

**ATTACHMENT 9: RESOLUTION OF THE BOARD OF SUPERVISORS**

**COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

|                                                                                                                                                                                                                                                                                                                                                      |                                                                            |
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| IN THE MATTER OF SUBMITTING AN AMENDMENT TO )<br>THE SANTA BARBARA COUNTY LOCAL COASTAL )<br>PROGRAM TO AMEND THE COASTAL ZONING )<br>ORDINANCE, ARTICLE II OF CHAPTER 35, ZONING, OF )<br>THE SANTA BARBARA COUNTY CODE, REGARDING )<br>AGRICULTURAL ENTERPRISE USES FOR REVIEW AND )<br>CERTIFICATION BY THE CALIFORNIA COASTAL )<br>COMMISSION. ) | RESOLUTION NO. 24 - <u>270</u><br><br>Case No.: 23ORD-00006<br>24RZN-00005 |
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WITH REFERENCE TO THE FOLLOWING:

- A. Whereas, on January 7, 1980, by Resolution No. 80-12, the Santa Barbara County Board of Supervisors adopted the Santa Barbara County Coastal Land Use Plan;
- B. Whereas, on July 19, 1982, by Ordinance No. 3312, the Board of Supervisors of the County of Santa Barbara adopted the Santa Barbara County Coastal Zoning Ordinance, Article II of Chapter 35, Zoning, of the Santa Barbara County Code;
- C. Whereas, the Board of Supervisors, having found it to be in the interest of the general community welfare, consistent with the County's Comprehensive Plan, Coastal Land Use Plan, the Article II Coastal Zoning Ordinance, the Santa Barbara County Code, the requirements of State planning and zoning law, and consistent with good zoning and planning practices, adopted the following amendment to the Santa Barbara County Local Coastal Program:
  - 1. On ~~December 10~~, 2024 the Board of Supervisors adopted Ordinance No. 5227 (Case No. 23ORD-00006) (Exhibit 1), and Ordinance No. 5229 (Case No. 24RZN-00005) (Exhibit 2) amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, related to agricultural enterprise activities.
- D. Whereas, the Board of Supervisors held a duly noticed public hearing, as required by Government Code Sections 65355 and 65856, on the amendments referenced above, at which the amendments were explained and comments invited from persons in attendance;
- E. Whereas, this amendment to the Local Coastal Program is consistent with the provisions of the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, the Comprehensive Plan, including all community and area plans, and the requirements of State planning and zoning laws as amended to this date; and
- F. The Board of Supervisors now wishes to submit the amendments to the California Coastal Commission for certification.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. Pursuant to the provisions of Government Code Sections 65856 and 65857 and Public Resources Code Section 30514, the above described changes have been adopted as an amendment to the Santa Barbara County Local Coastal Program.
3. The Board of Supervisors certifies that these amendments are intended to be carried out in a manner fully in conformity with the California Coastal Act.
4. The Board of Supervisors directs the Planning and Development Department to submit this Local Coastal Program amendment to the California Coastal Commission for review and certification.
5. The Chair and the Clerk of this Board are 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 Board of Supervisors.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 10th day of December, 2024, by the following vote:

AYES: Supervisors Williams, Capps, Hartmann, Nelson and Lavagnino

NOES: None

ABSTAIN: None

ABSENT: None

  
\_\_\_\_\_  
STEVE LAVAGNINO, 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:

RACHEL VAN MULLEM  
COUNTY COUNSEL

By   
\_\_\_\_\_  
Deputy County Counsel

Exhibit 1 - Coastal Zoning Ordinance Amendment - Case No. 23ORD-00006

Exhibit 2 - Coastal Zoning Ordinance Amendment - Case No. 24RZN-00005

**EXHIBIT 1**  
**ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE AMENDING ARTICLE II, THE SANTA BARBARA COUNTY COASTAL ZONING ORDINANCE, OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE, BY AMENDING DIVISION 1, IN GENERAL, DIVISION 2, DEFINITIONS, DIVISION 4, ZONING DISTRICTS, DIVISION 5, OVERLAY DISTRICTS, DIVISION 7, GENERAL REGULATIONS, DIVISION 11, PERMIT PROCEDURES, AND DIVISION 17, GAVIOTA COAST PLAN (GAV) OVERLAY, TO IMPLEMENT NEW AND REVISED PERMIT REQUIREMENTS, REGULATIONS, AND DEVELOPMENT STANDARDS REGARDING AGRICULTURAL ENTERPRISE USES ON AGRICULTURALLY ZONED LANDS, AND DIVISION 11, PERMIT PROCEDURES, TO REVISE THE DEVELOPMENT PLAN PERMIT THRESHOLDS FOR THE AGRICULTURE II ZONING DISTRICT, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS, AND REVISIONS.

23ORD-00006

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

**SECTION 1:**

DIVISION 1, In General, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-53, Overlay District Designations and Applicability, to add a new overlay district and symbol for the Limited Agricultural Enterprise Overlay District, to read as follows:

**Section 35-53. Overlay District Designations and Applicability.**

In addition to the regulations governing the zoning districts described in Section 35-52, the following overlay districts and the symbols used to represent them on the zoning maps are established as follows: *(Amended by Ord. 4266, 06/24/1997; Ord. 4557, 12/07/2004)*

|        |                                                   |
|--------|---------------------------------------------------|
| AH     | Affordable Housing                                |
| ARC-CI | Agriculture Residential Cluster - Channel Islands |
| CA     | Carpinteria Agricultural Overlay District         |
| CVC    | Critical Viewshed Corridor Overlay District       |
| D      | Design Control                                    |
| ESH    | Environmentally Sensitive Habitat Area            |
| F      | Airport Approach Area                             |
| FA     | Flood Hazard Area                                 |
| HWMF   | Hazardous Waste Management Facility               |
| LAE    | Limited Agricultural Enterprise                   |
| SD     | Site Design                                       |
| SF     | Single Family Restricted                          |
| VC     | View Corridor                                     |

The regulations of the overlay district shall apply to the land in the same manner as the zoning district regulations. Overlay district regulations shall apply wherever the symbol and the boundaries of the area are shown on the zoning maps. When a symbol for an overlay district is added to a zoning district symbol, the regulations of the overlay district shall be applicable in addition to the zoning district regulations. If any of the provisions of the overlay district conflict with provisions of the zoning district regulations, the provisions which are most restrictive shall govern. Exceptions may be made for the AH Overlay District provided that the overlay shall be applied in a manner consistent with all applicable policies and provisions of the Local Coastal Program. The provisions of the ESH Overlay District are more restrictive than any base zone district and therefore the provisions of the ESH shall govern over the regulations of any base zone or other overlay district. *(Amended by Ord. 4169, 10/11/199; Ord. 4388, 05/18/1999)*

## **SECTION 2:**

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-58, Definitions, to add new definitions of "Agricultural Premises", "Agricultural Processing and Product Preparation", "Agricultural Processing – Small Scale Processing Beyond the Raw State", "Educational Experiences and Opportunities", "Fishing", "Hunting", "Incidental Food Service", "Incidental Food Service at Winery Tasting Rooms", "Small-Scale Special Event – Agricultural Enterprise", "Tent Cabin", and "Yurt" to read as follows:

**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."

**Agricultural Processing – Small-Scale Processing Beyond the Raw State.** On a limited scale, the refinement or other processing of agricultural products (not including animal products) to minimally change them from their raw form. Small-scale agricultural processing beyond the raw state may involve some use of machinery, additives, chemical reactions, and changes in ambient temperature but does not involve pasteurization, or 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 milling of flour, feed and grain, when conducted on a limited, small-scale basis in support of onsite agriculture. Does not include "cannabis" and "winery," which are defined separately.

**Campsite.** An area within a campground occupied by a camping party (a person or camper or a group of up to eight persons or campers occupying one campsite).

**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.

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

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

**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 commercial agricultural use of the premises and the agricultural enterprise uses.

**Incidental Food Service at Winery Tasting Room.** 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.

**Small-Scale Special Events – Agricultural Enterprise.** A use or event of short duration operated on a commercial basis that is accessory and incidental to the principal commercial agricultural use of an agricultural premises. 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.

**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.

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

### **SECTION 3:**

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-58, Definitions, to relocate definitions of “Aquaponics”, “Artisanal Crafts”, “Firewood Processing and Sales”, “Fishing Operation”, “Lumber Processing and Milling”, “Rural Recreation”, “Tree Nut Hulling”, and “Winery” from Section 35.420, Definitions, of Division 17, Gaviota Coast Plan (GAV) Overlay, to read as follows:

**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.

**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.

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

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

**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.

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

**Winery.** A bonded agricultural processing facility primarily used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the re-fermenting of still wine into sparkling wine. Processing consists of controlled fermentation combined with any of the following: crushing, blending, barrel aging, and bottling. Storage of case goods shall only occur in conjunction with processing.

#### **SECTION 4:**

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-58, Definitions, to relocate and revise the definitions of "Agricultural Product Sales", "Campground", "Camping Area or Campground, Low-Impact", "Composting Operation", "Farm Stand", and "Farmstay", from Section 35.420, Definitions, of Division 17, Gaviota Coast Plan (GAV) Overlay, to read as follows:

**Agricultural Product Sales or Agricultural 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 Sales) and Division 17 (Gaviota Coast Plan Overlay).

**Campground.** An area of land with one or more individual campsites for temporary occupancy by campers. May include accommodations for recreational vehicles unless prohibited within the applicable zone.

**Camping Area or Campground, Low-Impact.** An area of land designed or used for "carry-in, carry-out" camping accessed by trail, including associated support facilities such as, picnic tables, potable water, self-contained chemical or composting restrooms, water tanks, portable fire suppression apparatus, but excluding roads and other structures. Low-impact camping areas or campgrounds constitute a resource-dependent use.

**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.

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

**Farmstay.** Transient lodging visitor-serving accommodations provided as part of a working farm or ranch operation.

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

## **SECTION 5:**

DIVISION 2, Definitions, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-58, Definitions, to revise the definition of “Recreational Vehicle” to read as follows:

**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.

## **SECTION 6:**

DIVISION 4, Zoning Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-69.3, Permitted Uses, and Section 35-69.4, Uses Permitted with a Major Conditional Use Permit, of Section 35-69, AG-II – Agriculture II, to read as follows:

### ***Section 35-69.3 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 to the provisions of Section 35-131 (Agricultural 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 low impact camping areas, campgrounds, fishing operations, horseback riding, and hunting, subject to the specific use regulations Section 35-144S.10.
19. Farmstays, subject to the provisions of Section 35-144T (Farmstays).
20. Cannabis, Cultivation and Nursery, subject to the provisions of Section 35-144U.
21. Cannabis, Distribution, subject to the provisions of Section 35-144U.
22. 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. 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) Prepackaged meals or picnics, such as salads or sandwiches, or other foods prepared and delivered by an offsite permitted food facility.
    - b) Food trucks.
    - c) Catered food.
    - d) Foods prepared on the premises.
    - e) An outdoor barbeque not part of a food truck or catered food operation.
    - f) 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 function of tasting room operations, including wine tasting, marketing, sales, and education, and the primary agricultural use of the premises. Incidental food service shall not be operated as a food service establishment independent of the tasting room.
  - 3) The incidental food service shall be limited to 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 as established by the winery's approved permit.
    - a) If tasting room hours of operation are not established by the winery's approved permit, incidental food service shall operate concurrently with the tasting room hours of operation, provided that the incidental food service shall commence no earlier than 10:00 a.m. and end no later than 8:00 p.m.
  - 5) The incidental food service and winery tasting room shall comply with all standards regarding the provision, storage, preparation, and service of food, in addition to water supply and sanitation facilities, and shall obtain all necessary permits, as required by the County Public Health Department.
  - 6) County Fire Department requirements shall be met.
- 4. Piers and staging areas for oil and gas development subject to the regulations in DIVISION 9, OIL AND GAS FACILITIES.
- 5. Aquaculture, subject to the provisions of Section 35-136 (General Regulations).
- 6. Sorting, cleaning, and further breaking and storing of abalone shells landed live in Santa Barbara County, preparatory to shipment in their natural form.
- 7. 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)*

8. 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)*
9. 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)*
10. Cannabis, Microbusiness, subject to the provisions of Section 35-144U.
11. Cannabis, Volatile Manufacturing, subject to the provisions of Section 35-144U.

