

COUNTY OF SANTA BARBARA CALIFORNIA

PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU ST.
SANTA BARBARA, CALIF. 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

TO THE HONORABLE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA, CALIFORNIA

PLANNING COMMISSION
HEARING OF AUGUST 29, 2018

*RE: Agricultural Employee Dwelling Ordinance Amendments; 18ORD-00000-00002,
18ORD-00000-00003*

Hearing on the request of the Planning and Development Department that the County Planning Commission:

- a) **18ORD-00000-00002.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 18ORD-00000-00002) amending Article 35.2, Zones and Allowable Land Uses, and Article 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the Santa Barbara County Code;
- b) **18ORD-00000-00003.** Recommend that the Board of Supervisors adopt an ordinance (Case No. 18ORD-00000-00003) amending Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the Coastal Zoning Ordinance (Article II), of Chapter 35, Zoning, of the Santa Barbara County Code; and
- c) **18ORD-00000-00002 and 18ORD-00000-00003.** Recommend that the Board of Supervisors determine that no subsequent environmental document shall be prepared for this project pursuant to the California Environmental Quality Act Guidelines Section 15162.

The proposed amendments will streamline the permit process for agricultural employee dwellings in the Agriculture I (AG-I) and Agriculture II (AG-II) zones in the unincorporated area of Santa Barbara County. (Continued from 5/09/18, 6/06/18, and 7/11/18)

Dear Honorable Members of the Board of Supervisors:

At the Planning Commission hearing of August 29, 2018, Commissioner Ferini moved, seconded by Commissioner Parke and carried by a vote of 5 to 0 to:

18ORD-00000-00002


1. Make the required findings for approval, including California Environmental Quality Act (CEQA) findings, and recommend that the Board of Supervisors make the findings for approval of the proposed amendment, including CEQA findings (Attachment A of the staff report dated August 21, 2018);
2. Recommend that the Board of Supervisors, after considering the Negative Declaration (14NGD-00000-00014) adopted for the 2015-2023 Housing Element Update (Housing Element) (Attachment B), determine that as reflected in the CEQA findings (Attachment A of the staff report dated August 21, 2018), no subsequent environmental document shall be prepared for this project pursuant to CEQA Guidelines Section 15162; and
3. Adopt a resolution recommending that the Board of Supervisors approve Case No. 18ORD-00000-00002, an ordinance amending Article 35.2, Zones and Allowable Land Uses, Article 35.4, Standards for Specific Land Uses, and Article 35.11, Glossary, of Section 35-1, the County Land Use and Development Code (LUDC), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment C of the staff report dated August 21, 2018).

18ORD-00000-00003

1. Make the required findings for approval, including CEQA findings, and recommend that the Board of Supervisors make the findings for approval of the proposed amendment, including CEQA findings (Attachment A of the staff report dated August 21, 2018);
2. Recommend that the Board of Supervisors, after considering the Negative Declaration (14NGD-00000-00014) adopted for the Housing Element (Attachment B), determine that as reflected in the CEQA findings (Attachment A of the staff report dated August 21, 2018), no subsequent environmental document shall be prepared for this project pursuant to CEQA Guidelines Section 15162; and
3. Adopt a resolution recommending that the Board of Supervisors approve Case No. 18ORD-00000-00003, an ordinance amending Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the Coastal Zoning Ordinance (Article II), of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D of the staff report dated August 21, 2018).

The County Planning Commission also directed staff to review other appropriate forms of AED proof of employment (Attachment C, LUDC Sections 35.42.030.C.2 and -D.1 and Attachment D, Article II Section 35-144R.D) and provide a recommendation to the Board of Supervisors regarding these potential revisions to the proposed LUDC and Article II amendments.

Sincerely,



Jeff Wilson
Secretary Planning Commission

cc: Case File: 18ORD-00000-00002
Planning Commission File
Dianne M. Black, Director
Jenna Richardson, Deputy County Counsel
Dan Klemann, Deputy Director
David Lackie, Supervising Planner
✓ Jessi Steele, Planner

Attachments: **Attachment A – Findings for Approval**
 Attachment C – Resolution (18ORD-00000-00002)
 Attachment D – Resolution (18ORD-00000-00003)

JW/dmv

G:\GROUP\COMP\Ordinances\Ag Employee Dwellings Ordinance 2018\Hearings\CPC 8.29.18\08-29-18actltr (AED).doc

ATTACHMENT A: FINDINGS FOR APPROVAL

CASE NOS. 18ORD-00000-00002 and 18ORD-00000-00003

1.0 CEQA FINDINGS

1.1 FINDING THAT A PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED (*per CEQA Section 15162*)

The County Planning Commission finds, and recommends that the Board of Supervisors find, that the Negative Declaration (14NGD-00000-00014) adopted for the 2015-2023 Housing Element Update (Housing Element) fulfills the environmental review requirements for the proposed Santa Barbara County Land Use and Development Code (LUDC) amendment (Case No. 18ORD-00000-00002) and the proposed Article II, Coastal Zoning Ordinance (Article II) amendment (Case No. 18ORD-00000-00003).

On January 20, 2015, the Board of Supervisors adopted the Housing Element and the associated Negative Declaration (14NGD-00000-00014). The Negative Declaration concluded that the Housing Element, including Programs 1.4 and 2.4, would not result in any significant environmental impacts. Programs 1.4 and 2.4 direct the County to “encourage the development of unit types that are affordable by design, including...farm employee dwellings” and “evaluate and revise...procedures which streamline the permit process for farmworker housing,” respectively. The proposed LUDC and Article II amendments help implement these programs and satisfy a local need for affordable agricultural employee housing by streamlining the permit process for agricultural employee dwellings (AEDs).

The Negative Declaration adopted for the Housing Element fulfills the environmental review requirements for the proposed LUDC and Article II amendments in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162. This section provides (in pertinent part) that the lead agency shall not prepare a subsequent environmental impact report (EIR) for a project when the lead agency or another entity has already adopted a negative declaration for that project, unless one or more of the following have occurred: (1) substantial changes are proposed which will require major revisions to the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) new information of substantial importance which was not known and could not have been known at the time the previous Negative Declaration was adopted has become available.

