

# Agricultural Enterprise Ordinance

Case No. 23ORD-00005, 23ORD-00006, 24RZN-00004,  
and 24RZN-00005

Board of Supervisors  
December 10, 2024



County of Santa Barbara  
Planning and Development  
Julie Harris

# Hearing of November 5, 2024

- Considered AEO and Planning Commission Recommendations
- Public Comment
- Discussed 12 Potential Revisions
  - 10 to Zoning Ordinances
  - 1 to Limited Agricultural Enterprise (LAE) Overlay Map
  - 1 to Uniform Rules



# Table 1 – Summary of Proposed Revisions (1)

Use/Provision	Proposed Revision
<b>Assumed Consensus or Majority Support</b>	
1. Small-scale Campgrounds	Require Conditional Use Permit (CUP) on AG-II premises surrounded by AG-I zone
2. Small-scale Campgrounds	Number of campsites per premises size – split middle tier (100-320 acres) into two tiers as follows: <ul style="list-style-type: none"> <li>&gt; 100-200 ac: up to 20 sites</li> <li>&gt; 200-320 ac: up to 25 sites</li> </ul>
3. Small-scale Campgrounds	Incorporate Transient Occupancy Tax (TOT) requirement for landowner-provided accommodations

# 1. Small-scale Campgrounds

- Require CUP on AG-II premises surrounded by AG-I zone
  - (3) A low-impact camping area or campground operation proposed on a premises that is surrounded on all sides by lands zoned AG-I may be allowed with a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).
- Seeking clarification
  - Minor CUP (Zoning Administrator) or
  - CUP (Planning Commission)



## 2. Small-scale Campgrounds

- Number campsites per premises size
- Split middle tier (100-320 acres, 20 campsites max)
  - (3) Only one campground operation shall be allowed per agricultural premises. The following number of campsites may be allowed in one campground operation per agricultural premises:
    - (a) Up to 15 campsites on premises of 40 acres or more up to 100 acres.
    - (b) Up to 20 campsites on premises larger than 100 acres up to ~~200~~ ~~320~~ acres.
    - (c) Up to 25 campsites on premises larger than 200 acres up to 320 acres.
    - (d)~~(e)~~ Up to 30 campsites on premises larger than 320 acres.
    - (e)~~(d)~~ One additional campsite may be allowed per premises for each additional 200 acres over 320 acres, not to exceed a total of 60 campsites.



# 3. Small-scale Campgrounds

- Incorporate Transient Occupancy Tax where applicable

(11) 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.

# Table 1 – Summary of Proposed Revisions (2)

Use/Provision	Proposed Revision
<b>Seeking Confirmation of Consensus or Majority Support</b>	
4. Small-scale Campgrounds	Allow landowner-provided accommodations on 80% instead of 60% of total campsites in the campground
5. Small-scale Composting	Increase setbacks for composting operations adjacent to agricultural commodities, as follows: <ul style="list-style-type: none"> <li>• 1,000 ft from food/row crops</li> <li>• 400 ft from orchards or vineyards</li> </ul>
6. Educational Experiences and Opportunities, Small-scale Special Events, and Farmstays	Apply campground quiet hours, commencing at 9:00 p.m., to Educational Experiences, Small-scale Special Events, and Farmstays
7. Farmstays	Add a new permit tier or tiers to allow up to 9 and/or 15 guest rooms (i.e., bedrooms)

# 4. Small-scale Campgrounds

- Landowner-provided accommodations
  - Potentially increase percentage allowed from 60% to 80% of total number of campsites in a campground
- Staff seeking confirmation of this proposed change



# 5. Small-scale Composting

- Increase setbacks from adjacent commodities to:
  - 1,000 feet from commercial food crops
  - 400 feet from orchards and vineyard
- (a) A minimum ~~200~~–1,000 feet from the lot line of the agricultural premises on which the composting operation is located when a commercial food crop, ~~orchard, or vineyard~~ 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 ~~200-foot~~ setback to apply, the adjacent food crop, orchard, or vineyard farming operation must comply with all of the following: ...



## 6. Campground Quiet Hours to Other Uses

- Campground quiet hours begin at 9:00 p.m.
- Current proposals
  - Amplified sound at educational experiences – 10:00 p.m.
  - Amplified sound at small-scale special events – 10:00 p.m.
  - Farmstay quiet hours – 10:00 p.m.
  - Special events ending time – 11:00 p.m.
- Staff seeking clarification regarding change to quiet hours & ending times for all of these activities



# 7. Farmstays – Add New Permit Tier(s)

- To allow up to 9 and/or 15 guest rooms
- Staff seeks direction regarding:
  - Maximum guest rooms (9 only, 15 only, or allow both)
  - Permit type
    - LUP only
    - MCUP/CUP only
    - Combination
  - Maximum number of guests
    - Current rate = 2.5 guests per room

# 7. Farmstays – Add New Permit Tier(s)

- Draft example for two tiers allowing 9 and 15 guest rooms
  - b. A farmstay operation may be allowed with a Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits) provided the operation complies with the requirements pursuant to Subsections 35.42.134.C.1.a through 35.42.134.C.1.g, above, except Subsection 35.42.134.C.1.e, the standards in Subsection 35.42.134.D (Development standards), below, and the following:
    - (1) The maximum number of registered guests that can be accommodated shall be 23 per night and they shall be accommodated in no more than 9 guest rooms.
  - c. A farmstay operation may be allowed with a Minor Conditional Use Permit issued in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) provided the operation complies with the requirements pursuant to Subsections 35.42.134.C.1.a through 35.42.134.C.1.g, above, except Subsection 35.42.134.C.1.e, the standards in Subsection 35.42.134.D (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.



