the sales of ornamental trees, shrubs, and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.~~

2. Development standards. Agricultural product sales and farm stands within the AG-II zone district shall comply with the following development standards, as applicable.

a. Any new structure for a farm stand or agricultural product sales operation shall be located no closer than 20 feet from the right-of-way line of any street or highway.

1) Access.

a) ~~Ingress and egress to the agricultural sales area is clearly visible, and turning movements into the premises from adjacent road rights of way do not create congestion or cause unnecessary slowing at access points.~~

b) ~~Direct access to farmstand sales area from an at grade access with Highway 101 is prohibited.~~

2)b. Allowed retail sales. Retail sales of the following products directly to members of the public are allowed provided the applicable development standards are complied with.

a1) Agricultural products. The sale of agricultural products, including ~~facilities operations~~ where the public has access to the growing areas and pick the product themselves (e.g., Christmas tree farms, pumpkin patches, apple or fruit picking farms) provided:

i)a) The operation is operated by a single proprietor.

ii)b) The agricultural products offered for sale are ~~either grown~~ either on the premises, or on other property located within the County that is either owned or leased by the same owner or lessee of the lot on which the sales occur, or on other property within a 25-mile radius of the lot on which the sales occur.

b2) Artisanal crafts. The sale of artisanal crafts provided:

i)a) The products are created within Santa Barbara County.

ii)b) The volume of such sales is subordinate to the total amount of sales.

iii)c) The area devoted to the sale of artisanal crafts does not exceed 20 percent of total area of the farm stand. Inventory storage may occur in a separate area that is not included within the 20 percent of the total area provided the area is neither visible nor accessible to the public.

e3) Ornamental plants, shrubs and trees. The sale of ornamental plants, shrubs and trees that are grown in containers, including products that are imported from off-site, provided the area to which the public has access is limited to 10,000 square feet.

i) ~~This may also include the incidental sale of garden and landscape materials and equipment provided the area devoted to such sales is limited to a single contiguous area that does not exceed 300 square feet in area. Inventory storage may occur in a separate area that is not included with the 300 square feet provided the area is neither visible nor accessible to the public.~~

d) Nonpotentially hazardous prepackaged food products. The sale of nonpotentially hazardous prepackaged food products, including bottled water and soft drinks, produced off-site provided:

i) ~~The area devoted to the sale and inventory storage of such products is restricted to a single contiguous area that does not exceed 50 square feet in area.~~

ii) ~~All products comply with the requirements of Section 47050 of the State Food and Agricultural Code and Section 114375 of the State Health and Safety Code.~~

- e4) Vegetative holiday sales products.** Sales of vegetative holiday sales products (e.g., pumpkins, Christmas trees) grown off-site provided the area to which the public has access is limited to 10,000 square feet.
- 5) Food sales.** Food sales from farm stands shall comply with the California Retail Food Code Section 114375 and shall be limited to the following:
- a) Whole produce and shell eggs as described in California Retail Food Code Section 113789(c)(6).
 - b) Nonpotentially hazardous prepackaged food products from an approved source that were grown or produced in close proximity to the farm stand in a manner consistent with the intent of the Food and Agricultural Code Division 17 Section 47000 et sec.
 - c) All prepackaged processed food products shall meet the applicable requirements provided in California Retail Food Code Section 113980 and be stored in an approved vermin proof area or container when the farm stand operation is closed.
 - d) The area devoted to the sale and storage of bottled water, soft drinks, and other non-hazardous products that have not been grown or produced in close proximity to the farm stand shall be limited to 50 square feet.
 - e) Food preparation is prohibited at farm stands with the exception of food samples, which may occur only if in compliance with California Retail Food Code Section 114371(b). If a farm stand operation provides food sampling, an approved toilet and handwashing facilities consistent with California Retail Food Code Section 113325 shall be available for use by farm stand operators and employees.
 - f) No live animals, birds, or fowl shall be kept or allowed within 20 feet of any area where food is stored or held for sale. This does not apply to guide dogs, signal dogs, or service dogs.
 - g) All garbage and refuse shall be stored and disposed of in an appropriate manner.
- c. The area devoted to retail sales of non-plant materials, including the sale of artisanal crafts created within Santa Barbara County, shall be limited to a single location that does not exceed 300 square feet in area. Inventory storage may occur in a separate area that is not included with the 300 square feet provided the area is neither visible nor accessible to the public.
- d. Access.**
- a1) Ingress and egress to the agricultural sales area shall be clearly visible, and turning movements into the premises from adjacent road rights-of-way shall not create congestion or cause unnecessary slowing at access points.
 - b2) The farm stand shall not include a new at-grade crossing from Highway 101 or State highways.
- 3) ~~Lighting.~~** Exterior lighting fixtures associated with an agricultural sales area shall be:
- a) ~~Designed to be low glare and low intensity.~~
 - b) ~~Shielded with full cut-off design and directed downward so that neither the lamp nor the related reflector interior surface is visible from any location off of the project site in order to prevent spill over onto adjacent lots under separate ownership.~~
 - e) ~~Installed and operated in a manner that will not cast light, either reflected or directly, in an upward direction.~~

~~d) In compliance with Section 35-440.B.~~

4e) Parking.

a1) Except as provided in Subsection ~~2.h)2), E.1.a.4)b)~~, below:

ia) Parking areas are constructed with an all-weather surface consisting of a minimum of crushed rock, asphalt, chip seal, concrete, brick, or other masonry paving units or equivalent surface including pervious materials.

ib) The use of any non-permeable surface materials (e.g., as asphalt, concrete, or chip seal) is restricted to the minimum necessary to comply with the disabled access requirements of Title 24 of the California Code of Regulations, as applicable.

b2) Parking areas associated with short-term, seasonal sales may be unimproved; however, dust generation shall not be allowed to become a nuisance and shall be kept to a minimum through the periodic wetting of the surface.

e3) Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.

~~d4) Parking is not located shall not be allowed within any adjoining-adjacent road rights-of-way or trail easements.~~

if) Signs. Signs advertising the sale of agricultural products shall comply with Section 35-16.2 of Article I (Sign Regulations) of Chapter 35 of the Santa Barbara County Code.

ig) An agricultural product sales establishment and farm stand operation shall comply with applicable sections of Chapter 10 (Building Regulations), Chapter 15 (Fire Prevention), and Chapter 18C (Environmental Health Services) of the County Code.

5h) Structures.

~~a) If a structure is proposed as part of the operation, then the operation shall be conducted either within:~~

~~i) An existing agricultural structure, or~~

~~ii) A separate stand that is less than or equal to 800 square feet of gross floor area and located no closer than 20 feet to the right of way line of any street.~~

~~b) A structure that is not used as part of the farm stand operation for a period of 12 months shall be removed within the three month period immediately following the 12 months of non-use unless the use of the structure is accessory to another allowed use of the lot on which the structure is located.~~

~~e. A Development Plan approved by the Director in compliance with [Section 35-174](#) (Development Plans) is required for the sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet. A Development Plan approved by the Director in compliance with [Section 35-174](#) (Development Plans) is required for the sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.~~

i) Lighting. Lighting accessory to agricultural product sales shall comply with Section 35-139 (Exterior Lighting), and for sales located within the Gaviota Coast Plan Overlay, lighting shall also comply with Section 35-440.B (Outdoor lighting).

- j. The farm stand operation (including new structure and parking) shall not be located within 100 feet of the edge of the following sensitive habitats:
 - 1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
 - 2) Wetlands
 - 3) Vernal pools
 - 4) Native woodlands and forests
 - 5) Native shrub lands (e.g., chaparral and coastal sage scrub)
 - 6) Native grasslands
 - 7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.
- k. The farm stand operation (including new structure and parking) shall be located at least six feet outside the canopy dripline of oak trees and other native tree species.
- l. The farm stand operation shall not result in any potential adverse effects to public hiking and equestrian trails.
- m. The farm stand operation shall not result in significant adverse impacts to scenic views from parklands, public viewing areas, and public roadways.
- n. Critical Viewshed Corridor Overlay.** A farm stand within the Gaviota Coast Plan area shall comply with Section 35-1025.G (CVC - Critical Viewshed Corridor Overlay District), if applicable.

Section 35-131.5. Noticing.

Notice of the pending decision of the Director on a Development Plan processed pursuant to ~~Section 35-131.3.2~~ Section 35-131.3.1.b and Section 35-131.4.1.c shall be provided pursuant to [Section 35-181](#) (Noticing) except that the notice shall include a statement that the person to whom the notice was mailed may request a public hearing on the proposed Development Plan by submitting a written request to Planning and Development within the 10 calendar days following such notice. If a written request for a hearing is submitted to Planning and Development within the 10 calendar days following such notice the project shall be processed as a Development Plan under the jurisdiction of the Zoning Administrator.

New Draft Section 35-144S – Agricultural Enterprises

The Agricultural Enterprise Ordinance proposes a new Section 35-144S (Agricultural Enterprises) to allow a multitude of uses on lands zoned AG-II throughout the Coastal Zone. Some of these uses are currently allowed within the Gaviota Coast Plan area, such as agricultural processing (including product preparation, processing beyond the raw state, and tree nut hulling), aquaponics, composting (small scale), firewood processing and sales, lumber processing and milling (small scale), campgrounds (small scale), fishing, and horseback riding, and will be amended under this proposed ordinance. Other uses will be new, including educational experiences and opportunities, hunting, incidental food service, and small-scale special events. Existing definitions below may be relocated from the Gaviota Coast Plan Overlay to the general definitions of the CZO and/or amended, while others are newly proposed.

The draft text below presents the existing ordinance text from Section 35-460 of the Gaviota Coast Plan Overlay (in standard font), which is proposed to be relocated to the new Section 35-144S and amended, with the proposed amended text using strikethrough and underline fonts.

Definitions

~~**Agricultural and Natural Resource Educational Experience.** An instructional program that integrates academic and technical preparation and includes real world relevant experiences in areas such as agricultural business, agricultural mechanics, agriscience, animal science, forestry and natural resources, ornamental horticulture, and plant and soil science. Program components may include classroom and laboratory instruction, and supervised agricultural experience projects.~~

Educational Experiences and Opportunities. An agricultural enterprise use, operated on a commercial basis, consisting of the following uses: small guided tours of a farm or ranch; academic and technical training for farmers and ranchers in all areas of the agricultural sciences and agricultural business; and educational workshops and experiences for the general public regarding the agricultural and natural resources on the premises including large guided farm and ranch tours, botany, bird and wildlife viewing and studies, photography, astronomy, and other similar agricultural, natural resources, and cultural educational experiences.

Aquaponics. A closed system of aquaculture in which the waste produced by farmed fish or other aquatic creatures supplies the nutrients for plants grown hydroponically which in turn purify the water in the system.

Firewood Processing and Sales. The conversion of raw plant material into firewood and the sale thereof.

Incidental Food Service. Provision of food to guests of an agricultural premises allowed in conjunction with an agricultural enterprise activity that brings the public to the farm or ranch. Provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and the agricultural enterprise uses.

Lumber Processing, and Milling. A facility that produces lumber including dimensional boards and specific shaped items from harvested trees.

Small-Scale Special Events – Agricultural Enterprise. A use or event of short duration (one day or less) that is accessory and incidental to the principal agricultural use of an agricultural premises, operated on a commercial basis. The use may recur on an intermittent basis. The recurring use or event may include farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings, and non-motorized trail runs, bike races, equestrian endurance rides, and similar activities.

Agricultural Premises. The area of agricultural land consisting of a single lot or multiple contiguous lots under one ownership.

Agricultural Processing and Product Preparation. The initial processing or preparation for shipping of agricultural products, not including animal products, produced on the same site ("on-premises products") or from other properties ("off-premises products"), for onsite marketing or for additional processing and/or packaging elsewhere. Examples of this land use include the following:

drying of corn, rice, hay, fruits and vegetables

flower packing or packaging

freeze-drying of fruits and vegetables

milling by simple mechanical process without additives, chemical reactions, changes in ambient temperatures and/or hazardous materials

pre-cooling and packaging of fresh or farm dried fruits and vegetables

pressing olives to create olive oil

sorting, grading and packing of fruits and vegetables

Does not include "cannabis," which is defined separately, and "winery."

~~**Product Preparation.** The preparation of agricultural and horticultural product by activities including drying, freezing, pre-cooling, packaging, and milling of flour, feed, and grain to facilitate marketing and wholesale sales.~~

Small-Scale Processing Beyond the Raw State. On a limited scale, the refinement or other processing of agricultural products (not including animal products) to substantially change them from their raw form. Small-scale processing beyond the raw state may involve the use of machinery, additives, chemical reactions, and changes in ambient temperature but not the use of hazardous or highly odiferous materials or products. Small-scale processing beyond the raw state may include activities such as curing, pickling, preserving, and small-scale milling of flour, feed and grain. Does not include "cannabis" and "winery," which are defined separately.

Artisanal Crafts. Anything handmade and designed by a person skilled in an applied art; examples include glass blowing, jewelry making, leatherworking, metalworking, pottery, and woodworking.

Tree Nut Hulling. Removing the soft outer hull (also known as the husk) from the nut by manual or mechanical methods.

Composting Operation. A commercial facility or agricultural operation that produces compost from the organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations in California Code of Regulations, Title 14, Division 7.

Campground. A site for temporary occupancy by campers which may include individual campsites. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

Equestrian Facility. A commercial facility for the boarding of horses, donkeys, and mules, and where such animals are available for hire. Examples of these facilities include:

boarding stables

horse exhibition facilities

riding schools and academies

Also includes barns, stables, corrals, and paddocks accessory and incidental to the above uses. Does not include rodeos (see "Rodeo"), or polo fields (see "Sports and Outdoor Recreation Facility").

Fishing. The activity of catching fish, either for food or as a sport.

Fishing Operation. Commercial, recreational fishing within an artificial pond or reservoir that is stocked with fish.

Hunting. The activity of hunting animals, either for food or as a sport.

Park Trailer. A trailer, with or without a permanent foundation, designed for human habitation that meets the requirements of the California Health and Safety Code Section 18009.3.

Recreational Vehicle: A motor home, travel trailer, camper or camping trailer, with or without motorized power, designed for human habitation for recreational or emergency occupancy, with a living area less than 220 square

feet excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Rural Recreation. Low intensity recreational uses including campgrounds with minimum facilities, hunting clubs, retreats, and summer camps. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

Tent Cabin. A hybrid structure between a tent and a cabin typically with a wood floor, frame, and door, and covered by a heavy-duty or waterproof canvas or other durable fabric.

Trail. A route that is designed, designated, constructed, or established through historic use for recreational pedestrian, hiking, biking, or equestrian riding use. Also, recreational routes that are designed to provide access for persons with mobility impairments.

Yurt. A circular structure with a wood floor, lattice framework, and a conical roof of poles, covered by a heavy-duty or waterproof canvas or other durable fabric.

Section 35-144S. Agricultural Enterprises.

Section 35-144S.1 Purpose and Intent.

This Section determines the type of planning permit required for the specific agricultural enterprise land uses listed below, and provides development standards and structure size limitations related to the intensity of ~~the each~~ land use. The intent is to provide for flexibility in the development of uses that are individually and cumulatively accessory to, supportive of, and subordinate to the primary agricultural use of the property while promoting orderly development of these uses ~~within the Gaviota Coast Plan area~~ on agricultural lands zoned AG-II, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, and prevent impacts to natural, cultural, agricultural, and visual resources. The cumulative uses on any premises shall be incidental and subordinate to the agriculture activity located on the premises.

Section 35-144S.2 Applicability.

- 1. AG-II zone.** The requirements of this Section 35-144S (Agricultural Enterprises) ~~Section 35-460 (Permit Requirements and Development Standards for Specific Uses in the AG-II Zone)~~ apply to exempt agricultural enterprise land uses and applications for development of agricultural enterprise land uses that are proposed to be located on property lands zoned Agricultural II (AG-II), within the Gaviota Coast Plan area.
- 2. Agricultural Use Required.** The proposed agricultural enterprise uses and related development shall be allowed only on active working farms or ranches that produce agricultural products, which serves as the primary land use of the premises.
- 3. Allowed Uses.** The following agricultural enterprise uses may be allowed in compliance with the specific Sections referenced below:
 - a. Agricultural processing, including product preparation, small-scale processing beyond the raw state, and tree nut hulling, in compliance with Section 35-144S.3 (Agricultural Processing).**
 - b. Agricultural product sales, including farm stands, in compliance with Section 35-131 (Agricultural Product Sales).**
 - c. Aquaponics (closed system) in compliance with Section 35-144S.4 (Aquaponics).**
 - d. Composting in compliance with Section 35-144S.5 (Composting).**

- e. Educational experiences and opportunities in compliance with Section 35-144S.6 (Educational Experiences and Opportunities).
- f. Farmstays, in compliance with Section 35-144T (Farmstays).
- g. Firewood processing and sales in compliance with Section 35-144S.7 (Firewood Processing and Sales).
- h. Incidental food service in compliance with Section 35-144S.8 (Incidental Food Service).
- i. Lumber processing and milling (small scale) in compliance with Section 35-144S.9 (Lumber processing and milling (small scale)).
- j. Rural recreation, including campgrounds, fishing operation, horseback riding, and hunting, in compliance with Section 35-144S.10 (Rural Recreation).
- k. Small-scale special events in compliance with Section 15.144S.11 (Small-scale Special Events).

Section 35-144S.3 Agricultural Processing.

The processing of agricultural and horticultural products as provided below may be allowed in compliance with the following permit requirements and development standards.

1. Cleaning, freezing, packing, storage, and sorting facilities. ~~Facilities for the cleaning, freezing, packing storage, and sorting of agricultural and horticultural products (other than animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the facility complies the following development standards:~~

- ~~a. The facility shall be accessory to and supportive of the primary agricultural operation located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County).~~
- ~~b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale.~~
- ~~c. The products are determined by the Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands.~~
- ~~d. The facility also processes products grown on the premises or on other local agricultural lands.~~
- ~~e. The operation will not have a significant adverse impact on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~

1. Purpose and intent. This Section 35-144S.3 lists the agricultural processing facilities that may be allowed on lots zoned AG-II, determines the type of planning permit required for each type of facility, and provides development standards related to the intensity of use of the proposed facility. The intent is to provide for flexibility in the development of agricultural processing facilities that are accessory to and supportive of agriculture while promoting orderly development of these facilities, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, while preventing impacts to natural, cultural, and visual resources.

2. Permit requirements.

- a. This Subsection 35-144S.3.2 provides the permit requirements for specific agricultural processing facilities used for the sorting, cleaning, packing, drying, pre-cooling, freezing, milling, bottling, and

storage of horticultural and agricultural products (other than animals) grown on or off the premises preparatory to wholesale or the retail sale and/or shipment in their natural form or in a milled liquid form, allowed in the AG-II zone.

- b. A product preparation, small-scale processing beyond the raw state, or tree nut hulling operation may be considered a component of the Principal Permitted Use and may be allowed on lots zoned AG-II in compliance with Table 7-# (Permit Requirements for Agricultural Processing on AG-II Zone).
- c. A product preparation, small-scale processing beyond the raw state, or tree nut hulling operation that does not qualify for an Exemption or Coastal Development Permit in compliance with Table 7-#, or that does not comply with Subsection 35-144S.3.3 (Development standards) below, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

<u>Table 7-#</u> <u>Permit Requirements for Agricultural Processing Uses on AG-II Zone</u>		<u>E</u> Allowed use, No permit required <u>PP</u> Principal Permitted Use - Coastal Development Permit (2) <u>P</u> Permitted Use - Appealable Coastal Development Permit (2) <u>MCUP</u> Minor Conditional Use Permit <u>CUP</u> Conditional Use Permit
<u>Use (1)</u>	<u>Permit Requirement</u>	<u>Permit Threshold or Standard</u>
<u>Product Preparation</u>	<u>E</u>	<u>All of the material used in the processing operation shall originate from the premises.</u> <u>Does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.</u>
<u>Small-scale Processing Beyond the Raw State</u>		
<u>Tree Nut Hulling</u>	<u>PP</u>	<u>Any new structure proposed as part of the processing operation shall be less than 5,000 square feet in gross floor area.</u>
<u>Other Agricultural Processing</u>	<u>CUP</u>	<u>Any non-principal permitted agricultural processing use not qualifying for an Exemption or Coastal Development Permit.</u>

Notes:

(1) See Division 2 (Definitions) for use definitions.

(2) Development Plan approval may also be required; see Section 35-169.3.

3. Development standards for agricultural processing. This Subsection 35-144S.3.3 provides the development standards for specific agricultural processing uses allowed within the AG-II zone. A land use and/or activity addressed by this Subsection 35-144S.3.3 shall comply with the development standards below in addition to all other applicable provisions of this Article.