The proposed LUDC and Article II amendments will not allow new land uses, increase permitted densities, or otherwise alter the purpose or intent of the goals, policies, and programs of the Housing Element. Thus, the proposed amendments will not result in substantial changes to the Housing Element or to the circumstances under which the Housing Element is implemented, and there is no new information of substantial importance. Furthermore, the proposed amendments will not have new significant effects or increase the severity of effects discussed in the Negative Declaration. Therefore, the County Planning Commission finds, and recommends that the Board of Supervisors find, that no new environmental document is required and that the proposed LUDC and Article II amendments do not require subsequent environmental review pursuant to CEQA Guidelines Section 15162.

The Negative Declaration (14NGD-00000-00014) is available for review at:
<http://longrange.sbcountyplanning.org/programs/housing/documents/Final%20Negative%20Declaration.pdf>

Santa Barbara County Planning and Development Department
123 East Anapamu Street
Santa Barbara, CA, 93101
(805)568-2000

2.0 ADMINISTRATIVE FINDINGS

The County Planning Commission shall make the following findings in compliance with Article II Section 35-180.6 and LUDC Section 35.104.050.B.1 in order to recommend approval of a LUDC or Article II text amendment and recommend that the Board of Supervisors adopt the following findings in order to approve a LUDC or Article II text amendment:

2.1 The request is in the interest of the general community welfare.

The agricultural sector is the top contributor to the county's economy and plays a vital role in statewide agricultural production. High labor demand and the countywide housing shortage have created a significant need for affordable housing for agricultural employees and their families. Agricultural employee housing can provide a low-cost housing option to employees and their families who would otherwise stay in hotels or other short-term accommodations. The proposed LUDC and Article II amendments are in the interest of the general community welfare because they help satisfy this local housing need. By streamlining and clarifying the permit process for certain AEDs, the proposed amendments remove governmental barriers and enable applicants to more easily and affordably develop AEDs. Thus, the proposed LUDC and Article II amendments encourage the development of safe and affordable housing for agricultural employees and their families.

2.2 The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, the LUDC, and Article II.

As discussed in Section 6.0 of the County Planning Commission staff report dated August 21, 2018, herein incorporated by reference, the proposed LUDC and Article II amendments are consistent with the Comprehensive Plan because they implement two programs from the Housing Element. The Housing Element is one of the mandatory elements of the Comprehensive Plan. The Board of Supervisors adopted the Housing Element after making a finding that it was in conformity with other mandatory and optional elements of the Comprehensive Plan. The Housing Element contains Programs 1.4 and 2.4, along with 35 other programs to carry out the County's housing goals and policies. Thus, the proposed LUDC and Article II amendments implement and are in conformity with the Comprehensive Plan, including the Housing Element.

Furthermore, the proposed LUDC and Article II amendments do not allow new land uses, increase permitted densities, or alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan. In order for County decision-makers to approve a development permit based on the proposed amendments, the decision-makers would need to determine that the project is consistent with the policies and development standards of the Comprehensive Plan. As part of this process, Planning and Development staff would perform a policy consistency analysis during the review of the application, and County decision-makers would not approve the project unless they can

determine it is consistent with applicable policies and the findings required for approval. Therefore, the proposed LUDC and Article II amendments are consistent with the Comprehensive Plan.

As discussed in Section 7.0 of the County Planning Commission staff report dated August 21, 2018, herein incorporated by reference, the proposed LUDC and Article II amendments do not allow new land uses, increase permitted densities, or alter the purpose or intent of the LUDC or Article II. Rather, the proposed amendments reduce the permit requirements for development that is already allowed in specific zones and clarify that mobile homes, manufactured homes, and park trailers complying with the California Code of Regulations, Title 25, Division 1, Housing and Community Development, may be used as AEDs. Proposed projects based on the proposed amendments would still need to be consistent with all applicable requirements of the LUDC and Article II. Therefore, the proposed LUDC and Article II amendments are consistent with the LUDC and Article II.

Housing Element Programs 1.4 and 2.4 direct the County to "...adopt/apply...land-use tools...to encourage the development of unit types that are affordable by design, including...farm employee dwellings" and "evaluate and revise...procedures which streamline the permit process for farmworker housing," respectively. Accordingly, the proposed LUDC and Article II amendments streamline the permit process for AEDs in the Agriculture I (AG-I) and Agriculture II (AG-II) zones by (1) allowing certain AEDs with a Zoning Clearance (ZC) in the Inland Area or Coastal Development Permit (CDP) in the Coastal Zone, (2) increasing the number of employees allowed to occupy dwellings at each permit level, and (3) modifying the employment location requirements for AEDs within certain zones and permit levels. In addition, the proposed amendments clarify that AEDs may include mobile homes, manufactured homes, and park trailers that comply with the California Code of Regulations, Title 25, Division 1, Housing and Community Development. By implementing Housing Element Programs 1.4 and 2.4 and clarifying regulations related to the use of mobile homes and manufactured homes in accordance with State law, the proposed LUDC and Article II amendments are consistent with the requirements of state housing, planning, and zoning laws.

Thus, the proposed LUDC and Article II amendments may be found to be consistent with the Comprehensive Plan, the LUDC, Article II, and the requirements of state housing, planning, and zoning laws.

2.3 The request is consistent with good zoning and planning practice.

The proposed LUDC and Article II amendments, as analyzed in the County Planning Commission staff report dated August 21, 2018, are consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. The proposed amendments reduce the permit requirements for development that is already allowed in specific zones and clarify that mobile homes, manufactured homes, and park trailers may be used as AEDs. In addition, the proposed amendments do not allow new land uses, increase permitted densities, or alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan. Rather, the proposed amendments will remove barriers to the development of affordable AEDs and help facilitate their production through increased flexibility and reduced permit costs and time. Therefore, similar to Finding 2.2, above, the proposed LUDC and Article II amendments are consistent with the Comprehensive Plan, the LUDC, Article II, and good zoning and planning practice.