# Table 1 – Summary of Proposed Revisions (3)

Use/Provision	Proposed Revision
<b>Seeking Confirmation of Consensus or Majority Support</b>	
8. Small-scale Special Events	To create a registry of event sites, require a formal exemption from P&D and periodic renewal (e.g. every 1, 2 or 3 years)
9. Revocations - Limit Reapplications if Permit/Clearance is Revoked	If a Permit/Clearance is revoked, prohibit reapplication for the same use within 12 months of permit revocation date
10. Setbacks from Adjacent Premises	Consider adjustment of the minimum 100-foot setback to 50 ft with neighbor agreement
11. Limited Agricultural Enterprise Overlay	Consider modifying the boundaries of the overlay for the Santa Maria Valley East area to remove several assessors parcels
12. Uniform Rules Small-scale Campgrounds Compatible Use Requirements	Revise the rule regarding the number and size of campground development envelopes to better align with PC recommendation

# 8. Small-scale Special Events

- Create registry of event sites/require formal exemption and periodic review
  - Register exempt use through obtaining formal exemption determination
  - Timeframe for renewal – 1, 2 or 3 years
- Staff seeks confirmation of direction for events and frequency of renewal
  - Alternative – require Zoning Clearance



# 8. Small-scale Special Events

- Draft language – formal exemption and renewal
  - c. **Permit requirements.** Small-scale special events may be exempt from the requirements to obtain a permit or may be allowed with a permit in compliance with the permit requirements identified in Table 4-3 below. **Applicants for exempt small-scale special events shall register the exempt use with the Department by first obtaining a formal exemption determination from the Department prior to commencing the use.**

Table 4-3 ...

- (1) Renewal of exemption.** An exemption determination for a small-scale special events operation shall be valid for [time frame] and shall be renewed on an [time frame] basis. Commencing or continuing the use without first obtaining the exemption determination or renewal shall constitute a violation of the provisions of this Development Code.



# 9. Permit Revocation

- Limit reapplication if permit/clearance is revoked for:
  - Small-scale special events
  - Farmstays
  - Campgrounds
- Draft language
  - 3. 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.



# 10. Setbacks from Adjacent Premises

- Would apply to:
  - Small-scale special events
  - Educational experiences
  - Campgrounds
  - Composting
  - Farmstays
- Allow adjustment of minimum 100-foot setback to 50 feet with agreement between neighbors
- Can accomplish if land use criteria are included for consideration

# 10. Setbacks from Adjacent Premises

- Draft language

- a. A minimum 100-foot setback from the lot line of the agricultural premises on which the facilities or activities are located.

- (1) As part of a permit to be reviewed and approved by the Department, the 100-foot setback may be adjusted downward to 50 feet in the following circumstances:

- (a) Where intervening topography, vegetation, roads, protected habitats, or other features provides a sufficient buffer to reduce land use conflicts (e.g. noise, visual, agricultural trespassing, etc.) and protect an adjacent premises.

- (b) Where the facilities or stationary activities are separated from an adjacent premises by a four-lane highway.

In determining whether the criteria to reduce the 100-foot setback to 50 feet has been met, the Department may consider any mutual agreement between the applicant and the adjacent premises owner regarding the need for a 100-foot setback.