- a. **Product preparation, small-scale processing beyond the raw state, and tree nut hulling.** The following development standards shall apply to any product preparation, small-scale processing beyond the raw state, and tree nut hulling operation that may be allowed in compliance with Table 7-# (Permit Requirements for Agricultural Processing Uses on AG-II Zone), above. ~~Agricultural and horticultural product preparation includes drying, freezing, pre-cooling, packaging, and milling of flour, feed, and grain.~~

- a. ~~A Product preparation operation may be considered a component of the Principal Permitted Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards.~~
- ~~1) The agricultural processing operation is incidental to agricultural operations located on the same premises that the processing operation is located on.~~
 - ~~1) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
 - ~~2) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.~~
 - ~~3) The lot premises on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any preparation-processing allowed in compliance with this Section 35-144S.3, Subsection D.2 (Product preparation).~~
 - ~~4) The preparation-processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the gross area of the premises that the operation is located on, or one acre, whichever is smaller.~~
 - ~~5) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.~~
 - ~~6) The operation will not have a significant adverse impact on the long-term productive agricultural capability or natural resources of the subject lot(s) premises or adjacent lot(s) premises.~~
 - ~~5) The operation shall comply with Chapter 10 (Building Regulations) and Chapter 15 (Fire Prevention) of the County Code, and the air quality regulations of the Santa Barbara County Air Pollution Control Board, as applicable.~~
 - ~~6) The operation shall not include a new at-grade crossing of Highway 101 or State highways.~~
 - ~~7) **Critical Viewshed Corridor Overlay.** Agricultural processing operations within the Gaviota Coast Plan area shall comply with ~~The operation is in compliance~~ Section 35-102G (CVC - Critical Viewshed Corridor Overlay District), if applicable.~~
 - 8) Additional standards for agricultural processing that includes milling and/or bottling of horticultural or agricultural products.** Agricultural processing that includes milling and/or bottling of horticultural or agricultural products shall comply with the following standards:
 - a) Agricultural processing shall be limited to simple mechanical processing to convert fruit from a solid to a liquid without additives, chemical reactions or changes in natural ambient temperatures.
 - b) Milling of agricultural products shall not generate wastewater discharges, or hazardous wastes.
 - c) All process water and waste material from milling shall be managed onsite as recycled irrigation water or organic compost. Exceptions are permissible in those unusual circumstances where some process water and/or waste material may be legally discharged into a sanitary sewer system, or legally disposed of as a solid waste (e.g., in those cases involving an unexpected contaminant).

d) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, shall be limited to one acre.

~~b. A Product preparation operation that may not be allowed in compliance with Subsections D.2.a, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~

~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~

~~2) The operation will not include a new at grade crossing of Highway 101.~~

3. ~~Small scale processing (beyond the raw state).~~

~~a. A Small scale processing operation may be considered a component of the Principal Permitted Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation complies with the following development standards:~~

~~1) The activity is incidental to agricultural operations located on the same lot.~~

~~2) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.~~

~~3) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.~~

~~4) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any processing allowed in compliance with this Subsection D.3 (Processing (beyond the raw state)).~~

~~5) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the gross lot area, or one acre, whichever is less.~~

~~6) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.~~

~~7) The operation will not have a significant adverse impact on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~

~~8) The operation is in compliance [Section 35-102G](#) (CVC – Critical Viewshed Corridor Overlay District), if applicable.~~

~~b. A Small scale processing operation that may not be allowed in compliance with Subsections D.3.a, above, may be allowed as non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~

~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~

~~2) The operation does not include a new at grade access to Highway 101.~~

4. ~~Tree nut hulling.~~

- a. ~~A Tree nut hulling operation may be considered a component of the Principal Permitted Use and may allowed in compliance with a Coastal Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation complies with the following development standards:~~
- ~~1) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
 - ~~2) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.~~
 - ~~3) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any processing allowed in compliance with this Subsection D.4 (Tree nut hulling).~~
 - ~~4) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is less.~~
 - ~~5) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.~~
 - ~~6) The operation will not have a significant adverse impact on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
 - ~~7) The operation is in compliance [Section 35-102G](#) (CVC Critical Viewshed Corridor Overlay District), if applicable.~~
- b. ~~A Tree nut hulling operation that may not be allowed in compliance with Subsections D.4.a, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~
- ~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
 - ~~2) The operation does not include a new at-grade access to Highway 101.~~

Section 35-144S.4 Aquaponics (closed system).

1. An aquaponics system (closed) may be exempt from the requirement to obtain a Coastal Development Permit in compliance with 35-51B (Exemptions from Planning Permit Requirements) provided the activity complies with the following development standards.
 - a. The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
2. An aquaponics system (closed) that does not comply with the development standards in Subsection 1.a, above, may be considered a component of the Principal Permitted Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits).

Section 35-144S.5 Composting.

1. Purpose and intent. This Subsection lists the composting operations and facilities that may be allowed on lands zoned AG-II, determines the type of planning permit required for each type of composting operation, and provides development standards related to the intensity of use of the proposed operation or facility. The intent is to provide for flexibility in the development of composting operations or facilities that are accessory to and supportive of agriculture while promoting orderly development of these facilities, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, while preventing impacts to natural, cultural, and visual resources.

2. Permit requirements.

a. ~~1. Exempt.~~ A composting facility operation may be considered a component of the Principal Permitted Use and may be exempt from the requirements to obtain a Coastal Development Permit in compliance with Section 35-51B be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards. Subsection 35-144S.5.3. (Development standards for composting for the AG-II zone), below, and the following:

1) Small General Composting.

- a) The feedstock may be any combination of green material, agricultural material, food material, and vegetative food material.
- b) The maximum amount of feedstock and compost, alone or in combination, on the premises at any one time shall not exceed 100 cubic yards in volume and 750 square feet in area.
- c) There is no limit on the amount of compost sold or given away annually.
- d) The operation does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.

2) Agricultural Material Composting.

- a) Feedstock to be used in the operation shall be limited to agricultural materials derived from the agricultural premises on which the operation is located and returned to the same premises or another agricultural site owned or leased by the same owner, parent, or subsidiary.
- b) No more than 1,000 cubic yards of compost may be sold or given away annually.
- 3) The landowner may conduct both a Small General Composting operation and an Agricultural Material Composting operation at the same time if they are separated clearly (spatially or otherwise) so that feedstock, resources, compost, and operations are not comingled.

b. Coastal Development Permit (appealable). A composting facility may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with Section 35-169.4.2 (Coastal Development Permit for development that is appealable to the Coastal Commission) provided the composting facility complies with Subsection 35-144S.5.3 (Development standards for composting for the AG-II zone), below, and the following:

1) Small General Composting.

- a) The feedstock may be any combination of green material, agricultural material, and vegetative food material.

b) The maximum amount of feedstock and compost, alone or in combination, on the premises at any one time shall not exceed 1,000 cubic yards.

c) There is no limit on the amount of compost sold or given away annually.

2) Agricultural Material Composting.

a) Feedstock to be used in the operation shall be limited to agricultural materials.

b) There is no limit on the amount of agricultural materials on the premises at any one time.

c) There is no limit on the amount of compost sold or given away annually.

3) The landowner may conduct both a Small General Composting operation and an Agricultural Material Composting operation at the same time if they are separated clearly (spatially or otherwise) so that feedstock, resources, compost, and operations are not comingled.

c. Conditional Use Permit. Larger composting facilities, and other composting operations that include food material, vegetative food material, and other feedstock materials may be allowed as a non-Principal Permitted Use in compliance with a Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

3. Development standards for composting for the AG-II zone. In addition to all other applicable provisions of this Article, a composting operation allowed by this Section 35-144S.5 shall comply with the development standards below.

a. **Applicable State law.** The facility shall at all times comply with the applicable requirements of California Code of Regulations, Title 14, Division 7.

2)b. **Structure for sale of composting product.** If a structure is required for the sale of a product, the sale is conducted either within an existing accessory structure or from a single, separate stand not to exceed 600 square feet of sales and storage area.

3)c. **Parking.** A minimum of two permanently maintained parking spaces shall be provided ~~for a non-exempt composting operation~~, which shall:

a1) Be located on the lot where the composting operation occurs.

b2) Not be located within 20 feet of the right-of-way line of any street.

4)d. **Permit requirements.** All other permits required by County Departments for a facility, ~~except those permits required by the Division of Building and Safety~~, shall be obtained prior to commencement of an exempt composting operation or, with the exception of those permits required by the Division of Building and Safety, prior to before issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).

5)e. **Reporting requirements.** Tonnage reports showing the amount of materials used in the composting operation shall be provided to the Department of Public Works, Solid Waste Division, and the Public Health Department, Environmental Health Services Division, on a quarterly basis.

a f. The composting operation shall not include a new at-grade crossing of Highway 101 or State highway.

b g. Compost piles shall not exceed 12 feet in height.

e h. The operator of the composting operation shall maintain and follow an odor abatement plan in compliance with per Santa Barbara County Air Pollution Control District recommendations guidance.

e i. The operation shall be located a minimum of 500 200-feet from any adjacent lot and 1,000 feet from any lots zoned Residential.

1) The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.

j. **Critical Viewshed Corridor Overlay.** Composting operations within the Gaviota Coast Plan area shall comply with ~~The operation is in compliance~~ Section 35-102G. (CVC - Critical Viewshed Corridor Overlay District), if applicable.

~~1. A composting operation may be considered a component of the Principal Permitted Use and be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:~~

~~a. All of the feedstock for the operation originates from within Santa Barbara County.~~

~~b. No new structure(s) that would require a planning permit or new water or wastewater permit issued by the County are proposed.~~

~~c. There is no more than 500 cubic yards of compost on site at any one time.~~

~~d. No more than 1,000 cubic yards of compost sold or given away annually.~~

~~e. The feedstock material may also include up to 10 percent food matter.~~

~~f. Compost piles do not exceed 12 feet in height.~~

~~g. The operator of the operation shall maintain and follow an odor abatement plan in compliance with Santa Barbara County Air Pollution Control District recommendations.~~

~~h. The operation is in compliance Section 35-102G. (CVC - Critical Viewshed Corridor Overlay District), if applicable.~~

~~i. The operation shall be located a minimum of 200 feet from any adjacent lot and 300 feet from any dwelling located on an adjacent lot.~~

~~1) The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.~~

~~2) The operation shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the operation commences production, a dwelling is constructed on an adjacent lot that is not under the same ownership as the lot that the operation is located on and the location of the dwelling is within the setback distance specified above.~~

~~2. A composting operation that may not be allowed in compliance with Subsection G.1, above, may be allowed as a non-Principal Permitted Use in compliance with a Minor Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) provided:~~

~~a. **Development standards.** The operation complies with the following development standards:~~

~~1) **Applicable State law.** The facility shall at all times comply with the applicable requirements of California Code of Regulations, Title 14, Division 7.~~

~~2) **Structure for sale of composting product.** If a structure is required for the sale of a product, the sale is conducted either within an existing accessory structure or from a single, separate stand not to exceed 600 square feet of sales and storage area.~~

~~3) **Parking.** A minimum of two permanently maintained parking spaces are:~~

~~a) Located on the lot where the composting operation occurs.~~

~~b) Not located within 20 feet of the right of way line of any street.~~

- ~~4) **Permit requirements.** All other permits required by County Departments for a facility, except those permits required by the Division of Building and Safety, shall be obtained before issuance of a Land Use Permit in compliance with [Section 35-178](#) (Land Use Permits) or issuance of a Zoning Clearance in compliance with [Section 35-179A](#) (Zoning Clearances) as applicable.~~
- ~~5) **Reporting requirements.** Tonnage reports showing the amount of materials used in the composting operation shall be provided to the Department of Public Works, Solid Waste Division, and the Public Health Department, Environmental Health Services Division, on a quarterly basis.~~
- ~~b. **Additional findings.** Prior to the approval of a Minor Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) the following additional findings are first made:
 - ~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
 - ~~2) The operation will not include a new at-grade crossing of Highway 101.~~~~

Section 35-144S.6 Educational Experiences and Opportunities.

- 1. Applicability.** Educational experiences and opportunities may be allowed in compliance with this Section 35-144S.
- 2. Allowed uses.** Allowed educational experiences and opportunities include the following:
 - a. Small guided tours of farms or ranches.
 - b. Educational workshops and experiences for the general public regarding the agricultural and natural resources on the premises including:
 - 1) Large guided tours of farms or ranches.
 - 2) Academic and technical training for farmers and ranchers in all areas of the agricultural sciences and agricultural business.
 - 3) Botany.
 - 4) Bird and wildlife viewing and studies.
 - 5) Photography.
 - 6) Astronomy.
 - 7) Other similar agricultural, natural resources, and cultural educational experiences.
- 3. Permit requirements.** Educational experiences and opportunities may be allowed in compliance with the permit requirements identified in Table 7-## below provided the operation complies with Subsection 35-144S.6.4 (Specific use standards and use limitations for educational experiences and opportunities) and Section 35-144S.12 (Development Standards).

Table 7-##				
<u>Permit Requirements for Educational Experiences and Opportunities on AG-II</u>		<u>PP</u>	<u>P</u>	<u>MCUP</u>
		<u>Principal Permitted Use - Coastal Development Permit (1)</u>		
		<u>Permitted Use – Appealable Coastal Development Permit (1)</u>		
		<u>Minor Conditional Use Permit</u>		
		<u>Major Conditional Use Permit</u>		
<u>Permit Requirement</u>	<u>Small Guided Tours</u>	<u>Other Educational Experiences and Opportunities</u>	<u>Combination of Small Guided Tours and Educational Experiences</u>	<u>Structure(s)</u>
PP	<u>Maximum 15 attendees per tour and 80 tours per calendar year</u>	<u>Not to exceed 24 days per calendar year</u> <u>Maximum attendance shall not exceed:</u> <ul style="list-style-type: none"> <u>50 attendees on premises of ≤ 100 acres</u> <u>75 attendees on premises of > 100 to ≤ 320 acres</u> <u>100 attendees on premises of > 320 acres</u> 	<u>Any combination of small guided tours and other educational experiences or opportunities may be allowed provided the maximum annual attendance shall not exceed:</u> <ul style="list-style-type: none"> <u>1,200 attendees on premises of ≤ 100 acres</u> <u>1,800 attendees on premises of > 100 to ≤ 320 acres</u> <u>2,400 attendees on premises > 320 acres</u> 	<u>Does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.</u> <u>No grading or construction of new roads or trails.</u>
P	<u>Maximum 15 attendees per tour and 128 tours per calendar year</u>	<u>Not to exceed 24 days per calendar year</u> <u>Maximum attendance shall not exceed:</u> <ul style="list-style-type: none"> <u>80 attendees on premises of ≤ 100 acres</u> <u>120 attendees on premises of > 100 to ≤ 320 acres</u> <u>150 attendees on premises of > 320 acres</u> 	<u>Any combination of small guided tours and other educational experiences or opportunities may be allowed provided the maximum annual attendance shall not exceed:</u> <ul style="list-style-type: none"> <u>1,920 attendees on premises of ≤ 100 acres</u> <u>2,880 attendees on premises of > 100 to ≤ 320 acres</u> <u>3,600 attendees on premises > 320 acres</u> 	<u>One new accessory structure not to exceed 2,500 square feet of gross floor area may be allowed.</u> <u>No grading or construction of new roads or trails.</u>
MCUP	<u>Any educational experience not qualifying for a Coastal Development Permit or appealable Coastal Development Permit.</u>			

Note:

(1) Development Plan approval may also be required; see Section 35-169.3.

4. Specific use standards and use limitations for educational experiences and opportunities. The following development standards and use limitations apply to all educational experiences and opportunities.

a. Educational experiences and opportunities shall be secondary, incidental, and subordinate to the primary agricultural use of the premises.

b. Parking.

1) Sufficient usable area shall be available to accommodate all user vehicles entirely on the premises.

- 2) Parking shall be limited to pre-existing disturbed areas free of combustible materials; parking shall not be allowed on areas of active cultivation or native vegetation.
 - 3) Appropriate temporary signage shall be placed on the premises prior to the commencement of each educational experiences activity directing attendees to and indicating the location of parking areas.
 - 4) A parking coordinator shall be present at all times during any educational experiences activity attended by 100 or more persons to manage and direct vehicular movement.
 - 5) Dust control measures shall be used to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
 - 6) Parking shall not be allowed within an adjoining road right-of-way or trail easement.
- c. The educational experiences and opportunities operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:
- 1) Use a waste collection company if the premises is already receiving regular solid waste handling services.
 - 2) Transport the solid waste to an authorized solid waste facility.
- d. **Noise standards.** Educational experiences and opportunities shall comply with the following standards:
- 1) Outdoor amplified sound, if used for educational experiences and opportunities, shall only be allowed from 10 a.m. to 10 p.m.
 - 2) Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the premises.
 - 3) Sources of amplified sound shall be located no closer than 500 feet from the exterior boundary of the premises. If the premises boundary is adjacent to a lot zoned for residential uses, activities using amplified sound shall be located no closer than 1,000 feet from the nearest premises boundary.
 - 4) Amplified sound system speakers shall be directed away from the nearest premises boundary.

Section 35-144S.7 Firewood Processing and Sales.

1. **Coastal Development Permit (appealable).** A Firewood processing and sales operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards.
 - a. ~~Firewood from offsite sources shall be limited to no more than 49 percent of the total volume of firewood processed on the facility premises.~~
 - b.a. The premises where the operation occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this [Section 35-144S.7 Subsection H](#) (Firewood processing and sales).
 - e.b. The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
 - d.c. Firewood processing and sales operations shall be in compliance with [Section 35-97](#) (Environmentally Sensitive Habitat Overlay District) and [Section 35-140](#) (Tree Removal) and, within the Gaviota Coast Plan area, shall not remove existing native trees pursuant to Policy NS-12 of the

Gaviota Coast Plan, other than planted trees in compliance with Section 35-144S.7.1.a Subsection H.1.b above.

- e.d. The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
- f.e. The operation shall be in compliance with the Agricultural Commissioner’s Guidelines for import and export of plant material.
- g. ~~The operation will not have significant adverse impacts on the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~

2.3. Conditional Use Permit. A firewood processing and sales operation that ~~may not be allowed in compliance with~~ does not comply with the development standards of Section 35-144S.7.1 and Section 35-144S.7.2 Subsection H.1, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits), ~~provided the following additional findings are first made:~~

- a. ~~The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
- b. ~~The operation will not include a new at-grade crossing of Highway 101.~~
- e. The operation will be in compliance with Section 35-97 (Environmentally Sensitive Habitat Overlay District) and Section 35-140 (Tree Removal) and shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Subsection H.1.b above.

Section 35-144S.8 Incidental Food Service.

1. Applicability.

- a. Does not apply to wineries regulated separately. This Subsection shall not apply to winery tasting rooms. Incidental food service at winery tasting rooms on agricultural-zoned lands is regulated by Section 35-69.4.2 and Section 35-460.E (Wineries) of this Article.
- b. Incidental food service may be allowed on lands zoned AG-II as part of an exempt or approved agricultural enterprise use that brings members of the public to the premises and is a concurrent operation. Eligible agricultural enterprise uses include the following:
 - 1) Campground, in compliance with Subsection 35-144S.10.1, below.
 - 2) Educational opportunities and experiences, in compliance with Subsection 35-144S.6, above.
 - 3) Fishing, in compliance with Subsection 35-144S.10.2, above.
 - 4) Horseback riding, in compliance with Subsection 35--144S.10.3, below.
 - 5) Hunting, in compliance with Subsection 35--144S.10.4, below.
 - 6) Small-scale special events, in compliance with Subsection 35-144S.11, below.

2. Permit Requirements.

- a. Exempt. The following types of incidental food service may be exempt from the requirements to obtain a permit in compliance with Section 35-51B (Exemptions from Planning Permit Requirements) provided the use does not include new structures or additions to existing structures and complies with Section 35-144S.8.3 (Specific use standards and use limitations for incidental food service) and Section 35-144S.12 (Development standards), below.

- 1) Non-potentially hazardous prepackaged foods in compliance with California Retail Food Code Section 113871[c] and 114365.5[b] including shelf stable foods that do not require refrigeration.
- 2) Potentially hazardous prepackaged food in compliance with California Retail Food Code Section 113871 including perishable foods that may require refrigeration or other temperature control.
- 3) Prepackaged meals or picnics, such as salads or sandwiches, or other food prepared and delivered by an offsite permitted food facility.
- 4) Food trucks.
- 5) Catered food.

b. Coastal Development Permit. In addition to the foods allowed in compliance with Section 35-144S.8.2.a above, the following types of incidental food service may be allowed with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with Section 35-144S.8.3 (Specific use standards and use limitations for incidental food service) and Section 35-144S.12 (Development standards), below.

- 1) An outdoor barbeque not part of a food truck or catered food operation.
- 2) An outdoor pizza oven not part of a food truck or catered food operation.

3. Specific use standards and use limitations for incidental food service. The following development standards and use limitations apply to all incidental food services.

- a. The provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and the agricultural enterprise use that brings the public to the agricultural premises. Incidental food service shall not be operated as a food service establishment independent of the agricultural enterprise use.
- b. Incidental food service shall be limited to the hours of operation of the agricultural enterprise use that brings the public to the agricultural premises.
- c. The incidental food service operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:
 - 1) Use a waste collection company if the premises is already receiving regular solid waste handling services.
 - 2) Transport the solid waste to an authorized solid waste facility.
- d. The incidental food service shall comply with all standards regarding the provision, storage, and service of food, in addition to water supply and sanitation facilities, as required by the County Public Health Department.
- e. County Fire Department requirements shall be met.

Section 35-144S.9 Lumber Processing and Milling (small scale).

1. **Coastal Development Permit (appealable).** A small-scale lumber processing and milling operation may be allowed as a non-Principal Permitted Use in compliance with a Coastal Development Permit issued in compliance with Section 35-169.4.2 (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:

- a. All of the material used in the lumber processing and milling operation shall originates within Santa Barbara County.
 - ~~b. Lumber from offsite sources shall be limited to no more than 49 percent of the total volume of lumber processed on the facility premises.~~
 - ~~e.b.~~ The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Section 35-144S.9 Subsection I(Lumber processing and milling (small scale)).
 - ~~d.c.~~ The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.
 - ~~e.d.~~ The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.
 - ~~f.e.~~ The operation shall be in compliance with the Agricultural Commissioner’s Guidelines for import and export of plant material.
 - ~~g.f.~~ Lumber processing and milling operations shall be in compliance with Section 35-97 (Environmentally Sensitive Habitat Overlay District) and Section 35-140 (Tree Removal) and, within the Gaviota Coast Plan area, shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Section 35-144S.9.1.b Subsection I.1.e above.
2. **Conditional Use Permit.** A lumber processing and milling operation that may not be allowed in compliance with Subsection I.1, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits), ~~provided the following additional findings are first made:~~
- ~~a. The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
 - ~~b. The operation will not include a new at grade crossing of Highway 101.~~
 - ~~e. The operation will be in compliance with Section 35-97 (Environmentally Sensitive Habitat Overlay District) and Section 35-140 (Tree Removal) and shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Subsection I.1.e above.~~

Section 35-144S.10 Rural Recreation.