**ATTACHMENT C: RESOLUTION OF THE COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE) RESOLUTION NO. 18 - 20
BOARD OF SUPERVISORS ADOPT AN ORDINANCE)
AMENDING SECTION 35-1, THE COUNTY LAND) Case No.: 18ORD-00000-00002
USE AND DEVELOPMENT CODE, OF CHAPTER 35,)
ZONING, OF THE SANTA BARBARA COUNTY)
CODE, BY AMENDING ARTICLE 35.2, ZONES AND)
ALLOWABLE LAND USES, ARTICLE 35.4,)
STANDARDS FOR SPECIFIC LAND USES, AND)
ARTICLE 35.11, GLOSSARY, TO STREAMLINE THE)
PERMIT PROCESS FOR AGRICULTURAL)
EMPLOYEE DWELLINGS IN THE AGRICULTURE I)
AND AGRICULTURE II ZONES IN THE INLAND)
AREA.)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the County Land Use and Development Code (LUDC), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code.
- B. On February 3, 2015, the Board of Supervisors adopted the 2015-2023 Housing Element Update and on April 29, 2015, the California Department of Housing and Community Development found the Housing Element Update in conformity with state housing element law.
- C. The proposed LUDC amendment helps implement Programs 1.4 and 2.4 of the 2015-2023 Housing Element Update, which direct the County to “encourage the development of unit types that are affordable by design, including ... farm employee dwellings” and “evaluate and revise ... procedures which streamline the permit process for farmworker housing,” respectively.
- D. High labor demand and the countywide housing shortage have created a significant need for affordable housing for agricultural workers and their families.
- E. The proposed LUDC amendment streamlines the County’s permit process for agricultural employee dwellings in the Agriculture I (AG-I) and Agriculture II (AG-II) zones in the Inland Area and helps satisfy a local need for affordable agricultural employee housing.
- F. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the County, to recommend that the Board of Supervisors adopt an ordinance (Case No. 18ORD-00000-00002) amending Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, by amending Article 35.2, Zones and Allowable Land Uses, Article 35.4, Standards for Specific Land Uses, and Article

35.11, Glossary, to streamline the permit process for agricultural employee dwellings in the AG-I and AG-II zones in the Inland Area.

Said ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- G. The proposed LUDC amendment is consistent with the Comprehensive Plan, including all community and area plans, and the requirements of the state planning, zoning, and development laws.
- H. Whereas Government Code Section 65855 requires inclusion of the reason for the recommendation which is to implement Housing Element Programs 1.4 and 2.4 by streamlining the permit process for agricultural employee dwellings in the AG-I and AG-II zones, and the relationship of the proposed amendment to applicable general and specific plans, which is hereby identified as consistent, as stated in the County Planning Commission staff report dated August 21, 2018, and incorporated herein by reference.
- I. The County Planning Commission has held a duly noticed public hearing on the proposed amendment, as required by Government Code Section 65854, at which hearing the proposed ordinance amendment was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, the County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated August 21, 2018.
3. A certified copy of this Resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65855.
4. The Chair of the County Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to reflect the above described action by the County Planning Commission.

PASSED, APPROVED, AND ADOPTED by the County Planning Commission of the County of Santa Barbara, State of California, this 29 day of August 2018, by the following vote:

AYES: Cooney, Brown, Parke, Ferini, Blough

NOES:


ABSTAIN:

ABSENT:

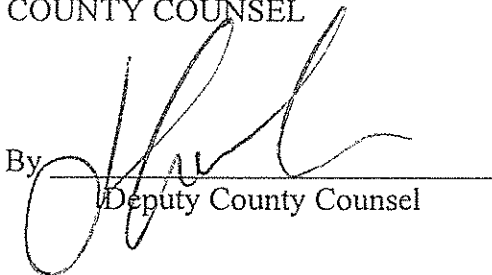


DANIEL BLOUGH, CHAIR
Santa Barbara County Planning Commission

ATTEST:



JEFFREY WILSON
Secretary to the Commission
APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 

Deputy County Counsel

Exhibit 1 – County Land Use and Development Code Ordinance Amendment
(Case No. 18ORD-00000-00002)

PAGE INTENTIONALLY LEFT BLANK

**EXHIBIT 1: COUNTY LAND USE AND DEVELOPMENT CODE ORDINANCE
AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING ARTICLE 35.2, ZONES AND ALLOWABLE LAND USES, ARTICLE 35.4, STANDARDS FOR SPECIFIC LAND USES, AND ARTICLE 35.11, GLOSSARY, TO STREAMLINE THE PERMIT PROCESS FOR AGRICULTURAL EMPLOYEE DWELLINGS IN THE AGRICULTURE I AND AGRICULTURE II ZONES IN THE INLAND AREA.

Case No. 18ORD-00000-00002

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

Article 35.2, Zones and Allowable Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change the Residential section of Table 2-1, Allowed Land Uses and Permit Requirements for Agricultural Zones, of Section 35.21.030, Agricultural Zones Allowable Land Uses, of Chapter 35.21, Agricultural Zones, to read as follows:

LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	
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	
RESIDENTIAL USES			
Agricultural employee housing, 4 or fewer employees	S P	S P	35.42.030
Agricultural employee housing, 5 or more employees	CUP	CUP	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
Monastery	CUP	CUP	
Residential accessory uses and structures	P	P	35.42.020
Residential second unit - attached (5)	P	—	35.42.230
Residential second unit - detached (5)	P	—	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	35.42.090
Transitional and supportive housing	S	S	35.42.090

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 Section 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 Section 35.28.210.I.
- (5) Limited to specific locations. See the limitations on location for the use in Chapter 35.42 (Standards for Specific Land Uses).
- (6) See Section 35.42.050.E for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (7) See Section 35.42.240.D for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

SECTION 2:

Article 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Section 35.42.030, Agricultural Employee Dwellings, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

- A. **Purpose and applicability.** This Section provides standards for agricultural employee dwellings, where allowed by Article 35.2 (Zones and Allowable Land Uses) or Section 35.42.260 (Temporary Uses and Trailers), that are not allowed in compliance with Section 35.42.135 (Farmworker Housing).
- B. **Allowed zones and Ppermit requirements.** Additional dwellings, including mobile homes, and manufactured homes, and park trailers complying with the California Code of Regulations, Title 25, Division 1, Housing and Community Development, that provide housing for agricultural employees may be allowed in compliance with the following table. ~~permit requirement identified in either Article 35.2 (Zones and Allowable Land Uses) or Section 35.42.260 (Temporary Uses and Trailers).~~

<u>Permit Requirements and Development Standards for Agricultural Employee Dwellings</u>			ZC Zoning Clearance LUP Land Use Permit MCUP Minor Conditional Use Permit CUP Conditional Use Permit
<u>Zone</u>	<u>Permit requirement</u>	<u>Number of employees</u>	<u>Employment/Location</u>
AG-I	ZC ^{1,2,3,4}	1-4	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.
	LUP ^{2,3,4}	5-24	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.
	MCUP	25-34	Employed full-time in agriculture, the majority (51 percent or more) of which occurs on the farm or ranch upon which the dwelling is located;
	CUP	35 or more	No restriction on location of employment.
AG-II	ZC ^{1,2,3,4}	1-4	No restriction on location of employment.
	LUP ^{2,3,4}	5-24	No restriction on location of employment.
	MCUP	25-34	No restriction on location of employment.
	CUP	35 or more	No restriction on location of employment.
MT-GAV	MCUP	1-4	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.
MT-GOL	MCUP	1-4	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.
CH	See Section 35.24.030		
M-1	See Section 35.25.030		
M-2	See Section 35.25.030		
NTS	MCUP	1-4	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.
	CUP	5 or more	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.
All other zones where allowed by Article 35.2, Zones and Allowable Land Uses	MCUP	1-4	Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.