## **SECTION 7:**

DIVISION 5, Overlay Districts, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add a new Section 35-102.I titled "Limited Agricultural Enterprise (LAE) Overlay District", to read as follows:

### **Section 35-102I. LAE – Limited Agricultural Enterprise (LAE) Overlay District.**

#### ***Section 35-102I.1 Purpose and Intent.***

The purpose of the Limited Agricultural Enterprise (LAE) Overlay District is to limit agricultural enterprise uses allowed pursuant to Section 35-144S.2.3 that present potential conflicts and food safety concerns with historic row and food crop growing areas that are zoned AG-II, while allowing a limited number of agricultural enterprises that are most closely aligned with, and accessory to, agriculture.

#### ***Section 35-102I.2 Applicability.***

The LAE Overlay District applies to lots located within large tracts of historically cultivated agricultural regions growing row and food crops zoned AG-II in the Coastal Zone of the Santa Maria Valley west of the City of Guadalupe. The provisions of this overlay district shall apply to any areas zoned LAE on the Guadalupe Dunes/Point Sal Coastal Plan Zoning Overlay.

1. **Relationship to the primary zone.** Each proposed agricultural enterprise land use within the LAE Overlay District shall comply with this section in addition to all applicable requirements of the primary zone.

#### ***Section 35-102I.3 Allowed Agricultural Enterprise Uses.***

The following commercial agricultural enterprises uses may be allowed in compliance with the specific Sections referenced below.

1. Aquaponics (closed system) in compliance with Section 35-144S.4.
2. Small-scale 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).
3. Farm stands in compliance with Section 35-131 (Agricultural Sales).
4. Hunting in compliance with Subsections 35-144S.10.4.a and 35-144S.10.4.b.1) (Hunting).

***Section 35-102I.4      Agricultural Enterprise Uses Allowed with a Major Conditional Use Permit or Minor Conditional Use Permit.***

The following agricultural enterprises uses may be allowed with a Major Conditional Use Permit or Minor Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits), as follows:

1. Campgrounds.
  - a. Campgrounds with a Major Conditional Use Permit in compliance with Section 35-69.4.2.
  - b. Campgrounds and low-impact camping areas with a Minor Conditional Use Permit in compliance with Subsection 35-144S.10.1.
2. Composting.
  - a. Small general and agricultural material composting with a Minor Conditional Use Permit in compliance with Section 35-144S.5.c.(1).
  - b. Larger composting facilities and other composting operations that include food material, vegetative food material, and other feedstock materials with a Major Conditional Use Permit in compliance with Section 35-144S.5.c.(2).
3. Educational experiences and opportunities with a Minor Conditional Use Permit in compliance with Subsection 35-144S.6 (Educational Experiences and Opportunities).
4. Farmstays with a Minor Conditional Use Permit in compliance with Section 35-144T (Farmstays).
5. Fishing operations with a Minor Conditional Use Permit in compliance with Section 35-144S.10.2 (Fishing operation).
6. Firewood processing and sales with a Minor Conditional Use Permit in compliance with Section 35-144S.7 (Firewood Processing and Sales).
7. Lumber processing and milling (small-scale) with a Minor Conditional Use Permit in compliance with Section 35-144S.9 (Lumber Processing and Milling (small-scale)).
8. Small-scale special events with a Minor Conditional Use Permit in compliance with Subsection 35-144S.11 (Small-scale Special Events).
9. Horseback riding.
  - a. Horseback riding with a Major Conditional Use Permit in compliance with Section 35-69.4.2.
  - b. Horseback riding with a Minor Conditional Use Permit in compliance with Subsection 35-144S.10.3.

**SECTION 8:**

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-131, Agricultural Sales, to read as follows:

## **Section 35-131. Agricultural 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 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 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 sales on the AG-I, RR, M-CD, M-CR, R-1, R-2, DR, and CH Zone Districts are specified below. Additional permits may be required by other provisions of this Article, e.g., for structures accessory to the agricultural sales.
  - a. Within the AG-I, 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 35-131.3.2, as well as the following standards below.
    - 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 Christmas tree farms, pumpkin patches, and apple or fruit picking.
    - 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.
    - 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.

- b. Within the AG-I, 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.
    - 1) 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. 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.
    - 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 Christmas tree farms, pumpkin patches, and apple or fruit picking.
2. **Development standards.** Agricultural 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.
- a. 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.
  - b. 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.
  - c. Structures which are not used for a period of one year shall be removed within the three months following the year of non-use.
  - d. 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.
  - e. 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.
  - f. **Lighting.** Lighting accessory to agricultural sales shall comply with Section 35-139 (Exterior Lighting).

- g. In addition to the development standards listed above, the following development standards shall also apply to agricultural sales on property located within the R-1, R-2, DR, PRD, and CH zoning districts:
- 1) The lot upon which the agricultural sales occur shall consist of a minimum of two acres (gross).
  - 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.
  - 3) Only one stand shall be allowed on the premises.
  - 4) New structures shall be approved by the Board of Architectural Review.
  - 5) A building permit shall be obtained, if required.
  - 6) Signs advertising the sale of agricultural products shall comply with 35-138 (Signs and Advertising Structures).
  - 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.
  - 8) Prior to issuance of a Coastal Development Permit, a permit for the sale of agricultural products shall be obtained from the Department of Health Care Services pursuant to Title 17, California Administrative Code Section 13653.

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

Farm stands and agricultural product sales may be allowed in the AG-II zone, including on lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District, 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.
  - a. **Exempt.** A farm stand operation may be exempt from the requirements to obtain a Coastal Development Permit in compliance with Section 35-51B (Exemptions from Planning Permit Requirements) provided the operation complies with the development standards specified in Subsection 35-131.4.2 below, and 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 structure or from a separate farm stand not to exceed 800 square feet of gross floor area.
    - 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).

- c) Not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.
  - b. **Coastal Development Permit.** A farm stand operation and other agricultural product sales that do not meet the requirements for an exemption, 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 complies with the 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.** A Development Plan approved 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.** Farm stands and agricultural product sales 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.
  - 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.
    - 1) **Agricultural products.** The sale of agricultural products, including 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:
      - a) The operation is operated by a single proprietor.
      - b) The agricultural products offered for sale are 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.
    - 2) **Artisanal crafts.** The sale of artisanal crafts provided:
      - a) The products are created within Santa Barbara County.
      - b) The volume of such sales is subordinate to the total amount of sales.
      - 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.



- 3) **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.
- 4) **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 or 20 percent of the gross floor area of the farm stand or sales area, whichever is smaller. Inventory storage may occur in a separate area that is not included with the 300 square feet or 20 percent of sales area provided the area is neither visible nor accessible to the public.
- d. **Access.**
  - 1) 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.
  - 2) The farm stand shall not include a new at-grade crossing from Highway 101 or State highways.
- e. **Parking.**
  - 1) Except as provided in Subsection e)2), below:

- a) 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.
  - b) 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.
- 2) 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) Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.
- 4) Parking shall not be allowed within any adjoining road rights-of-way or trail easements.
- f. **Signs.** Signs advertising the sale of agricultural products shall comply with Section 35-138 (Signs and Advertising Structures).
- g. 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.
- h. **Structure not used.** 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.
- i. **Lighting.** Lighting accessory to agricultural product sales shall comply with Section 35-139 (Exterior 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 the Local Coastal Program or a certified community plan. If this setback conflicts with a setback designated by the Local Coastal Program or a certified 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. **Design review.** Design review shall be required for new structural development when required pursuant to (Section 35-184). In addition to exceptions to design review pursuant to Section 35-184, the Director may exempt new structures from design review requirements if the new development is not visible from public roadways or other areas of public use (e.g., public parks).
- o. **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 35-131.3.1.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.

**SECTION 9:**

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add a new Section 35-144S titled "Agricultural Enterprises", to read as follows:

**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 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 commercial agricultural use of the property while promoting orderly development of these uses 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.

**Section 35-144S.2 Applicability.**

1. **AG-II zone.** The requirements of this Section 35-144S (Agricultural Enterprises) apply to exempt agricultural enterprise land uses and applications for development permits of agricultural enterprise land uses that are proposed to be located on lands zoned AG-II. See Section 35-102I (Limited Agricultural Enterprise (LAE) Overlay District) for additional permit requirements and limitations on lands zoned with the LAE Overlay District.
2. **Agricultural use required.** The primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.

**3. Allowed Uses.** The following agricultural enterprise uses may be allowed in compliance with the specific Sections referenced below:

- a. Small-scale 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 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 and low-impact camping areas, fishing operation, horseback riding, and hunting, in compliance with Section 35-144S.10 (Rural Recreation).
- k. Small-scale special events in compliance with Section 35-144S.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. 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 size and 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 commercial 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.** This Subsection 35-144S.3.2 provides the permit requirements for specific agricultural processing uses allowed in the AG-II zone, including on lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I).
  - a. **Exempt.** Agricultural processing – product preparation, small-scale processing beyond the raw state, and tree nut hulling may be considered a component of the Principal Permit Use and may be exempt from the requirements to obtain a Coastal Development Permit in compliance with Section 35-51B (Exemptions from Planning Permit Requirements) provided the operation complies with the following:
    - 1) Agricultural use required.** The primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.