The following permit requirements and development standards shall apply to rural recreation projects on lands zoned AG-II. See Subsection 35-450.C (Rural Recreational) for additional development standards that apply to the following rural recreation uses when located within the Gaviota Coast Plan area.

1. Campgrounds.

- a. A ~~C~~campground operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with Section 35-169.4.2 (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:
 - ~~1) The project does not include any of the following:~~
 - ~~a) New grading or structures that would require a grading or planning permit. This does not apply to grading and structures that are required in order to comply with the requirements~~

~~of the Public Health Department in regards to the provision of sufficient potable water and onsite wastewater disposal.~~

- ~~b) Electrical hookups for vehicles including recreational vehicles and trailers.~~
- ~~e) New impervious surfaces.~~
- ~~2) The project is not located on property zoned with the Critical Viewshed Corridor Overlay unless the Director determines that the location of the campground is in character with the rural setting and will not result in significant visual impacts from Highway 101 due to natural intervening topography.~~
- 1) A campground operation may include low-impact, wilderness campsites, individual developed campsites, or any combination thereof.
- 2) A campground operation shall be located within one or two development areas.
 - a) A campground operation shall be clustered on the premises to the maximum extent feasible to minimize impacts to agricultural resources.
 - b) A portion of the campground accommodations (campsites and accessory structures) may be allowed on the premises in one remote development area, not to exceed one contiguous acre.
 - c) The campground development area allowance, including road widening, turn-outs, or new access roads required to comply with County Fire Department access requirements, shall not exceed five acres of total disturbance.
- ~~3) There are no more than 10 campsites.~~
- 3) The following number of campsites may be allowed per premises:
 - a) Up to 15 campsites on premises of 100 acres or less.
 - b) Up to 20 campsites on premises larger than 100 acres and up to 320 acres.
 - c) Up to 30 campsites on premises larger than 320 acres.
- 4) No more than eight persons shall occupy each campsite.
- 5) a) No more than two vehicles shall be parked at each campsite, one of which may be a recreational vehicle.
 - ~~b) A maximum of one half of the total number of campsites may be used at any one time for the parking of not more than two recreational vehicles or trailers per site. Recreational vehicles and trailers shall not exceed 25 feet in length.~~
- 6) The landowner may provide no more than one semi-permanent accommodation per campsite. Semi-permanent accommodations include park trailer, recreational vehicle, travel trailer, tent cabin, or yurt.
- 7) Campground accessory structures that support a camping operation may be provided including the following:
 - a) Community restroom/shower facility.
 - b) Incidental food service in compliance with Section 35.42.035.C.4 (Incidental Food Service).
 - c) Benches.

- d) Picnic tables.
- e) Shade structures.
- f) Community barbeque.
- g) Fire rings.

8) Parking.

- a) Parking for each campsite shall not exceed 30 feet in length and 10 feet in width.
 - b) Campsite parking areas shall have an all-weather surface consisting of a minimum of crushed rock, asphalt, chip, seal, concrete, brick, or other masonry paving units or equivalent surface. The use of any non-permeable surface materials shall be the minimum necessary to comply with requirements for the provision of disabled access.
- 4)9) Stays are limited to a maximum of 30 44 consecutive days, per person per year.
- 10) The campground operation shall maintain quiet hours in effect from 10:00 PM to 7:00 AM seven days a week.
- 11) **Setback.** All campground facilities and activities shall be located no closer than 1,000 feet from the property line of the farm or ranch premises on which the campground is located or from a public road.
- 12) The ~~project~~ ~~is~~campground shall not be located on property zoned with the Critical Viewshed Corridor Overlay unless the Director determines that the location of the campground is in character with the rural setting and will not result in significant visual impacts from Highway 101 due to natural intervening topography.
- 5) ~~The use will not interfere with agricultural production on or adjacent to the lot on which it is located and the use will not have significant adverse impacts on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- 6) ~~The use will not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands. Prior to the approval of a Coastal Development Permit approved in compliance with Section 35-169 (Coastal Development Permits), the plans for the Campground operation shall reviewed and approved by:~~
- a) ~~The Public Health Department in regards to the provision of sufficient potable water and onsite wastewater disposal.~~
 - b) ~~The County Fire Department in regards to fire safety.~~
- b. A ~~C~~campground operation that may not be allowed in compliance with Subsection 35-144S.10.1.a J-1.a, above, may be allowed a non-Principal Permitted Use with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits), ~~provided the following additional findings are first made:~~
- 1) ~~The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, or interfere with agricultural production on or adjacent to the subject lot(s).~~
 - 2) ~~The operation will not include a new at grade crossing of Highway 101.~~
 - 3) ~~The operation does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.~~

2. Farmstay.

- a. ~~A Farmstay operation may be considered a component of the Principal Permitted Use and may be allowed with a Coastal Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation complies with the following development standards:~~
- ~~1) The operation is located on a single lot of 40 acres or greater and the entire lot is located in the AG-II zone. Only one Farmstay operation may be allowed on a premises.~~
 - ~~2) The operation is housed in a single permitted or nonconforming dwelling existing as of November 7, 2018.~~
 - ~~3) The primary purpose of the Farmstay operation shall be the education of registered guests regarding the agricultural operations on the premises. Lodging and meals are incidental and not the primary function of the Farmstay operation.~~
 - ~~a) The maximum number of registered guests that can be accommodated shall be 15 per night and they shall be accommodated in no more than six bedrooms. Only registered guests may utilize the accommodations overnight.~~
 - ~~b) Food service is only available to registered guests of the operation. The cost of any food provided shall be included in the total price for accommodation and not be charged separately.~~
 - ~~4) The operation shall be consistent with the compatibility guidelines set forth in Uniform Rule Two (Compatible Uses within Agricultural Preserves) of the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.~~
 - ~~a) If a Farmstay operation is proposed on a lot not subject to a contract executed in accordance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones, then the applicable review authority shall determine if the operation will be consistent with the compatibility guidelines.~~
 - ~~5) The operation is located on, and is part of, a farm or ranch operation that produces agricultural products, and the Farmstay operation:~~
 - ~~a) Does not constitute the principal land use of the premises;~~
 - ~~b) Is beneficial and inherently related to the farm or ranch operation, and~~
 - ~~c) Is in character with the rural setting.~~
 - ~~6) The operation will not have significant adverse impacts on the long-term productive agricultural capability or natural resources of the subject lot or adjacent lot(s).~~
 - ~~7) No sign(s) located on the premises on which the Farmstay operation is located shall advertise or otherwise identify the existence of the Farmstay operation.~~
- b. ~~A Farmstay operation that may not be allowed in compliance with Subsection J.2.a, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~
- ~~1) The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on or adjacent to the subject lot.~~

~~2) The operation will not include a new at grade crossing of Highway 101.~~

3.2. Fishing operation.

a. Applicability. A fishing operation may be allowed within an artificial pond or reservoir stocked with fish in compliance with the California Fish and Game Code and the California Freshwater Sport Fishing Regulations, as may be amended, and subject to the following permit requirements.

b. Permit Requirements.

1) Exempt. A fishing operation may be exempt from the requirements to obtain a permit in compliance with Section 35-51B (Exemptions from Planning Permit Requirements) provided the operation complies with the following development standards:

- a) The operation is limited to 20 participants daily.
- b) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit.
- c) The operation does not propose construction of a new pond.
- d) The fishing will occur within an existing permitted or legal nonconforming artificial pond or reservoir.

a-2) Coastal Development Permit (appealable). A fishing operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with Section 35-169.4.2 (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:

- ~~1a) The operation is limited to 20-30 participants daily.~~
- 2b) The floor area (gross) of any new structure is less than 600 square feet.
- ~~3) The operation will not have significant adverse impacts on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- 4c) Total ground disturbance for the fishing operation, including grading for new pond construction, parking, and any accessory structures, shall not exceed one acre. The fishing will occur within an existing permitted or legal nonconforming artificial pond or reservoir.

b-3) Major Conditional Use Permit. A fishing operation that may not be allowed in compliance with Subsections 35-144S.10.2.b.1) and 35-144S.10.2.b.2), ~~J-3-a,~~ above, may be allowed as a non-Principal Permitted Use with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits), ~~provided the following additional findings are first made:~~

- ~~1) The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, and the agricultural lands on or adjacent to the subject lot(s).~~
- ~~2) The operation will not include a new at grade crossing of Highway 101.~~

4.3. Horseback riding.

a. Permit Requirements.

1) Exempt. A horseback riding operation may be considered a component of the Principal Permitted Use and be allowed in compliance with a Coastal Development Permit issued in

compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:

- a) The horseback riding operation is limited to 24 participants daily.
- b) The horseback riding operation may include the following options:
 - i) Riders may bring their own horses to the premises for riding.
 - ii) Horses may be brought to the premises for rental and riding on the premises.
 - iii) Rental of horses for horseback riding at existing stables that were permitted for the personal use of a landowner or for commercial boarding in compliance with Section 35-69.3 (Permitted Uses), Section 35-172.5. (Major Conditional Use Permits), or in the Gaviota Coast Plan area Section 35-450.B (Animal keeping).
- c) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit.
- d) The operation does not propose the construction of any new roads or trails.

~~a.2)~~ **Coastal Development Permit (appealable).** A horseback riding operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:

- 1a) The operation is limited to 20 participants daily.
- 2b) The floor area (gross) of any new structure associated with the operation is less than 1,200 square feet.
- 3c) The operation will not have significant adverse impacts on the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).

~~b.3)~~ A horseback riding operation that may not be allowed in compliance with Subsections ~~3.a.1) and 3.a.2)~~ ~~J.4.a.~~, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits), provided the following additional findings are first made:

- 1) The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, and the agricultural lands on or adjacent to the subject lot(s).
- 2) The operation will not include a new at-grade crossing of Highway 101.

4. Hunting.

a. Applicability. A hunting operation may be allowed only in compliance with the California Fish and Game Code and California Department of Fish and Wildlife Hunting Regulations, as may be amended, Chapter 14A (Firearms) of the County Code, and subject to the following permit requirements.

b. Permit requirements.

1) Exempt. A hunting operation may be exempt from the requirements to obtain a permit in compliance with Section 35-51B (Exemptions from Planning Permit Requirements) provided the operation complies with the following development standard:

a) The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.

2) Coastal Development Permit. A hunting operation may be considered a component of the Principal Permitted Use and be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standard:

a) The gross floor area of any new structure associated with the operation is less than 600 square feet.

3) Conditional Use Permit. A hunting operation that may not be allowed in compliance with Subsections 35-144S.10.4.b.1) or 35-144S.10.4.b.2), above, may be allowed with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).

5. Other-low intensity recreational development. In addition to recreation uses allowed in compliance with Subsections 35-144S.10.1 through 35-144S.10.4, ~~J.1 through J.4,~~ above, low-intensity recreational development such as hiking trails, public riding stables, recreational camps, and retreats, and guest ranches may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the operation complies with the following development standards:

- a. The activity is in character with the rural setting.
- b. The activity does not interfere with agricultural production on or adjacent to the lot on which it is located.
- c. The activity does not include commercial facilities open to the general public who are not using the recreational facility.
- d. The activity does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.
- e. ~~The activity will not result in significant adverse impacts to visual or natural resources.~~

Section 35-144S.11 Small-scale Special Events.

1. Applicability.

a. Does not apply to wineries regulated separately. This Subsection shall not apply to small-scale special events on agricultural lands with a winery on the premises that are regulated by Section 35-69.4.2 and Section 35-460.E of this Article.

b. Does not apply to charitable functions regulated separately. This Subsection shall not apply to charitable and other noncommercial functions that are regulated by Subsection 35-137.3.1.d.2) (Charitable functions on property located outside the Montecito Planning Area) and Subsection 35-137.3.2.b (Charitable functions on property located outside the Montecito Planning Area).

c. A small-scale special events operation may be allowed in compliance with this Section 35-144S.11, provided there is not a winery on the premises.

2. Allowed events. Small-scale special events may include farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings, and non-motorized trail runs, bike races, equestrian endurance rides, and similar activities, operated on a commercial basis.

3. Permit requirements. Small-scale special events may be allowed with a permit in compliance with the permit requirements identified in Table 7-## below provided the operation complies with Subsection 35-144S.11.4 (Specific use standards and use limitations for small-scale special events) and Section 35-144S.12 (Development Standards).

<u>Table 7-##</u>			
<u>Permit Requirements for Small-scale Special Events on AG-II</u>		<u>PP</u>	<u>Principal Permitted Use - Coastal Development Permit (1)</u>
		<u>P</u>	<u>Permitted Use – Appealable Coastal Development Permit (1)</u>
		<u>MCUP</u>	<u>Minor Conditional Use Permit</u>
		<u>CUP</u>	<u>Major Conditional Use Permit</u>
<u>Permit Requirement</u>	<u>Number of Attendees</u>	<u>Number of Events</u>	<u>Structure(s)</u>
<u>PP</u>	<u>Maximum attendance shall not exceed:</u> <ul style="list-style-type: none"> <u>50 attendees on premises of ≤ 100 acres</u> <u>75 attendees on premises of ≥ 100 to < 320 acres</u> <u>100 attendees on premises of > 320 acres</u> 	<u>Not to exceed:</u> <ul style="list-style-type: none"> <u>2 days per month</u> <u>8 days per calendar year</u> 	<u>No new structures or additions requiring planning permits.</u> <u>No grading or construction of new roads or trails.</u>
<u>P</u>	<u>Maximum attendance shall not exceed:</u> <ul style="list-style-type: none"> <u>80 attendees on premises of ≤ 100 acres</u> <u>120 attendees on premises of ≥ 100 to < 320 acres</u> <u>150 attendees on premises of > 320 acres</u> 	<u>Not to exceed:</u> <ul style="list-style-type: none"> <u>3 days per month</u> <u>12 days per calendar year</u> 	<u>One new accessory structure not to exceed 2,500 square feet of gross floor area may be allowed.</u> <u>No grading or construction of new roads or trails.</u>
<u>MCUP</u>	<u>Any small-scale special events not qualifying a Coastal Development Permit or appealable Coastal Development Permit.</u>		

Note:

(1) Development Plan approval may also be required; see Section 35-169.3.

4. Specific use standards and use limitations for small-scale special events. The following development standards and use limitations apply to all small-scale special events.

- a. Small-scale special events shall be secondary, incidental, and subordinate to the primary agricultural use of the premises.
- b. A small-scale special event shall last no longer than one day, except that event set-up, breakdown, and clean-up may occur outside of this period.
- c. **Parking.**
 - 1) Sufficient usable area shall be available to accommodate all user vehicles entirely on the premises.

- 2) Parking shall be limited to pre-existing disturbed areas free of combustible materials; parking shall not be allowed on areas of active cultivation or native vegetation.
 - 3) Appropriate temporary signage shall be placed on the premises prior to the commencement of each event directing attendees to and indicating the location of parking areas.
 - 4) A parking coordinator shall be present at all times during any event attended by 100 or more persons to manage and direct vehicular movement.
 - 5) Dust control measures shall be used to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
 - 6) Parking shall not be allowed within an adjoining road right-of-way or trail easement.
- d. Noise standards.** Small-scale special events shall comply with the following standards:
- 1) Small-scale special events shall only be allowed from 10 a.m. to 11 p.m. If the event includes amplified sound, the amplified sound shall cease by 10 p.m.
 - 2) Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the premises.
 - 3) Event activities shall be located no closer than 500 feet from the exterior boundary of the premises. If the premises boundary is adjacent to a lot zoned for residential uses, event activities shall be located no closer than 1,000 feet from the premises boundary.
 - 4) Amplified sound system speakers shall be directed away from the nearest premises boundary.
- e.** The small-scale special events operator shall collect and dispose of solid waste generated by the operation by one of the following methods, in compliance with Chapter 17 (Solid Waste Systems) of the County Code:
- 1) Use a waste collection company if the premises is already receiving regular solid waste handling services.
 - 2) Transport the solid waste to an authorized solid waste facility.
- f.** Small-scale special events shall comply with all standards regarding the provision, storage, and service of food, as applicable, and the provision of water supply and sanitation facilities, as required by the County Public Health Department.
- g.** Small-scale special events do not include agricultural industry-wide events, such as a countywide farm day. Participation in an agricultural industry-wide event will not count towards the maximum number of events allowed by the exemption or Coastal Development Permit.

Section 35-144S.12 Development Standards.

The following development standards shall apply to all agricultural enterprise uses allowed by this Section 35-144S, unless modified as part of a Conditional Use Permit in compliance with Section 35-172.12 (Conditional Use Permits - Conditions, Restrictions, and Modifications).

1. The use shall be incidental, supportive, and supplemental to the primary agricultural uses of working farms and ranches that produce agricultural products on the premises.
2. The operation shall not significantly compromise the agricultural operations or the long-term productive agricultural capability or natural resources of the subject premises or adjacent and surrounding premises.
3. Existing structures to be repurposed for use as part of an agricultural enterprise operation shall be reviewed by the County Building and Safety Division and County Fire Department for compliance with Chapter 10 (Building Regulations) and Chapter 15 (Fire Prevention), respectively, and shall comply with all required

changes to ensure the structure meets the minimum public health and safety requirements for the proposed use.

4. Unless determined to be not applicable by the relevant department, prior to the approval of a Coastal Development Permit approved in compliance with Section 35-169 (Coastal Development Permits), the use shall be reviewed and approved by:

a. The Public Health Department in regards to the provision of sufficient onsite wastewater disposal in compliance with Chapter 18C (Environmental Health Services), and sufficient potable water in compliance with Chapter 35B (Domestic Water Systems), of the County Code.

b. The County Fire Department in regards to fire safety in compliance with Chapter 15 (Fire Prevention) of the County Code.

5. The agricultural enterprise use shall not include a new at-grade crossing of Highway 101 or State highway.

6. **Fire Protection Plan.** Unless determined to be not applicable by the County Fire Department, prior to the commencement of an exempt agricultural enterprise use allowed in compliance with this Section 35-144S, or prior to the approval of a Coastal Development Permit or Conditional Use Permit for an agricultural enterprise use, the applicant shall submit a Fire Protection Plan to the County Fire Department for review and approval in compliance with Chapter 15 (Fire Prevention) of the County Code. The Fire Protection Plan shall identify, as applicable to the specific use, potential ignition sources, measures intended to reduce the potential for wildfire, firefighting infrastructure (for example, fire extinguishers), emergency ingress and egress, emergency evacuation routes, and shelter locations in the event of wildfire, and any additional information required by the County Fire Department. The Plan shall be updated and resubmitted, as necessary, should there be any changes to the conditions on the site (such as increased intensity of uses, change of use, or additional uses). The County Fire Department shall retain the ability to modify the conditions in the plan to address any safety issues that may arise.

7. **Setbacks from Sensitive Habitats.**

a. Agricultural enterprise uses and related development (including, parking, grading, and ground-disturbing activities in support of new development) shall be located a minimum of 100 feet from the edge of the following sensitive habitats:

1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek

2) Wetlands

3) Vernal pools

4) Native woodlands and forests

5) Native shrub lands (e.g., chaparral and coastal sage scrub)

6) Native grasslands

7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by the Coastal Land Use Plan or a community plan, the setback most protective of the biological resource shall apply.

b. The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department as part of a permit application when a permit is required.

c. Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall

consult with the appropriate State or federal agency prior to commencing an exempt use or prior to approval of a Coastal Development Permit or Conditional Use Permit, as applicable.

- 8. Oak Tree and Other Native Tree Protection.** Any new development or parking areas for an agricultural enterprise use, including grading and ground-disturbing activities in support of new development or parking areas, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. If a permit is required, applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.
- 9. Fencing for Wildlife Movement.** If fencing is required for an agricultural enterprise use, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.

 - a. Fences and gates shall be wildlife-permeable.
 - b. The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
 - c. Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for agricultural enterprise uses unless necessary to separate livestock operations from the use.
- 10. Cultural Resources.** Archaeological and other tribal cultural resources shall be protected in compliance with applicable cultural resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. If subsurface ground disturbing activities are proposed for agricultural enterprise uses on lands where no previous permitted ground disturbance or prior archaeological surveys have occurred, the applicant shall submit to the Department a Phase 1 cultural resource study prepared by a qualified archaeologist documenting the absence or presence of cultural resources in the project area.
- 11. Historic Resources.** Historic resources shall be preserved, restored, and renovated consistent with applicable historic resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. Applicants proposing to repurpose existing structures that are greater than 50 years in age and/or designated as an historic landmark or place of historic merit for an agricultural enterprise use shall submit to the Department a Phase 1 investigation prepared by a qualified historian.
- 12. Hazardous Materials Avoidance and Incidental Discovery.** Agricultural enterprise uses shall be located to avoid areas that are known to be contaminated with hazardous agricultural chemicals. In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during grading or construction for an agricultural enterprise use, construction activities in the immediate vicinity of the contamination shall cease immediately and the applicant shall immediately notify the Department and, as applicable the Hazardous Waste Unit of County Fire and Site Mitigation Unit of County Environmental Health.
- 13. Signs.** Signs accessory to agricultural enterprise uses shall comply with Article I (Sign Regulations) of Chapter 35 of the Santa Barbara County Code.
- 14. Lighting.** Lighting accessory to agricultural enterprise uses shall comply with Section 35-139 (Exterior Lighting), and within the Gaviota Coast Plan Overlay, lighting shall also comply with Section 35-440.B (Outdoor lighting).
- 15. Critical Viewshed Corridor Overlay.** Agricultural enterprise uses within the Gaviota Coast Plan area shall comply with Section 35.28.070 (Critical Viewshed Corridor (CVC) Overlay Zone), if applicable.