# Garey Area

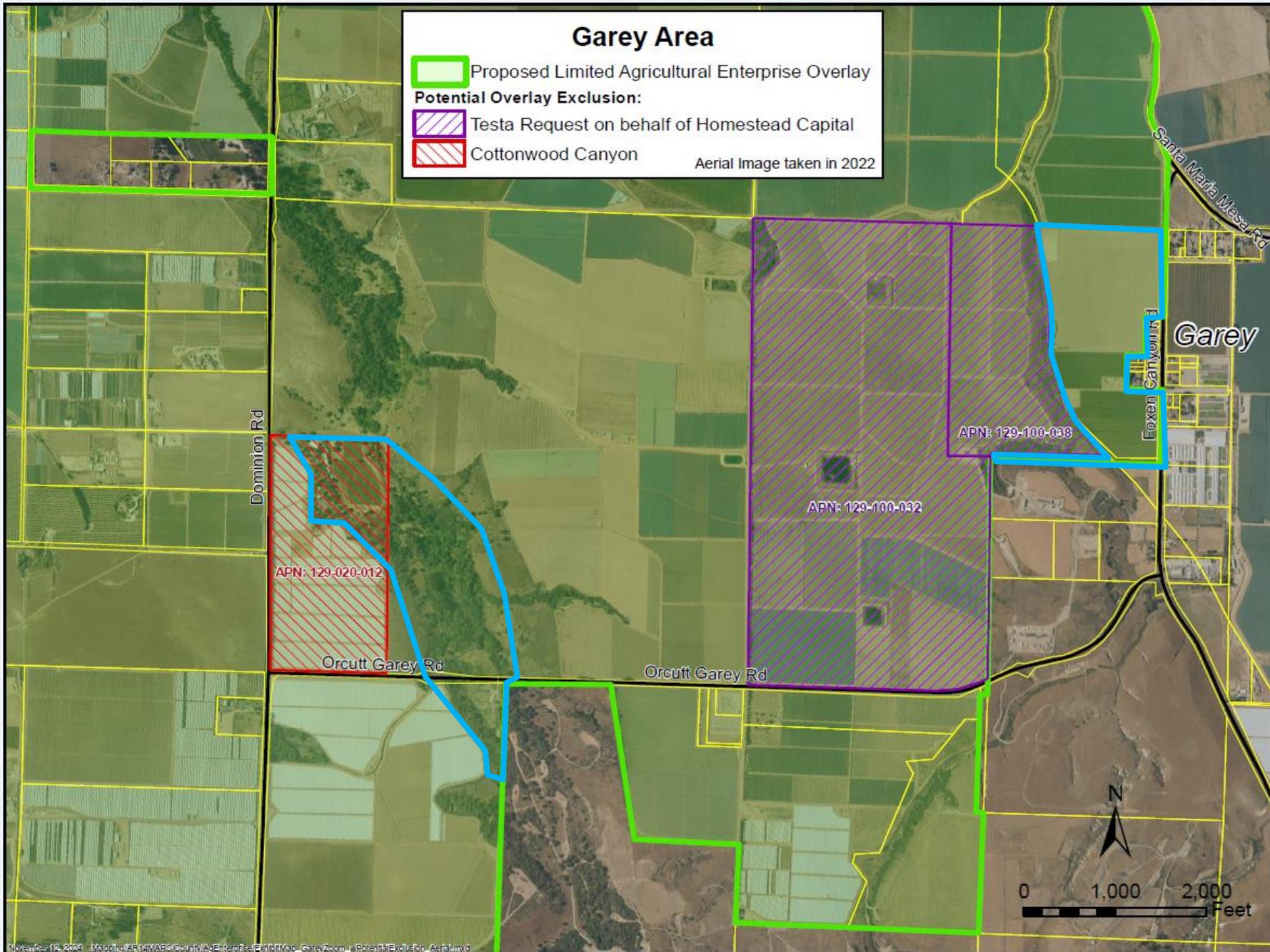
 Proposed Limited Agricultural Enterprise Overlay

**Potential Overlay Exclusion:**

 Testa Request on behalf of Homestead Capital

 Cottonwood Canyon

Aerial Image taken in 2022



# 12. Uniform Rules

- Revise Uniform Rule for compatibility criteria for small-scale campgrounds
- Better align PC recommendations with Final PEIR MM AG-2
  - Retain criteria on lands qualifying for prime lands (up to 100 acres)
  - Modify criteria for non-prime lands (generally larger than 100 acres and grazing lands)



# 12. Uniform Rules

- Draft language

Uniform Rule 2-4.B ...

3. On contracted land qualifying as prime land, small-scale camping may be deemed a compatible recreational use provided the following criterion is met:
  - a. Campground development area – limited to one campground development area per premises, not to exceed two acres.
4. On contracted land qualifying as non-prime land, small-scale camping may be deemed a compatible recreational use provided the following criteria are met:
  - a. Campground development area(s)
    - (1) On premises of 320 acres or less
      - (a) Up to two campground development areas may be allowed.
      - (b) Total disturbance of the area(s) not to exceed three acres.
      - (c) Remote campground development area(s) not to exceed one acre each.
    - (2) On premises larger than 320 acres
      - (a) Up to four campground development areas may be allowed.
      - (b) Total disturbance of the area(s) not to exceed five acres (Note: exclude counting roads as part of the total disturbance area on premises larger than 320 acres).
      - (c) Remote campground development area(s) not to exceed one acre each.



# Recommendation

- Make the required Findings, including CEQA Findings, and Statement of Overriding Considerations (Attachment 1)
- Certify the Program EIR (Attachment 2), as modified by the EIR Revision Document RV 02 (Attachment 3)
- Adopt an Ordinance amending the Zoning Regulations of the County Land Use and Development Code (Attachment 4) as revised at hearing
- Adopt an Ordinance amending the Zoning Regulations of the Article II Coastal Zoning Ordinance (Attachment 5) as revised at hearing



# Recommendation (cont.)

- Adopt an Ordinance amending the County Zoning Map adding a new LAE Overlay Zone (Attachment 6) as revised at hearing
- Adopt an Ordinance amending the Guadalupe Dunes/Point Sal Coastal Plan Zoning Overlay by adding a new LAE Overlay (Attachment 7)
- Adopt a Resolution amending the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Attachment 8) as revised at hearing
- Adopt a Resolution authorizing submittal of the AEO amendments as an amendment to the Local Coastal Program (Attachment 9)