- 2) All of the material used in the processing operation shall originate from the premises.
  - 3) Does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.
- b. Coastal Development Permit.** Agricultural processing – product preparation, small-scale processing beyond the raw state, and tree nut hulling may be considered a component of the Principal Permit Use and may be allowed in compliance with a Coastal Development Permit issued in compliance with the Section 35-169 (Coastal Development Permits) provided the operation complies with the following:
- 1) **Agricultural use required.** The primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.
  - 2) Products processed at the facility may be grown on or off the premises. Products processed at the facility that are grown off the premises shall be sourced from Santa Barbara, San Luis Obispo, and Ventura counties.
  - 3) Does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.
  - 4) Not more than 5,000 square feet gross floor of existing structures may be used for small-scale processing.
- c. Coastal Development Permit (appealable).** Agricultural processing – product preparation may be allowed as a non-Principal Permit Use and in compliance with a Coastal Development Permit issued in compliance with the Section 35-169.4.2 (Coastal Development Permits for development that is appealable to the Coastal Commission) provided the operation complies with the following:
- 1) **Agricultural use required.** The primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.
  - 2) Products processed at the facility may be grown on or off the premises. Products processed at the facility that are grown off the premises shall be sourced from Santa Barbara, San Luis Obispo, and Ventura counties.
  - 3) Any new structure proposed as part of the processing operation shall not exceed 5,000 square feet gross floor area.
- d. Conditional Use Permit.** Agricultural processing – product preparation that does not comply with the permit requirements in Subsection 2.a, Subsection 2.b, and Subsection 2.c above, including facilities used for the cleaning, freezing, packing, storage, sorting, milling, and bottling 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, 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) and the following development standards:
- 1) 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).

- 2) 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.
- 3) 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.
- 4) The facility also processes products grown on the premises or on other local agricultural lands.
- 5) 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).

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 Subsection 35-144S.3.2 (Permit Requirements), above.

- 1) The agricultural processing operation is incidental to agricultural operations located on the same premises that the processing operation is located on.
- 2) The 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 or processing allowed in compliance with this Section 35-144S.3.
- 3) 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 less.
- 4) The operation will not have a significant adverse impact on the long-term productive agricultural capability or natural resources of the subject premises or adjacent 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) **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.

**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 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 commercial 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. **Definitions.** For the purposes of this section “green material,” “agricultural material,” “food material,” and “vegetative food material” shall have the same meaning as defined in the California Code of Regulations 14 CCR Section 17852.
3. **Permit requirements.**
  - a. **Exempt.** A composting 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 provided the operation 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, 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) The composting operation may sell or give away any or all compost they produce.
      - 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) The composting operation may sell or give away any or all compost they produce.

**2) Agricultural Material Composting.**

- a) Feedstock to be used in the operation shall be limited to agricultural materials and green materials.
- b) The composting operation may handle an unlimited quantity of agricultural material and green material on the premises.
- c) The composting operation may sell or give away any or all compost they produce.
- 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.**

- 1) On lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I) small general composting and agricultural material composting in compliance with Subsection 35-144S.5.b.1 and Subsection 35-144S.5.b.2 above may be allowed with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits) and Subsection 3 (Development standards for composting for the AG-II zone), below.
- 2) 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 Minor Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits) except for lands zoned with the Limited



Agricultural Enterprise (LAE) Overlay District (Section 35-102I) where a Major Conditional Use Permit is required.

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.
  - 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.
  - c. **Parking.** A minimum of two permanently maintained onsite parking spaces shall be provided, which shall be located not closer than 20 feet to the right-of-way line of any street.
  - d. **Permit requirements.**
    - 1) All other permits required by County Departments for an exempt composting operation shall be obtained prior to commencement of the exempt composting operation.
    - 2) All other permits required by County Departments for a nonexempt composting operation, except those permits required by the Division of Building and Safety, shall be obtained prior to issuance of a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).
  - 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. Compost piles shall not exceed 12 feet in height.
  - g. **Setbacks from adjacent premises.** Composting operations shall comply with the following setbacks:
    - 1) A minimum 100-foot setback from the lot line of the agricultural premises on which the composting operation is located.
    - 2) All composting facilities shall be located no closer than 400 feet from a residence that is located on an adjacent property that is not a part of the agricultural enterprise premises.
    - 3) **Setbacks from adjacent commercial farming operations.** The following setbacks shall apply to commercial farming operations located on adjacent premises when the agricultural commodity has been in commercial cultivation (tilled for agricultural use and planted with a crop). For the purpose of this setback, an adjacent commercial farming operation may touch at a point or share a common boundary with the composting premises, or may be separated by an intervening road or street (excluding a four-lane highway), railroad right-of-way or other public facility.
      - a) A minimum 1,000 feet from the lot line of the agricultural premises on which the composting operation is located when a commercial food crop farming operation is located on the adjacent agricultural premises, or a minimum 400 feet from the lot line of the agricultural premises on which the composting operation is located when a commercial orchard or vineyard farming operation is located on the adjacent premises.

For the setback to apply, the adjacent food crop, orchard, or vineyard farming operation must comply with all of the following:

- i) Be part of a commercial farming operation where the primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.
  - ii) Have a minimum of 10 acres of food crops, orchards, or vineyards planted (with allowances for fallow periods, change of crop or production method) or a demonstrated planting history of a minimum of 10 acres of food crops, orchards, or vineyards planted within at least three of the previous 10 years. For the purpose of this setback, the previous 10 years shall be measured from the commencement of the exempt composting operation or from application submittal for the composting operation that requires a permit.
- b) Adjustments.** As part of a permit to be reviewed and approved by the Department, the setbacks from adjacent commercial farming operations in Subsection 3)a) above may be adjusted downward in the following circumstances:
- i) Where intervening topography, roads, protected habitats, or other geographic features preclude cultivation of food crops, orchards, or vineyards on the adjacent agricultural premises within 1,000 feet (for food crops) or 400 feet (for orchards or vineyards) of the common lot line. The setback reduction shall be commensurate with the width of the land that cannot be cultivated.
  - ii) Where the commercial cultivation on the adjacent agricultural premises does not occur in close proximity to the common lot line, the setback may be adjusted downward provided at least 1,000 (for food crops) or 400 feet (for orchards or vineyards) is maintained between the composting facilities or activities and the food crop, orchard, or vineyard.
  - iii) Where the composting operation is separated from an adjacent commercial farming operation by a four-lane highway, the setback from commercial farming operations shall not apply.

In determining whether the criteria for a setback adjustment from adjacent commercial farming operations has been met, the Department may consider any mutual agreement between the applicant and the adjacent premises owner regarding the need for setbacks from the adjacent commercial farming operations.

- h. The operator of the composting operation shall maintain and follow an odor abatement plan in compliance with Santa Barbara County Air Pollution Control District recommendations.
- i. The composting operation shall comply with waste discharge and water quality protection measures pursuant to the General Waste Discharge Requirements for Commercial Composting Operations, Order WQ 2020-0012-DWQ, issued by the State Water Resources Control Board, where applicable.
- j. The composting operation shall not include a new at-grade crossing of Highway 101 or State highway.

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

1. **Does not apply to wineries regulated separately.** This Subsection shall not apply to educational experiences and opportunities on agricultural lands with a winery on the premises which is operating pursuant to a permit issued in compliance with Sections 35-69.4 and 35-460.E of this Article.
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 agricultural 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 7-1 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).

| <b>Table 7-1</b><br><b>Permit Requirements for Educational Experiences and Opportunities on AG-II</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                         | PP      Principal Permitted Use - Coastal Development Permit (1)<br>P        Permitted Use - Appealable Coastal Development Permit (1)<br>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)                                                                                                                                                                                         |
| PP                                                                                                    | Maximum 15 attendees per tour and 80 tours per calendar year                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>Not to exceed 24 days per calendar year</p> <p>Maximum attendance shall not exceed:</p> <ul style="list-style-type: none"> <li>• 50 attendees on premises of 100 acres or smaller</li> <li>• 75 attendees on premises larger than 100 acres up to 320 acres</li> <li>• 100 attendees on premises of larger than 320 acres</li> </ul> | <p>Any combination of small guided tours and other educational experiences or opportunities may be allowed provided the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> <li>• 1,200 attendees on premises of 100 acres or smaller</li> <li>• 1,800 attendees on premises larger than 100 acres to up to 320 acres</li> <li>• 2,400 attendees on premises larger than 320 acres</li> </ul> | <p>Does not propose the construction of any new structure(s) or additions to existing structures that would require a planning permit.</p> <p>No grading or construction of new roads or trails.</p> |
| P                                                                                                     | Maximum 15 attendees per tour and 128 tours per calendar year                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Not to exceed 24 days per calendar year</p> <p>Maximum attendance shall not exceed:</p> <ul style="list-style-type: none"> <li>• 80 attendees on premises of 100 acres or smaller</li> <li>• 120 attendees on premises larger than 100 acres up to 320 acres</li> <li>• 150 attendees on premises larger than 320 acres</li> </ul>   | <p>Any combination of small guided tours and other educational experiences or opportunities may be allowed provided the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> <li>• 1,920 attendees on premises of 100 acres or smaller</li> <li>• 2,880 attendees on premises larger than 100 acres up to 320 acres</li> <li>• 3,600 attendees on premises larger than 320 acres</li> </ul>    | <p>One new accessory structure not to exceed 2,500 square feet of gross floor area may be allowed.</p> <p>No grading or construction of new roads or trails.</p>                                     |
| Minor CUP                                                                                             | <ul style="list-style-type: none"> <li>• Any educational experience or opportunity not qualifying for a Principal Permitted Use or a Permitted Use, above, may be allowed with a Minor Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).</li> <li>• Educational experiences and opportunities described above, when located on lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I), may be allowed with a Minor</li> </ul> |                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                      |

|  |                                                                                                                       |
|--|-----------------------------------------------------------------------------------------------------------------------|
|  | Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits), and Subsection 4, below. |
|--|-----------------------------------------------------------------------------------------------------------------------|

Note:

(1) Development Plan approval may also be required if a new structure exceeds the thresholds for requiring a Development Plan; 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.** The following parking standards shall apply to educational experiences and opportunities.
    - 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) Parking shall not be allowed on access roads where it would impede access by emergency response vehicles.
    - 4) 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.
    - 5) 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.
    - 6) Dust control measures shall be used to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
    - 7) Parking shall not be allowed within a road right-of-way or trail easement.
    - 8) If a structure is proposed, parking shall comply with applicable standards of Division 6 (Parking Regulations).
  - c. **Noise standards.** Educational experiences and opportunities involving the use of outdoor amplified sound shall comply with the following noise standards:
    - 1) Outdoor amplified sound shall only be allowed from 10:00 a.m. to 9:00 p.m.
    - 2) Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the agricultural premises.
    - 3) Sources of amplified sound shall be located no closer than 500 feet from the exterior boundary of the agricultural premises. If the premises boundary is abutting a lot zoned for residential uses, activities using amplified sound shall be located no closer than 1,000 feet from the premises boundary abutting the residential zone.
    - 4) Amplified sound system speakers shall be directed away from the nearest premises boundary.
  - d. 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.
- e. Educational experiences and opportunities do not include agricultural industry-wide activities, such as a countywide farm day. Participation in an agricultural industry-wide activity will not count towards the maximum number of educational experiences or opportunities allowed with an exemption or Zoning Clearance.

***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. 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 (Firewood processing and sales).
  - b. The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one acre.
  - c. Firewood processing and sales operations shall comply 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, above.
  - 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 shall comply with the Agricultural Commissioner's Guidelines for import and export of plant material.
  - f. 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. **Conditional Use Permit.**
  - a. On lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I) a firewood processing and sales operation in compliance with Subsection 35-144S.7.1, above, may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits).
  - b. A firewood processing and sales operation that does not comply with the development standards of Subsection 35-144S.7.1, 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).