¹ Projects with a water system with 2 to less than 5 connections will also require a LUP and may be subject to environmental review. (See Table 2-1 of Section 35.21.030 of this Development Code.)

² Projects with an individual alternative onsite wastewater treatment system will also require a MCUP and may be subject to environmental review. (See Table 2-1 of Section 35.21.030 of this Development Code.)

³ Projects with a water system with 5 or more connections will also require a MCUP and may be subject to environmental review. (See Table 2-1 of Section 35.21.030 of this Development Code.)

⁴ Projects meeting specified standards will also require a Development Plan and may be subject to environmental review. (See Table 2-1 of Section 35.21.030 of this Development Code.)

C. Location of employment.

1. Use is allowed in compliance with Article 35.2 (Zones and Allowable Land Uses).

- a. ~~AG II zone.~~ The employees are engaged full-time in agriculture, the majority of which occurs on the farm or ranch that the dwelling is located on and the remainder occurs on a farm or ranch in the nearby vicinity.
- b. ~~Zones other than the AG II zone.~~ The employees are engaged full-time in agriculture on the farm or ranch upon which the dwelling is located.

~~2. Use is allowed in compliance with Section 35.42.260 (Temporary Uses and Trailers).~~

- ~~a. The employees are engaged full time in agriculture on the farm or ranch upon which the dwelling(s) is located if the dwelling(s) is allowed with a Minor Conditional Use Permit.~~
- ~~b. The employees are engaged full time in agriculture either on or off the farm or ranch upon which the dwelling(s) is located if the dwelling(s) is allowed with a Major Conditional Use Permit.~~

CD. Standards that apply to all agricultural employee dwellings in all zones except AG-II.

1. **Need for additional dwellings.** The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings to support the agricultural use of the land where the work will occur.
2. **Proof of employment.** The applicant provides proof of the full-time employment of the employee in agriculture. Said proof shall be to the satisfaction of the Department in the form of any one or combination of the following:
 - a. Employer's income tax return.
 - b. Employee's pay receipts.
 - c. Employer's DE-3 form.
 - d. Employee's W-2 form.
 - e. A notarized contract document between the employer permittee and the employee which delineates work to be performed and wages to be received states that the occupant of the agricultural employee dwelling is employed in agriculture.
 - f. A description of the employee's job duties.
 - fg. Other option approved by the Director.
3. **Submittal of documentation of need and employment status of occupants subsequent to issuance of permit for the Agricultural Employee Dwelling.** Demonstration of the need for the Agricultural Employee Dwelling and proof of full-time employment in agriculture of the employee residing in the Agricultural Employee Dwelling shall also be provided every five years beginning from the issuance of the Land Use Permit or Zoning Clearance for the Agricultural Employee Dwelling or, if the occupancy of the Agricultural Employee Dwelling changes, upon the change in occupancy and every five years thereafter. Failure to provide said documentation may be cause for revocation of the permit for the Agricultural Employee Dwelling.
 - a. If the identity of the occupant of the Agricultural Employee Dwelling is not known at the time of issuance of the Land Use Permit or Zoning Clearance for the Agricultural Employee Dwelling, then proof of full-time employment in agriculture of the employee residing in the Agricultural Employee Dwelling shall be provided within 30 days following occupancy of the Agricultural Employee Dwelling by the employee.
4. **Notice to property owner.** Before issuance of a Land Use Permit or Zoning Clearance for the Agricultural Employee Dwelling, a Notice to Property Owner prepared by the Department that specifies at a minimum (1) the occupancy requirements of the Agricultural Employee Dwelling and (2) the requirement for provision of documentation of employment and the need for the Agricultural Employee Dwelling in compliance with Subsections B, C.1, C.2, and C.3D, above, shall be recorded by the property owner.

D. Standards that apply to agricultural employee dwellings in the AG-II zone.

- 1. Proof of employment.** The applicant shall provide proof of the employment of the employee in agriculture. Said proof shall be to the satisfaction of the Department, and in the form of any one or combination of the following:
 - a. Employer's income tax return.
 - b. Employee's pay receipts.
 - c. Employer's DE-3 form.
 - d. Employee's W-2 form.
 - e. A notarized document between the employer and the employee which states that the occupant of the agricultural employee dwelling is employed in agriculture.
 - f. A description of the employee's job duties.
 - g. Other option approved by the Director.
- 2. Submittal of proof of employment of occupants subsequent to issuance of a permit for the agricultural employee dwelling.** Documentation of proof of employment in agriculture of the employee residing in the agricultural employee dwelling shall be provided (1) every five years beginning from the issuance of the permit for the agricultural employee dwelling, or (2) if the occupancy of the agricultural employee dwelling changes, upon the change in occupancy and every five years thereafter. Failure to provide said documentation may be cause for revocation of the permit for the agricultural employee dwelling.
 - a. If the identity of the occupant of the agricultural employee dwelling is not known at the time of issuance of the permit for the agricultural employee dwelling, then proof of employment in agriculture of the employee residing in the agricultural employee dwelling shall be provided within 30 days following occupancy of the agricultural employee dwelling by the employee.
- 3. Notice to property owner.** Before issuance of a permit for the agricultural employee dwelling, a Notice to Property Owner that specifies at a minimum (1) the occupancy requirements of the agricultural employee dwelling and (2) the requirement for provision of documentation of employment in compliance with Subsections B, D.1, and D.2, above, shall be recorded by the property owner.