16. Informational Advisory. Operators of agricultural enterprise uses shall provide an informational advisory to guests disclosing the following:

- a. The operation is located on an active agricultural operation and visitors may be exposed to minor inconveniences associated with the agricultural operation such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands.
- b. The informational advisory shall also advise potential guests that visitors to active agricultural lands must respect the property and pre-existing agricultural operations, and avoid trespassing beyond designated visitor areas.

New Draft Section 35-144T – Farmstays

The Agricultural Enterprise Ordinance proposes a new Section 35-144T (Farmstays) to allow farmstays on lands zoned AG-II throughout the Coastal Zone, revising and replacing the regulations for farmstays in the Gaviota Coast Plan Overlay (Subsection 35-460.J.2).

Definitions

Farmstay. ~~Transient lodging visitor-serving accommodations provided as part of a A-type of working farm or ranch operation, that is partially oriented towards visitors or tourism by providing guest accommodations. Such an operation may include interactive activities where guests participate in basic farm or ranch operations such as collecting eggs and feeding animals, or a work exchange agreement where the guest works a set number of hours in exchange for free or reduced rate accommodation.~~

Section 35-144T. Farmstays.

Section 35-144T.1 Purpose and Intent.

This Section establishes standards for the siting and development of a farmstay on agricultural lands where allowed by Division 4 (Zoning Districts). The intent of this section is to: (1) ensure that farmstays are incidental and supportive of the primary agricultural use of the land; and (2) protect, promote, and enhance agricultural operations by providing agriculturalists and their families an opportunity to conduct a rural agricultural use to support their farms and/or ranches.

Section 35-144T.2 Applicability.

- 1. Premises.** The farmstay shall be located on a premises of 40 acres or greater and the entire premises is located in the AG-II zone.
 - a. Only one farmstay operation may be allowed on a premises.
 - b. The premises shall contain an active working farm or ranch operation that produces agricultural products and is the primary use on the premises.
- 2. Existing Principal Dwelling Requirement.** The farmstay premises shall contain an existing principal dwelling at the time an application for a farmstay is submitted, or the application for the farmstay shall be in conjunction with an application for the principal dwelling. The farmstay shall not be occupied before occupation of the principal dwelling.
- 3. Owner and Operator.** The farmstay is a transient occupancy lodging establishment where the predominant relationship between the occupants thereof and the owner or operator of the farmstay is that of guest and innkeeper. The premises owner (or the major shareholder, officer, partner, or beneficiary of a corporate or trust owner), an employee of the premises owner, or individual or entity under contract with the premises owner, must operate the farmstay.
 - a. The premises owner (or the major shareholder, officer, partner, or beneficiary of a corporate or trust owner), employee thereof, or designated person under contract with the premises owner shall reside on the premises at the same time as the transient occupant(s) of the farmstay.
- 4. Prohibited structures.** Farmstays shall not be allowed in:
 - a. Any dwelling subject to agreements, conditions, or covenants entered into with the County restricting their use as including, but not limited to, affordable housing units, agricultural employee housing, and farmworker housing.
 - b. Any structure or space that may not be legally used for dwelling or overnight accommodations including, but not limited to, tents, park trailers not on permanent foundations, vehicles, and yurts.

- c. Accessory dwelling units and junior accessory dwelling units.

Section 35-144T.3 Processing.

A farmstay operation may be allowed provided the operation complies with the following permit requirements:

1. Coastal Development Permit. A farmstay operation may be considered part of the Principal Permitted Use and may be allowed with a Coastal Development Permit in compliance with Section 35-169.4.1 (Coastal Development Permits for development that is not appealable to the Coastal Commission) provided the operation complies with the following standards:

- a. The farmstay accommodations shall be sited within the existing principal dwelling and/or conversion of existing permitted buildings/structures that are not otherwise prohibited under Section 35-144T.2.4 above.
 - 1) Farmstay accessory uses, such as parking or picnic area, and operations shall be sited within the existing disturbed area on the premises, and in clustered proximity to the principal dwelling and existing infrastructure.
 - 2) Farmstay accommodations and operations shall be sited and designed to maintain the long-term agricultural productivity and capability of the agricultural resources and operations of the subject premises and adjacent agricultural areas.
- b. Where a farmstay will be conducted within a dwelling that relies on a private onsite wastewater treatment system, written clearance from the Public Health Department shall be required prior to issuance of the Coastal Development Permit.
- c. The maximum number of registered guests that can be accommodated and permitted with a Coastal Development Permit shall be 10 per night and they shall be accommodated in no more than four bedrooms.
- d. The operation shall comply with all standards in Section 35-144T.4 (Development Standards), below.
- e. The Permittee shall establish, manage, and/or operate the farmstay in compliance with all permit conditions prior to and throughout operation of a farmstay.

2. Coastal Development Permit with Hearing. A farmstay operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit in compliance with Section 35-169.4.2 (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following standards:

- a. The farmstay accommodations shall be sited within the existing principal dwelling; conversion of existing permitted buildings/structures that are not otherwise prohibited under Section 35-144T.2.4 above; proposed cottages; and/or park trailers on permanent foundations, or any combination thereof.
 - 1) Farmstay accommodations and operations shall be sited in clustered proximity to the principal dwelling and existing infrastructure within a single contiguous area not to exceed two acres in area.
 - 2) Farmstay accommodations and operations shall be sited and designed to:
 - a) Maintain the long-term agricultural productivity and capability of the agricultural resources and operations of the subject premises and adjacent agricultural areas.
 - b) Take maximum advantage of existing roads and infrastructure.
 - c) Be in character with the rural setting and not result in any significant adverse impacts to visual resources.

d) Avoid biological resources, including environmentally sensitive habitat (ESH) and ESH buffers, and preserve natural landforms and native vegetation to the maximum extent feasible.

b. The maximum number of registered guests that can be accommodated and permitted with a Coastal Development Permit with Hearing shall be 15 per night and they shall be accommodated in no more than six bedrooms.

c. The operation shall comply with all standards in Section 35-144T.4 (Development Standards), below.

d. The Permittee shall establish, manage, and/or operate the farmstay in compliance with all permit conditions prior to and throughout operation of a farmstay.

3. Minor Conditional Use Permit. A farmstay operation may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits) provided the operation complies with the following standards:

a. The farmstay accommodations shall be sited in the existing principal dwelling; conversion of existing permitted buildings/structures that are not otherwise prohibited under Section 35-144T.2.4 above; proposed cottages; and/or park trailers on permanent foundations, or any combination thereof. Farmstay operations shall be located principally within the clustered farmstay development envelope.

1) Farmstay accommodations and operations shall be sited principally in clustered proximity to the principal dwelling and existing infrastructure, within a single contiguous area not two exceed two acres in area. The development area shall include the principal dwelling unit, farmstay related structures, outdoor use areas, and infrastructure (e.g., parking, driveways, fencing, onsite wastewater systems). Roads used for agricultural purposes are not included in the development area.

a) Additionally, a portion of the farmstay accommodations may be allowed on the premises in one remote farmstay development area, not to exceed one contiguous acre. The remote farmstay development area shall include the portion of the farmstay accommodations, and associated outdoor use areas and infrastructure (e.g., parking, driveways, fencing, onsite wastewater treatment system). Roads used for agricultural purposes are not included in the remote farmstay development area.

2) Farmstay accommodations and operations shall be sited and designed to:

a) Maintain the long-term agricultural productivity and capability of the agricultural resources and operations of the subject premises and adjacent agricultural areas.

b) Take maximum advantage of existing roads and infrastructure.

c) Be in character with the rural setting and not result in any significant adverse impacts to visual resources.

d) Avoid biological resources, including environmentally sensitive habitat (ESH) and ESH buffers, and preserve natural landforms and native vegetation to the maximum extent feasible.

b. The maximum number of registered guests that can be accommodated and permitted with a Minor Conditional Use Permit shall be 15 per night and they shall be accommodated in no more than six bedrooms.

c. The operation shall comply with all standards in Section.35-144T.4 (Development Standards), below.

- d. The Permittee shall establish, manage, and/or operate the farmstay in compliance with all permit conditions prior to and throughout operation of a farmstay.

Section 35-144T.4 Development Standards.

Farmstays shall comply with all of the following standards in addition to any other applicable standards of this Article.

1. **Limitation on occupancy.** The maximum number of registered guests shall be 15 per night and they shall be accommodated in no more than six bedrooms. Children under three years of age shall not be counted toward occupancy. Only registered guests may utilize the accommodations overnight.
2. **Lodging and food service.** Lodging and meals are incidental and not the primary function of the farmstay operation.
 - a. Lodging and food service is only available to registered guests of the operation. The cost of any food provided shall be included in the total price for accommodation and shall not be charged separately.
 - b. A farmstay operation that serves food shall maintain a food facility permit as required by Chapter 16, Article III (County Retail Food Code) of the County Code.
3. **Compliance with fire, building, and public health codes.** Any dwelling or structure used as part of a farmstay operation shall comply with the applicable standards and regulations of Chapter 10 (Building Regulations), Chapter 15 (Fire Prevention), Chapter 18C (Environmental Health Services), and Chapter 35B (Domestic Water Systems) of the County Code.
 - a. The farmstay operator shall install and regularly maintain clear exit signs, emergency egress lighting, smoke and carbon monoxide detectors, and fire extinguishers in farmstay accommodations.
 - b. The farmstay operator shall submit and implement a Fire Protection Plan to the County Fire Department in compliance with Chapter 15 of the County Code.
4. **Compliance with water and wastewater codes.** The owner of any dwelling or structure used as a farmstay shall maintain an approved potable water supply and a properly functioning and suitably sized onsite wastewater treatment system or sewer connection, subject to Public Health Department review and approval.
 - a. A public sewer system shall not serve a farmstay operation unless the public sewer system directly serves the structure(s) used in the farmstay operation.
5. **Maximum height for new structures or park trailers.** New farmstay structures and/or park trailers shall not exceed 16 feet in height and shall be measured in compliance with Section 35-127 (Height).
6. **Access.** The farmstay shall not include a new at-grade crossing of Highway 101 or State highway.
7. **Parking.** The farmstay operation shall include one parking space per guest bedroom and one space for the onsite operation manager on the premises on which the farmstay is located, in compliance with Division 6 (Parking Regulations) of this Article.
 - a. All parking areas shall have an all-weather surface consisting of a minimum of crushed rock, asphalt, chip, seal, concrete, brick, or other masonry paving units or equivalent surface. The use of any non-permeable surface materials shall be the minimum necessary to comply with requirements for the provision of disabled access.
 - b. All parking areas shall have an active dust control program.
 - c. Parking spaces shall comply with the disabled access requirements of Title 24 of the California Code of Regulations.

d. Parking shall not be allowed within an adjoining road right-of-way or trail easement.

8. Setbacks from Sensitive Habitats.

a. New farmstay accommodations and related development, including, parking, grading, and ground-disturbing activities in support of new development, shall be located a minimum of 100 feet from the edge of the following sensitive habitats:

- 1) Streams and creeks, i.e., riparian habitat, or if riparian habitat is not present, from the top-of-bank of the stream or creek
- 2) Wetlands
- 3) Vernal pools
- 4) Native woodlands and forests
- 5) Native shrub lands (e.g., chaparral and coastal sage scrub)
- 6) Native grasslands
- 7) Environmentally Sensitive Habitats as designated by a community plan. If this setback conflicts with a setback designated by a community plan, the setback most protective of the biological resource shall apply.

b. The habitat boundary and 100-foot setback shall be depicted on all plans submitted to the Department.

c. Projects located within or near critical habitat for rare, endangered or threatened species listed by State or federal agencies under the California Endangered Species Act or federal Endangered Species Act, or within plant communities known to contain rare, endangered, or threatened species, shall consult with the appropriate State or federal agency prior to commencing and exempt use or prior to issuance of a Zoning Clearance or Land Use Permit.

9. Oak Tree and other Native Tree Protection. New farmstay accommodations and related development, including parking, grading, and ground-disturbing activities in support of new development, shall be located at least six feet outside the canopy dripline of oak trees and other native trees species. Applicants proposing to encroach within this setback shall be required to submit an arborist report and if applicable, a tree protection and replacement plan to the Department for review and approval.

10. Fencing for Wildlife Movement. If fencing is required for the farmstay operation, the fencing shall be designed in compliance with the following standards to allow for the safe passage of wildlife.

- a. Fences and gates shall be wildlife-permeable.
- b. The distance between the bottom wire or rung and the ground surface shall be a minimum of 18 inches.
- c. Fencing materials may include the use of rails, smooth wire, and similar materials. Barbed wire shall not be used for farmstays unless necessary to separate livestock operations from the farmstay.

11. Cultural Resources. Archaeological and other tribal cultural resources shall be protected in compliance with applicable cultural resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. If subsurface ground disturbing activities are proposed for agricultural enterprise uses on lands where no previous permitted ground disturbance or prior archaeological surveys have occurred, the applicant shall submit to the Department a Phase 1 cultural resource study prepared by a qualified archaeologist documenting the absence or presence of cultural resources in the project area.

- 12. Historic Resources.** Historic resources shall be preserved, restored, and renovated consistent with applicable historic resource protection policies and the requirements of the County “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources,” as applicable. Applicants proposing to repurpose existing structures that are greater than 50 years in age and/or designated as an historic landmark or place of historic merit for an agricultural enterprise use shall submit to the Department a Phase 1 investigation prepared by a qualified historian.
- 13. Hazardous Materials Avoidance and Incidental Discovery.** Agricultural enterprise uses shall be located to avoid areas that are known to be contaminated with hazardous agricultural chemicals. In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during grading or construction for an agricultural enterprise use, construction activities in the immediate vicinity of the contamination shall cease immediately and the applicant shall immediately notify the Department and, as applicable the Hazardous Waste Unit of County Fire and Site Mitigation Unit of County Environmental Health.
- 14. Noise.** The volume of sound generated by the farmstay shall not exceed 65 dBA or existing ambient levels, whichever is greater, at any point beyond the premises boundary, except that between the hours of 10 p.m. and 8 a.m., the volume of sound generated by the farmstay shall not exceed 45 dBA or existing ambient levels, whichever is greater, at any point beyond the premises boundary.
- 15. Lighting.** Lighting accessory to a farmstay operation shall comply with Section 35-139 (Exterior Lighting), and within the Gaviota Coast Plan Area lighting shall also comply with Section 35-440.B (Outdoor lighting).
- 16. Transient Occupancy Tax (TOT).** The farmstay owner/operator shall maintain a TOT license and remain current on all required TOT reports and payments. The owner or authorized agent shall include the TOT certificate number on all contracts or rental agreements, and in any advertising or websites.
- 17. Informational Advisory.** The farmstay operator shall provide an informational advisory to registered guests disclosing the following:

 - a. The farmstay operation is located on an active agricultural operation and visitors may be subjected exposed to minor inconveniences associated with the agricultural operation such as noise, dust, and odors or the use of chemicals from properly conducted agricultural operations on the premises and/or adjacent agricultural lands.
 - b. The informational advisory shall also advise potential guests that visitors to active agricultural lands must respect the property and pre-existing agricultural operations, which are not considered a nuisance, and avoid trespassing beyond designated visitor areas.
- 18. Signs.** Signs accessory to the farmstay operation shall comply with Article I (Sign Regulations) of Chapter 35 of the Santa Barbara County Code.
- 19. Nuisance response plan.**

 - a. Call response availability.**

 - 1) The owner shall submit the owner’s name, address, and telephone number and/or a local contact who will respond to calls regarding the farmstay.
 - 2) The owner or local contact shall be available by telephone on a 24-hour basis to respond to calls regarding the farmstay.
 - 3) Failure to respond to calls in a timely and appropriate manner may result in revocation of the permit issued to allow the use of a farmstay.

4) For purposes of this Section, responding in a timely and appropriate manner means that an initial call shall be responded to within one hour of the time the initial call was made, and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of this Section.

b. **Local contact.** The owner is required to immediately notify the County with any changes to their or the local contact’s information.

20. **Limitation on visitors.** Registered farmstay guests shall not have daytime visitors, or invite unregistered guests to be present at any time.

21. **Length of stay.** Thirty consecutive days or less.

22. **Sale restriction.** The farmstay shall not be sold or otherwise conveyed separately from the principal dwelling.

23. **Notice to Property Owner.** Prior to issuance of the applicable land use entitlement for a farmstay in compliance with Section 35-144T.3, above, the property owner shall record a “Notice to Property Owner” in compliance with Section 35-179D (Recordable Documents) that notifies future owners and successors-in-interest of the subject property of the specific conditions and/or restrictions (if any) that apply to the use of the structure(s) as a farmstay, including the requirement of Subsection 35-144T.2.3.a., above, that the premises owner, employee thereof, or designated person under contract with the owner shall reside on the premises at the same time as the transient occupant(s).

24. **Farmstay Accessory Use Structures.** A farmstay operation may be permitted to have accessory structures provided the structures shall support the farmstay lodging and food service operations. Permitted structures may include but are not limited to community restroom/shower facilities, benches, picnic tables, shade structures, and barbeque pits.

25. **Critical Viewshed Corridor Overlay.** Farmstay developments within the Gaviota Coast Plan area shall comply with Section 35-102G (CVC - Critical Viewshed Corridor Overlay District), if applicable.

Section 35-144T.5 Revocation.

In addition to the bases for revocation of a Coastal Development Permit (Section 35-169.8 Revocation) or of a Minor Conditional Use Permit (Section 35-172.10 Revocation), a Coastal Development Permit or Minor Conditional Use Permit for a farmstay may be revoked if the Permittee:

1. Makes alterations to the property that compromise the original permit approval (e.g., removal of required parking);
2. Is determined to have submitted false or misleading information to the Department (e.g., information submitted as part of the permit application);
3. Receives, within a 12 month period, more than two documented violations regarding the farmstay. Evidence of documented violations includes, but is not limited to, notices of violation, notices of determination of fines, orders to abate, citations, orders to cease and desist, or other documentation filed by County staff or law enforcement;
4. Fails to comply partially or wholly with any of the permit conditions; or
5. Fails to obtain or comply with any other required County, state or local permit.

Draft Amendments to Section 35-169 – Coastal Development Permits

The Agricultural Enterprise Ordinance proposes amendments to Section 35-169 (Coastal Development Permits) to add a new Subsection 3 (Final Development Plan approval required – AG-II zone) to Section 35-169.2. The new subsection provides alternative standards and thresholds that identify when a Development Plan is required for structural development on lands zoned AG-II that is not otherwise required to have discretionary permit approval. The thresholds are aligned with the thresholds already adopted and certified within the Gaviota Coast Plan Overlay and adopted for the inland areas within the County Land Use and Development Code. The amendment would allow the remainder of AG-II lands within the Coastal Zone to benefit from the new thresholds and be treated the same as all other AG-II zoned lands within the County. The draft text below presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Section 35-169. Coastal Development Permits.

...

Section 35-169.2 Applicability.

1. Before using any land or structure, or commencing any work pertaining to any development or use in the Coastal Zone of the County, wherein permits are required under the provisions of this Article, a Coastal Development Permit shall be issued unless other regulations of this Article, including Section 35-51B (Exemptions from Planning Permit Requirements), specifically indicate that such activity is exempt. Activities which are exempt from the issuance of a Coastal Development Permit shall comply with all applicable regulations of this Article including use, setback, and height, as well as all required provisions and conditions of any existing approved permits for the subject property. *(Amended by Ord. 4964, 12/14/2017)*
2. Except as provided in Subsection 2.a (Final Development Plan not required for accessory dwelling units or junior accessory dwelling units) and Subsection 3 (Final Development Plan approval required – AG-II zone) below, the approval of a development plan in all zones other than AG-II, as provided in Section 35-174 (Development Plans), shall be required prior to the approval of any Coastal Development Permit for a structure that is not otherwise required to have a discretionary permit and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that, together with existing structures on the lot will total 20,000 square feet or more of gross floor area.
 - a. **Final Development Plan not required for accessory dwelling units or junior accessory dwelling units.** If Development Plan approval would be required in compliance with Section 35-169.2.2, and the application for development includes an accessory dwelling unit or junior accessory dwelling unit, then only the approval of a Coastal Development Permit in compliance with Section 35-142 (Accessory Dwelling Units and Junior Accessory Dwelling Units) is required for the proposed accessory dwelling unit or junior accessory dwelling unit.
- 3. Final Development Plan approval required – AG-II zone.** The approval of a Final Development Plan in compliance with Section 35-174 (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for the following structural development that is not otherwise required by this Section to have discretionary permit approval:
 - a. Non-agricultural structural development. The proposed structure and use thereof does not qualify as agricultural structural development (see Section 35-58 (Definitions)) and is either 15,000 or more square feet in gross floor area or the structure is an attached or detached addition that, together with existing structures on the site that do not qualify as agricultural structural development, will total 15,000 square feet or more in gross floor area.