**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 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.b, 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 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 originate within Santa Barbara County.
  - 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 (Lumber processing and milling (small scale)).
  - c. The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one acre.
  - 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 shall be in compliance with the Agricultural Commissioner's Guidelines for import and export of plant material.
  - f. Lumber processing and milling operations shall comply 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 above.



- 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. Conditional Use Permit.**

- a. On lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I) a lumber processing and milling operation in compliance with Subsection 35-144S.9.1, above, may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits).
- b. A lumber processing and milling operation that may not be allowed in compliance with Subsection 35-144S.9.1, 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).

### ***Section 35-144S.10 Rural Recreation.***

The following permit requirements and development standards shall apply to low-impact camping areas, campgrounds, fishing operations, horseback riding, and hunting projects on lands zoned AG-II. See Subsection 35-450.C (Rural Recreational) for additional development standards that apply to rural recreation uses when located within the Gaviota Coast Plan area. See Section 35-102I (Limited Agricultural Enterprise (LAE) Overlay District) for additional permit requirements and limitations on lands zoned with the LAE Overlay District.

## **1. Campgrounds.**

- a. **Low-impact camping area.** Except as provided in Subsection 1.d. (Conditional Use Permit), below, a low-impact camping area 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 Subsection 1.c. (Development standards for campgrounds, including low-impact camping areas), Subsection 35-144S.10.5 (Development standards for all rural recreation uses), and Section 35-144S.12 (Development Standards), below, and the following:
  - 1) A low-impact camping area shall not be allowed on an agricultural premises of less than 40 acres.
  - 2) A low-impact camping area shall consist of individual campsites that may be rented for short-term overnight recreational camping.
  - 3) Not more than nine campsites shall be allowed per agricultural premises.
  - 4) Camping guests (campers) may bring and use their own accommodations, including tents and the following types of recreational vehicles: truck campers, van campers and conversions, travel trailers, and motorhomes.
  - 5) Recreational vehicles and travel trailers shall not exceed 25 feet in length.
  - 6) Landowner-provided camping accommodations, including park trailers, yurts, tent cabins, travel trailers, and recreational vehicles, shall not be allowed at low-impact camping areas.
  - 7) **Campsite amenities.** The following campsite amenities may be provided:
    - a) Picnic tables.
    - b) Benches.
    - c) Fire rings.

- 8) New structures shall not be allowed at low impact camping areas unless necessary to provide onsite wastewater disposal.
- 9) Electrical hookups for recreational vehicles and travel trailers shall not be allowed at low-impact camping areas.
- 10) A low-impact camping area shall not be located on an agricultural premises in which at least 75 percent of the perimeter of the premises adjoins parcels that are developed with urban uses. For the purposes of this paragraph, lots that are separated only by a street or highway shall be considered to be adjoined.
- 11) 24-hour onsite supervision.**
  - a) The landowner shall provide 24-hour onsite supervision of the low-impact camping area to ensure camping operations are conducted in compliance with the low-impact camping area's issued permit, and who will respond to calls regarding the camping area. The 24-hour onsite supervision may be provided by the landowner, farm/ranch manager or other employee residing on the premises, or by an onsite campground host.
  - b) The landowner shall submit the name, address, and telephone number of the person who will provide the onsite supervision of camping operations and respond to calls regarding the low-impact camping area.
  - c) The landowner or person providing onsite supervision shall be available by telephone on a 24-hour basis to respond to calls regarding the camping area. 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.
  - d) The landowner is required to immediately notify the County with any changes to the onsite supervisor's information.
  - e) If 24-hour onsite supervision will be provided by a campground host, the host may occupy one of the campsites in the host's own accommodations.

**b. Campgrounds.**

- 1) Except as provided in Subsection 1.d. (Conditional Use Permit), below, 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 additional permit requirements in Subsection 1.b.3) (Additional permit requirements), the development standards in Subsection 1.c. (Development standards for campgrounds, including low-impact camping areas), Subsection 35-144S.10.5 (Development standards for all rural recreation uses), and Section 35-144S.12 (Development Standards), below, and the following:
  - a) The premises on which the campground operation is located does not abut land zoned AG-I or Residential.
  - b) The following number of campsites may be allowed in one campground operation per agricultural premises:

- i) Up to 15 campsites on premises of 40 acres or more up to 100 acres.
- ii) Up to 20 campsites on premises larger than 100 acres up to 200 acres.
- iii) Up to 25 campsites on premises larger than 200 acres up to 320 acres.
- iv) Up to 30 campsites on premises larger than 320 acres.
- v) One additional campsite may be allowed per premises for each additional 200 acres over 320 acres, not to exceed a total of 60 campsites.

**2) Minor Conditional Use Permit.** Except as provided in Subsection 1.d. (Conditional Use Permit), below, a campground operation may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits) provided the operation complies with the additional permit requirements in Subsection 1.b.3) (Additional permit requirements), the development standards in Subsection 1.c. (Development standards for campgrounds, including low-impact camping areas), Subsection 35-144S.10.5 (Development standards for all rural recreation uses), and Section 35-144S.12 (Development Standards), below, and the following:

- a) The premises on which the campground operation is located abuts land zoned AG-I or Residential.
- b) The following number of campsites may be allowed in one campground operation per agricultural premises:
  - i) Up to 15 campsites on premises of 40 acres or more up to 200 acres.
  - ii) Up to 20 campsites on premises larger than 200 acres up to 320 acres.
  - iii) Up to 30 campsites on premises larger than 320 acres.
  - v) One additional campsite may be allowed per premises for each additional 200 acres over 320 acres, not to exceed a total of 60 campsites.
- c) Amplified sound shall not be allowed within the campground.

**3) Additional permit requirements.** The following requirements shall be met in order to qualify for a campground permit pursuant to Subsections 1.b.1) through 1.b.2) above:

- a) Only one campground operation shall be allowed per agricultural premises.
- b) A campground operation shall not be allowed on an agricultural premises of less than 40 acres.
- c) A campground operation may include low-impact, wilderness campsites, individual developed campsites, or any combination thereof which may be rented for short-term overnight recreational camping.
- d) **Campground development areas.** Campsites shall be located within a campground development area. More than one campground development area may be allowed as part of one campground operation, provided the maximum number of campsites per premises pursuant to Subsection 3) above is not exceeded, as follows:
  - i) Not more than two campground development areas on premises of less than 320 acres.

- ii) Not more than four campground development areas on premises of 320 acres or larger.
    - a) On premises with more than one campground development area, one of the campground development areas may be reserved for tent camping only.
  - iii) Individual remote campground development areas shall not exceed one contiguous acre.
  - iv) The combined campground development areas, including improvements such as 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.
- e) **Landowner-provided camping accommodations.**
  - i) Landowner-provided camping accommodations may include a recreational vehicle (such as a motorhome or travel trailer but not a park trailer), tent cabin, or yurt.
  - ii) Not more than 70 percent of the total number of the proposed campsites on the premises may be occupied by a landowner-provided accommodation.
- f) **Campground accessory structures and amenities.** The following accessory structures and amenities may be provided:
  - i) Community restroom/shower facility.
  - ii) Incidental food service in compliance with Section 35.42.035.C.4 (Incidental Food Service).
  - iii) Picnic tables.
  - iv) Benches.
  - v) Shade ramadas.
  - vi) Community barbeque.
  - vii) Fire rings.
- g) **24-Hour onsite supervision.**
  - i) The landowner shall provide 24-hour onsite supervision of the campground to ensure campground operations are conducted in compliance with the campground's issued permit, and who will respond to calls regarding the campground. The 24-hour onsite supervision may be provided by the landowner, farm/ranch manager or other employee residing on the premises, or by an onsite campground manager, or campground host.
  - ii) The landowner shall submit the name, address, and telephone number of the person who will provide the onsite supervision of campground operations and respond to calls regarding the campground.

- iii) The landowner or person providing onsite campground supervision shall be available by telephone on a 24-hour basis to respond to calls regarding the campground. 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.
- iv) The landowner is required to immediately notify the County with any changes to the onsite supervisor's information.
- v) If 24-hour onsite supervision will be provided by a campground host, the host may occupy one of the campsites in either the host's own accommodations or a landowner-provided accommodation.

**c. Development standards for campgrounds, including low-impact camping areas.**

- 1) **Length of stay.** Not more than 14 consecutive nights per person and not more than 28 nights per person per calendar year. Each stay must be separated from a previous stay anywhere on the premises by at least one week.
- 2) **Maximum occupancy.** Not more than eight persons shall occupy one individual campsite.
- 3) Not more than two vehicles shall be parked at each campsite, one of which may be a recreational vehicle.
- 4) **Parking.** The following parking standards shall apply to campgrounds and low impact camping areas.
  - a) A minimum of one parking space per campsite shall be required.
  - b) Parking shall not be allowed within a road right-of-way or trail easement.
  - c) 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.
- 5) **Access notification.** If access to the campground or low-impact camping area will be taken via a private driveway or road easement, the applicant shall notify all neighboring property owners affected by the easement of the proposed campground or low-impact camping area.
- 6) **Quiet hours.** The campground or low-impact camping area operation shall maintain quiet hours in effect from 9:00 p.m. to 7:00 a.m. seven days a week.
- 7) **Pets.** If allowed by the property owner, pets shall be secured on the premises and on leash at all times.
- 8) The campground or low-impact camping area 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.

- 9) **Transient Occupancy Tax (TOT).** If required based on the type of accommodations provided, the campground owner/operator shall maintain a TOT license and remain current on all required TOT reports and payments.
- d. **Conditional Use Permit.**
- 1) On lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I) a low-impact camping area or campground operation in compliance with Subsection 35-144S.10.1.a or Subsection 35-144S.10.1.b, and Subsection 35-144S.10.1.c, above, may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits) and Subsection 35-144S.10.5 (Development standards for all rural recreation uses).
  - 2) A campground operation that may not be allowed in compliance with Subsection 35-144S.10.1.a, Subsection 35-144S.10.1.b, and Subsection 35-144S.10.1.c, 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) and Subsection 35-144S.10.5 (Development standards for all rural recreation uses).
- e. **Advertising.** All advertising for a campground operation or low-impact camping area shall include the permit number in the advertisement text.
- f. **Revocation.** In addition to the bases for revocation of a Coastal Development Permit (Section 35-169.8 Revocation) or of a Major Conditional Use Permit (Section 35-172.10 Revocation), a Coastal Development Permit or Major Conditional Use Permit for a low-impact camping area or campground or may be revoked if the Permittee:
- 1) Makes unpermitted 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 campground or camping operation. 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) Advertises a larger number of campgrounds or longer stays than allowed by the approved permit or the provisions of this Development Code.
  - 5) Fails to comply partially or wholly with any of the permit conditions;
  - 6) Fails to comply with State or County fire regulations (e.g., access requirements, maintenance of fire lanes, restrictions for campfires);
  - 7) Fails to comply with County health regulations;
  - 8) Fails to obtain or comply with any other required County, state or local permit;
  - 9) Fails to comply with public health orders or emergency regulations issued by State or local authorities which limit use and occupancy of campgrounds; or
  - 10) Fails to pay, or is delinquent in payment of, Transient Occupancy Tax if applicable, fines, or penalties.