E. Additional standards for agricultural employee dwellings allowed in compliance with Article 35.2 (Zones and Allowable Land Uses) that do not require the approval of a Conditional Use Permit. In addition to the development standards listed above, all development associated with the construction of an agricultural employee dwelling allowed in compliance with Article 35.2 (Zones and Allowable Land Uses) that does not require the approval of a Minor Conditional Use Permit or Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) shall comply with all of the additional development standards listed below. If these requirements are in conflict with other provisions of the Comprehensive Plan or any applicable community or area plan, this Development Code, or any permit conditions established by the County, the more restrictive requirements shall control. Agricultural employee dwellings that do not comply with the following may be allowed with a Minor Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

- a. 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.

- (1) Native plant communities recognized as rare by California Department of Fish and Game (2003 or as amended). Examples include Native Grasslands, Maritime chaparral, Bishop Pine Forests, and Coastal Dune Scrub.
 - (2) Native woodlands and forests.
 - (3) Nesting, roosting, and/or breeding areas for rare, endangered or threatened animal species.
 - (a) 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.
 - (b) 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).
 - (4) Plant communities known to contain rare, endangered, or threatened species.
 - (5) Streams, riparian areas, vernal pools, and wetlands.
 - (6) Any designated Environmental Sensitive Habitat Areas.
- b. The development shall be 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) Exterior lighting shall be for safety purposes only and shall comply with the following requirements:
 - (a) Light fixtures shall be fully shielded (full cutoff) and shall be directed downward to minimize impacts to the rural nighttime character.
 - (b) To the extent feasible, lighting shall be directed away from habitat areas, nearby residences, public roads and other areas of public use.
 - (2) Building materials and colors (earth tones and non-reflective paints) compatible with the surrounding natural environment shall be used to maximize the visual compatibility of the development with surrounding areas.

F. Additional standards for agricultural employee dwellings located in the NTS zone. On a lot zoned NTS:

- a. The minimum gross lot area on which an agricultural employee dwelling may be approved is 100 acres.
- b. An agricultural employee dwelling shall not be allowed in addition to an artist studio, guesthouse or residential second unit.
- c. The gross floor area of an agricultural employee dwelling shall not exceed 1,200 square feet.
- d. Only one Conditional Use Permit that allows additional dwellings housing five or more employees may be allowed within each project site area covered by an approved Final Development Plan.

G. Mobile homes, manufactured homes, and park trailers.

1. A mobile home, manufactured home, or park trailer, with or without a permanent foundation, may be used as an agricultural employee dwelling in compliance with the table in Subsection B, above, provided:

- a. The mobile home, manufactured home, or park trailer complies with the California Code of Regulations, Title 25, Division 1, Housing and Community Development.
- b. The mobile home, manufactured home, or park trailer complies with applicable setbacks and building separation requirements required for structures of the zone district in which the mobile home, manufactured home, or park trailer is located.

SECTION 3:

Article 35.42, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change the Temporary Dwellings section of Table 4-10, Allowed Temporary Uses and Permit Requirements for Agricultural Zones, of Section 35.42.260, Temporary Uses and Trailers, to read as follows:

Table 4-10 Allowed Temporary Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)			
	ZC	Permitted use, Zoning Clearance required			
	P	Permitted use, Land Use or Coastal Permit required			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

TEMPORARY DWELLINGS

During construction of new dwelling	P	P	P	P	35.42.260.F.15
Trailer (4 or less agricultural employees)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.4
Trailer (5 or more agricultural employees)	—	—	CUP	CUP	35.42.260.G.4
Trailer (watchman during construction)	P	P	P	P	35.42.260.G.15
Trailer (dwelling after destruction of dwelling)	P	P	P	P	35.42.260.G.9
Trailer (dwelling during construction of new dwelling)	P	P	P	P	35.42.260.G.8
Trailer (railroad work camp)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.11
Trailer (watchman)	MCUP	MCUP	MCUP	MCUP	35.42.260.G.14

Key to Zone Symbols

AG-I	Agricultural I	CZ	Coastal Zone
AG-II	Agricultural II		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.

SECTION 4:

Article 35.42, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection G, Trailer Use, of Section 35.42.260, Temporary Uses and Trailers, to read as follows:

G. Trailer use.

1. **Permit requirements and development standards.** This Section provides the permit requirements and development standards for specific temporary and semi-permanent uses of trailers in addition to the permit requirements and development standards identified in Table 4-10 through Table 4-15.
2. **Limitations on use.** Trailers shall only be allowed for the uses and activities described in this Section, except as otherwise expressly allowed in Article 35.2 (Zones and Allowable Land Uses).

3. **Accessory to a permanent structure.** A trailer may be used as a structure accessory to a permanent structure already on the same site in all zones for a use allowed under the provisions of the applicable zone and regulations of this Development Code, provided:
 - a. The required Minor Conditional Use Permit shall be valid for an initial period not to exceed two years.
 - b. The Minor Conditional Use Permit may be renewed for additional two-year periods subject to the restrictions of this Section and provided the request for the renewal is filed before the expiration date of the previously approved Minor Conditional Use Permit.
 - c. The cumulative time period for the Minor Conditional Use Permits and renewals shall not exceed a maximum of six years unless the review authority finds that:
 - (1) A permanent structure is under construction on the building site to contain the use and replace the trailer; or
 - (2) The permanent structure that is being constructed on the building site to contain the use and replace the trailer has an active building permit; or
 - (3) The construction of a permanent structure on the building site to contain the use and replace the trailer is authorized in compliance with a discretionary permit that has not expired.
 - d. The trailer, including any foundation, permitted in compliance with this Section shall be promptly removed upon completion of the permanent structure or after the authorized use of the trailer is discontinued.
 - e. The review authority may include, as a condition of approval of the Minor Conditional Use Permit, that a performance security, in a form acceptable to and approved by the County, be deposited with the County to guarantee the removal of the trailer and foundation to ensure compliance with this requirement.
4. **Agricultural employee dwellings, not including Farmworker Housing.** Not including Farmworker Housing permitted in compliance with Section 35.42.135 (Farmworker Housing), trailers may be used as dwellings for agricultural employees in compliance with Section 35.42.030 (Agricultural Employee Dwellings), ~~and in compliance with the following development standards:~~
 - a. ~~The permittee complies with the State Mobile Home Act.~~
 - b. ~~The trailer(s) complies with the applicable setbacks and building separation requirements required for structures of the zone district in which the trailer is located.~~
 - c. ~~The permit includes a condition that the trailer shall be removed from the premises within six months following the discontinuance of use of the premises for agricultural purposes.~~

SECTION 5:

Article 35.11, Glossary, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.10, Definitions, to add definitions of “Park Trailer” and “Manufactured Housing” and to read as follows:

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.