1) Floor area not included in total gross floor area. The gross floor area of structures that are exempt from planning permit requirements in compliance with Section 35-51B (Exemptions from Planning Permit Requirements) is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection 35-169.2.3.a, above.

b. Agricultural structural development. The proposed structure and use thereof qualifies as agricultural structural development and meets one or more of the following:

- 1) The proposed structure is 15,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 15,000 or more square feet in gross floor area after completion of the addition.
- 2) The proposed structure is 10,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 10,000 or more square feet in gross floor area after completion of the addition, and:
 - a) A different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area exists on the lot, or
 - b) There is an active, unexpired planning permit that allows for the construction of a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area, or
 - c) The application for the proposed structure is submitted either in conjunction with or subsequent to an application for a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area.
- 3) The proposed structure(s) will result in a total gross floor area on a lot that exceeds the development plan threshold listed for the applicable lot area as shown in Table 11-1 (Development Plan Thresholds), below. Total gross floor area includes the gross floor area of agricultural structural development and non-agricultural structural development, both existing and proposed.

Table 11-1 - Development Plan Thresholds

<u>Lot Size (acres)</u>	<u>Threshold (sq. ft.)</u>
<u>Less than 40</u>	<u>20,000</u>
<u>40 to less than 100</u>	<u>25,000</u>
<u>100 to less than 200</u>	<u>30,000</u>
<u>200 to less than 320</u>	<u>40,000</u>
<u>320 or more</u>	<u>50,000</u>

4) Floor area not included in total gross floor area. The gross floor area of the following structures is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection 35-169.2.3.b.3), above.

- a) The gross floor area of structures that are exempt from planning permit requirements in compliance with Section 35-51B (Exemptions from Planning Permit Requirements).
- b) A maximum of 10,000 square feet of gross floor area of structures that qualify as agricultural structural development where each structure does not exceed 3,000 square

feet of gross floor area, has three or fewer walls, and at least one of the long sides of the structure is open and only utilizes posts to support the roof.

- 5) Proposed structures that do not require the approval of a Final Development Plan in compliance with Subsection 35-169.2.3.b.3) and Subsection 35-169.2.3.b.4), above, shall comply with Subsection 35-169.2.3.c (Standards for agricultural structural development that does not require a Development Plan), below. Proposed structures that do not comply with Subsection 35-169.2.3.c (Standards for agricultural structural development that does not require a Development Plan) may be allowed in compliance with an approved Final Development Plan.

c. Standards for agricultural structural development that does not require a Development Plan.

In addition to other development standards required by this Article, above, all development associated with the construction of agricultural structural development on lots zoned AG-II that does not require the approval of a Final Development Plan in compliance with Subsection 35-169.2.3 (Final Development Plan approval required – AG-II), above, shall comply with all of the additional development standards listed below. If conflicts occur between these requirements and any other provisions of the County Code, the Local Coastal Program, the primary zone, and any applicable overlay district, the requirements that are most protective of coastal resources shall control.

- 1) The development protects and maintains continued and renewed agricultural production and viability on site and does not impact adjacent agricultural lands. The development is sited and designed to avoid agricultural land (i.e., prime agricultural land or non-prime land suitable for agriculture) to the maximum extent consistent with the operational needs of agricultural production. If use of such land is necessary for agricultural structural development, prime agricultural land shall not be utilized if it is possible to utilize non-prime lands. In addition, as little agricultural land as possible shall be used for structural development, and agricultural structures shall be clustered with other existing structures to the maximum extent feasible.
- 2) For agricultural structural development within the Gaviota Coast Plan area, the development avoids environmentally sensitive habitat areas (ESH). If avoidance is infeasible and would preclude reasonable use of a parcel, then the alternative that would result in the fewest or least significant impacts shall be selected and findings shall be made in compliance with Section 35-415 (Supplemental Findings for Approval of Coastal Development Permit to Provide a Reasonable Use).
- 3) For agricultural structural development within the Gaviota Coast Plan area, the development is located a minimum of 100 feet from environmentally sensitive habitat areas (ESH) and a minimum of 50 feet from Monarch butterfly tree ESH, as described in Section 35-440.E.
- 4) For agricultural structural development outside the Gaviota Coast Plan area, the development shall be located no less than 100 feet from the following environmental sensitive habitat areas that are determined by a qualified professional to be intact and of high quality. This setback may be adjusted upward or downward on a case-by-case basis depending upon site specific conditions such as slopes, biological resources and erosion potential.
 - a) Native plant communities recognized as rare by California Department of Fish and Wildlife (2003 or as amended). Examples include Native Grasslands, Maritime chaparral, Bishop Pine Forests, and Coastal Dune Scrub.
 - b) Native woodlands and forests.
 - c) Nesting, roosting, and/or breeding areas for rare, endangered or threatened animal species.

- i) Rare, endangered, or threatened species are defined as those listed by State or Federal wildlife agencies under the State or Federal Endangered Species Acts, candidates for listing, species of special concern, and species that meet the definition of “rare” in Section 15380 of California Environmental Quality Act.
 - ii) A separation of greater than 100 feet may be required in order to fully protect formally listed Endangered Species (e.g., a 100-foot separation may not fully protect known breeding ponds for California Tiger Salamander).
 - d) Plant communities known to contain rare, endangered, or threatened species.
 - e) Streams, riparian areas, vernal pools, and wetlands.
 - f) Any designated Environmental Sensitive Habitat Areas.
- 5) The development preserves natural features, landforms and native vegetation such as trees to the maximum extent feasible.
- 6) The development is compatible with the character of the surrounding natural environment, subordinate in appearance to natural landforms, and sited so that it does not intrude into the skyline as seen from public viewing places. At a minimum, the development shall comply with the following design standards.
 - a) Any exterior lighting is required for safety purposes only. Lighting shall comply with Section 35-139 (Exterior Lighting), and for projects located within the Gaviota Coast Plan Overlay with Section 35-440.B (Outdoor lighting). Lighting shall also comply with the following requirements:
 - i) Light fixtures are fully shielded (full cutoff) and directed downward to minimize impacts to the rural nighttime character.
 - ii) Lighting is directed away from habitat areas and to the extent feasible, nearby residences, public roads and other areas of public use.
 - b) Building materials and colors (earth tones and non-reflective paints) that are compatible with the surrounding natural environment are used to maximize the visual compatibility of the development with surrounding areas.

Draft Amendments to Division 17 – Gaviota Coast Plan (GAV) Overlay

The Agricultural Enterprise Ordinance proposes to amend several sections of the Gaviota Coast Plan Overlay. See each section below for a brief summary of proposed amendments.

Section 35-430. Allowable Development and Planning Permit Requirements [of Division 17 Gaviota Coast Plan Overlay]

The Agricultural Enterprise Ordinance will update several subsections of Section 35-430 to reflect the proposed addition of new agricultural enterprise uses to the permitting table for the Gaviota Coast Plan Overlay (Table 17-2) and to revise the ordinance sections where the specific use regulations can be found. The draft text below presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Section 35-430.D. Exempt activities and structures. ...

3. **Farm_stands.** Farm_stands when in compliance with Section 35-131 (Agricultural Product Sales).~~35-460.E.1 (Farmstands).~~

...

Section 35-430.E.1 General Permit Requirements ...

Table 17-2 Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area	P	Permitted use, Coastal Permit required (2)					
	PP	Principal Permitted Use, Coastal Permit Required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Major Conditional Use Permit required					
	E	Allowed use, No permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-II	M-CD(3)	REC	RES	RR	TC	

AGRICULTURAL, MINING & ENERGY FACILITIES							
Agricultural accessory structure	PP	—	—	P	P	—	35-119
Agricultural processing facility	S	—	—	—	—	—	35-144S.3 460.D
<u>Agricultural processing - Product preparation</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	35-144S.3
<u>Agricultural processing - Small-scale beyond the raw state</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	35-144S.3
<u>Agricultural processing - Tree nut hulling</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	35-144S.3
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	—	35-450.B
Aquaculture	CUP	PP	—	—	CUP	—	35-460.D F
Aquaponics	PP	—	—	—	—	—	35-144S.4
Cultivated agriculture, orchard, vineyard	PP (8)	—	—	CUP (4)(8)	P (8)	—	35-450.A
Grazing	PP (8)	—	—	MCUP(5)(8)	—	—	
Greenhouse, 300 sf or less	PP	—	—	—	P	—	
Greenhouse, more than 300 sf	P (7)	—	—	—	CUP (6)	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	—	—	CUP	—	35-177
Mining - Surface, less than 1,000 cubic yards	P	P	—	—	P	—	35-177
Mining - Surface, 1,000 cubic yards or more	P	CUP	—	—	CUP	—	35-177
Oil and gas uses	S	S	—	S	S	—	Division 9
Winery	CUP	—	—	—	—	—	35-460.E L

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING							
Composting	S	—	—	—	—	—	35-144S.5 460.G
Firewood processing and sales	S	—	—	—	—	—	35-144S.7 460.H
Lumber processing and milling (small scale)	S	—	—	—	—	—	35-144S.9 460.I
Recycling - Community recycling facility	—	—	—	—	—	CUP	
Recycling - Small collection center	—	—	—	—	—	CUP	
Recycling - Small collection center, non-profit	—	—	—	—	—	CUP	
Recycling - Specialized materials collection center	—	—	—	—	—	CUP	

Key to Zone Symbols					
AG-II	Agriculture II	REC	Recreation	RR	Rural Residential
M-CD	Coastal-Dependent Industry	RES	Resource Management	TC	Transportation Corridor

- Notes:**
- (1) See [Section 35-58](#) (Definitions) and [Section 35-420](#) (Definitions) for land use definitions.
 - (2) Development Plan approval may also be required; see [Section 35-430.E](#) (Allowable land uses and permit requirements).
 - (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
 - (4) Must meet definition of “Cultivated agriculture, orchard, vineyard - Limited Slope.”
 - (5) Must meet definition of “Grazing - Limited Slope.”
 - (6) Greenhouses, hothouses, other plant protection structures in excess of 300 square feet and related development, e.g., packing sheds, parking, driveways, subject to the limitations provided in the RR District.
 - (7) Greenhouses and greenhouse related development that are cumulatively less than 20,000 square feet in area may be permitted as a Principal Permitted Use (PP).
 - (8) See [Section 35-430.D](#) (Exempt activities and structures) for ongoing cultivation and grazing.

Table 17-2 - Continued Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area	P	Permitted use, Coastal Permit required (2)					
	PP	Principal Permitted Use, Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Major Conditional Use Permit required					
	E	Allowed use, No permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-II	M-CD(3)	REC	RES	RR	TC	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Education or research facility, limited	—	—	—	PP	—	—	
<u>Educational experiences and opportunities</u>	S	—	—	—	—	—	<u>35-144S.6</u>
Equestrian facility	CUP	—	CUP	—	CUP	—	
Golf course	—	—	P	—	CUP	—	
Incidental food service	S	—	—	—	—	—	<u>35-144S.8</u>
Meeting facility, religious	— (4)	—	— (4)	— (4)	CUP	—	
Rural recreation	S	—	P	CUP	—	—	<u>35-450.C</u>
<u>Rural recreation – agricultural enterprise use</u>	S	—	—	—	—	—	<u>35-144S.10</u> <u>35-450.C</u>
School	CUP (5)	—	CUP	—	CUP	—	<u>35-450.D</u>
<u>Small-scale special events</u>	S	—	—	—	—	—	<u>35-144S.11</u>
Sport and outdoor recreation facility	—	—	CUP	—	CUP	—	
Private trail for bicycles, hiking or riding	P	P	P	P	P	P	
Public trail for bicycles, hiking or riding	PP	PP	PP	PP	PP	PP	

RESIDENTIAL USES

Agricultural employee dwellings, 4 or fewer employees	PP	CUP (6)	—	MCUP	MCUP	—	<u>35-144R</u>
Agricultural employee dwellings, 5 to 24 employees	P	CUP (6)	—	—	—	—	<u>35-144R</u>
Agricultural employee dwellings, 25 or more employees	CUP	CUP (6)	—	—	—	—	<u>35-144R</u>
Artist studio	P	—	—	MCUP	P	—	<u>35-120</u>
Caretaker/manager dwelling	—	CUP (6)	MCUP	—	—	—	
Dwelling, one-family (7)	PP	—	—	P	PP	—	
Farmworker dwelling unit (7)	PP	—	—	PP	PP	CUP (8)	<u>35-144P</u>
Farmworker housing complex	CUP	P	—	CUP	CUP	CUP	<u>35-144P</u>
Guesthouse	P	—	—	P	P	—	<u>35-120</u>
Home occupation	PP	—	—	PP	PP	—	<u>35-121</u>
Incentive dwelling unit	P	—	—	—	—	—	<u>35-470</u>
Pool house/cabaña	P	—	—	P	P	—	<u>35-120</u>
Residential accessory use or structure	P (9+)	—	MCUP	P	PP	—	<u>35-119</u>
Accessory dwelling unit	PP	—	—	P	PP	—	<u>35-142</u>
Junior accessory dwelling unit	PP	—	—	P	PP	—	<u>35-142</u>
Special care home, 7 or more clients	MCUP	—	—	MCUP	MCUP	—	<u>35-143</u>

RETAIL TRADE

Agricultural product sales, Farm stands	S(9)	P (10)	—	—	S (10)	—	<u>35-131</u>
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Key to Zone Symbols

AG-II	Agriculture II	REC	Recreation	RR	Rural Residential
M-CD	Coastal-Dependent Industry	RES	Resource Management	TC	Transportation Corridor

Notes:

- (1) See [Section 35-58](#) (Definitions) and [Section 35-420](#) (Definitions) for land use definitions.
- (2) Development Plan approval may also be required; see [Section 35-430.E](#) (Allowable land uses and permit requirements).
- (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (4) The proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for a CUP and prohibiting such use would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. §2000cc.
- (5) See [Section 35-450.D \(School development\)](#) for specific use regulations.
- (6) May also include dwellings for the employees of the owner or lessee of the land engaged in a permitted use of the land on which the dwelling is located.
- (7) One-family dwelling may be a mobile home on a permanent foundation, see Section 35-141 (Mobile Homes on Foundations).
- (8) Only if single-family dwellings are allowed as a permitted use in an abutting zone district.
- (9) ~~Detached garages, carports, storage sheds, fences, and swimming pools associated with a residential dwelling may be considered part of the Principal Permitted Use (PPU). See 35-460.E (Agricultural product sales) for specific use regulations.~~
- (10) Limited to the on-site production only; see 35-131 (Agricultural Sales) for specific use regulations.
- (11) ~~Detached garages, carports, storage sheds, fences, and swimming pools associated with a residential dwelling may be considered part of the Principal Permitted Use (PPU).~~

Table 17-2 - Continued Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area	P	Permitted use, Coastal Permit required (2)
	PP	Principal Permitted Use, Coastal Permit required (2)
	MCUP	Minor Conditional Use Permit required
	CUP	Major Conditional Use Permit required
	E	Allowed use, No permit required
	S	Permit determined by Specific Use Regulations
—	Use Not Allowed	

LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-II	M-CD(3)	REC	RES	RR	TC	

SERVICES

Charitable or philanthropic organization	—	—	CUP	—	CUP	—	
Large family day care home	P	—	P	P	P	—	35-143
Small family day care home	E	E	E	E	E	—	35-143
Child care center, Non-residential	MCUP	—	—	—	MCUP	—	
Child care center, Residential	MCUP	—	—	—	MCUP	—	
Lodging - Farmstay	S	—	—	—	—	—	35-144T
Medical services - Animal hospital	CUP	—	—	—	—	—	
Office - -Accessory	P	P	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Indoor	—	CUP	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Outdoor	—	CUP	—	—	—	—	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Agricultural product transportation facility	CUP	—	—	—	—	—	
Airstrip, temporary	CUP	CUP	CUP	CUP	CUP	CUP	
Boat launching facility accessory to approved recreation use	—	—	P	—	—	—	
Drainage channel, water course, storm drain less than 20,000 sf	P	P	P	P	P	P	Division 8
Drainage channel, water course, storm drain 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Electrical substation - Minor (4)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (5) (6)	CUP	CUP	CUP	CUP	CUP	CUP	Division 8
Flood control project less than 20,000 sf total area	P	P	P	P	P	P	Division 8
Flood control project 20,000 sf or more total area	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Helicopter	CUP	CUP	CUP	CUP	CUP	CUP	
Highway and related facilities	—	—	—	—	—	PP	
Parking facility, public or private	—	—	—	—	—	PP (7)	
Pier, dock	—	P	P	—	—	—	
Pipeline - Oil or gas	P	P	—	—	—	—	Division 9
Public utility facility	—	CUP	—	—	—	—	
Public works or private service facility	—	MCUP	—	—	—	—	
Railroad	—	—	—	—	—	P	
Road, street less than 20,000 sf total area	P	P	P	P	P	PP	Division 8
Road, street 20,000 sf or more total area	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Roadside rest area operated by a governmental agency	—	—	—	—	—	P	
Sea wall, revetment, groin, or other shoreline structure	CUP	CUP	CUP	CUP	CUP	CUP	
Telecommunications facility	S	S	S	S	S	S	35-144.F 35-144.G
Transit station or terminal	—	—	—	—	—	P	
Truck and freight terminal - Permanent	—	—	—	—	—	P	
Truck and freight terminal - Temporary	—	—	—	—	—	MCUP	
Utility service line with less than 5 connections (6)	P (8)	P (8)	P (8)	P (8)	P (8)	P (8)	Division 8
Utility service line with 5 or more connections (6)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Wind turbine and wind energy system	—	—	—	—	—	—	

Key to Zone Symbols

AG-II	Agriculture II	REC	Recreation	RR	Rural Residential
M-CD	Coastal-Dependent Industry	RES	Resource Management	TC	Transportation Corridor

Notes:

- (1) See [Section 35-58](#) and [Section 35-420](#) (Definitions) for land use definitions.
- (2) Development Plan approval may also be required; see [Section 35-430.E \(Allowable land uses and permit requirements\)](#).
- (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (4) Use is subject to the standards of the PU zone.
- (5) Does not include electrical transmission lines outside the jurisdiction of the County.
- (6) Not allowed in the CVC overlay.
- (7) May include park and ride facilities.
- (8) May be considered a Principal Permitted Use (PP) when incidental, appropriate and subordinate to a use designated as the Principal Permitted Use (PP).

Table 17-2 - Continued Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area	P	Permitted use, Coastal Permit required (2)					
	PP	Principal Permitted Use, Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Major Conditional Use Permit required					
	E	Allowed use, No Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-II	M-CD(3)	REC	RES	RR	TC	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facility	CUP	CUP	—	CUP	CUP	—	Division 8
Desalination facility, less than 15 connections	MCUP	MCUP	—	MCUP	MCUP	—	Division 8
Desalination facility, 15 to less than 200 connections	CUP	CUP	—	CUP	CUP	—	Division 8
Onsite Wastewater Treatment System, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Onsite Wastewater Treatment System, individual, conventional	P (4)	P (4)	P (4)	P (4)	P (4)	P (4)	Division 8
Onsite Wastewater Treatment System, individual, supplemental	P	P	P	P	P	P	Division 8
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P	P	P	P	P	P	Division 8
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	MCUP	P	MCUP	MCUP	MCUP	MCUP	Division 8
Reservoir, less than 20,000 sf of total development	P	P	P	P	P	P	Division 8
Reservoir, 20,000 sf and more total development	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Wastewater treatment facility, less than 200 connections	CUP	—	—	CUP	CUP	—	Division 8
Water diversion project	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Water extraction, commercial, including storage and trucking	—	CUP	—	—	CUP	—	Division 8
Water or sewer system pump or lift station	P	P	P	P	P	P	Division 8
Water system with 1 connection	P (4)	P (4)	P (4)	P (4)	P (4)	P (4)	Division 8
Water system with 2 or more connections	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	Division 8
Water well, agricultural	PP	P	—	P	P	—	

Key to Zone Symbols

AG-II	Agriculture II	REC	Recreation	RR	Rural Residential
M-CD	Coastal-Dependent Industry	RES	Resource Management	TC	Transportation Corridor

Notes:

- (1) See [Section 35-58 \(Definitions\)](#) and [Section 35-420](#) (Definitions) for land use definitions.
- (2) Development Plan approval may also be required; see [Section 35-430.E \(Allowable land uses and permit requirements\)](#).
- (3) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (4) May be considered a Principal Permitted Use (PP) when incidental, appropriate and subordinate to a use designated as the Principal Permitted Use (PP).

Section 35-430.E.4 Development Plan Approval Required

The Agricultural Enterprise Ordinance proposes to allow the flexible Development Plan thresholds for the AG-II zone within Gaviota to be applied to all AG-II in the Coastal Zone. Thus, Subsection 4 of Section 35-430.E. (Allowable land uses and permit requirements would be amended to delete the AG-II zone Development Plan regulations from the Gaviota Coast Plan Overlay (below) and add them to Section 35-169 (Coastal Development Permits), as presented above.

4. **Development Plan approval required.** Except as provided below, the approval of a Final Development Plan in compliance with [Section 35-174](#) (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance.
 - a. **AG-II zone.** ~~Refer to Section 35-169.3. (Final Development Plan approval required – AG-II zone). [Section 35-169.2.2](#) does not apply to development proposed on property zoned AG-II located within the Gaviota Coast Plan area and instead the approval of a Final Development Plan in compliance with [Section 35-174](#) (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for the following structural development that is not otherwise required by this Section to have discretionary permit approval:~~
 - 1) ~~**Non-agricultural structural development.** The proposed structure and use thereof does not qualify as agricultural structural development (see [Section 35-58](#) (Definitions)) and is either 15,000 or more square feet in gross floor area or the structure is an attached or detached addition that, together with existing structures on the site that do not qualify as agricultural structural development, will total 15,000 square feet or more in gross floor area.~~
 - a) ~~**Floor area not included in total gross floor area.** The gross floor area of structures that are exempt from planning permit requirements in compliance with [Section 35-51B](#) (Exemptions from Planning Permit Requirements) is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection E.4.a.1), above.~~
 - 2) ~~**Agricultural structural development.** The proposed structure and use thereof do qualify as agricultural structural development and meets one or more of the following:~~
 - a) ~~The proposed structure is 15,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 15,000 or more square feet in gross floor area after completion of the addition.~~
 - b) ~~The proposed structure is 10,000 or more square feet in gross floor area or is an addition to an existing structure that will result in a structure of 10,000 or more square feet in gross floor area after completion of the addition, and:~~
 - i) ~~A different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area exists on the lot, or~~
 - ii) ~~There is an active, unexpired planning permit that allows for the construction of a different structure that qualifies as agricultural structural development that is 10,000 or more square feet in gross floor area, or~~
 - iii) ~~The application for the proposed structure is submitted either in conjunction with or subsequent to an application for a different structure that qualifies as~~

~~agricultural structural development that is 10,000 or more square feet in gross floor area.~~

- e) ~~The proposed structure(s) will result in a total gross floor area on a lot that exceeds the development plan threshold listed for the applicable lot area as shown in Table 17-1 (Development Plan Thresholds), below. Total gross floor area includes the gross floor area of agricultural structural development and non agricultural structural development, both existing and proposed.~~

Table 17-1 – Development Plan Thresholds

Lot Size (acres)	Threshold (sq. ft.)
Less than 40	20,000
40 to less than 100	25,000
100 to less than 200	30,000
200 to less than 320	40,000
320 or more	50,000

- d) ~~**Floor area not included in total gross floor area.** The gross floor area of the following structures is not included in the total gross floor area on the lot for the purpose of determining whether the approval of a Final Development plan is required in compliance with Subsection E.4.a.2)e), above.~~

- i) ~~The gross floor area of structures that are exempt from planning permit requirements in compliance with [Section 35-51B](#) (Exemptions from Planning Permit Requirements).~~
- ii) ~~A maximum of 10,000 square feet of gross floor area of structures that qualify as agricultural structural development where each structure does not exceed 3,000 square feet of gross floor area, has three or fewer walls, and at least one of the long sides of the structure is open and only utilizes posts to support the roof.~~

- e) ~~Proposed structures that do not require the approval of a Final Development Plan in compliance with Subsection E.4.a.2)c) and Subsection E.4.a.2)d), above, shall comply with Subsection E.6 (Standards for agricultural structural development that does not require a Development Plan), below. Proposed structures that do not comply with Subsection E.6 (Standards for agricultural structural development that does not require a Development Plan) may be allowed in compliance with an approved Final Development Plan.~~

b. M-CD zone. On property zoned M-CD:

- 1) **Oil and gas facilities.** Development related to oil and gas facilities shall be issued in compliance with the permit requirements and development standards of Division 9 (Oil and Gas Facilities).
- 2) **Other development.** For development other than that related to oil and gas facilities, the approval of a Final Development Plan in compliance with [Section 35-174](#) (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for a structure that is not otherwise required to have a discretionary permit and is 20,000 or more square feet in gross floor area, or is an

attached or detached addition that, when together with existing structures on the lot will total 20,000 square feet or more of gross floor area.

- c. **REC zone.** The approval of a Final Development Plan in compliance with [Section 35-174](#) (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for all development including grading.
 - d. **RES and RR zones.** The approval of a Final Development Plan in compliance with [Section 35-174](#) (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for a structure that is not otherwise required to have a discretionary permit and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that, when together with existing structures on the lot will total 20,000 square feet or more of gross floor area.
 - e. **TC zone.** The approval of a Final Development Plan in compliance with [Section 35-174](#) (Development Plans) is required prior to the approval of a Coastal Development Permit, Land Use Permit or Zoning Clearance for all development including excavation and grading.
5. **Design Review.** Design Review may be required prior to the approval of a planning permit for a structure, or an addition to or alteration of an existing structure in compliance with [Section 35-184](#) (Board of Architectural Review).
6. ~~**Standards for agricultural structural development that does not require a Development Plan.** In addition to other development standards required by this Article, above, all development associated with the construction of agricultural structural development on lots zoned AG-II that does not require the approval of a Final Development Plan in compliance with Subsection E.4 (Development Plan approval required), above, shall comply with all of the additional development standards listed below. If conflicts occur between these requirements and any other provisions of the County Code, the Local Coastal Program, the primary zone, and any applicable overlay district, the requirements that are most protective of coastal resources shall control.~~
 - ~~a. The development protects and maintains continued and renewed agricultural production and viability on site and does not impact adjacent agricultural lands. The development is sited and designed to avoid agricultural land (i.e., prime agricultural land or non prime land suitable for agriculture) to the maximum extent consistent with the operational needs of agricultural production. If use of such land is necessary for agricultural structural development, prime agricultural land shall not be utilized if it is possible to utilize non prime lands. In addition, as little agricultural land as possible shall be used for structural development, and agricultural structures shall be clustered with other existing structures to the maximum extent feasible.~~
 - ~~b. The development avoids environmentally sensitive habitat areas (ESH). If avoidance is infeasible and would preclude reasonable use of a parcel, then the alternative that would result in the fewest or least significant impacts shall be selected and findings shall be made pursuant to [Section 35-415](#) (Supplemental Findings for Approval of Coastal Development Permit to Provide a Reasonable Use).~~
 - ~~e. The development is located a minimum of 100 feet from environmentally sensitive habitat areas (ESH) and a minimum of 50 feet from Monarch butterfly tree ESH, as described in [Section 35-440.E](#).~~
 - ~~d. The development preserves natural features, landforms and native vegetation such as trees to the maximum extent feasible.~~
 - ~~e. The development is compatible with the character of the surrounding natural environment, subordinate in appearance to natural landforms, and sited so that it does not intrude into the~~

skyline as seen from public viewing places. At a minimum, the development shall comply with the following design standards.

- 1) ~~Any exterior lighting is required for safety purposes only and complies with the following requirements:~~
 - a) ~~Light fixtures are fully shielded (full cutoff) and directed downward to minimize impacts to the rural nighttime character.~~
 - b) ~~Lighting is directed away from habitat areas and to the extent feasible, nearby residences, public roads and other areas of public use.~~
- 2) ~~Building materials and colors (earth tones and non reflective paints) that are compatible with the surrounding natural environment are used to maximize the visual compatibility of the development with surrounding areas.~~

Section 35-460 Permit Requirements and Development Standards for Specific Land Uses in the AG-II Zone

Under the Agricultural Enterprise Ordinance, the regulations governing specific agricultural enterprise land uses that are currently only allowed on AG-II within the Gaviota Coast Plan Area are proposed to be revised and allowed on all lands zoned AG-II in the Coastal Zone. Therefore, Section 35-460 is proposed to be revised to delete the permit requirements and development standards associated with those uses that will be incorporated into other sections of the CZO. The draft text below presents the existing ordinance text in standard font with the proposed amended text using strikethrough and underline fonts.

Section 35-460 Permit Requirements and Development Standards for Specific Land Uses in the AG-II Zone

- A. Purpose and intent.** This Section determines the type of planning permit required for the specific land uses listed below, and provides development standards and structure size limitations related to the intensity of the land use. The intent is to provide for flexibility in the development of uses that are individually and cumulatively accessory to, supportive of, and subordinate to the primary agricultural use of the property while promoting orderly development of these uses within the Gaviota Coast Plan area, and to ensure their compatibility with surrounding land uses in order to protect the public health and safety, and prevent impacts to natural, cultural, and visual resources. The cumulative uses on any premises shall be incidental and subordinate to the agriculture activity located on the premises.
- B. Applicability.** The requirements of this [Section 35-460](#) (Permit Requirements and Development Standards for Specific Uses in the AG-II Zone) apply to applications for development of land uses that are proposed to be located on property zoned Agricultural II (AG-II) within the Gaviota Coast Plan area.
- C. Agricultural employee and farmworker housing.** Additional dwellings providing housing for agricultural employees may be allowed in compliance with [Section 35-144R](#) (Agricultural Employee Dwellings) and [Section 35-144P](#) (Farmworker Housing).
- ~~**D. Agricultural processing facilities.** The processing of agricultural and horticultural products as provided below may be allowed in compliance with the following permit requirements and development standards.~~
 - ~~**1. Cleaning, freezing, packing, storage, and sorting facilities.** Facilities for the cleaning, freezing, packing storage, and sorting of agricultural and horticultural products (other than animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit~~

~~approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the facility complies the following development standards:~~

- ~~a. The facility shall be accessory to and supportive of the primary agricultural operation located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County).~~
- ~~b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale.~~
- ~~c. The products are determined by the Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands.~~
- ~~d. The facility also processes products grown on the premises or on other local agricultural lands.~~
- ~~e. The operation will not have a significant adverse impact on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~

~~2. **Product preparation.** Agricultural and horticultural product preparation includes drying, freezing, pre-cooling, packaging, and milling of flour, feed, and grain.~~

- ~~a. A Product preparation operation may be considered a component of the Principal Permitted Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation complies with the following development standards:
 - ~~1) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
 - ~~2) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.~~
 - ~~3) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any preparation allowed in compliance with this Subsection D.2 (Product preparation).~~
 - ~~4) The preparation facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the gross area of the premises, or one acre, whichever is less.~~
 - ~~5) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.~~
 - ~~6) The operation will not have a significant adverse impact on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
 - ~~7) The operation is in compliance [Section 35-102G](#) (CVC – Critical Viewshed Corridor Overlay District), if applicable.~~~~
- ~~b. A Product preparation operation that may not be allowed in compliance with Subsections D.2.a, above, may be allowed as a non Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:
 - ~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~~~

~~2) The operation will not include a new at-grade crossing of Highway 101.~~

~~3. Small-scale processing (beyond the raw state).~~

~~a. A Small-scale processing operation may be considered a component of the Principal Permitted Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:~~

- ~~1) The activity is incidental to agricultural operations located on the same lot.~~
- ~~2) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
- ~~3) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.~~
- ~~4) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any processing allowed in compliance with this Subsection D.3 (Processing (beyond the raw state)).~~
- ~~5) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the gross lot area, or one acre, whichever is less.~~
- ~~6) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.~~
- ~~7) The operation will not have a significant adverse impact on the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~8) The operation is in compliance Section 35-102G (CVC Critical Viewshed Corridor Overlay District), if applicable.~~

~~b. A Small-scale processing operation that may not be allowed in compliance with Subsections D.3.a, above, may be allowed as non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) provided the following additional findings are first made:~~

- ~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
- ~~2) The operation does not include a new at-grade access to Highway 101.~~

~~4. Tree nut hulling.~~

~~a. A Tree nut hulling operation may be considered a component of the Principal Permitted Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with Section 35-169 (Coastal Development Permits) provided the operation complies with the following development standards:~~

- ~~1) All of the agricultural and horticultural products used in the operation originate within San Luis Obispo, Santa Barbara and Ventura counties.~~
- ~~2) Agricultural and horticultural products used in the operation that do not originate from the premises are limited to no more than 49 percent of the total volume of products prepared on the premises on which the operation is located.~~

- ~~3) The lot on which the operation occurs is planted with the agricultural or horticultural product used in the operation prior to the commencement of any processing allowed in compliance with this Subsection D.4 (Tree nut hulling).~~
- ~~4) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is less.~~
- ~~5) Any new structure proposed as part of the operation is less than 3,000 square feet in net floor area.~~
- ~~6) The operation will not have a significant adverse impact on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~7) The operation is in compliance [Section 35-102G](#) (CVC – Critical Viewshed Corridor Overlay District), if applicable.~~

~~b. A Tree nut hulling operation that may not be allowed in compliance with Subsections D.4.a, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~

- ~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
- ~~2) The operation does not include a new at grade access to Highway 101.~~

~~**E. Agricultural product sales.** Agricultural sales allowed in compliance with [Section 35-131](#) (Agricultural Sales) are not allowed on AG-II zoned property located within the Gaviota Coast Plan area and instead the following commercial facilities for the retail sale of commodities may be allowed subject to compliance with the applicable permit requirements and development standards:~~

~~**1. Farmstands.**~~

~~a. A Farmstand may be exempt from the requirement to obtain a Coastal Development Permit when in compliance with all of the following:~~

- ~~1) The sale shall be conducted within an existing agricultural building or from a separate stand that is less than or equal to 600 square feet of gross floor area.~~
- ~~2) The structure is located no closer than 20 feet to the right-of-way line of any street.~~
- ~~3) The development will:
 - ~~a) Not be located within or adjacent to a wetland, beach, environmentally sensitive habitat area, or on/within 50 feet of a coastal bluff.~~
 - ~~b) Not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantial evidence of prescriptive rights).~~
 - ~~a) Not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.~~
 - ~~b) The operation is incidental to agricultural operations located on the same premises and complies with the development standards of [Section 35-460.E.1.b](#) below.~~~~

~~b. A Farmstand operation that does not meet the standards of [Section 35-460.E.1.a](#), above, may be considered a component of the Principal Permitted Use and may be allowed with a Coastal~~

Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation is incidental to agricultural operations located on the same premises and complies with the following development standards:

1) — Access.

- a) — ~~Ingress and egress to the agricultural sales area is clearly visible, and turning movements into the premises from adjacent road rights of way do not create congestion or cause unnecessary slowing at access points.~~
- b) — ~~Direct access to farmstand sales area from an at grade access with Highway 101 is prohibited.~~

2) — Allowed retail sales. Retail sales of the following products directly to members of the public are allowed provided the applicable development standards are complied with:

- a) — **Agricultural products.** ~~The sale of agricultural products, including facilities where the public has access to the growing areas and pick the product themselves (e.g., Christmas tree farms, pumpkin patches, apple or fruit picking farms) provided:~~

- i) — ~~The operation is operated by a single proprietor.~~
- ii) — ~~The agricultural products offered for sale are either grown on the premises, or on other property located within the County that is either owned or leased by the same owner or lessee of the lot on which the sales occur, or on other property within a 25-mile radius of the lot on which the sales occur.~~

- b) — **Artisanal crafts.** ~~The sale of artisanal crafts provided:~~

- i) — ~~The products are created within Santa Barbara County.~~
- ii) — ~~The volume of such sales is subordinate to the total amount of sales.~~
- iii) — ~~The area devoted to the sale of artisanal crafts does not exceed 20 percent of total area of the farmstand. Inventory storage may occur in a separate area that is not included within the 20 percent of the total area provided the area is neither visible nor accessible to the public.~~

- e) — **Ornamental plants, shrubs and trees.** ~~The sale of ornamental plants, shrubs and trees that are grown in containers, including products that are imported from off-site, provided the area to which the public has access is limited to 10,000 square feet.~~

- i) — ~~This may also include the incidental sale of garden and landscape materials and equipment provided the area devoted to such sales is limited to a single contiguous area that does not exceed 300 square feet in area. Inventory storage may occur in a separate area that is not included with the 300 square feet provided the area is neither visible nor accessible to the public.~~

- d) — **Nonpotentially hazardous prepackaged food products.** ~~The sale of nonpotentially hazardous prepackaged food products, including bottled water and soft drinks, produced off-site provided:~~

- i) — ~~The area devoted to the sale and inventory storage of such products is restricted to a single contiguous area that does not exceed 50 square feet in area.~~

- ~~ii) All products comply with the requirements of Section 47050 of the State Food and Agricultural Code and Section 114375 of the State Health and Safety Code.~~
 - ~~e) **Vegetative holiday sales products.** Sales of vegetative holiday sales products (e.g., pumpkins, Christmas trees) grown off site provided the area to which the public has access is limited to 10,000 square feet.~~
- ~~3) **Lighting.** Exterior lighting fixtures associated with an agricultural sales area shall be:~~
 - ~~a) Designed to be low glare and low intensity.~~
 - ~~b) Shielded with full cut off design and directed downward so that neither the lamp nor the related reflector interior surface is visible from any location off of the project site in order to prevent spill over onto adjacent lots under separate ownership.~~
 - ~~c) Installed and operated in a manner that will not cast light, either reflected or directly, in an upward direction.~~
 - ~~d) In compliance with [Section 35-440.B](#).~~
- ~~4) **Parking.**~~
 - ~~a) Except as provided in Subsection E.1.a.4)b), below:
 - ~~i) Parking areas are constructed with an all weather surface consisting of a minimum of crushed rock, asphalt, chip seal, concrete, brick, or other masonry paving units or equivalent surface including pervious materials.~~
 - ~~ii) The use of any non permeable surface materials (e.g., as asphalt, concrete, or chip seal) is restricted to the minimum necessary to comply with the disabled access requirements of Title 24 of the California Code of Regulations as applicable.~~~~
 - ~~b) Parking areas associated with short term, seasonal sales may be unimproved; however, dust generation shall not be allowed to become a nuisance and shall be kept to a minimum through the periodic wetting of the surface.~~
 - ~~c) Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.~~
 - ~~d) Parking is not located within any adjacent road rights of way or trail easements.~~
- ~~5) **Structures.**~~
 - ~~a) If a structure is proposed as part of the operation, then the operation shall be conducted either within:
 - ~~i) An existing agricultural structure, or~~
 - ~~ii) A separate stand that is less than or equal to 800 square feet of gross floor area and located no closer than 20 feet to the right of way line of any street.~~~~
 - ~~b) A structure that is not used as part of the farmstand operation for a period of 12 months shall be removed within the three month period immediately following the 12 months of non use unless the use of the structure is accessory to another allowed use of the lot on which the structure is located.~~

- ~~e. A Development Plan approved by the Director in compliance with [Section 35-174](#) (Development Plans) is required for the sales of ornamental trees, shrubs and plants, grown in containers, including incidental sale of garden and landscape materials and equipment, and including retail sales directly to members of the public provided the area to which the public has access is greater than 10,000 square feet.~~

F.D. Aquaculture.

- 1. Purpose and applicability.** This Section provides standards for aquaculture facilities located in the Gaviota Coast Plan area.
- 2. Development and operating standards.**
 - a. Aquaculture facilities shall be sited and designed to be compatible with the natural surroundings.
 - b. Structures shall be well screened and depressed below grade when feasible to minimize impacts on coastal visual resources.
 - c. Intake and outfall lines for ocean water shall be located underground unless determined by the decision-maker to be infeasible for a particular operation.
 - d. Adequate provisions for lateral beach access shall be required if above ground channels or pipes are necessary.

G. Composting.

- ~~1. A composting operation may be considered a component of the Principal Permitted Use and be allowed in compliance with a Coastal Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation complies with the following development standards.~~
- ~~a. All of the feedstock for the operation originates from within Santa Barbara County.~~
 - ~~b. No new structure(s) that would require a planning permit or new water or wastewater permit issued by the County are proposed.~~
 - ~~c. There is no more than 500 cubic yards of compost on site at any one time.~~
 - ~~d. No more than 1,000 cubic yards of compost sold or given away annually.~~
 - ~~e. The feedstock material may also include up to 10 percent food matter.~~
 - ~~f. Compost piles do not exceed 12 feet in height.~~
 - ~~g. The operator of the operation shall maintain and follow an odor abatement plan in compliance with Santa Barbara County Air Pollution Control District recommendations.~~
 - ~~h. The operation is in compliance [Section 35-102G](#). (CVC Critical Viewshed Corridor Overlay District), if applicable.~~
 - ~~i. The operation shall be located a minimum of 200 feet from any adjacent lot and 300 feet from any dwelling located on an adjacent lot.
 - ~~1) The applicable setback does not apply if the adjacent lot is under the same ownership as the lot that the operation is located on.~~
 - ~~2) The operation shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the operation commences production, a dwelling is constructed on an adjacent lot that is not under the same ownership as the lot~~~~

~~that the operation is located on and the location of the dwelling is within the setback distance specified above.~~

~~2. A composting operation that may not be allowed in compliance with Subsection G.1, above, may be allowed as a non-Principal Permitted Use in compliance with a Minor Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided:~~

~~a. **Development standards.** The operation complies with the following development standards:~~

- ~~1) **Applicable State law.** The facility shall at all times comply with the applicable requirements of California Code of Regulations, Title 14, Division 7.~~
- ~~2) **Structure for sale of composting product.** If a structure is required for the sale of a product, the sale is conducted either within an existing accessory structure or from a single, separate stand not to exceed 600 square feet of sales and storage area.~~
- ~~3) **Parking.** A minimum of two permanently maintained parking spaces are:
 - ~~a) Located on the lot where the composting operation occurs.~~
 - ~~b) Not located within 20 feet of the right-of-way line of any street.~~~~
- ~~4) **Permit requirements.** All other permits required by County Departments for a facility, except those permits required by the Division of Building and Safety, shall be obtained before issuance of a Land Use Permit in compliance with [Section 35-178](#) (Land Use Permits) or issuance of a Zoning Clearance in compliance with [Section 35-179A](#) (Zoning Clearances) as applicable.~~
- ~~5) **Reporting requirements.** Tonnage reports showing the amount of materials used in the composting operation shall be provided to the Department of Public Works, Solid Waste Division, and the Public Health Department, Environmental Health Services Division, on a quarterly basis.~~

~~b. **Additional findings.** Prior to the approval of a Minor Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) the following additional findings are first made:~~

- ~~1) The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
- ~~2) The operation will not include a new at-grade crossing of Highway 101.~~

H. ~~Firewood processing and sales.~~

~~1. A Firewood processing and sales operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:~~

- ~~a. Firewood from offsite sources shall be limited to no more than 49 percent of the total volume of firewood processed on the facility premises.~~
- ~~b. The premises where the operation occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Subsection H (Firewood processing and sales).~~

- e. ~~The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
 - d. ~~Firewood processing and sales operations shall be in compliance with [Section 35-97](#) (Environmentally Sensitive Habitat Overlay District) and [Section 35-140](#) (Tree Removal) and shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Subsection H.1.b above.~~
 - e. ~~The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
 - f. ~~The operation shall be in compliance with the Agricultural Commissioner's Guidelines for import and export of plant material.~~
 - g. ~~The operation will not have significant adverse impacts on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
2. ~~A firewood processing and sales operation that may not be allowed in compliance with Subsection H.1, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~
- a. ~~The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~
 - b. ~~The operation will not include a new at grade crossing of Highway 101.~~
 - e. ~~The operation will be in compliance with [Section 35-97](#) (Environmentally Sensitive Habitat Overlay District) and [Section 35-140](#) (Tree Removal) and shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Subsection H.1.b above.~~

I. ~~Lumber processing and milling (small scale).~~

1. ~~A lumber processing and milling operation may be allowed as a non-Principal Permitted Use in compliance with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:~~
- a. ~~All of the material used in the operation originates within Santa Barbara County.~~
 - b. ~~Lumber from offsite sources shall be limited to no more than 49 percent of the total volume of lumber processed on the facility premises.~~
 - e. ~~The premises where the processing occurs is planted with the source product prior to the commencement of any processing allowed in compliance within this Subsection I (Lumber processing and milling).~~
 - d. ~~The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one percent of the premises, or one acre, whichever is smaller.~~
 - e. ~~The operation does not propose the construction of any new structure(s) or any additions to existing structures that would require a planning permit or new water or wastewater permit.~~
 - f. ~~The operation shall be in compliance with the Agricultural Commissioner's Guidelines for import and export of plant material.~~

~~g. Lumber processing and milling operations shall be in compliance with [Section 35-97](#) (Environmentally Sensitive Habitat Overlay District) and [Section 35-140](#) (Tree Removal) and shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Subsection I.1.e above.~~

~~2. A lumber processing and milling operation that may not be allowed in compliance with Subsection I.1, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~

~~a. The operation will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on and adjacent to the subject lot(s).~~

~~b. The operation will not include a new at-grade crossing of Highway 101.~~

~~c. The operation will be in compliance with [Section 35-97](#) (Environmentally Sensitive Habitat Overlay District) and [Section 35-140](#) (Tree Removal) and shall not remove existing native trees pursuant to Policy NS-12 of the Gaviota Coast Plan, other than planted trees in compliance with Subsection I.1.e above.~~

~~**J. Rural recreation.** The following allowable uses, permit requirement and development standards shall apply to projects located in the Gaviota Coast Plan area on property zoned AG-II. See Subsection 35-450.C (Rural Recreational) for additional development standards that apply to the following uses.~~

~~**1. Campgrounds.**~~

~~a. A Campground operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:~~

~~1) The project does not include any of the following:~~

~~a) New grading or structures that would require a grading or planning permit. This does not apply to grading and structures that are required in order to comply with the requirements of the Public Health Department in regards to the provision of sufficient potable water and onsite wastewater disposal.~~

~~b) Electrical hookups for vehicles including recreational vehicles and trailers.~~

~~c) New impervious surfaces.~~

~~2) The project is not located on property zoned with the Critical Viewshed Corridor Overlay unless the Director determines that the location of the campground is in character with the rural setting and will not result in significant visual impacts from Highway 101 due to natural intervening topography.~~

~~3) There are no more than 10 campsites:~~

~~a) No more than two vehicles shall be parked at each campsite.~~

~~b) A maximum of one-half of the total number of campsites may be used at any one time for the parking of not more than two recreational vehicles or trailers per site. Recreational vehicles and trailers shall not exceed 25 feet in length.~~

~~4) Stays are limited to a maximum of 14 days per person per year.~~

- ~~5) The use will not interfere with agricultural production on or adjacent to the lot on which it is located and the use will not have significant adverse impacts on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~6) The use will not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands. Prior to the approval of a Coastal Development Permit approved in compliance with [Section 35-169](#) (Coastal Development Permits), the plans for the Campground operation shall reviewed and approved by:
 - ~~a) The Public Health Department in regards to the provision of sufficient potable water and onsite wastewater disposal.~~
 - ~~b) The County Fire Department in regards to fire safety.~~~~
- ~~b. A Campground operation that may not be allowed in compliance with Subsection J.1.a, above, may be allowed a non-Principal Permitted Use with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:
 - ~~1) The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, or interfere with agricultural production on or adjacent to the subject lot(s).~~
 - ~~2) The operation will not include a new at grade crossing of Highway 101.~~
 - ~~3) The operation does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.~~~~

~~2. Farmstay.~~

- ~~a. A Farmstay operation may be considered a component of the Principal Permitted Use and may be allowed with a Coastal Development Permit issued in compliance with [Section 35-169](#) (Coastal Development Permits) provided the operation complies with the following development standards:
 - ~~1) The operation is located on a single lot of 40 acres or greater and the entire lot is located in the AG-II zone. Only one Farmstay operation may be allowed on a premises.~~
 - ~~2) The operation is housed in a single permitted or nonconforming dwelling existing as of November 7, 2018.~~
 - ~~3) The primary purpose of the Farmstay operation shall be the education of registered guests regarding the agricultural operations on the premises. Lodging and meals are incidental and not the primary function of the Farmstay operation.
 - ~~a) The maximum number of registered guests that can be accommodated shall be 15 per night and they shall be accommodated in no more than six bedrooms. Only registered guests may utilize the accommodations overnight.~~
 - ~~b) Food service is only available to registered guests of the operation. The cost of any food provided shall be included in the total price for accommodation and not be charged separately.~~~~
 - ~~4) The operation shall be consistent with the compatibility guidelines set forth in Uniform Rule Two (Compatible Uses within Agricultural Preserves) of the County Uniform Rules for Agricultural Preserves and Farmland Security Zones.~~~~

- a) ~~If a Farmstay operation is proposed on a lot not subject to a contract executed in accordance with the County Uniform Rules for Agricultural Preserves and Farmland Security Zones, then the applicable review authority shall determine if the operation will be consistent with the compatibility guidelines.~~
- 5) ~~The operation is located on, and is part of, a farm or ranch operation that produces agricultural products, and the Farmstay operation:~~
 - a) ~~Does not constitute the principal land use of the premises;~~
 - b) ~~Is beneficial and inherently related to the farm or ranch operation, and~~
 - e) ~~Is in character with the rural setting.~~
- 6) ~~The operation will not have significant adverse impacts on the long term productive agricultural capability or natural resources of the subject lot or adjacent lot(s).~~
- 7) ~~No sign(s) located on the premises on which the Farmstay operation is located shall advertise or otherwise identify the existence of the Farmstay operation.~~
- b. ~~A Farmstay operation that may not be allowed in compliance with Subsection J.2.a, above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~
 - 1) ~~The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, or the agricultural lands on or adjacent to the subject lot.~~
 - 2) ~~The operation will not include a new at grade crossing of Highway 101.~~

3. ~~Fishing operation.~~

- a. ~~A fishing operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:~~
 - 1) ~~The operation is limited to 20 participants daily.~~
 - 2) ~~The floor area (gross) of any new structure is less than 600 square feet.~~
 - 3) ~~The operation will not have significant adverse impacts on the long term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
 - 4) ~~The fishing will occur within an existing permitted or legal nonconforming artificial pond or reservoir.~~
- b. ~~A fishing operation that may not be allowed in compliance with Subsections J.3.a, above, may be allowed as a non-Principal Permitted Use with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~
 - 1) ~~The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, and the agricultural lands on or adjacent to the subject lot(s).~~
 - 2) ~~The operation will not include a new at grade crossing of Highway 101.~~

~~4. Horseback riding.~~

- ~~a. A horseback riding operation may be allowed as a non-Principal Permitted Use with a Coastal Development Permit issued in compliance with [Section 35-169.4.2](#) (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following development standards:~~
- ~~1) The operation is limited to 20 participants daily.~~
 - ~~2) The floor area (gross) of any new structure associated with the operation is less than 1,200 square feet.~~
 - ~~3) The operation will not have significant adverse impacts on the long-term productive agricultural capability or natural resources of the subject lot(s) or adjacent lot(s).~~
- ~~b. A horseback riding operation that may not be allowed in compliance with Subsections J.4.a., above, may be allowed as a non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the following additional findings are first made:~~
- ~~1) The operation is in character with the rural setting and will not result in significant adverse impacts to visual resources, natural resources, and the agricultural lands on or adjacent to the subject lot(s).~~
 - ~~2) The operation will not include a new at-grade crossing of Highway 101.~~

~~5. Other low intensity recreational development. In addition to recreation uses allowed in compliance with Subsections J.1 through J.4, above, low-intensity recreational development such as public riding stables, recreational camps, and retreats may be allowed as non-Principal Permitted Use in compliance with a Major Conditional Use Permit approved in compliance with [Section 35-172](#) (Conditional Use Permits) provided the operation complies with the following development standards:~~

- ~~a. The activity is in character with the rural setting.~~
- ~~b. The activity does not interfere with agricultural production on or adjacent to the lot on which it is located.~~
- ~~c. The activity does not include commercial facilities open to the general public who are not using the recreational facility.~~
- ~~d. The activity does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.~~
- ~~e. The activity will not result in significant adverse impacts to visual or natural resources.~~

~~**E. Wineries.** Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises that comply with all of the following standards may be allowed as a non-Principal Permitted Use subject to the approval of a Major Conditional Use Permit in compliance with [Section 35-172](#) (Conditional Use Permits).~~

- ~~a.1. The winery is located on premises used for vineyard purposes.~~
- ~~b.2. The winery is operated in connection with the processing of wine grapes grown on the premises.~~
- ~~c.3. Retail sales of wine grape products shall be limited to those processed on the premises.~~
- ~~4. If the winery includes a tasting room for retail sales, incidental food service at the tasting room may be allowed provided:~~

- 1) Incidental food service is limited to:
 - a) Non-potentially hazardous prepackaged foods in compliance with California Retail Food Code Section 113871[c] and 114365.5[b] including shelf stable foods that do not require refrigeration.
 - b) Potentially hazardous prepackaged food in compliance with California Retail Food Code Section 113871 including perishable foods that may require refrigeration or other temperature control.
 - c) Prepackaged meals or picnics, such as salads or sandwiches, or other foods prepared and delivered by an offsite permitted food facility.
 - d) Food trucks.
 - e) Catered food.
 - f) An outdoor barbeque not part of a food truck or catered food operation.
 - g) An outdoor pizza oven not part of a food truck or catered food operation.
- 2) The provision of food shall be secondary, incidental, and subordinate to the primary agricultural use of the premises and winery tasting room operations, including wine tasting, marketing, sales, and education. Incidental food service shall not be operated as a food service establishment independent of the agricultural enterprise use.
- 3) The incidental food service shall be provided within the same footprint of the approved tasting room and/or exterior area that is open to the public for wine tasting.
- 4) The incidental food service shall be limited to the hours of operation of the tasting room.
- 5) The incidental food service and winery tasting room shall comply with all standards regarding the provision, storage, and service of food, in addition to water supply and sanitation facilities, as required by the County Public Health Department.
- 6) County Fire Department requirements shall be met.

ATTACHMENT E

Draft EIR - Summary of Impacts, Mitigation, and Residual Impacts

Impact	Mitigation Measure	Residual Significance
Aesthetics and Visual Resources		
Impact AV-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially result in adverse effects on scenic vistas and on scenic resources, such as trees and rock outcroppings, along scenic highways.	No mitigation required	Insignificant
Impact AV-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could have the potential to degrade the existing visual character of public views from the site and its surroundings	No mitigation required	Insignificant
Impact AV-3. The proposed uses and related development enabled and permitted for streamlining under the proposed Project could result in a new source of substantial light or glare that may adversely affect day or nighttime views in the area.	No mitigation required	Insignificant
Cumulative Impacts	No mitigation required	Insignificant
Agricultural Resources		
Impact AG-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project would convert limited amounts of agricultural soils but would not result in the conversion from agricultural uses of agriculturally viable parcels to non-agricultural uses or substantially impair agricultural land productivity (whether prime or non-prime soils).	Recommended MM AG-1. Informational Waiver	Insignificant
Impact AG-2. The uses and related development enabled and streamlined for permitting under the proposed Project would be potentially incompatible with existing zoning for agricultural uses and the County Uniform Rules.	Recommended MM AG-1. Informational Waiver MM AG-2. Uniform Rules Amendment	Potentially significant but mitigable

Impact	Mitigation Measure	Residual Significance
Impact AG-3. Rural recreational uses and supplementary agricultural uses enabled and streamlined for permitting under the proposed Project would create beneficial impacts to agriculture through increasing the economic viability of participating farms and ranches, helping sustain long-term agricultural production, and incrementally decreasing pressure for conversion of agricultural lands to non-agricultural uses.	No mitigation required	Beneficial
Cumulative Impacts	No mitigation required	Insignificant
Air Quality		
Impact AQ-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially be inconsistent with applicable air quality plans, including the Ozone Plan and County Comprehensive Plan, Land Use Element – Air Quality Supplement.	No mitigation required	Insignificant
Impact AQ-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in cumulatively considerable net increases of criteria air pollutants for which the region is in nonattainment under an applicable Federal or State ambient air quality standard.	No feasible mitigation	Significant and unavoidable
Impact AQ-3. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could expose sensitive receptors to substantial pollutant concentrations.	No mitigation required	Insignificant
Impact AQ-4. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could generate odors or other nuisance problems impacting a considerable number of people.	No mitigation required	Insignificant
Cumulative Impacts	No feasible mitigation	Significant and unavoidable

Impact	Mitigation Measure	Residual Significance
Biological Resources		
Impact BIO-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could create potential impacts to unique, rare, or threatened plant species and sensitive natural communities.	MM BIO-1. Setbacks for Sensitive Habitats MM BIO-2. Oak Tree and other Native Tree Protection	Potentially significant but mitigable
Impact BIO-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could create potential impacts to unique, rare, threatened, or endangered wildlife species and/or habitat that supports these species.	MM BIO-1. Setbacks for Sensitive Habitats MM BIO-2. Oak Tree and other Native Tree Protection	Potentially significant but mitigable
Impact BIO-3. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could cause impacts to migratory species or patterns as a result of introduction of barriers to movement.	MM BIO-1. Setbacks for Sensitive Habitats MM BIO-3. Fencing for Wildlife Movement	Potentially significant but mitigable
Impact BIO-4. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in the potential loss of healthy native specimen trees.	MM BIO-2. Oak Tree and other Native Tree Protection	Potentially significant but mitigable
Impact BIO-5. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in the introduction or spread of non-native vegetation.	No mitigation required	Insignificant
Impact BIO-6. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could conflict with adopted local plans, policies, or ordinances oriented towards the protection and conservation of biological resources.	MM BIO-1. Setbacks for Sensitive Habitats MM BIO-2. Oak Tree and other Native Tree Protection	Potentially significant but mitigable
Cumulative Impacts	MM BIO-1. Setbacks for Sensitive Habitats MM BIO-2. Oak Tree and other Native Tree Protection MM BIO-3. Fencing for Wildlife Movement	Potentially significant but mitigable

Impact	Mitigation Measure	Residual Significance
Cultural and Tribal Cultural Resources		
Impact CTCR-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially cause physical demolition, destruction, relocation, or alteration of previously unevaluated historical resources.	MM CTCR-1 (Modified from County Standard Mitigation Measure [CSMM] CulRes-10). Preservation	Potentially significant but mitigable
Impact CTCR-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially cause disruption, alteration, destruction, or adverse effects on significant archaeological resources.	MM CTCR-2. Archaeological Surveys MM CTCR-3. Stop Work at Encounter	Potentially significant but mitigable
Impact CTCR-3. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially disrupt human remains, including those interred outside of formal cemeteries.	MM CTCR-3. Stop Work at Encounter MM CTCR-4. Encountering Human Remains	Potentially significant but mitigable
Impact CTCR-4. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially cause disruption, alteration, destruction, or adverse effects on significant tribal cultural resources.	MM CTCR-2. Archaeological Surveys MM CTCR-3. Stop Work at Encounter	Potentially significant but mitigable
Cumulative Impacts	MM CTCR-1 (Modified from CSMM CulRes-10). Preservation MM CTCR-2. Archaeological Surveys MM CTCR-3. Stop Work at Encounter MM CTCR-4. Encountering Human Remains	Potentially significant but mitigable

Impact	Mitigation Measure	Residual Significance
Geology and Soils		
Impact GEO-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could have adverse effects due to exposure of buildings and people to seismically induced conditions, such as ground shaking, ground failure, liquefaction, and landslides, or other non-seismic related unstable earth conditions, such as erosion, landslide, lateral spreading, subsidence, liquefaction, collapse, or expansive soils.	No mitigation required	Insignificant
Impact GEO-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could be located in areas with soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.	No mitigation required	Insignificant
Impact GEO-3. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially directly or indirectly cause disruption, alteration, destruction, or adverse effects on significant paleontological or unique geological resources.	No mitigation required	Insignificant
Cumulative Impacts	No mitigation required	Insignificant
Greenhouse Gas Emissions		
Impact GHG-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.	No feasible mitigation	Significant and unavoidable
Impact GHG-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could be inconsistent with applicable plans, policies, and regulations that are adopted for the purpose of reducing GHG emissions, including the 2022 Ozone Plan.	No mitigation required	Insignificant
Cumulative Impacts	No feasible mitigation	Significant and unavoidable

Impact	Mitigation Measure	Residual Significance
Hazards and Hazardous Materials		
Impact HAZ-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project may involve the routine transport, use, or disposal of hazardous materials that could create a significant hazard to the public or result in the release of hazardous materials into the environment.	MM HAZ-1. Inadvertent Discovery of Contamination	Potentially significant but mitigable
Impact HAZ-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in potential significant impacts from former oil or gas pipelines or well facilities.	No mitigation required	Insignificant
Impact HAZ-3: The proposed uses and related development enabled and streamlined for permitting under the Project could potentially be located within the Santa Maria Airport, Santa Ynez Airport, Lompoc Airport, Santa Barbara Municipal Airport, and VSFB Land Use Plan areas, presenting potential safety hazards to people residing or working in the area.	No mitigation required	Insignificant
Impact HAZ-4. The proposed uses and related development enabled and streamlined for permitting under the Project could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	No mitigation required	Insignificant
Cumulative Impacts	MM HAZ-1. Inadvertent Discovery of Contamination	Potentially significant but mitigable
Hydrology and Water Quality Impacts		
Impact HYD-1. Implementation of the proposed uses and related development could potentially have adverse effects on surface water quality.	No mitigation required	Insignificant
Impact HYD-2. Implementation of the proposed uses and related development could potentially have adverse effects on groundwater quality, as well as groundwater supplies and recharge.	No mitigation required	Insignificant

Impact	Mitigation Measure	Residual Significance
Impact HYD-3. Implementation of the proposed uses and related development could substantially alter the existing drainage patterns of individual project sites in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff resulting in flooding on- or off-site; or create or contribute runoff water which would exceed the capacity of existing stormwater drainage systems.	No mitigation required	Insignificant
Cumulative Impacts	No mitigation required	Insignificant
Land Use and Planning Impacts		
Impact LU-1. The uses and related development enabled and streamlined for permitting under the proposed Project could potentially conflict with applicable County land use plans, policies, or regulations.	No mitigation required	Insignificant
Impact LU-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in adverse quality-of-life effects to existing communities due to traffic, odors, noise, or other physical environmental impacts.	No mitigation required	Insignificant
Impact LU-3. Rural recreation uses and supplementary agricultural uses enabled and streamlined for permitting under the proposed Project would create beneficial impacts by supporting plans, goals, and policies promoting agricultural activities within the County.	No mitigation required	Beneficial
Cumulative Impacts	No mitigation required	Insignificant
Noise		
Impact NOI-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in short-term temporary increases in noise and groundborne vibration from construction-related activities.	No mitigation required	Insignificant

Impact	Mitigation Measure	Residual Significance
Impact NOI-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project would result in long-term increases in noise from operational activities, including vehicle traffic on vicinity roadways.	No mitigation required	Insignificant
Impact NOI-3. Operation of small-scale outdoor events could result in a substantial periodic increase in ambient noise levels.	MM NOI-1. Special Event Noise Standards	Potentially significant but mitigable
Cumulative Impacts	No mitigation required	Insignificant
Public Services, Utilities, Energy, and Recreation		
Impact PSUR-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in substantial adverse physical impacts associated with increased demand for police, fire protection, parks, schools, libraries, and other public services.	No mitigation required	Insignificant
Impact PSUR-2. Proposed uses and related development enabled and streamlined for permitting under the proposed Project could require the relocation or construction of new or expanded water, wastewater treatment or other utility facilities; result in insufficient water supply or wastewater treatment facility capacity; or generate solid waste in excess of state or local standards or infrastructure capacity.	No mitigation required	Insignificant
Impact PSUR-3. Proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.	No mitigation required	Insignificant
Impact PSUR-4. Proposed uses and related development enabled and streamlined for permitting under the proposed Project could potentially conflict with or obstruct a state or local plan for renewable energy or energy efficiency.	No mitigation required	Insignificant
Cumulative Impacts	No mitigation required	Insignificant

Impact	Mitigation Measure	Residual Significance
Transportation		
Impact T-1. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in potential conflicts with regional transportation plans, or County transportation plans, policies, or regulations.	No mitigation required	Insignificant
Impact T-2. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in potentially significant increases in total VMT within the county.	No feasible mitigation	Significant and unavoidable
Impact T-3. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in adverse changes to the traffic safety environment.	No mitigation required	Insignificant
Impact T-4. The proposed uses and related development enabled and streamlined for permitting under the proposed Project could result in inadequate emergency access.	No mitigation required	Insignificant
Cumulative Impacts	No mitigation feasible	Significant and unavoidable
Wildfire		
Impact WF-1. Proposed uses and related development enabled and streamlined for permitting under the proposed Project could expose occupants or visitors to wildfire and post-wildfire related risks and hazards.	MM WF-1. Wildfire Prevention Plan	Potentially significant but mitigable
Impact WF-2. Proposed uses and related development enabled and streamlined for permitting under the proposed Project could require the installation or maintenance of associated infrastructure that may exacerbate fire risk.	No mitigation required	Insignificant
Cumulative Impacts	No mitigation required	Insignificant



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AGRICULTURAL ENTERPRISE ORDINANCE

County Planning Commission – November 29, 2023

Presentation Overview

2

- Project Overview
- Permit Tiers and Considerations
- Common Development Standards
- Environmental Impact Report (EIR) Overview
- Planning Commission Direction



3

Project Overview

Background

4

- Genesis of Agricultural Enterprise Ordinance
- Board of Supervisors Direction
- Public Outreach



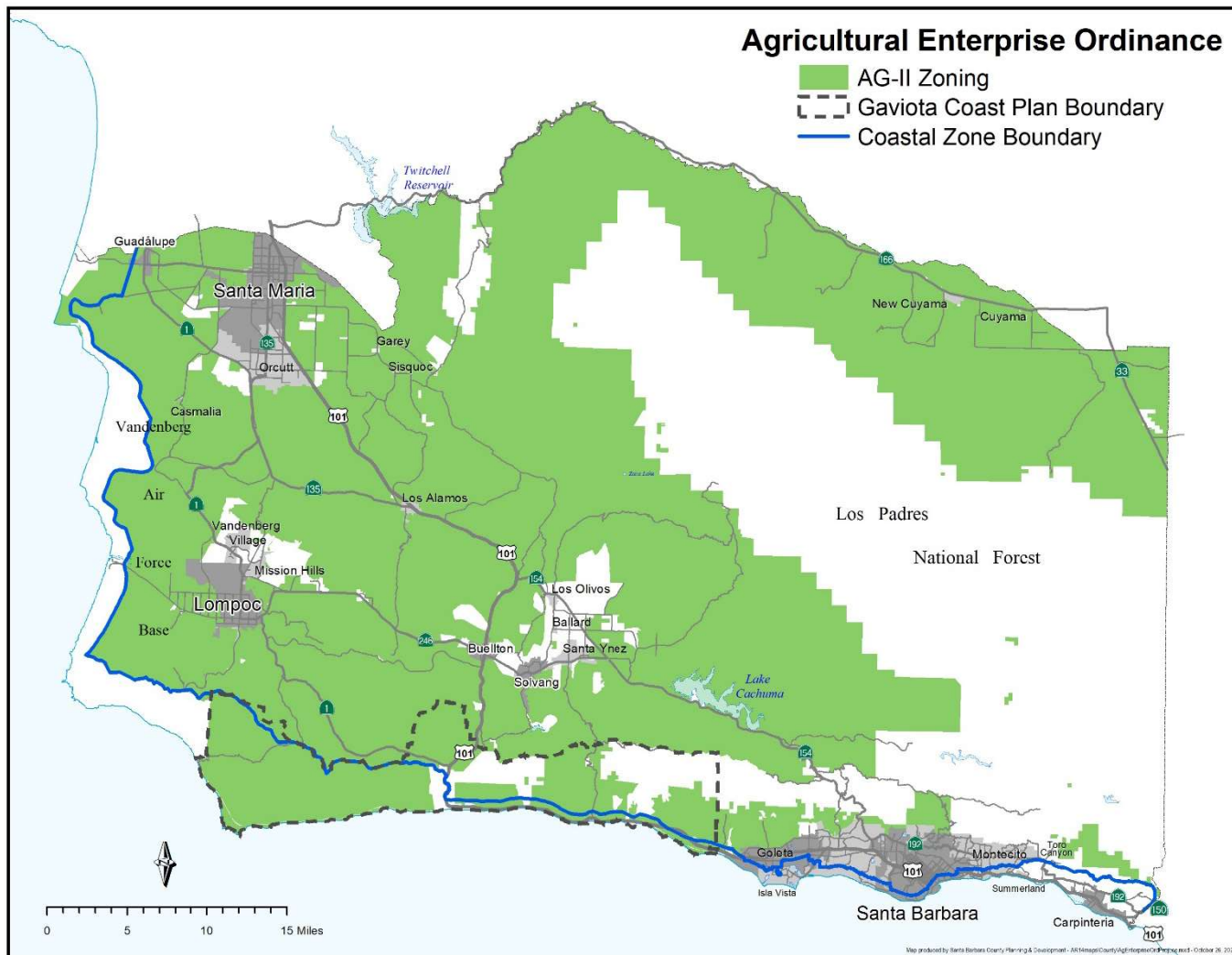
Zoning Ordinance Amendments

5

- Land Use and Development Code
- Article II Coastal Zoning Ordinance
- Expand range of allowable uses on lands zoned Agricultural II (AG-II)
- Support the economic viability of agricultural operations



AG-II Zoning



Proposed Uses

7

Supplementary Agricultural Uses

- Agricultural Processing – Beyond Raw State (small-scale)
- Agricultural Product Preparation
- Aquaponics
- Composting (small-scale)
- Farm Stand
- Firewood Processing and Sales
- Lumber Processing and Milling
- Tree Nut Hulling



Proposed Uses

8

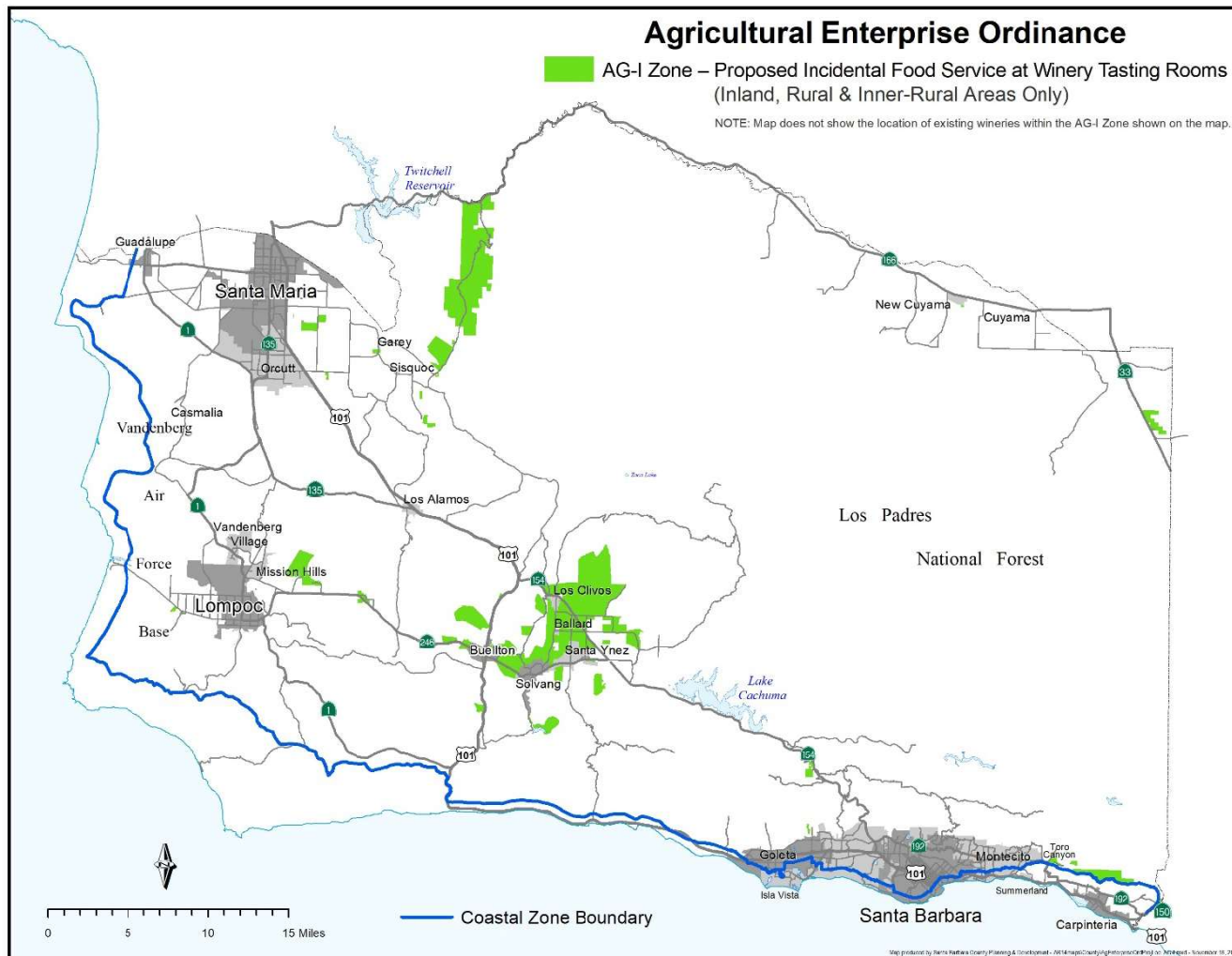
Rural Recreation Uses

- ❑ Small-Scale Campground
- ❑ Farmstays
- ❑ Educational Experiences or Opportunities
- ❑ Fishing Operation
- ❑ Hunting
- ❑ Horseback Riding
- ❑ Incidental Food Service
- ❑ Small-Scale Events (mix and match)



AG-I Zoning

Only Incidental Food Service at Winery Tasting Rooms



Development Plan Permit Thresholds

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- ❑ Coastal AG-II
- ❑ Coastal Zoning Ordinance clean-up
- ❑ Expands thresholds for larger agricultural structures
- ❑ Consistent with inland AG-II and coastal AG-II within Gaviota Coast Plan area
- ❑ 6,327 acres near Guadalupe



Uniform Rules Amendment

11

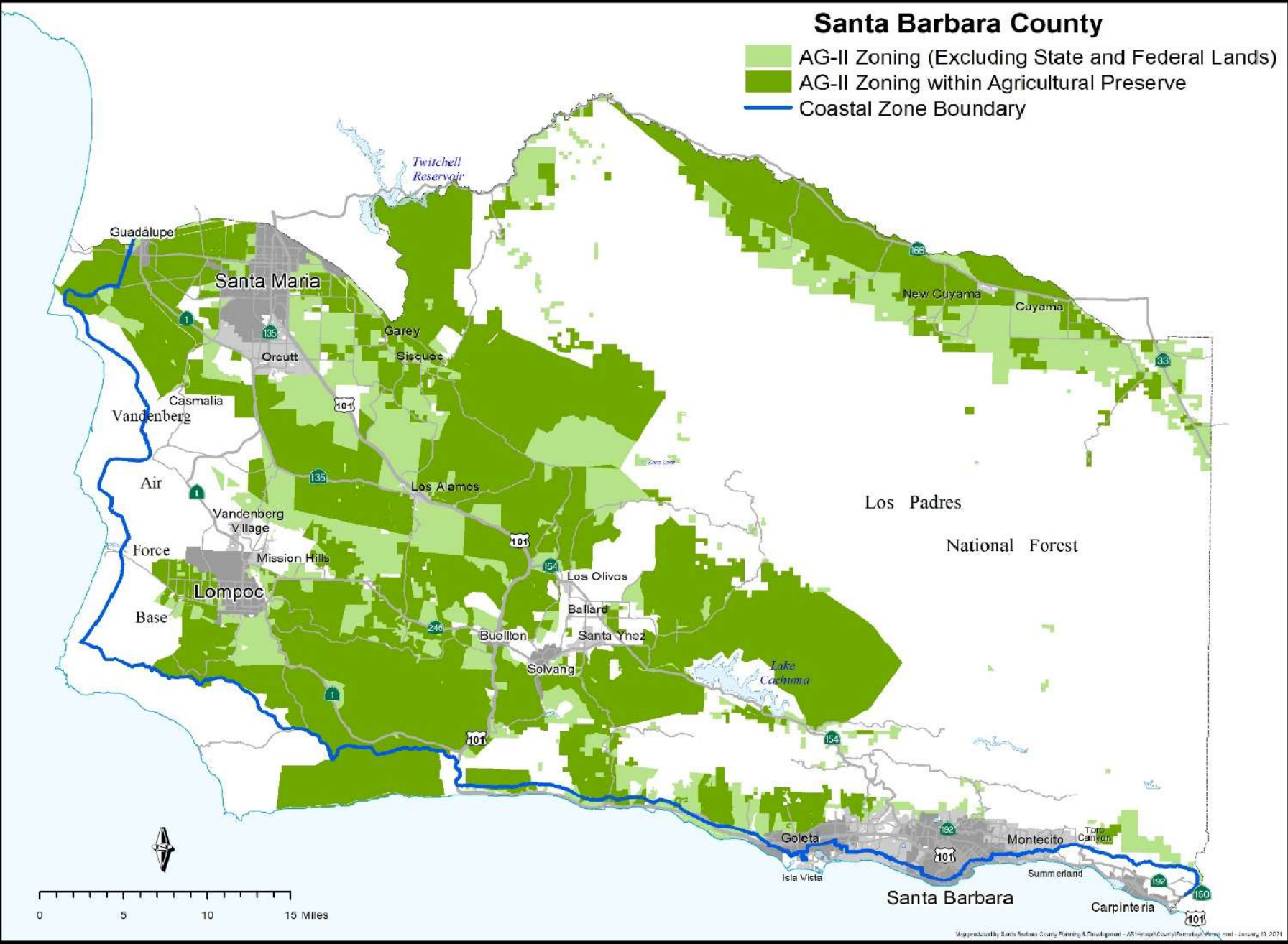
- Majority of eligible properties in Agricultural Preserve contracts
 - ▣ 64% of AG-II zone

- Agricultural Preserve Advisory Committee
 - ▣ Recommends amendments to Board
 - ▣ Include agricultural enterprises as compatible uses



Santa Barbara County

- AG-II Zoning (Excluding State and Federal Lands)
- AG-II Zoning within Agricultural Preserve
- Coastal Zone Boundary



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Permit Tiers and Considerations

Flexible Permitting

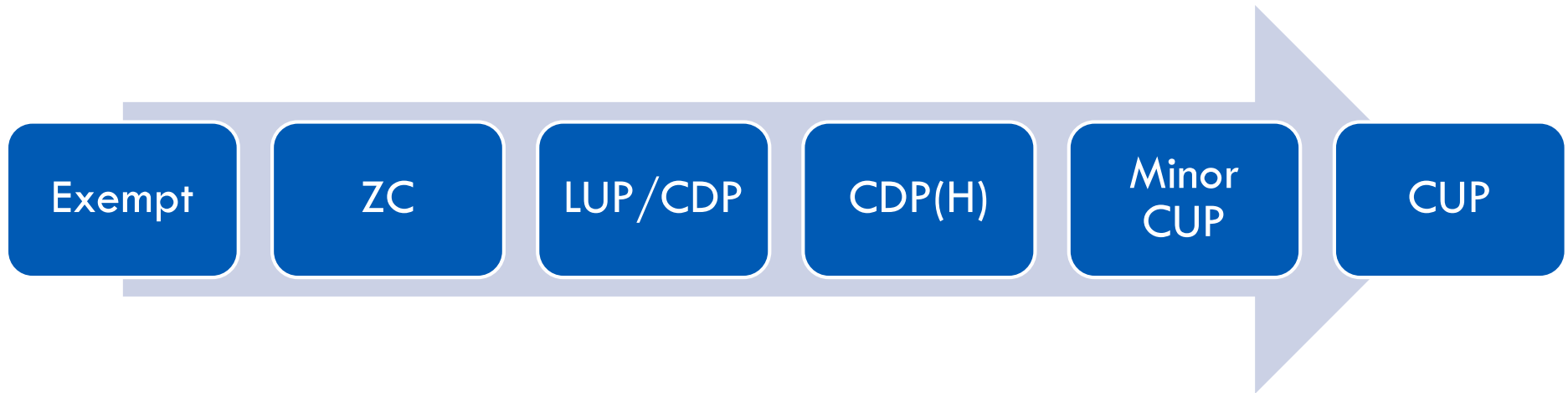
14

- Size
- Scale
- Level of Intensity of Use
- Development Standard Compliance



Permit Tiers

15



Permit Types – Summary

16

Permit Type	Noticing	Hearing	Decision-maker	Appealable
Zoning Clearance (ZC)	No	No	P&D Director	No
Land Use Permit (LUP)	Yes	No	P&D Director	Yes
Coastal Development Permit (CDP)	Yes	No	P&D Director	Yes
CDP (H) with hearing	Yes	Yes	Zoning Administrator	Yes
Minor Conditional Use Permit (CUP)	Yes	Yes	Zoning Administrator	Yes
CUP	Yes	Yes	Planning Commission	Yes

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Development Standards Overview

Sources

18

- EIR Mitigation Measures
- Policy and County Code consistency



Development Standards (1)

19

- Key Standards for Agriculture
- Mitigation – Resource Protection
- Land Use Compatibility



Development Standards (2)

20



- County Code Consistency
- Specific to Certain Uses



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Environmental Impact Report Overview

Draft Program EIR

22

- CEQA Guidelines §15168
 - In connection with the issuance of rules, regulations, or plans to govern the conduct of a program
 - Addresses cumulative impacts and identifies program-wide mitigation measures that would apply to uses allowed by and subject to the new regulations
 - Allows uses subject to the new regulations to rely on the Program EIR and mitigation measures



Methodology and CEQA Findings

23

- Quantitative and Qualitative Methodologies
- Broad CEQA findings that would apply to any of the proposed uses and related development regardless of site-specific project details.



Environmental Impacts

24

Significant and Unavoidable

- Air Quality
- Greenhouse Gas Emissions
- Transportation

Beneficial

- Agricultural Resources
- Land Use and Planning

Significant but Mitigable

- Agricultural Resources
- Biological Resources
- Cultural and Tribal Cultural Resources
- Hazards and Hazardous Materials
- Noise
- Wildfire



Significant and Unavoidable Impacts

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- Transportation – Significant increase in Total Vehicle Miles Transportation Traveled
- Air Quality – Cumulatively considerable net increases in NO_x and ROC
- GHG Emissions – Significant increase in mobile source GHG emissions



Significant but Mitigable Impacts

26

- Agricultural Resources
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Hazards and Hazardous Materials
- Noise
- Wildfire



Mitigation Measures

27

- Identified to reduce construction-related and operational impacts to less than significant levels

- Would become development standards
 - ▣ Incorporated into the LUDC and CZO
 - ▣ Applied on a project-by-project basis

- Recommended MM AG-1
 - ▣ Disclosure for potential agritourism visitors



Beneficial Impacts

28

- Agricultural Resources
- Land Use and Planning



Analyzed Alternatives

29

- No Project Alternative
 - ▣ No ordinance amendments
 - ▣ No new uses allowed
 - ▣ No downshift of permits for uses allowed with CUP
- Alternative 1 – Reduced VMT
- Alternative 2 – Reduced Project



Alternative 1 – Reduced VMT

30

- Eliminate the Largest Trip Generating Uses
 - ▣ Remove farmstays
 - ▣ Eliminate low level permit options for campgrounds, small-scale events, educational experiences
- Retain Existing Ordinance Standards for Processing
 - ▣ Products to be processed are sourced from tri-counties
 - ▣ No more than 49 percent from off the premises
- Environmentally Superior Alternative



Alternative 2 – Reduced Project

31

- Retains All Uses
- Revise Downward Levels of Intensity at each Permit Level for Highest VMT Generating Uses
- Retain Existing Ordinance Standards for Processing
 - ▣ Products to be processed are sourced from tri-counties
 - ▣ No more than 49 percent from off the premises
- Allow One Farmstay or Campground per Premises, not Both



Draft EIR Public Review and Comment

32

- Scoping – Three Notices of Preparation
- 45-day Review Period
 - August 1, 2023 through September 14, 2023
- Environmental Hearing – August 18, 2023
- 49 Comments Received
 - Includes 6 oral testimonies



Response to Comments and Proposed Final EIR

33

- Response to Comments, Proposed Final EIR are In Progress
- Anticipate Minor Administrative Text Edits and Clarifications
- Available prior to Final Planning Commission Hearing





Concluding Remarks

Considerations

35

- Intensities of Use without a Permit (Exempt)
- Enforcement
- County Fire and Environmental Health
 - ▣ Code requirements and review
- Coastal Zoning Ordinance Differences
 - ▣ Zoning Clearance is not an option
 - ▣ Definition of development
 - ▣ Principal Permitted Use (PPU)



Planning Commission Direction

36

- Recommendations for Amendments
 - Appropriate permit tiers for each use
 - Appropriate intensities of use for each permit tier
 - Appropriate development standards to address land use compatibility
 - How to address multiple agricultural enterprise uses on one premises (“stacking” uses)





one
COUNTY
one
FUTURE



AGRICULTURAL ENTERPRISE ORDINANCE

County Planning Commission – November 29, 2023