## **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. See Section 35-102I (Limited Agricultural Enterprise (LAE) Overlay District) for additional permit requirements and limitations on lands zoned with the LAE Overlay District.
- 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.
  - 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:
    - a) The operation is limited to 30 participants daily.
    - b) The floor area (gross) of any new structure is less than 600 square feet.
    - 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) Conditional Use Permit.**
    - a) On lands designated with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I) a fishing operation in compliance with the standards of Subsections 35-144S.10.2.b.1) or 35-144S.10.2.b.2), above, may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits) and Subsection 35-144S.10.5 (Development standards for all rural recreation uses).
    - b) 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), 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) and Subsection 35-144S.10.5 (Development standards for all rural recreation uses).

**c. Parking and parking areas.**

- 1) Parking areas associated with a fishing operation 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.
- 2) Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.
- 3) Parking shall not be allowed within a road right-of-way or trail easement.

**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 Subsection 35-144S.10.5 (Development standards for all rural recreation uses) and 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.

**2) Coastal Development Permit (appealable).**

- a) A horseback riding operation that may not be allowed in compliance with Subsection 3.a.1) 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).
- b) The horseback riding operations shall comply with Subsection 35-144S.10.5 (Development standards for all rural recreation uses) and the following development standards:
  - i) The operation is limited to 24 participants daily.
  - ii) The floor area (gross) of any new structure associated with the operation is less than 1,200 square feet.



- iii) The operation will not have significant adverse impacts on the long-term productive agricultural capability or natural resources of the subject premises or adjacent premises.
- iv) 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.

**3) Conditional Use Permit.**

- a) On lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I) horseback riding in compliance with the standards of Subsection 3.a.1 or Subsection 3.a.2, above, may be allowed as a non-Principal Permitted Use with a Minor Conditional Use Permit approved in compliance Section 35-172 (Conditional Use Permits) and Subsection 35-144S.10.5 (Development standards for all rural recreation uses).
- b) A horseback riding operation that may not be allowed in compliance with Subsection 3.a.1 or Subsection 3.a.2, 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).

**b. Parking and parking areas.**

- 1) Parking areas associated with a horseback riding operation 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.
- 2) Parking areas shall comply with the applicable disabled access requirements of Title 24 of the California Code of Regulations.
- 3) Parking shall not be allowed within a road right-of-way or trail easement.

**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. See Section 35-102I (Limited Agricultural Enterprise (LAE) Overlay District) for additional permit requirements and limitations on lands zoned with the LAE Overlay District.

**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 Subsection 35-144S.10.5 (Development standards for all rural recreation uses) and 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 Subsection 35-144S.10.5 (Development standards for all rural recreation uses) and 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) and Subsection 35-144S.10.5 (Development standards for all rural recreation uses).

**c. Parking and parking areas.**

1) Parking areas associated with a hunting operation 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.

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

3) Parking shall not be allowed within a road right-of-way or trail easement.

**5. Development standards for all rural recreation uses.**

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. **Minimum premises size.** Small-scale special events pursuant to this Section 35-144S.11 shall be allowed only on agricultural premises of 40 acres or larger.

b. **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.

c. **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).

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 bike races, trail runs, 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 7-2 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).

| <b>Table 7-2</b><br><b>Permit Requirements for Small-scale Special Events on AG-II</b>                                                       |                                                                                                                                                                                                                                                                                                         | PP      Principal Permitted Use – Coastal Development Permit (1)<br>P        Permitted Use – Appealable Coastal Development Permit (1)<br>MCUP   Minor Conditional Use Permit |                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Permit Requirement                                                                                                                           | Number of Attendees                                                                                                                                                                                                                                                                                     | Number of Events                                                                                                                                                              | Use Limitations                                                                                                                                                                           |
| PP                                                                                                                                           | Maximum attendance shall not exceed: <ul style="list-style-type: none"> <li>• 50 attendees on premises of 40 acres or larger up to 320 acres</li> <li>• 100 attendees on premises larger than 320 acres and less than 1,000 acres</li> <li>• 200 attendees on premises 1,000 acres or larger</li> </ul> | Not to exceed: <ul style="list-style-type: none"> <li>• 4 days per month</li> <li>• 12 days per calendar year</li> </ul>                                                      | No new structures or additions requiring planning permits.<br><br>No grading or construction of new roads or trails.<br><br>No amplified music.                                           |
| PP<br><br>Additional allowance for non-motorized bike races, trail runs, and equestrian endurance rides on premises of 5,000 acres or larger | Maximum attendance shall not exceed 500 attendees                                                                                                                                                                                                                                                       | Not to exceed: <ul style="list-style-type: none"> <li>• 10 days per month</li> <li>• 25 event days per calendar year</li> <li>• 10 events per calendar year</li> </ul>        | No new structures or additions requiring planning permits.<br><br>No grading or construction of new roads or trails.<br><br>No amplified music.                                           |
| P                                                                                                                                            | Same as PP                                                                                                                                                                                                                                                                                              | Same as PP                                                                                                                                                                    | One new accessory structure not to exceed 2,500 square feet of gross floor area may be allowed.<br><br>No grading or construction of new roads or trails.<br><br>Amplified music allowed. |
| Minor CUP                                                                                                                                    | <ul style="list-style-type: none"> <li>• Small-scale special events described above when located on lands within the Limited Agricultural Enterprise (LAE) Overlay District (Section 35-102I), may be allowed with a Minor</li> </ul>                                                                   |                                                                                                                                                                               |                                                                                                                                                                                           |

|  |                                                                                                                                                                                                                                                                                                                                                                                              |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits), and Subsection 4, below.</p> <ul style="list-style-type: none"> <li>Any small-scale special event not qualifying for a Principal Permitted Use or a Permitted Use may be allowed with a Minor Conditional Use Permit approved in compliance with Section 35-172 (Conditional Use Permits).</li> </ul> |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Note:

(1) Development Plan approval may also be required if a new structure exceeds the thresholds for requiring a Development Plan; 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.** The following parking standards shall apply to small-scale special events.
  - 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) Parking shall not be allowed on access roads where it would impede access for emergency response.
  - 4) 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.
  - 5) A parking coordinator shall be present at all times during any event attended by 100 or more persons to manage and direct vehicular movement.
  - 6) Dust control measures shall be used to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
  - 7) Parking shall not be allowed within a road right-of-way or trail easement.
  - 8) If a structure is proposed, parking shall comply with applicable standards of Division 6 (Parking Regulations).
- d. **Small-scale special event hours of operation.**
  - 1) Farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings shall only be allowed between 10:00 a.m. and 11:00 p.m.
  - 2) Non-motorized bike races, trail runs, equestrian endurance rides, and similar activities are not subject to the hours of operation in Subsection d.1), above.
- e. **Noise standards.** Small-scale special events involving the use of outdoor amplified sound shall comply with the following standards:
  - 1) Outdoor amplified sound-for small-scale special events shall only be allowed from 10:00 a.m. to 9:00 p.m.

- 2) Outdoor amplified sound shall not exceed 65 dBA at the exterior boundary of the agricultural premises.
  - 3) Event activities shall be located no closer than 500 feet from the exterior boundary of the agricultural premises. If the premises boundary is abutting a lot zoned for residential uses, event activities shall be located no closer than 1,000 feet from the premises boundary abutting the residential zone.
  - 4) Amplified sound system speakers shall be directed away from the nearest premises boundary.
- f. 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.
- g. 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.
- h. 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.***

Except where expressly limited to specific uses 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. **Setbacks from adjacent premises.** Stationary educational experiences and opportunities, campgrounds, low impact camping areas, and small-scale special events shall comply with the following setbacks.
  - a. A minimum 100-foot setback from the lot line of the agricultural premises on which the facilities and structures, camping and special event activities, and stationary educational activities are located.
  - b. All facilities and structures, camping and special event activities, and stationary educational activities shall be located no closer than 400 feet from a residence that is located on an adjacent property that is not a part of the agricultural enterprise premises.
  - c. **Setbacks from adjacent commercial farming operations.** The following setbacks shall apply to commercial farming operations located on adjacent premises when the agricultural commodity has been in commercial cultivation (tilled for agricultural use and planted with a crop). For the purpose of this setback, an adjacent commercial farming operation may touch at a point or share a common boundary with the agricultural enterprise premises, or may be separated by an intervening road or street (excluding a four-lane highway), railroad right-of-way or other public facility.
    - 1) A minimum 200 feet from the lot line of the agricultural premises on which the facilities and structures, camping and special event activities, and stationary educational activities are located when a commercial food crop, orchard, or vineyard farming operation is located on the adjacent agricultural premises. For the 200-foot setback to apply, the adjacent food crop, orchard, or vineyard farming operation must comply with all of the following:
      - a) Be part of a commercial farming operation where the primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.
      - b) Have a minimum of 10 acres of food crops, orchards, or vineyards planted (with allowances for fallow periods, change of crop or production method) or a demonstrated planting history of a minimum of 10 acres of food crops, orchards, or vineyards planted within at least three of the previous 10 years. For the purpose of this setback, the previous 10 years shall be measured from the commencement of the exempt agricultural enterprise use or from application submittal for the agricultural enterprise use that requires the permit.
    - 2) **Adjustments.** As part of a permit to be reviewed and approved by the Department, the setbacks from adjacent commercial farming operations in Subsection c.1) above may be adjusted downward in the following circumstances:
      - a) Where intervening topography, roads, protected habitats, or other geographic features preclude cultivation of food crops, orchards, or vineyards on the adjacent agricultural premises within 200 feet of the common lot line. The setback reduction shall be commensurate with the width of the land that cannot be cultivated.
      - b) Where the commercial cultivation on the adjacent agricultural premises does not occur in close proximity to the common lot line, the setback may be adjusted downward provided at least 200 feet is maintained between the facilities and structures, camping and special event activities, and stationary educational activities and the food crop, orchard, or vineyard.

- c) Where the facilities and structures, camping and special event activities, and stationary educational activities are separated from an adjacent commercial farming operation by a four-lane highway, the setback from commercial farming operations shall not apply.
- d) Where residential development (e.g. an existing residence, farm employee dwelling, accessory dwelling unit, or similarly-occupied building) or other development which is existing as of *[the effective date of this ordinance]* is located on the proposed agricultural enterprise use premises within 200 feet of an adjacent premises with a commercial food crop, orchard, or vineyard farming operation, the setback from the adjacent commercial farming operation may be reduced by up to 50 percent, provided the agricultural enterprise use is located no closer than the aforementioned existing development.

In determining whether the criteria for a setback adjustment from adjacent commercial farming operations has been met, the Department may consider any mutual agreement between the applicant and the adjacent premises owner regarding the need for setbacks from the adjacent commercial farming operations.

**7. 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, approval, and applicable permitting in compliance with Chapter 15 (Fire Prevention) of the County Code. The Fire Protection Plan shall identify, as applicable to the specific use(s), potential ignition sources, measures intended to reduce the potential for wildfire, firefighting infrastructure (e.g., all weather access, water sources, 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 Fire Protection 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 Fire Protection Plan to address any safety issues that may arise.