Manufactured Home. A structure constructed on or after June 15, 1976, that is certified under the National Manufactured Housing Construction and Safety Act of 1974, which is designed and equipped to be used as a

single-family dwelling, with or without a permanent foundation, as defined in the California Health and Safety Code Section 18007.

SECTION 6:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 7:

Except as amended by this ordinance, Article 35.2, Zones and Allowable Land Uses, and Article 35.4, Standards for Specific Land Uses, of Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 8:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the county of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

**ATTACHMENT D: RESOLUTION OF THE COUNTY PLANNING
COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING THAT THE) RESOLUTION NO. 18 - 21
BOARD OF SUPERVISORS ADOPT AN ORDINANCE)
AMENDING DIVISION 2, DEFINITIONS, DIVISION 4,) Case No.: 18ORD-00000-00003
ZONING DISTRICTS, AND DIVISION 7, GENERAL)
REGULATIONS, OF ARTICLE II, THE COASTAL)
ZONING ORDINANCE, OF CHAPTER 35, ZONING,)
OF THE SANTA BARBARA COUNTY CODE, TO)
STREAMLINE THE PERMIT PROCESS FOR)
AGRICULTURAL EMPLOYEE DWELLINGS IN THE)
AGRICULTURE I AND AGRICULTURE II ZONES IN)
THE COASTAL ZONE.)

WITH REFERENCE TO THE FOLLOWING:

- A. On July 19, 1982, by Ordinance 3312, the Board of Supervisors adopted Article II, the Coastal Zoning Ordinance (Article II), of Chapter 35, Zoning, of the Santa Barbara County Code.
- B. On February 3, 2015, the Board of Supervisors adopted the 2015-2023 Housing Element Update and on April 29, 2015, the California Department of Housing and Community Development found the Housing Element Update in conformity with state housing element law.
- C. The proposed Article II amendment helps implement Programs 1.4 and 2.4 of the 2015-2023 Housing Element Update, which direct the County to “encourage the development of unit types that are affordable by design, including...farm employee dwellings” and “evaluate and revise... procedures which streamline the permit process for farmworker housing,” respectively.
- D. High labor demand and the countywide housing shortage have created a significant need for affordable housing for agricultural workers and their families.
- E. The proposed Article II amendment streamlines the County permit process for agricultural employee dwellings in the Agriculture I (AG-I) and Agriculture II (AG-II) zones in the Coastal Zone and helps satisfy a local need for affordable agricultural employee housing.
- F. The County Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety, and general welfare of the residents of the county, to recommend that the Board of Supervisors adopt an ordinance (Case No. 18ORD-00000-00003) amending Division 2, Definitions, Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, to streamline the permit process for agricultural employee dwellings in the AG-I and AG-II zones in the Coastal Zone.

Said ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- G. The proposed Article II amendment is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, the Comprehensive Plan, and the requirements of the state planning, zoning, and development laws.
- H. Whereas Government Code Section 65855 requires inclusion of the reason for the recommendation which is to implement Housing Element Programs 1.4 and 2.4 by streamlining the permit process for agricultural employee dwellings in the AG-I and AG-II zones, and the relationship of the proposed amendment to applicable general and specific plans, which is hereby identified as consistent, as stated in the County Planning Commission staff report dated August 21, 2018, and incorporated herein by reference.
- I. The County Planning Commission has held a duly noticed public hearing on the proposed ordinance amendment, as required by Government Code Section 65854, at which hearing the proposed ordinance amendment was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.
- 2. In compliance with the provisions of Government Code Section 65855, the County Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of the County Planning Commission, based on the findings included as Attachment A of the County Planning Commission staff report dated August 21, 2018.
- 3. A certified copy of this resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65855.
- 4. The Chair of the County Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above described action by the County Planning Commission.

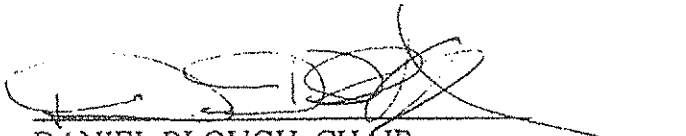
PASSED, APPROVED, AND ADOPTED by the County Planning Commission of the County of Santa Barbara, State of California, this 29 day of August 2018, by the following vote:

AYES: Cooney, Brown, Parke, Ferini, Blough


NOES:

ABSTAIN:

ABSENT:

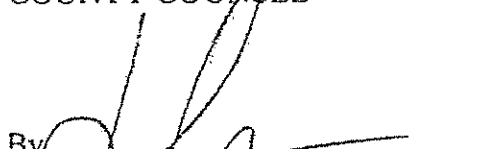


DANIEL BLOUGH, CHAIR
Santa Barbara County Planning Commission
ATTEST:



JEFFREY WILSON
Secretary to the Commission

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By 

Deputy County Counsel

Exhibit 1 – Article II Coastal Zoning Ordinance Amendment
(Case No. 18ORD-00000-00003)

PAGE INTENTIONALLY LEFT BLANK

EXHIBIT 1: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE II, THE COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE BY AMENDING DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, AND DIVISION 7, GENERAL REGULATIONS, TO STREAMLINE THE PERMIT PROCESS FOR AGRICULTURAL EMPLOYEE DWELLINGS IN THE AGRICULTURE I AND AGRICULTURE II ZONES IN THE COASTAL ZONE.

Case No. 18ORD-00000-00003

The Board of Supervisors of the County of Santa Barbara, State of California, ordains as follows:

SECTION 1:

DIVISION 2, Definitions, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Section 35-58, Definitions, to add definitions of “Park Trailer” and “Manufactured Home” and to read as follows:

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.

Manufactured Home. A structure constructed on or after June 15, 1976, that is certified under the National Manufactured Housing Construction and Safety Act of 1974, which is designed and equipped to be used as a single-family dwelling, with or without a permanent foundation, as defined in the California Health and Safety Code Section 18007.