**8. Setbacks from Sensitive Habitats.**

- a. Stationary agricultural enterprise uses and related development (including campgrounds, new buildings and structures, parking, grading, and ground-disturbing activities in support of new uses and 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.
9. **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.
10. **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.
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. In the event the Phase 1 cultural resources study determines the presence of resources or that additional investigation is required, the applicant shall follow the subsequent requirements of "Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources."
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, unless waived by the Director. In the event the Phase 1 investigation determines the presence of resources



or that additional investigation is required, the applicant shall follow the subsequent requirements of “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources.”

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. **Signs.** Signs accessory to agricultural enterprise uses shall comply with 35-138 (Signs and Advertising Structures).
15. **Lighting.** Lighting accessory to agricultural enterprise uses shall comply with Section 35-139 (Exterior Lighting).
16. **Design review.** Design review shall be required for new structural development when required pursuant to Section 35-184. In addition to exceptions to design review pursuant to Section 35-184, the Director may exempt new structures from design review requirements if the new development is not visible from public roadways or other areas of public use (e.g., public parks).
17. **Critical Viewshed Corridor Overlay.** Agricultural enterprise uses within the Gaviota Coast Plan area shall comply with Section 35-102G (CVC - Critical Viewshed Corridor Overlay District), if applicable.
18. **Informational Advisory.** Operators of educational experiences and opportunities, rural recreation uses, 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.

## **SECTION 10:**

DIVISION 7, General Regulations, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add a new Section 35-144T titled “Farmstays”, to read as follows:

### **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 commercial agricultural operations by providing agriculturalists and their families an opportunity to conduct a rural agricultural use to support their farms and/or ranches. See Section 35-102I (Limited Agricultural Enterprise (LAE))

Overlay District) and Subsection 35-144T.3.3 below for additional permit requirements and limitations on lands zoned with the LAE Overlay District.

**Section 35-144T.2    *Applicability.***

1.    **Premises.** The farmstay shall be located on an agricultural 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.
2.    **Agricultural use required.** The primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.
3.    **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.
4.    **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.
5.    **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 is not located within the Limited Agricultural Enterprise (LAE) Overlay District and 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, or any combination thereof.

- 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 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.
  - e. 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 guest rooms.
- 2. Coastal Development Permit (appealable).** 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 is not located within the Limited Agricultural Enterprise (LAE) Overlay District and 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; new structures (e.g., guest cottages); park trailers on permanent foundations; or any combination thereof. Farmstay operations shall be located principally within the clustered farmstay development envelope.
    - 1) Except as provided in Subsection a) below, farmstay accommodations and operations shall be sited in clustered proximity to the principal dwelling, or winery structural development (if applicable), and existing infrastructure within a single contiguous area not to exceed two acres in area. The development area shall include the principal dwelling unit, winery structural development (if applicable), 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 operation shall comply with all standards in Section 35-144T.4 (Development Standards), below.
- c. 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. 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 guest rooms.

**3. Conditional Use Permit.**

- a. A farmstay operation may be allowed with a Minor Conditional Use Permit issued in compliance with Section 35-172 (Conditional Use Permits) provided the operation complies with the requirements pursuant to Subsections 35-144T.3.1.a through 35-144T.3.1.d or 35-144T.3.2.a through 35-144T.3.2.c, as applicable, the standards in Section 35-144T.4 (Development standards), below, and the following:
  - 1) The maximum number of registered guests that can be accommodated shall be 38 per night and they shall be accommodated in no more than 15 guest rooms.
- b. On lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District a farmstay operation may be allowed with a Minor Conditional Use Permit issued in compliance with Section 35-172 (Conditional Use Permits) provided the operation complies with the requirements pursuant to Subsections 35-144T.3.1.a through 35-144T.3.1.d or 35-144T.3.2.a through 35-144T.3.2.c, as applicable, the standards in Section 35-144T.4 (Development standards), below, and the following:
  - 1) The maximum number of registered guests that can be accommodated shall be 38 per night and they shall be accommodated in no more than 15 guest rooms.

***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 guest rooms. 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 available only 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. Farmstay accommodations may include a wetbar as defined in Section 35-58 (Definitions), and a small electric cooktop.
4. **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.
5. **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.
6. **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).
7. **Maximum floor area for new structures (guest cottages) or park trailers.** Each new cottage or park trailer proposed for overnight farmstay accommodations shall not exceed 500 square feet.
8. **Access.**
  - a. All-weather road access shall be provided to the farmstay in accordance with County Fire Department development standards.
  - b. The farmstay shall not include a new at-grade crossing of Highway 101 or State highway.
9. **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 a road right-of-way or trail easement.
10. **Setbacks from adjacent premises.** Unless the farmstay is located within the existing principal dwelling or in clustered proximity to the principal dwelling, farmstays shall comply with the following setbacks.

- a. A minimum 100-foot setback from the lot line of the agricultural premises on which the farmstay is located.
- b. Farmstays shall be located no closer than 400 feet from a residence that is located on an adjacent property that is not a part of the agricultural enterprise premises.
- c. **Setbacks from adjacent commercial farming operations.** The following setbacks shall apply to commercial farming operations located on adjacent premises when the agricultural commodity has been in commercial cultivation (tilled for agricultural use and planted with a crop). For the purpose of this setback, an adjacent commercial farming operation may touch at a point or share a common boundary with the agricultural enterprise premises, or may be separated by an intervening road or street (excluding a four-lane highway), railroad right-of-way or other public facility.
  - 1) A minimum 200 feet from the lot line of the agricultural premises on which the farmstay is located when a commercial food crop, orchard, or vineyard farming operation is located on the adjacent agricultural premises. For the 200-foot setback to apply, the adjacent food crop, orchard, or vineyard farming operation must comply with all of the following:
    - a) Be part of a commercial farming operation where the primary land use of the premises shall be the production of one or more agricultural commodities for commercial purposes.
    - b) Have a minimum of 10 acres of food crops, orchards, or vineyards planted (with allowances for fallow periods, change of crop or production method) or a demonstrated planting history of a minimum of 10 acres of food crops, orchards, or vineyards planted within at least three of the previous 10 years. For the purpose of this setback, the previous 10 years shall be measured from application submittal for the farmstay.
  - 2) **Adjustments.** As part of a permit to be reviewed and approved by the Department, the setbacks from adjacent commercial farming operations in Subsection c.1) above may be adjusted downward in the following circumstances:
    - a) Where intervening topography, roads, protected habitats, or other geographic features preclude cultivation of food crops, orchards, or vineyards on the adjacent agricultural premises within 200 feet of the common lot line. The setback reduction shall be commensurate with the width of the land that cannot be cultivated.
    - b) Where the commercial cultivation on the adjacent agricultural premises does not occur in close proximity to the common lot line, the setback may be adjusted downward provided at least 200 feet is maintained between the farmstay and the food crop, orchard, or vineyard.
    - c) Where the farmstay is separated from an adjacent commercial farming operation by a four-lane highway, the setback from commercial farming operations shall not apply.
    - d) Where residential development (e.g. an existing residence, farm employee dwelling, accessory dwelling unit, or similarly-occupied building) or other development which is existing as of *[the effective date of this ordinance]* is located on the proposed farmstay premises within 200 feet of an adjacent premises with a commercial food crop, orchard, or vineyard farming operation, the setback from the adjacent commercial farming operation may be reduced by up to 50 percent, provided the farmstay is located no closer than the aforementioned existing development.

In determining whether the criteria for a setback adjustment from adjacent commercial farming operations has been met, the Department may consider any mutual agreement between the applicant and the adjacent premises owner regarding the need for setbacks from the adjacent commercial farming operations.

**11. 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.

**12. 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.

**13. 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.

**14. 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. In the event the Phase 1 cultural resource study determines the presence of resources or that additional investigation is required, the applicant shall follow the subsequent requirements of “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources.”

15. **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, unless waived by the Director. In the event the Phase 1 investigation determines the presence of resources or that additional investigation is required, the applicant shall follow the subsequent requirements of “Guidelines for Determining the Significance of and Impacts to Cultural Resources – Archaeological, Historic, and Tribal Cultural Resources.”
16. **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.
17. **Noise.** The volume of sound generated by the farmstay shall not exceed 65 dBA or existing ambient levels, whichever is greater, at the premises boundary, except that between the hours of 9:00 p.m. and 8:00 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.
18. **Lighting.** Lighting accessory to a farmstay operation shall comply with Section 35-139 (Exterior Lighting).
19. **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.
20. **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.



21. **Signs.** Signs accessory to the farmstay operation shall comply with 35-138 (Signs and Advertising Structures).
22. **24-Hour onsite supervision.**
  - a. The landowner shall provide 24-hour onsite supervision of the farmstay to ensure operations are conducted in compliance with the farmstay's issued permit, and who will respond to calls regarding the farmstay. The 24-hour onsite supervision may be provided by the landowner, farm/ranch manager, or other employee residing on the premises.
  - b. The landowner shall submit the name, address, and telephone number of the person who will provide the onsite supervision and respond to calls regarding the farmstay.
  - c. The landowner or person providing onsite supervision shall be available by telephone on a 24-hour basis to respond to calls regarding the farmstay. 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.
  - d. The landowner is required to immediately notify the County with any changes to the onsite supervisor's information.
23. **Limitation on visitors.** Registered farmstay guests shall not have daytime visitors, or invite unregistered guests to be present at any time.
24. **Length of stay.** No more than 14 consecutive nights per person and no more than 28 nights per calendar year per person. Each stay must be separated from a previous stay by at least one week.
25. **Sale restriction.** The farmstay shall not be sold or otherwise conveyed separately from the principal dwelling.
26. **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).
27. **Farmstay Accessory Use Structures.** A farmstay operation may be permitted to have accessory structures provided the structures shall support the farmstay. Permitted structures may include but are not limited to community restroom/shower facilities, benches, picnic tables, shade structures, and barbeque pits.
28. **Design review.** Design review shall be required for new structural development when required pursuant to (Section 35-184). In addition to exceptions to design review pursuant to Section 35-184, the Director may exempt new structures from design review requirements if the new development is not visible from public roadways or other areas of public use (e.g., public parks).
29. **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.
30. **Advertising.** All advertising for a farmstay shall include the permit number in the advertisement text.

**Section 35-144T.5      *Revocation.***

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

1. Makes unpermitted 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. Advertises a larger number of bedrooms, longer stays, or more guests on the premises at any one time than allowed by the approved permit or the provisions of this Article;
5. Fails to comply partially or wholly with any of the permit conditions or development standards of this Article;
6. Fails to comply with State or County fire regulations (e.g., access requirements, maintenance of fire lanes, restrictions for campfires);
7. Fails to comply with County health regulations;
8. Fails to obtain or comply with any other required County, state or local permit;
9. Fails to comply with public health orders or emergency regulations issued by State or local authorities which limit use and occupancy of farmstays; or
10. Fails to pay or is delinquent in payment of TOT, fines, or penalties.

**SECTION 11:**

DIVISION 11, Permit Procedures, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-169.2, Applicability, of Section 35-169, Coastal Development Permits, to read as follows:

**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**

| 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              |

- 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).
- 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.

## **SECTION 12:**

DIVISION 11, Permit Procedures, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-169.8, Revocation, of Section 35-169, Coastal Development Permits, to read as follows:

### ***Section 35-169.8 Revocation.***

Issuance of the Coastal Development Permit is contingent upon compliance with all conditions imposed as part of the project approval. If it is determined that development activity is occurring in violation of any or all such conditions, the Director may revoke this Permit and all authorization for development. Written notice of such Revocation shall be provided to the permittee. The decision of the Director to revoke the Coastal Development Permit may be appealed in compliance with Section 35-182 (Appeals).

1. **Reapplication.** An application for a use for which a permit has been revoked pursuant to Section 35.42.035.D.6 (Small-scale Special Events), Section 35.42.134 (Farmstays), and Section 35.42.240.E.1 (Campgrounds), shall not be accepted or acted upon within the 12 months following the date of revocation of the permit.

## **SECTION 13:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-420, Definitions, to delete the definitions of "Agricultural and Natural Resource Educational Experience", "Agricultural Product Sales", "Aquaponics", "Artisanal Crafts", "Campground", "Campground, low-impact", "Composting Operation", "Farmstand", "Farmstay", "Firewood Processing and Sales", "Fishing Operation", "Lumber Processing, Milling", "Product Preparation", "Rural Recreation", and "Tree Nut Hulling".

## **SECTION 14:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection 3, Farmstands, of Subsection D, Exempt activities and structures, of Section 35-430, Allowable Development and Planning Permit Requirements, to read as follows:

3. **Farm stands.** Farm stands when in compliance with Section 35-131 (Agricultural Sales).

**SECTION 15:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise the Agricultural, Mining, & Energy Facilities section, the Industry, Manufacturing & Processing, Wholesaling section, the Recreation, Education & Public Assembly Uses section, the Residential Uses section, and the Retail Trade section of Table 17-2, Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area, of Subsection E, Allowable land uses and permit requirements, of Section 35-430, Allowable Development and Planning Permit Requirements, to read as follows:

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

#### AGRICULTURAL, MINING & ENERGY FACILITIES

|                                                                                                  |        |     |   |            |         |   |            |
|--------------------------------------------------------------------------------------------------|--------|-----|---|------------|---------|---|------------|
| Agricultural accessory structure                                                                 | PP     | —   | — | P          | P       | — | 35-119     |
| Agricultural processing facility                                                                 | S (4)  | —   | — | —          | —       | — | 35-144S.3  |
| Agricultural processing - Small-scale beyond the raw state                                       | S (4)  | —   | — | —          | —       | — | 35-144S.3  |
| Agricultural processing - Tree nut hulling                                                       | S (4)  | —   | — | —          | —       | — | 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   |
| Aquaponics                                                                                       | PP (4) | —   | — | —          | —       | — | 35-144S.4  |
| Cultivated agriculture, orchard, vineyard                                                        | PP (9) | —   | — | CUP (5)(9) | P (9)   | — | 35-450.A   |
| Grazing                                                                                          | PP (9) | —   | — | MCUP(6)(9) | —       | — |            |
| Greenhouse, 300 sf or less                                                                       | PP     | —   | — | —          | P       | — |            |
| Greenhouse, more than 300 sf                                                                     | P (8)  | —   | — | —          | CUP (7) | — |            |
| 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   |

#### INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

|                                                     |       |   |   |   |   |     |           |
|-----------------------------------------------------|-------|---|---|---|---|-----|-----------|
| Composting                                          | S (4) | — | — | — | — | —   | 35-144S.5 |
| Firewood processing and sales                       | S (4) | — | — | — | — | —   | 35-144S.7 |
| Lumber processing and milling (small scale)         | S (4) | — | — | — | — | —   | 35-144S.9 |
| 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

|              |                            |            |                     |           |                         |
|--------------|----------------------------|------------|---------------------|-----------|-------------------------|
| <b>AG-II</b> | Agriculture II             | <b>REC</b> | Recreation          | <b>RR</b> | Rural Residential       |
| <b>M-CD</b>  | Coastal-Dependent Industry | <b>RES</b> | Resource Management | <b>TC</b> | 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) Limitations apply on lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District; see Section 35-102.I.
- (5) Must meet definition of "Cultivated agriculture, orchard, vineyard - Limited Slope."
- (6) Must meet definition of "Grazing - Limited Slope."
- (7) 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.
- (8) 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).
- (9) See Section 35-430.D (Exempt activities and structures) for ongoing cultivation and grazing.



|                                                                                                                       |      |                                                      |
|-----------------------------------------------------------------------------------------------------------------------|------|------------------------------------------------------|
| <b>Table 17-2 - Continued</b><br><br><b>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</b> | 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    | —   | —  |            |
| Educational experiences and opportunities    | S (4)    | —  | —     | —     | —   | —  | 35.144S.6  |
| Equestrian facility                          | CUP      | —  | CUP   | —     | CUP | —  |            |
| Golf course                                  | —        | —  | P     | —     | CUP | —  |            |
| Incidental food service                      | S        | —  | —     | —     | —   | —  | 35-144S.8  |
| Meeting facility, religious                  | — (5)    | —  | — (5) | — (5) | CUP | —  |            |
| Rural recreation                             | S (4)(6) | —  | P     | CUP   | —   | —  | 35-450.C   |
| School                                       | CUP      | —  | CUP   | —     | CUP | —  | 35-450.D   |
| Small-scale special events                   | S (4)    | —  | —     | —     | —   | —  | 35-144S.11 |
| 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 (7) | —    | MCUP | MCUP | —       | 35-144R |
| Agricultural employee dwellings, 5 to 24 employees    | P      | CUP (7) | —    | —    | —    | —       | 35-144R |
| Agricultural employee dwellings, 25 or more employees | CUP    | CUP (7) | —    | —    | —    | —       | 35-144R |
| Artist studio                                         | P      | —       | —    | MCUP | P    | —       | 35-120  |
| Caretaker/manager dwelling                            | —      | CUP (7) | MCUP | —    | —    | —       |         |
| Dwelling, one-family (8)                              | PP     | —       | —    | P    | PP   | —       |         |
| Farmworker dwelling unit (8)                          | PP     | —       | —    | PP   | PP   | CUP (9) | 35-144P |
| Farmworker housing complex                            | CUP    | P       | —    | CUP  | CUP  | CUP     | 35-144P |
| Guesthouse                                            | P      | —       | —    | P    | P    | —       | 35-120  |
| Home occupation                                       | PP     | —       | —    | PP   | PP   | —       | 35-121  |
| Incentive dwelling unit                               | P      | —       | —    | —    | —    | —       | 35-470  |
| Pool house/cabaña                                     | P      | —       | —    | P    | P    | —       | 35-120  |
| Residential accessory use or structure                | P (10) | —       | MCUP | P    | PP   | —       | 35-119  |
| Accessory dwelling unit                               | PP     | —       | —    | P    | PP   | —       | 35-142  |
| Junior accessory dwelling unit                        | PP     | —       | —    | P    | PP   | —       | 35-142  |
| Special care home, 7 or more clients                  | MCUP   | —       | —    | MCUP | MCUP | —       | 35-143  |

#### RETAIL TRADE

|                                         |       |        |   |   |        |   |        |
|-----------------------------------------|-------|--------|---|---|--------|---|--------|
| Agricultural product sales, farm stands | S (4) | P (11) | — | — | S (11) | — | 35-131 |
|-----------------------------------------|-------|--------|---|---|--------|---|--------|

#### Key to Zone Symbols

|              |                            |            |                     |           |                         |
|--------------|----------------------------|------------|---------------------|-----------|-------------------------|
| <b>AG-II</b> | Agriculture II             | <b>REC</b> | Recreation          | <b>RR</b> | Rural Residential       |
| <b>M-CD</b>  | Coastal-Dependent Industry | <b>RES</b> | Resource Management | <b>TC</b> | 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) Limitations apply on lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District; see Section 35-102.I.
- (5) 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.
- (6) In addition to Section 35-450.C, see Section 35-144.S.10 (Rural Recreation) for specific use regulations.
- (7) 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.
- (8) One-family dwelling may be a mobile home on a permanent foundation, see Section 35-141 (Mobile Homes on Foundations).
- (9) Only if single-family dwellings are allowed as a permitted use in an abutting zone district.
- (10) Detached garages, carports, storage sheds, fences, and swimming pools associated with a residential dwelling may be considered part of the Principal Permitted Use (PPU).
- (11) Limited to the on-site production only.

**SECTION 16:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise the Services section, of Table 17-2, Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area, of Subsection E, Allowable land uses and permit requirements, of Section 35-430, Allowable Development and Planning Permit Requirements, to add "Lodging - Farmstay" read as follows:

|                                                                                                                       |      |                                                      |
|-----------------------------------------------------------------------------------------------------------------------|------|------------------------------------------------------|
| <b>Table 17-2 - Continued</b><br><br><b>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</b> | 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, serving adults                   | P     | —     | P     | P     | P     | —     | 35-143  |
| Large family day care home, serving children                 | E (4) | E (4) | E (4) | E (4) | E (4) | E (4) | 35-143  |
| Small family day care home, serving adults                   | E     | E     | E     | E     | E     | —     | 35-143  |
| Small family day care home, serving children                 | E (4) | E (4) | E (4) | E (4) | E (4) | E (4) | 35-143  |
| Day care center, accessory to non-dwelling (5)               | MCUP  | —     | —     | —     | MCUP  | —     | 35-143  |
| Day care center, accessory to dwelling                       | MCUP  | —     | —     | —     | MCUP  | —     | 35-143  |
| Day care center, principal use (5)                           | MCUP  | —     | —     | —     | MCUP  | —     | 35-143  |
| Lodging - Farmstay                                           | S (6) | —     | —     | —     | —     | —     | 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 (7)                               | MCUP   | MCUP   | MCUP   | MCUP   | MCUP   | MCUP    |                      |
| Electrical transmission line (8) (9)                            | 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           |
| Heliport                                                        | CUP    | CUP    | CUP    | CUP    | CUP    | CUP     |                      |
| Highway and related facilities                                  | —      | —      | —      | —      | —      | PP      |                      |
| Parking facility, public or private                             | —      | —      | —      | —      | —      | PP (10) |                      |
| 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<br>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 (9)           | P (11) | P (11) | P (11) | P (11) | P (11) | P (11)  | Division 8           |
| Utility service line with 5 or more connections (9)             | MCUP   | MCUP   | MCUP   | MCUP   | MCUP   | MCUP    | Division 8           |
| Wind turbine and wind energy system                             | —      | —      | —      | —      | —      | —       |                      |

#### Key to Zone Symbols

|              |                |            |            |           |                   |
|--------------|----------------|------------|------------|-----------|-------------------|
| <b>AG-II</b> | Agriculture II | <b>REC</b> | Recreation | <b>RR</b> | Rural Residential |
|--------------|----------------|------------|------------|-----------|-------------------|

|             |                            |            |                     |           |                         |
|-------------|----------------------------|------------|---------------------|-----------|-------------------------|
| <b>M-CD</b> | Coastal-Dependent Industry | <b>RES</b> | Resource Management | <b>TC</b> | 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) A change of use from a residential to a large or small family day care home, serving children, is exempt from zoning permits. An application to construct a new structure to be used as a large or small family day care home, serving children, is subject to the same standards and permit requirements as a proposal to construct a residential structure in the same zone.
- (5) Day care centers serving up to and including fifty (50) children may be permitted with a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits).
- (6) Limitations apply on lands zoned with the Limited Agricultural Enterprise (LAE) Overlay District; see Section 35-102.I.
- (7) Use is subject to the standards of the PU zone.
- (8) Does not include electrical transmission lines outside the jurisdiction of the County.
- (9) Not allowed in the CVC overlay.
- (10) May include park and ride facilities.
- (11) May be considered a Principal Permitted Use (PP) when incidental, appropriate and subordinate to a use designated as the Principal Permitted Use (PP).

**SECTION 17:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection 4, Development Plan approval required, of Subsection E, Allowable land uses and permit requirements, of Section 35-430, Allowable Development and Planning Permit Requirements, to read as follows:

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).
  - 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).

## **SECTION 18:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Subsection C, Rural recreation, of Section 35-450, Standards for Specific Land Uses, to read as follows:

- C. **Rural recreation.** The following standards shall apply to rural recreation land uses allowed in compliance with Section 35-144S.10 (Rural Recreation) in addition to any other applicable standards contained in this Article.
- 1. **Allowed rural recreation uses by zone.**
    - a. Within the AG-II, REC and RES zone the following rural recreational uses may allowed in compliance with Section 35-430.E (Allowable land uses and permit requirements):
      - 1) **AG-II.** Those uses allowed in compliance with Section 35-144S.10 (Rural Recreation).
      - 2) **REC.** Outdoor public and/or private recreational uses, e.g., campgrounds, parks, trails, recreational vehicle accommodations, which may include structures and facilities that are required to support the allowed recreational uses, including:
        - a) Boat launching facilities.
        - b) Corrals and stables.
        - c) Lifeguard and ranger stations.
        - d) Limited concession facilities.
        - e) Parking areas.
      - 3) **RES.** Low intensity recreational uses that include the following provided that recreational vehicle accommodations are not provided:
        - a) Campgrounds and trails with minimum facilities including summer camps.
        - b) Dude ranches.
        - c) Group retreat facilities.
        - d) Hunting clubs.
  - 2. **Recreational facility development.** Development of recreational facilities shall:

- a. Conform with the Gaviota Coast Plan area visual and natural resources policies.
- b. Minimize grading, removal of vegetation, and paving.
- c. Be compatible with the rural character of the area.
- d. Preserve existing natural landforms in an undisturbed state to the maximum extent feasible.
- e. Incorporate landscaping that consists of drought-tolerant species.

**3. Setback and location requirements.**

- a. Campgrounds and ancillary facilities located south of Highway 101 shall be sited as far as feasible from the beach in order to reserve near-shore areas for day use, except for trails and public accessways that facilitate coastal public access to the beach.
- b. New recreational facility development, particularly campgrounds and parking lots (except trailhead parking lots), shall be sited in appropriate locations to facilitate coastal public access and recreation, in consideration of site constraints.

**4. Protection of vegetation.** The vegetation in the small canyons at the mouths of Cañada San Onofre and Cañada del Molino shall not be disturbed by recreational development or use.

**SECTION 19:**

DIVISION 17, Gaviota Coast Plan (GAV) Overlay, of Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to revise Section 35-460, Permit Requirements and Development Standards for Specific Land Uses in the AG-II Zone, to read as follows:

**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. 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.

**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).

1. The winery is located on premises used for vineyard purposes.
2. The winery is operated in connection with the processing of wine grapes grown on the premises.
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) Prepackaged meals or picnics, such as salads or sandwiches, or other foods prepared and delivered by an offsite permitted food facility.
    - b) Food trucks.
    - c) Catered food.
    - d) Foods prepared on the premises.
    - e) An outdoor barbeque not part of a food truck or catered food operation.
    - f) 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 function of tasting room operations, including wine tasting, marketing, sales, and education, and the primary agricultural use of the premises. 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 limited to 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, as established by the winery's approved permit.

- a) If tasting room hours of operation are not established by the winery's approved permit, incidental food service shall operate concurrently with the tasting room hours of operation, provided that the incidental food service shall commence no earlier than 10:00 a.m. and end no later than 8:00 p.m.
- 5) The incidental food service and winery tasting room shall comply with all standards regarding the provision, storage, preparation, and service of food, in addition to water supply and sanitation facilities, and shall obtain all necessary permits, as required by the County Public Health Department.
- 6) County Fire Department requirements shall be met.

**SECTION 20:**

All existing indices, section references and numbering, and figure and table numbers contained in the Article II, the Santa Barbara County 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 21:**

Except as amended by this ordinance, Divisions 1, 2, 4, 5, 7, 11, and 17 of Article II, the Santa Barbara County 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 22:**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 23:**

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 Section 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 voting for and against the same in 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 \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
STEVE LAVAGNINO, 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:

RACHEL VAN MULLEM  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

**EXHIBIT 2**  
**COUNTY LAND USE AND DEVELOPMENT CODE**  
**ZONING MAP ORDINANCE AMENDMENT**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, SECTION 35-1 OF CHAPTER 35, ZONING, OF THE SANTA BARBARA COUNTY CODE TO AMEND THE COUNTY ZONING MAP BY ADDING A NEW LIMITED AGRICULTURAL ENTERPRISE (LAE) OVERLAY ZONE TO IMPLEMENT A PART OF THE AGRICULTURAL ENTERPRISE ORDINANCE.

Case No. 24RZN-00004

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

**SECTION 1:**

Pursuant to the provisions of Subsection E, Map Amendments, of Section 35.14.020, Zoning Map and Zones, of Chapter 35.14, Zoning Map, and Chapter 35.104, Amendments, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, State of California, the Board of Supervisors hereby amends the County Zoning Map by adding a new zoning overlay, the Limited Agricultural Enterprise (LAE) Overlay Zone, as shown on maps titled "Santa Maria Valley West" (Exhibit 1), "Santa Maria Valley East" (Exhibit 2), and "Lompoc Valley" (Exhibit 3) attached hereto and which are made a part of said section by reference.

The amended County Zoning Map is made part of said section by reference, with the same force and effect as if the boundaries, locations, and lines of the districts and territory therein delineated and all notations, references, and other information shown on said zoning map were specifically and fully set out and described therein.

**SECTION 2:**

The Chair of the Board of Supervisors is hereby authorized and directed to sign and certify this Ordinance and all maps and said Exhibits 1, 2, and 3 to show that said exhibit maps have been adopted by this Board of Supervisors.

**SECTION 3:**

Except as amended by this Ordinance, Chapter 35.14, Zoning Map, of Article 35.1 of Section 35-1, the Santa Barbara 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 4:**

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 Maria Times, 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 \_\_\_\_\_, 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
STEVE LAVAGNINO, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

RACHEL VAN MULLEM  
COUNTY COUNSEL

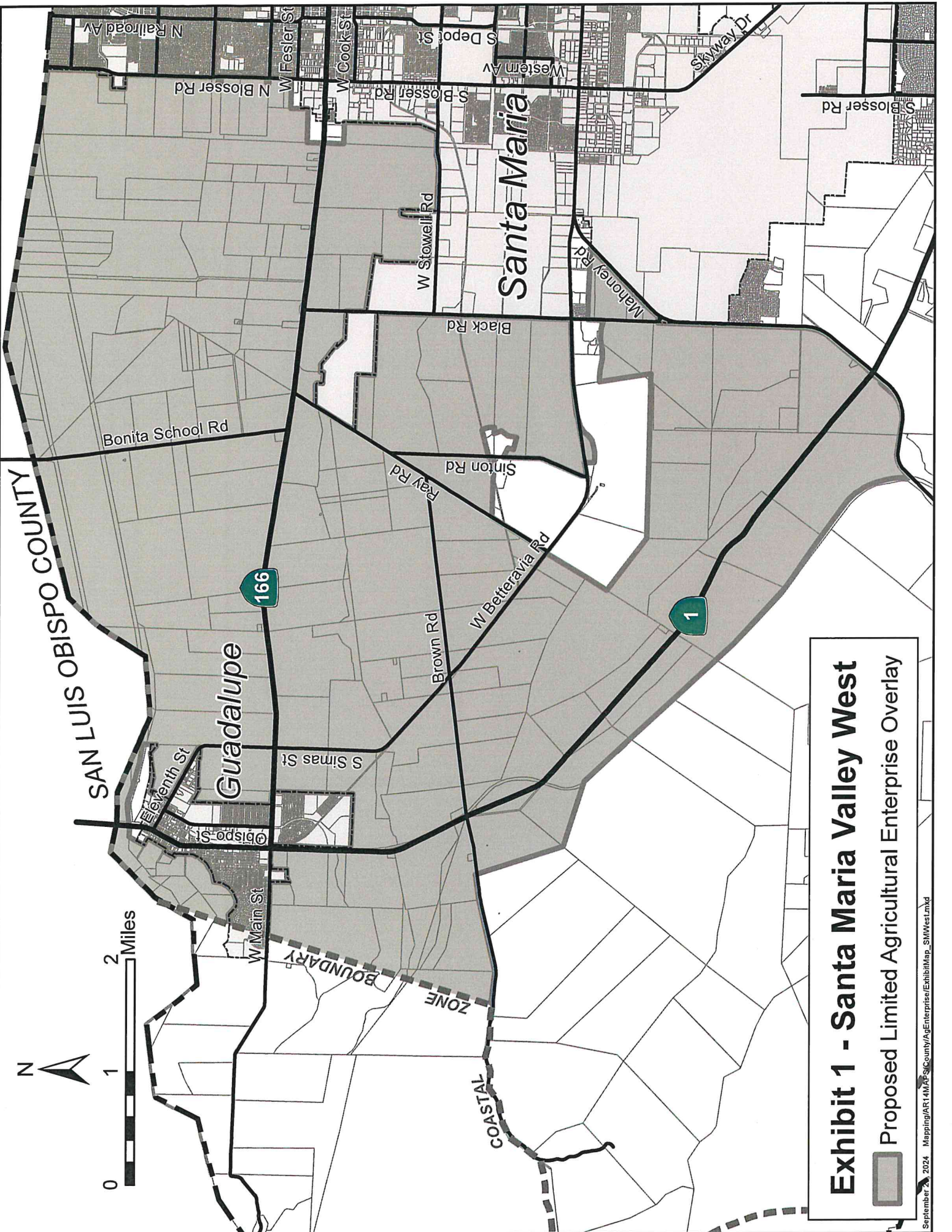
By: \_\_\_\_\_  
Deputy County Counsel

Exhibits:

Exhibit 1 – Santa Maria Valley West

Exhibit 2 – Santa Maria Valley East

Exhibit 3 – Lompoc Valley



# Exhibit 1 - Santa Maria Valley West

Proposed Limited Agricultural Enterprise Overlay