SECTION 2:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection 35-68.3 Permitted Uses, of Section 35-68 AG-I - Agriculture I, to read as follows:

Section 35-68.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, 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). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.

6. 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).
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 of the same lot.
8. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.
9. One Attached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10 or AG-I-20, subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
11. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
12. Agricultural employee dwellings, including mobile homes, manufactured homes, and park trailers, providing housing for one to nine employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
13. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 3:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Section 35-68.4 Uses Permitted with a Major Conditional Use Permit, of Section 35-68 AG-I - Agriculture I, to read as follows:

Section 35-68.4 Uses Permitted with a Major Conditional Use Permit

1. Commercial raising of animals, boarding of animals, and commercial riding stables.
2. Animal hospitals, and animal husbandry services.
3. Facilities for the sorting, cleaning, packing, freezing, loading, transporting 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 primary intent of the development of this facility shall be to serve south coast agriculture,
 - d. 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,

- e. The facility processes products grown on the premises or on other local agricultural lands,
- f. All application for such facilities shall be accompanied by a landscape plan pursuant to the requirements of Section 35-68.4 of this Article,
- g. Siting of this type of facility on prime agricultural lands or agriculturally productive non-prime soils should be avoided where feasible, and
- h. All applications for such facilities shall be accompanied by defined truck and vehicle routes proposed to serve the facility.

No Conditional Use Permit shall be required under this section for such facilities if they are devoted primarily to the handling of products grown on the premises and the processing of products grown off premises if accessory and customarily incidental to the marketing of products in their natural form grown on the premises.

- 4. Agricultural employee dwellings, including ~~trailers~~ mobile homes, manufactured homes, and park trailers, providing housing for ~~five~~ 20 or more employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
- 5. Within the Carpinteria Agricultural Overlay District, greenhouses and greenhouse related development of any size on slopes between five and 10 percent. No exception to this requirement, such as that stated under subsection (3) above, shall apply.

SECTION 4:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection 35-68.5 Uses Permitted with a Minor Conditional Use Permit, of Section 35-68 AG-I - Agriculture I, to read as follows:

Section 35-68.5 Uses Permitted with a Minor Conditional Use Permit (Amended by Ord. 3837, 03/20/1990)

- 1. Agricultural employee dwellings, including ~~trailers~~ mobile homes, manufactured homes, and park trailers, providing housing for 10 to 19 ~~four or fewer~~ employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
- 2. One Detached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10, and AG-I-20 subject to the provisions of Section 35-142 (Residential Second Units) and Section 35-172 (Conditional Use Permits).
- 3. Commercial Kennels.

SECTION 5:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection 35-69.3 Permitted Uses, of Section 35-69 AG-II - Agriculture II, to read as follows:

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 pursuant to the provisions of Section 35-131 (Agricultural Sales).
- 3. Commercial boarding of animals.
- 4. Private and/or commercial kennels.

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 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.
7. 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).
8. 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.
9. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
10. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot.
11. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
12. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
13. Agricultural employee dwellings, including mobile homes, manufactured homes, and park trailers, providing housing for one to nine employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
14. Uses, buildings and structures accessory and customarily incidental to the above uses.

SECTION 6:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection 35-69.4 Uses Permitted with a Major Conditional Use Permit, of Section 35-69 AG-II - Agriculture II, to read as follows:

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. 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.
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. Piers and staging areas for oil and gas development subject to the regulations in DIVISION 9, OIL AND GAS FACILITIES.
6. Aquaculture, subject to the provisions of Section 35-136 (General Regulations).
7. Sorting, cleaning, and further breaking and storing of abalone shells landed live in Santa Barbara County, preparatory to shipment in their natural form.
8. Agricultural employee dwellings, including ~~trailers~~ mobile homes, manufactured homes, and park trailers, providing housing for ~~five~~ 20 or more employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
9. 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.
10. 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.

SECTION 7:

DIVISION 4, Zoning Districts, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection 35-69.5 Uses Permitted with a Minor Conditional Use Permit, of Section 35-69 AG-II - Agriculture II, to read as follows:

Section 35-69.5 Uses Permitted with a Minor Conditional Use Permit.

1. Agricultural employee dwellings, including ~~trailers~~ mobile homes, manufactured homes, and park trailers, providing housing for 10 to 19 ~~four or fewer~~ employees in compliance with Section 35-144R (Agricultural Employee Dwellings).

SECTION 8:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Subsection 35-132.8 Use of Trailers for Agricultural Employee Dwellings Not Including Farmworker Housing, of Section 35-132 Trailer Use, to read as follows:

Section 35-132.8. Use of Trailers for Agricultural Employee Dwellings Not Including Farmworker Housing.

Not including Farmworker Housing permitted in compliance with Section 35-144P (Farmworker Housing), trailers may be used as dwellings for agricultural employees in compliance with Section 35-144R (Agricultural Employee Dwellings), ~~and in compliance with the following permit requirements and development standards:~~

~~1. Zones where allowed.~~

- ~~a. Trailers may be used as single family dwellings in all zoning districts for not to exceed four employees.~~
- ~~b. Trailers may be used as single family dwellings in the AG II zoning district for five or more employees.~~

~~2. The permittee complies with the State Mobile Home Act.~~

~~3. The trailer(s) complies with applicable setbacks and building separation requirements required for structures of the zone district in which the trailer is located.~~

~~4. The permit includes a condition that the trailer shall be removed from the premises within six months following the discontinuance of use of the premises for agricultural purposes.~~

SECTION 9:

DIVISION 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to change Section 35-144R, Agricultural Employee Dwellings, to read as follows:

Section 35-144R. Agricultural Employee Dwellings.

- A. Purpose and applicability.** This Section provides standards for agricultural employee dwellings where allowed by Division 4 (Zoning Districts) or Section 35-132 (Trailer Use) that are not allowed in compliance with Section 35-144P (Farmworker Housing).
- B. Allowed zones and Ppermit requirements.** Additional dwellings, including mobile homes, manufactured homes, and park trailers complying with the California Code of Regulations, Title 25, Division 1, Housing and Community Development, that provide housing for agricultural employees may be allowed in compliance with the following table.

<u>Permit Requirements and Development Standards for Agricultural Employee Dwellings</u>			<u>CDP Coastal Development Permit</u> <u>MCUP Minor Conditional Use Permit</u> <u>CUP Conditional Use Permit</u>
<u>Zone</u>	<u>Permit requirement</u>	<u>Number of employees</u>	<u>Employment/Location</u>
<u>AG-I</u>	<u>CDP^{1,2,3}</u>	<u>1-9</u>	<u>Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.</u>
	<u>MCUP</u>	<u>10-19</u>	<u>Employed full-time in agriculture, the majority (51 percent or more) of which occurs on the farm or ranch upon which the dwelling is located.</u>
	<u>CUP</u>	<u>20 or more</u>	<u>No restriction on location of employment.</u>
<u>AG-II</u>	<u>CDP^{1,2,3}</u>	<u>1-9</u>	<u>Employed full-time in agriculture, the majority (51 percent or more) of which occurs on the farm or ranch upon which the dwelling is located.</u>
	<u>MCUP</u>	<u>10-19</u>	<u>Employed full-time in agriculture, the majority (51 percent or more) of which occurs on the farm or ranch upon which the dwelling is located.</u>
	<u>CUP</u>	<u>20 or more</u>	<u>No restriction on location of employment.</u>
<u>M-CD</u>	<u>See Section 35-87.</u>		
<u>M-CR</u>	<u>See Section 35-92.</u>		
<u>TC</u>	<u>See Section 35-93.</u>		
<u>All other zones where allowed by Division 4, Zoning Districts</u>	<u>MCUP</u>	<u>1-4</u>	<u>Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.</u>

¹ Projects with a water system with 2 to less than 200 connections will also require a MCUP and may be subject to environmental review. (See Section 35-147.2.)

² Projects within a Special Problems Area with and onsite wastewater treatment system, including a dry well, will also require a MCUP and may be subject to environmental review. (See Section 35-147.2.)

³ Projects with an individual alternative onsite wastewater treatment system will also require a MCUP and may be subject to environmental review. (See Section 35-147.2.)

~~1. Additional dwellings housing up to, but not exceeding, four employees of the owner or lessee of the land that the agricultural employee dwelling is located on may be allowed in compliance with a Minor Conditional Use Permit approved or conditionally approved in compliance with Section 35-172 (Conditional Use Permits).~~

~~2. Additional dwellings housing five or more employees may be allowed in compliance with a Major Conditional Use Permit approved or conditionally approved in compliance with Section 35-172 (Conditional Use Permits).~~

C. Location of employment.

~~1. The employees are engaged full-time in agriculture on the farm or ranch upon which the dwelling(s) is located if the dwelling(s) is allowed with a Minor Conditional Use Permit.~~

~~2. The employees are engaged full-time in agriculture either on or off the farm or ranch upon which~~

~~the dwelling(s) is located if the dwelling(s) is allowed with a Major Conditional Use Permit.~~

CD. **Need for additional dwellings.** The applicant shall demonstrate the need for additional dwellings to support the existing or proposed agricultural use of the land where the work will occur.

DE. **Proof of employment.** The applicant shall provide proof of the full-time employment of the employee in agriculture. Said proof shall be to the satisfaction of the Department in the form of any one or combination of the following:

1. Employer's income tax return.
2. Employee's pay receipts.
3. Employer's DE-3 form.
4. Employee's W-2 form.
5. A notarized contract between the employer permittee and the employee which delineates work to be performed and wages to be received states that the occupant of the agricultural employee dwelling is employed in agriculture.
6. A description of the employee's job duties.
67. Other option approved by the Director.

EF. **Submittal of documentation of need and employment status of occupants subsequent to issuance of permit for the agricultural employee dwelling.** Demonstration of the need for the Agricultural Eemployee Ddwelling and proof of full-time employment in agriculture of the employee residing in the Agricultural Eemployee Ddwelling shall also be provided every five years beginning from the issuance of the Land Use Ppermit or Zoning Clearance for the Agricultural Eemployee Ddwelling or, if the occupancy of the Agricultural Eemployee Ddwelling changes, upon the change in occupancy and every five years thereafter. Failure to provide said documentation in compliance with this Subsection F including Subsection F.1, below, may be cause for revocation of the permit for the Agricultural Eemployee Ddwelling.

1. If the identity of the occupant of the Agricultural Eemployee Ddwelling is not known at the time of issuance of the Land Use Permit or Zoning Clearance for the Agricultural Eemployee Ddwelling, then proof of full-time employment in agriculture of the employee residing in the Agricultural Eemployee Ddwelling shall be provided within 30 days following occupancy of the Agricultural Eemployee Ddwelling by the employee.

FG. **Notice to property owner.** Before issuance of a Land Use Ppermit or Zoning Clearance for the Agricultural Eemployee Ddwelling, a Notice to Property Owner prepared by the Department that specifies at a minimum (1) the occupancy requirements of the Agricultural Eemployee Ddwelling and (2) the requirement for provision of documentation of employment and the need for the Agricultural Eemployee Ddwelling in compliance with Subsections B, C, D, and E-F, above, shall be recorded by the property owner.

GH. **Findings required for approval.** An application for an Agricultural Eemployee Ddwelling shall not be approved unless the County makes all of the following findings (in addition to all other applicable required findings of Article II):

1. The project has been sited and designed to avoid all prime agricultural soils to the maximum extent feasible and has been sited and designed to maintain the long-term productivity of the farm's or ranch's agricultural resources and operations.
2. The project has been clustered with existing development to the maximum extent feasible and minimizes grading, landform alteration, and the need for construction of new roads.

H. **Mobile homes, manufactured homes, and park trailers.**

2. A mobile home, manufactured home, or park trailer, with or without a permanent foundation, may be used as an agricultural employee dwelling in compliance with the table in Subsection B, above, provided:
 - a. The mobile home, manufactured home, or park trailer complies with the California Code of Regulations, Title 25, Division 1, Housing and Community Development.
 - b. The mobile home, manufactured home, or park trailer complies with applicable setbacks and building separation requirements required for structures of the zone district in which the mobile home, manufactured home, or park trailer is located.

SECTION 10:

All existing indices, section references, and figure and table numbers contained in Article II, Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 11:

Except as amended by this ordinance, Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 12:

This ordinance and any portion of it approved by the Coastal Commission shall take effect and be in force 30 days from the date of its passage or upon the date that it is certified by the Coastal Commission pursuant to Public Resources Code 30514, whichever occurs later; and before the expiration of 15 days after its passage, it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors noting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ___ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel