



COUNTY OF SANTA BARBARA

Planning and Development

**Proposed 2021 Amendment (Definitions and Rule 1-4)**

# Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones



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Uniform Rules for Agricultural Preserves and Farmland Security Zones

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**NOTES:**

The Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones were approved by the Board of Supervisors on September 25, 2007 by Resolution 07-193.

This document is updated on a periodic basis in order to include amendments adopted by the Board of Supervisors. Recently adopted amendments may not yet be incorporated into this copy. Please check with the Planning and Development Department Zoning Information Counter located at either 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, for information on amendments approved subsequent to the date shown on the front of this publication.

**September 2014 Republished**

The Uniform Rules for Agricultural Preserves and Farmland Security Zones was republished in September 2014 to reflect revisions resulting from the adoption of the following resolution by the Board of Supervisors in July 2014 and to resolve formatting issues.

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<u>Resolution No.</u>	<u>Case No.</u>	<u>Date of Adoption</u>	<u>Subject</u>
<u>21-_____</u>	<u>=</u>	<u>- -2021</u>	<u>Accessory Dwelling Units and Junior Accessory Dwelling Units</u>

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## INTRODUCTION

### PURPOSE OF AGRICULTURAL PRESERVE PROGRAM AND UNIFORM RULES

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

The Act requires that each participating local government have a set of uniform rules for administering Williamson Act and Farmland Security Zone contracts within its jurisdiction. The County's Uniform Rules establish the basic requirements of all contracts and are incorporated as a part of each contract. As a part of every contract, therefore, any change in the County's Rules applies to every contract currently in effect with the exception of rules specifically applied prospectively and those compatible uses permitted under Section 51238.3 of the Williamson Act.

Conservation of agricultural and open space land benefits the general public by discouraging premature conversion of land to urban land uses, thereby curtailing sprawl and promoting logical urban growth and provision of urban services. The Agricultural Preserve Program both protects agriculture and retains open space for its scenic qualities and value as wildlife habitat. Most directly, it contributes to the state's agricultural economy and the availability of fresh, nutritious, varied and affordable food. To ensure the long-term retention of these benefits, land enrolled in the program is prevented from being readily converted to urban or other non-agricultural uses. This is achieved by the County through conscientious and consistent enforcement of the Uniform Rules and the terms of the contracts, which also maintains the constitutionality of administering preferential property tax assessments for these lands.

#### I. AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS

As a participating county, the Williamson Act mandates that areas of the County be designated as agricultural preserves for application of the program. Land within the preserves that meets the eligibility requirements may enroll in the Agricultural Preserve Program through a Williamson Act or Farmland Security Zone contract with the County. It is Santa Barbara County's practice to establish the preserves simultaneously with enrollment in a contract, resulting in coterminous boundaries between the preserves and the contracts. Thus land anywhere within the County that meets the zoning, size, use and other requirements set forth in these Rules may be eligible to participate in the program.

Farmland Security Zone contracts, also referred to as "Super-Williamson Act contracts" are a special type of Williamson Act contract that receive greater tax benefits (35 percent reduction from assessed Williamson Act or Proposition 13 value) in exchange for longer contracts. In Santa Barbara County, the Farmland Security Zone program is not yet widely used. For this reason, these Uniform Rules refer primarily to Williamson Act contracts when discussing eligibility requirements, compatible uses, and

contract termination provisions. However, in most cases the requirements are the same for both Williamson Act and Farmland Security Zone contracts. Therefore, whenever these Rules mention Williamson Act contracts, it shall be presumed to include Farmland Security Zone contracts as well, unless specifically stated otherwise. Requirements specific to Farmland Security Zones are discussed in Rule 5.

Under the Act, contracts are automatically renewed each year following the first year of a 10-year Williamson Act contract (or 20 years for Farmland Security Zones), unless the owner or County serves a notice of nonrenewal or the contract is terminated as may be provided for by the Act and these Rules. When the County or a landowner serves a notice of nonrenewal upon the other party sufficiently prior to the renewal date (i.e. 90 days if served by the landowner, 60 days if served by the County), the contracted land must continue to meet County eligibility and compatible use requirements throughout the remaining duration of the 10-year or 20-year contract. For example, if a landowner non-renews a Williamson Act contract in September of 2006, the contract remains in effect for nine years from the start of the next calendar year (e.g. January 1, 2007). Therefore the contract would expire at the end of 2015.

## **II. CONTRACTS - ASSESSED VALUE OF LAND, IMPROVEMENTS AND LIVING IMPROVEMENTS**

The State Legislature enacted the California Land Conservation Act (Williamson Act) in 1965, with the intent of preserving agricultural lands for food and fiber production. At the time, property taxes were recalculated yearly, on the basis of market value. The Williamson Act changed this practice for open space and agricultural lands. With California taxpayer approval, the law prescribed specific methods for appraising properties under the Williamson Act. The Legislature determined that the assessed value of the agricultural use would be calculated based on the income approach to value, rather than the market approach. Adopting the Williamson Act was an effort to motivate landowners towards the goal of the program. It was *“an attempt to stop or at least slow down increases in real property taxes on farmland by providing methods for restricting land to agricultural purposes.”*<sup>1</sup>

### **Presumptions for Williamson Act Valuation Today**

The spirit and intent of the Williamson Act remain today under Proposition 13. Foremost in the appraisal process is the presumption that the agricultural (restricted) use of the land will continue into the foreseeable future and that the restrictions affect value. The non-restricted uses are valued at their market value, in accordance with Proposition 13.

### **Valuation Procedures for Enforceably Restricted Property**

The basic appraisal method for Williamson Act valuation is by the income approach to value. The assessor capitalizes all income attributed to the agricultural use of the land, (along with income from compatible uses such as radio towers, television repeaters, cell sites, commercial enterprises, the sale of water, mineral exploration leases, production contracts and recreation) into an indication of value. The assessor also capitalizes income produced from living improvements (fruit and nut bearing trees and vines) into an indication of value. The land and living improvement values comprise the restricted portion of the total assessment.

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<sup>1</sup> SBE Assessment of Agricultural and Open Space Properties, AH521 II-1.

Under the 1999 Farmland Security Zone Act, landowners that enter into a 20-year Farmland Security Zone contract can benefit from an additional 35 percent reduction on the restricted portion of their assessment.

### **Valuation Procedures for Unrestricted Property**

Non-restricted portions of the contracted property are valued at their market value, in accordance with Proposition 13. For example, residences and residential home sites are expressly excluded from the restricted calculation. If a 100-acre avocado ranch has a home with garage, pool, tennis court, guesthouse and an employee house, each home site and each of the structures will be assessed at market (Proposition 13) value. Any physical changes associated with the residential uses, such as driveways, grading, landscaping, domestic wells, etc. are also assessed at market value.

### **Total Assessed Value**

Each year the assessor sums the restricted and unrestricted values to calculate the final Williamson Act or Farmland Security Zone value for the contracted property. The Assessor also calculates the Proposition 13 base value and the current market value. The value placed on the tax roll will be the lesser of: 1) the Williamson Act value or Farmland Security Zone value, 2) the Proposition 13 base value, factored, or 3) the current market value.

## **IV. RELATIONSHIP OF PROGRAM TO OTHER LAND USE REQUIREMENTS**

The Uniform Rules implement the Williamson Act by defining eligibility requirements and compatible uses which each participating landowner must adhere to in order to receive a reduced tax assessment. The Uniform Rules do not authorize any development on agricultural land that is not otherwise permitted by the applicable zone district. Often the Rules are more restrictive than the underlying agricultural zoning requirements. However, the Rules do not supersede the County's land use requirements contained in the Comprehensive Plan and zoning ordinances, nor obviate the need for permits. The Agricultural Preserve Advisory Committee (APAC) is responsible for reviewing a land use application for consistency with the Uniform Rules and the Williamson Act, but does not make a decision on the permit. The land use permit must be reviewed and approved by the appropriate decision-maker in the permit process.

A landowner can obtain an early indication whether or not a proposed land use or activity may be allowed by bringing their proposal to the Agricultural Preserve Advisory Committee (APAC) for advisory review and by consulting with Planning and Development or submitting a pre-application to the County for any required permits.

## **V. AGRICULTURE AND URBAN INTERFACE**

The Board of Supervisors recognizes not only agriculture's contribution to the County but also its vulnerability to conversion to urban or other non-agricultural uses. In addition to the Agricultural Preserve Program, goals and policies in the County's Land Use and Agricultural Elements afford protection to both prime and nonprime agricultural lands. This includes protection from urban expansion and urban influences. It is important to reaffirm these policies here in the Uniform Rules. Two primary considerations regarding the interface of agricultural and urban lands are:

1. Agriculture does not ordinarily require urban services such as sanitary sewers, transit and lighting, and therefore such service districts should not be extended to cover agricultural land in, or eligible for inclusion in agricultural preserves. Taxing agriculturists for these services may impose an unnecessary tax burden and could hasten conversion to urban land uses.
2. To deter expansion of urban areas onto productive agricultural lands, the County encourages the entry of prime and producing agricultural lands adjoining urban areas into the Agricultural Preserve Program.

## **VI. ROLE OF THE APAC**

The Agricultural Preserve Advisory Committee was created by, and is advisory to, the Board of Supervisors and includes representatives from the Agricultural Commissioner's Office, Assessor's Office, County Surveyor's Office, Cooperative Extension, Planning and Development and the agricultural community. The Committee is responsible for administering the County's Agricultural Preserve Program and the Uniform Rules. Its duties include reviewing applications and making recommendations for creating agricultural preserves, entering new contracts, making revisions to existing preserves or contracts, terminating contracts and disestablishing preserves. In conjunction with these duties, the APAC is responsible for monitoring and enforcement of the Agricultural Preserve Program. When an application for a permit (or other County entitlement) involves land in a Williamson Act contract, the APAC has the responsibility to review the application to determine its consistency with the County's Uniform Rules. In addition, the APAC is responsible for determining the compatibility of land uses under the provisions of the Uniform Rules and the Williamson Act. From time to time it is also responsible for recommending revisions to the Rules to ensure their continuing consistency with the Williamson Act and suitability to Santa Barbara County. The APAC is a committee subject to the Ralph M. Brown Act and the public is welcome to attend meetings and provide input and comments on proposed recommendations or issues being discussed.



## DEFINITIONS

Some of the terms defined below are taken directly from the Williamson Act. The definitions in the Williamson Act (WA) may be amended from time to time by the state legislature. Any changes made to the Act's definitions will supersede the definitions included in these Rules. Other terms are taken directly from County zoning ordinance (Santa Barbara County Code Chapter 35, Zoning). Those definitions are also subject to change in response to future zoning ordinance amendments. In some cases, definitions are derived from County zoning ordinances or the Williamson Act but have been tailored to the requirements of the County's Agricultural Preserve Program and may be more restrictive than the zoning ordinances or the Williamson Act. Lastly, there are those definitions which have been developed specifically for the purposes of these Rules.

**Accessory dwelling unit:** An attached or a detached residential dwelling unit ~~on a permanent foundation~~ that is located on the same parcel as a single-family or multiple-family dwelling to which the accessory dwelling unit is accessory and (1) provides complete independent living facilities for one or more persons including permanent provisions for cooking, eating, living, sanitation, and sleeping, and (2) provides interior access between all habitable rooms, and (3) includes an exterior access that is separate from the access to the principal dwelling or accessory structure in which the accessory dwelling unit is located. An accessory dwelling unit may also include an efficiency unit, as defined in Section 17958.1 of Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

- 1. Attached accessory dwelling unit.** An accessory dwelling unit that shares a common wall with the principal dwelling or an attached accessory structure.
- 2. Detached accessory dwelling unit.** An accessory dwelling unit that is detached from the principal dwelling and is located on the same lot as the principal dwelling. A detached accessory dwelling unit may be attached to a detached accessory structure (derived from the Santa Barbara County Code, Chapter 35, Zoning).

**Agricultural commodity:** Any and all plant and animal products produced within the County for commercial purposes.

**Agricultural employee:** A person who primarily works or is engaged in agriculture.

**Agricultural preserve:** An area of contracted land devoted to either agricultural use, recreational use, or open space use, as herein defined, or any combination of those uses and which is established in accordance with the provisions of the Williamson Act and these Rules (derived from WA).

**Agricultural use:** The use of land for the purpose of producing an agricultural commodity for commercial purposes (WA). For the purposes of these Uniform Rules, commercial cannabis cultivation is considered an agricultural use.

**Cannabis:** All parts of the plant *Cannabis sativa Linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus Cannabis that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof, the resin whether crude or purified, extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means marijuana. For the purpose of these Rules, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.

**Cannabis product:** Cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible, or topical product containing cannabis or concentrate cannabis and other ingredients.

**Cancellation:** The immediate removal from contract of a parcel or premises under Williamson Act or Farmland Security Zone contract.

**Commercial:** Any activity or operation involving compensation or remuneration for its products or services.

**Commercial composting facility:** A commercial facility that is operated for the purpose of producing compost from the onsite and/or offsite organic material fraction of the waste stream and is permitted, designed, and operated in compliance with the applicable regulations contained in the California Code of Regulations, Title 14, Division 7, as may be amended from time to time. Non-commercial composting that is part of an agricultural operation is not included within this definition (derived from the Santa Barbara County Code, Chapter 35, Zoning).

**Contiguous:** Property shall be considered to be contiguous for the purposes of these Uniform Rules if two or more properties are adjoining, touch at a point or share a common boundary, or are separated by a road, street, utility easement, railroad right-of-way or other public facility so long as the property is owned in common and can reasonably be operated as a single agricultural unit (derived from Subdivision Map Act).

**Contract:** The legal document that binds the parties under the terms of the Williamson Act and these Rules.

**Contracted land:** Land under either a Williamson Act or Farmland Security Zone contract; used generally to refer to all land in the County enrolled in the Agricultural Preserve Program.

**Development envelope:** The area of land in an agricultural preserve within which all residential, residential accessory structures, and other structures and uses not associated with the commercial agricultural operation, including landscaping and access to the buildings or structures, are located. Examples of such structures include, but are not limited to, guest houses, non-agricultural roads, and personal horse stables. Septic systems would be included in this development envelope if they take land out of agricultural production.

**Fully planted:** In conjunction with prime and superprime land, land devoted to active crop production, excluding both agricultural and non-agricultural buildings and structures as well as non-producing land. Fully planted land does not include: diseased or otherwise previously producing land which is not currently producing an adequate income for qualification as prime or superprime land; unplanted easements or unplanted setbacks; driveways and roads; waterways, wetlands and other terrain features that will not support commercial agricultural production.

**Guest ranch:** Agricultural tourism that provides accommodation to paying guests incidental to or in conjunction with the principal commercial agricultural operation (derived from Santa Barbara County Code Chapter 35, Zoning).

**Guest house:** Detached living quarters of a permanent type of construction without kitchen or cooking facilities of any kind, intended and used primarily for temporary guests of the occupants of the main building on the parcel on which such guest house is located, and not rented or otherwise used as a

separate dwelling (Santa Barbara County Code Chapter 35, Zoning).

**Historic structure:** A structure that was built on or moved onto land prior to the land being placed under a Williamson Act contract and meets the requirements of the Cultural Resource Guidelines Historical Resources Element for a historic structure.

**Immediate family:** The spouse of the landowner, the natural or adopted children of the landowner, the parents of the landowner, the siblings of the landowner, or the grandchildren of the landowner.

**Junior accessory dwelling unit.** A residential dwelling unit that is no more than 500 gross square feet in size and contained entirely within a one-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

**Land reclamation fill:** Fill consisting of solid materials or soil that is non-toxic, noncombustible, non-organic and not hazardous, and which is used as fill to contour existing uneven terrain for the purpose of reclaiming land for agricultural use (County Grading Ordinance).

**Managed wetland area:** An area, which may be an area diked off from the ocean or any bay, river or stream to which water is occasionally admitted, and which, for at least three consecutive years immediately prior to being placed within an agricultural preserve pursuant to these Rules, was used and maintained as a waterfowl hunting preserve or game refuge or for agricultural purposes (WA).

**Multiple contract preserve:** The situation whereby two or more contiguous prime and/or superprime premises, none of which qualify independently as an agricultural preserve, are combined to meet the minimum preserve size of 40 acres; each ownership remains under a separate contract, but each ownership's continuing individual eligibility depends on remaining within a minimum 40-acre block of contracted land.

**Nonprime land:** land that is not prime (or superprime). This may include, but is not limited to, land used for grazing or dry farming (derived from WA).

**Nonrenewal:** Withdrawal of land under contract whereby the contract remains in effect for the remainder of the term of the contract (i.e. nine years for a Williamson Act contract or 19 years for a Farmland Security Zone contract).

**Notification of Assumption of Williamson Act Contract:** When all the land under a single contract is transferred to a new owner and no changes to contract boundaries result, the new owner shall assume the original contract and all of the requirements therein, and submit to the County such a notification.

**Open space use:** The use or maintenance of land in a manner that preserves its natural characteristics, beauty, or openness for the benefit and enjoyment of the public, to provide essential habitat for wildlife, if the land is within a scenic highway corridor, a wildlife habitat area, a saltpond, a managed wetland area, or a submerged area, as these terms are herein defined in these Rules (derived from WA).

**Parcel:** A single parcel of land in one ownership, the boundaries of which are delineated in the latest recorded parcel map, subdivision map, or Certificate of Compliance recorded in the County Recorder's Office or deed provided that such recorded deed does not create or attempt to create a parcel in violation of the provisions of any applicable California law or County ordinance (Santa Barbara County Code Chapter 35, Zoning); also referred to as legal parcel. Unless otherwise specified, the gross acreage of the parcel is considered to be the parcel size.

**Premises:** The area of land under a single Williamson Act or Farmland Security Zone contract; the premises may comprise a single legal parcel or multiple contiguous legal parcels under the same ownership.

**Prime land:** means any of the following:

1. All land that qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classifications.
2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
3. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
4. Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than five hundred dollars (\$500) per acre.
5. Land which has returned from production of unprocessed agricultural plant products an annual gross value of not less than five hundred dollars (\$500) per acres for three of the previous five years, except that for irrigated pasture this figure will be two hundred dollars (\$200) per acre for three of the previous five years(derived from WA).
6. In all cases, prime land must have a secure water source adequate to support the agriculture on the premises.
7. Superprime land is a subset of prime land - see definition.

**Principal dwelling:** A dwelling serving as the primary inhabited structure.

**Recreational use:** The use of the land in its agricultural or natural state by the public, with or without charge, for any of the following: walking, hiking, picnicking, wilderness camping, scenic viewing, swimming, boating, fishing, hunting, horseback riding or other similar low intensity recreational activities (derived from WA).

**Replacement contract:** A contract that is required when the boundaries or principal uses (i.e. Agriculture, Open Space, or Recreation) of the original contract are changed.

**Rescission:** The process of simultaneously voiding an existing contract and entering into a new contract where there is no reduction in the amount of land under contract.

**Residential Agricultural Unit (RAU):** An attached or detached single family dwelling unit on a permanent foundation located in the AG-I-40, AG-II-40, AG-II-100, and AG-II-320 zone districts, or a detached duplex on a permanent foundation located in the AG-II-320 zone district, which provides complete, independent living facilities for one or more persons in addition to a principal one-family dwelling. A RAU shall not be sold, transferred, or financed separately from the principal structure, but may be rented or leased on a non-exclusive basis. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation, and shall be located entirely on the same parcel that contains

the principal dwelling (Santa Barbara County Code Chapter 35, Zoning).

**Submerged area:** Any land determined by the Board of Supervisors to be submerged or subject to tidal action and found by the Board to be of great value to the state as open space (WA).

**Superprime land:** Prime agricultural lands of the County south of the Santa Ynez Mountains and east of Gaviota Pass which are highly productive due to the combination of soils and climate that are uniquely suitable to specialty horticultural produce and floral varieties, and that are capable of supporting commercially viable agricultural operations on parcels as small as five acres. Superprime land is a subset of prime land and can be combined with either prime contracts or other superprime contracts to form a prime preserve of at least 40 acres. In order to qualify, it must meet specific production requirements that are different than regular prime land, as outlined in Section 1-2.3 and Table 1-2 of these Rules.

**Wildlife habitat area:** A land or water area designated by the Board of Supervisors, after consulting with and considering the recommendation of the Department of Fish and Game, as an area of great importance for the protection or enhancement of the wildlife resources of the state (WA).

**Winery:** A bonded establishment primarily used for the purpose of processing grapes or other fruit products. Processing includes, but is not limited to, crushing, fermenting, blending, aging, storage, bottling, and wholesale/retail sales (Santa Barbara County Code Chapter 35, Zoning).

# UNIFORM RULE 1

## Requirements for Agricultural Preserves, and Williamson Act and Farmland Security Zone Contracts

*Adopted August 9, 1971; amended by Resolution Nos. 73-28 (January 15, 1973), 74-84 (February 4, 1974), 74-344 (May 13, 1974), 75-825 (October 27, 1975), 76-29 (January 12, 1976), 78-466A (October 30, 1978), 84-464 (October 8, 1984), 99-268 (July 6, 1999), 07-193 (September 25, 2007)*

### 1-1. INTRODUCTION

The Williamson Act establishes certain minimum requirements and encourages participating local governments to establish requirements (which may be stricter than the Act but not more lenient) to tailor the program to better reflect local characteristics and objectives. This Rule sets out the County's criteria to be used in judging the qualifications of parcels for the creation and continuance of Agricultural Preserves and Williamson Act contracts, under the terms of the California Land Conservation Act of 1965 and these Rules, both as amended or to be amended. It includes such requirements as zoning, minimum preserve size, minimum parcel size, and agricultural production.

The signing of the Williamson Act contract and the adoption of the resolution creating the Agricultural Preserve shall be completed concurrently for all proposals.

As mentioned in the Introduction to these Rules, because Farmland Security Zone contracts are similar to Williamson Act contracts in terms of eligibility requirements and compatible uses, references to Williamson Act contracts in this Rule shall be presumed to include Farmland Security Zone contracts as well, unless specifically stated otherwise. Additional eligibility requirements specific to Farmland Security Zones are discussed in Rule 5.

#### 1-1.1 County Objectives

In determining initial and ongoing eligibility or reviewing related proposals, the Agricultural Preserve Advisory Committee shall take into consideration the following objectives of the County:

##### A. Commercial Agricultural Production

Land eligible for inclusion in the Agricultural Preserve Program shall be used principally for the commercial production of agricultural commodities. Lands not used for commercial agricultural production, but desirable for preservation, may qualify for inclusion in the program as preserves for recreational or open space use.

##### B. Land Quality

The quality of agricultural land varies widely, depending on soil, terrain, water availability, climate, and other factors. The County wishes to protect the maximum amount of productive and potentially productive agricultural land, which can be either prime or nonprime land.

## 1-2. ELIGIBILITY REQUIREMENTS

In order to enter land into a Williamson Act contract or amend an existing contract, and maintain continued eligibility during the life of the contract, land must meet all of the applicable requirements identified in this Rule.

Only whole, legally created and recorded parcels shall be accepted in an agricultural preserve. Where a landowner applies to enroll their entire contiguous landholding in a single contract, and the landholding complies with these rules, the landowner shall not be required to provide a certificate of compliance or other evidence that the landholding is a legally created parcel or parcels. Documentation of parcel validity will be required should the landowner make a request for development on the parcel or parcels.

### 1-2.1. Comprehensive Plan and Zoning Requirements

Eligible land shall have land use and zoning designations consistent with those listed in Table 1-1.

**Table 1-1. Comprehensive Plan and Zoning Requirements**

Contract Type	Comprehensive Plan Designation	Zone Districts
Agriculture and Recreation	Agricultural Commercial, Agriculture I, Agriculture II, and Mountainous Area	Agriculture, Mountainous, and Resource Management
Open Space	Agricultural Commercial, Agriculture I, Agriculture II, Mountainous Area, and Other Open Lands	Agriculture, Mountainous, and Resource Management

The zoning designation shall include a minimum parcel size consistent with the provisions of Section 1-2.2 (e.g., AG-I-40 or MT-GOL-40 for a prime preserve or AG-II-100 or MT-TORO-100 for a nonprime preserve). The AG-I-5 zoning district may be used or applied only in conjunction with the provisions of Subsection 1-2.2.C.3, Superprime Land.

Interested landowners with ineligible land use or zoning designations should request and secure a general plan amendment and/or rezone prior to or concurrent with the processing of the agricultural preserve and Williamson Act contract, subject to the provisions outlined in Section 1-2.4. Land zoned under Ordinance 661 is not eligible for a Williamson Act contract unless the application is accompanied by a general plan amendment, rezone, or consistency rezone request.

### 1-2.2. Minimum Preserve and Contract Size

#### A. Preserve Size

Except as provided for in Subsection C.4 below, the minimum size for an agricultural preserve comprising nonprime land shall be 100 acres and the minimum size for an agricultural preserve comprising prime or superprime land shall be 40 acres.

#### B. Existing and Assumed Contracts

Existing prime and nonprime contracts for which no changes are proposed that meet the minimum preserve size, but which are made up of parcels which do not meet the minimum parcel size set forth in Subsection 1-2.2.C below, shall continue to be eligible with respect to minimum preserve and contract size. The assumption of an existing contract shall also continue to be eligible with respect to minimum preserve and contract size, assuming no changes to contract boundaries occur.

If the owner of an existing or assumed contract proposes a change to the contract (e.g. changing the contract boundary or obtaining a permit for development) then the contract would need to adhere to all of the eligibility requirements contained in Section 1-2.2 of this Rule.

### **C. New and Replacement Contracts**

Applications for new or replacement contracts shall be considered for land if its size and type are one of the following:

#### **1. Nonprime Land**

When the land is classified as nonprime, the minimum preserve size is 100 acres under single ownership.

#### **2. Prime Land**

When the land is classified as prime, as defined in these Rules, the preserve can be made up of either of the following:

- a. A single parcel contract of at least 40 acres in size; or
- b. Two or more contiguous parcels (under one or more contracts) which total at least 40 acres, when each parcel (and contract where applicable) is either:
  - (1) A minimum of 20 acres; or
  - (2) A minimum of five acres of superprime land as defined in Subsection C.3 below; or
  - (3) A combination of (1) and (2) above.

Subsections (1) through (3) above apply when contract applications for an aggregate preserve of 40 acres or more are concurrently processed or when a new contract for less than 40 acres is added to other contracts in an existing prime preserve.

#### **3. Superprime Land**

Prime agricultural lands of the County south of the Santa Ynez Mountains and east of the Gaviota Pass which are highly productive due to the combination of soils and climate are uniquely suitable to specialty horticultural produce and floral varieties, and are capable of supporting commercially viable agricultural operations even on smaller properties. The Board of Supervisors has determined that such “superprime” agricultural lands are important to protect and therefore finds that parcels between five acres and less than 20 acres in size are eligible for inclusion in 40-acre minimum prime preserves, pursuant to Subsection 1-2.2.C.2.b above.

#### **4. Prime Preserves Reduced in Size with Special Findings**

Notwithstanding the above, the Board of Supervisors may at its discretion reduce the requirements for minimum size for the creation of a prime preserve to not less than 30 acres in one parcel, or in several contiguous parcels as stipulated in Subsection 1-2.2.C.2, if it finds that such a smaller preserve is necessary due to the unique characteristics of agricultural enterprises



in this County, that the establishment of such a preserve of lesser size is consistent with the Comprehensive Plan, as provided for in Section 1-2.1, and that all of the following findings apply to the proposed preserve of lesser size:

- a. No other contiguous owners desire to enroll their land in a Williamson Act contract simultaneously to create a multiple contract preserve of 40 acres or more, pursuant to Subsection 1-2.2.C.2 above;
- b. Each parcel meets the minimum requirements established for prime or superprime land pursuant to Subsection 1-2.2.C.2;
- c. Each landowner maintains annual production records demonstrating that the land is being used for commercial agricultural production and continues to meet the eligibility requirements set forth in Section 1-2.3, and makes such records available to the County upon request;
- d. The contracts will be subject to annual monitoring by the County for a period of no less than five years and thereafter as required pursuant to Section 6-1.7 of these Rules. If at any time it is demonstrated that there is no longer a commercial agricultural operation on the premises, then the County shall proceed with issuing a notice of nonrenewal pursuant to Section 6-1.7 of these Rules.

## **5. Special consideration**

Other than superprime land, non-preserve islands surrounded by preserve lands may be considered as eligible when all criteria other than size are met.

## **D. Additions to Contracts**

Additions to existing contracts of contiguous parcels shall be allowed as follows:

### **1. Nonprime Land**

Any individual parcel 100 acres or greater in size, and which meets the definition of nonprime as set forth in these Rules, may be added to an existing nonprime contract provided the existing parcel(s) and parcel to be added are contiguous and are under the same ownership.

No sub-100 acre additions to nonprime contracts shall be allowed, except when the parcels to be added and existing contract are under the same ownership.

### **2. Prime and Superprime Land**

Any individual parcel that meets the definition of either prime land or superprime land as set forth in Subsection 1-2.2.C.2, and is a minimum of 20 acres or five acres, respectively, may be added to an existing prime or superprime contract within a prime preserve that is contiguous and under the same ownership. Any individual parcel that meets the definition of either prime land or superprime land as set forth in Subsection 1-2.2.C.2, and is a minimum of 20 acres or five acres, respectively, may be added to a preserve containing both nonprime and prime land only when the total resulting prime or superprime land in the two or more adjacent parcels is 40 acres or more and when these prime or superprime lands are contiguous and under the same

ownership.

No sub-20 acre additions to prime contracts or sub-five acre additions to superprime contracts shall be allowed, except when the parcels to be added and existing contract are under the same ownership and any lot line is eradicated between a parcel within the existing contract and the added land, or adjusted pursuant to Section 1-3 below, provided that all resulting parcels meet the individual parcel size requirements and combine to meet the minimum prime preserve size requirements for Williamson Act contracts as set forth in Subsection 1-2.2.C.2.

### **1-2.3. Commercial Production and Reporting Requirements**

To qualify for a Williamson Act contract and maintain ongoing eligibility, it must be demonstrated that the land is and will be used principally for the production of commercial agricultural products. This is particularly important for prime and superprime land which tends to be enrolled in smaller parcels. Therefore, contracts for prime and superprime land shall comply with the following productive acreage and annual production value/prime soils requirements, as presented in Subsections A and B below. Nonprime land is addressed in Subsection C, while Subsection D applies to all contracted land.

#### **A. Prime Land**

In order to qualify and maintain eligibility for a contract, prime land shall comply with the following:

##### **1. Minimum Productive Acreage:**

Prime land must maintain a minimum of either 50 percent of the premises or 50 acres, whichever is less, fully planted (as defined herein) in commercial agricultural production (with allowances for fallow periods, change of crop or production method), unless it can be demonstrated to the APAC that this is unreasonable due to terrain, sensitive resources or other similar constraints. Where constraints are determined to exist, the APAC will recommend the minimum productive acreage particular to the premises.

In addition to meeting this minimum productive acreage requirement, prime contracts shall also comply with either 2 or 3 below.

##### **2. Average Annual Production Value:**

- a. Agricultural production on prime land must yield an annual gross product value equal to or exceeding five hundred dollars (\$500) per gross acre<sup>2</sup> per year averaged over at least three of the previous five years; or
- b. The land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed

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<sup>2</sup> Gross acre refers to the entire number of acres under a single contract, not just the acres in production. For example, if only 20 acres on a 40-acre contract were in cultivation, the annual gross product value would need to be at least \$1,000 per planted acre in order to meet the \$500 per gross acre requirement.

agricultural plant production not less than \$500<sup>3</sup> per gross acre; or

- c. For irrigated pasture, agricultural production must yield an annual gross product value equal to or exceeding two hundred dollars (\$200) per gross acre per year averaged over at least three of the previous five years, or must be able to support at least one animal unit month (AUM) per acre.

**3. Prime Soils:**

The land is composed of prime soils (i.e. qualifies for rating as class I or class II in the Natural Resource Conservation Service land use capability classification or 80 through 100 in the Storie Index Rating).

**B. Superprime Land**

In order to qualify and maintain eligibility for a contract, superprime land shall comply with the requirements of either Column 1 or 2 of Table 1-2 below (as described in more detail in Subsections B.1 and B.2 below), though in no case shall superprime land yield an annual gross product value per parcel less than \$5,000 and have fewer than 4.75 acres fully planted in commercial production:

**Table 1-2. Production Requirements for Superprime Land**

<b>Parcel Size (acres)</b>	<b>Column 1 Average Annual Production Value</b>	<b>Column 2 Minimum Productive Acreage per Parcel (acres)</b>
5 to 10	\$5000 per parcel	4.75
> 10 to 11	\$10,000 per parcel	5.00
> 11 to 12		5.50
> 12 to 13		6.00
> 13 to 14		6.50
> 14 to 15		7.00
> 15 to 16		\$15,000 per parcel
> 16 to 17	8.00	
> 17 to 18	8.50	
> 18 to 19	9.00	
> 19 to < 20	9.50	

**1. Average Annual Production Value:**

Agricultural production on superprime land must yield an annual gross product value per parcel equal to or in excess of the values listed in Column 1 of Table 1-2. The average annual production value is averaged over at least three (3) of the previous five years, or the land is planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than the minimums set forth in Table 1-2. The production value is determined by multiplying the total production per parcel by the average value of the commodity for the

<sup>3</sup> The product value is determined by multiplying the total annual productive acreage on the premises by the average value of the commodity for the previous five years as determined by the Agricultural Commissioner’s Office, then dividing this total by the number of acres on the premises.

previous five years as determined by the Agricultural Commissioner's Office; or

**2. Minimum Productive Acreage:**

Contracts on superprime land must maintain a minimum acreage fully planted (as defined herein) in commercial agricultural production consistent with Column 2 of Table 1-2 (with allowances for fallow periods, change of crop or production method), unless it can be demonstrated to the APAC that this is unreasonable due to terrain, sensitive resources or other similar constraints. Where constraints are determined to exist, the APAC will determine the minimum productive acreage particular to that contract, however, in no case shall this be less than 4.75 acres.

**C. Nonprime Land**

Contracted land that is nonprime shall be engaged in active commercial agricultural production as its principal use. Nonprime land may be used for either grazing and/or cultivated agriculture and shall have a secure water source if required to support the agricultural activity.

**D. Production Records**

In order to ensure compliance with the production requirements in Section 1-2.3, agricultural operations on contracted land shall maintain records of annual productive acreage and its production value to demonstrate continued eligibility, and make this information available to the County upon request.

**1-2.4. Adjustments to Parcels and Zoning**

- A. Except as provided for in Section 1-2.2.D above, whenever a landowner wishes to enter only part of an existing parcel, the landowner shall record a subdivision map or lot line adjustment prior to or simultaneously with submitting an application for enrollment into the Agricultural Preserve Program and prior to execution of a Williamson Act contract.
- B. For prime and superprime contracts, parcels in the same ownership which are too small individually to qualify must be merged or adjusted before the contract may be recommended for approval by the APAC.
- C. After a contract is entered into, any size reduction of any parcel resulting from a land division or lot line adjustment within the contract shall be allowed only if all parcels thus created meet the eligibility criteria of this Rule and, if the exterior boundaries of the contract change, are accompanied by an application for a replacement contract.
- D. In order for a parcel or group of parcels to be eligible for new and replacement contracts, the parcel(s) shall be zoned to the applicable zoning designation consistent with the qualifying preserve.

**1-3. LOT LINE ADJUSTMENTS**

A lot line adjustment proposed on parcels which are under Williamson Act contract shall only be approved provided the landowner(s) and County mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to the requirements set forth in this Rule, and the Board of Supervisors finds all of the following:

- A. The lot line adjustment shall comply with all the findings for lot line adjustments in Chapter 35, Zoning, of the Santa Barbara County Code.
- B. The new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term of at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years.
- C. There is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts.

*[Aggregate acreage refers to the total contract acreage combined between the parcels involved in the lot line adjustment.]*

- D. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

*[This finding refers to the location of the Williamson Act contract. Through the lot line adjustment, 90 percent of the new contract(s) would need to remain in the location of the original contract(s).]*

- E. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use.
- F. The lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
- G. The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
- H. The lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the Comprehensive Plan.

#### **1-4. PERMITTED RESIDENTIAL LAND USES**

The Board of Supervisors recognizes the importance of providing housing opportunities on agricultural land enrolled in the Agricultural Preserve Program, in order to accommodate landowners and their agricultural employees. However, the Board also recognizes that the primary purpose of the Williamson Act is the long-term preservation of the maximum amount of agricultural and open space land. In an effort to balance these issues, the Uniform Rules allow for limited residential opportunities on contracted land. These allowances may be more restrictive than the applied zoning designation permits for residential site use.

All requests for residential structures including additions to existing residences, accessory dwelling units (ADUs), junior accessory dwelling units (JADUs), agricultural employee housing, and accessory improvements and structures shall be reviewed by the APAC for a compatibility determination that the improvement or structure is sited in accordance with this section and the compatibility guidelines set forth in Rule 2.

The following sections present the types of housing units potentially available on contracted land, including principal dwellings, ADUs, and agricultural employee housing. Table 1-3 highlights the various housing types and combinations permitted within each zone district. Please refer to the applicable zoning ordinances

for more detailed information on the housing requirements and limitations for each zone district.

**Table 1-3. Housing Opportunities on Lands under Williamson Act Contract**

Zone District	Principal Dwelling	Agricultural Employee Housing <sup>1</sup>		RAU <sup>2,3</sup>		Guest House <sup>2</sup>		ADU <sup>2,4</sup>		JADU <sup>2,4</sup>
AG-I-5	✓	✓		N/A	+	✓	or	✓	or	✓
AG-I-10	✓	✓			+	✓	or	✓	or	✓
AG-I-20	✓	✓			+	✓	or	✓	or	✓
AG-I-40	✓	✓	+	✓	+	✓	or	✓	or	✓
AG-II-40	✓	✓	+	✓	+	✓	or	✓	or	✓
AG-II-100	✓	✓	+	✓	+	✓	or	✓	or	✓
AG-II-320	✓	✓	+	one or duplex	+	✓	or	✓	or	✓
MT-TORO	✓	N/A		N/A	+	✓	or	✓	or	✓
MT-GOL	✓	✓			+	✓	or	✓	or	✓
RES	✓	N/A			+	✓	or	✓	or	✓

<sup>1</sup> One or more based on demonstrated need.

<sup>2</sup> Limits on maximum size of unit (among other requirements).

<sup>3</sup> The County no longer issues permits for new RAUs, and legally established (e.g., permitted), existing RAUs are considered non-conforming uses that are compatible uses on contracted lands. See Section 1-4.2 Residential Agricultural Unit.

<sup>4</sup> A guest house shall not be permitted on a parcel containing an existing or proposed ADU or JADU (Santa Barbara County Code Chapter 35, Zoning).

**1-4.1. Principal Dwelling**

A. A single principal dwelling shall be allowed on the premises.

**B. Premises made up of parcels less than 100 acres in size.**

1. For premises with parcels between 20 acres and less than 100 acres, the principal dwelling and all accessory structures (including ADUs and JADUs), landscaping, and non-agricultural roads serving the dwelling shall occupy no more than two acres or three percent of the parcel, whichever is smaller.
2. In the case of superprime contracts (premises with parcels between five acres and less than 20 acres in size), the principal dwelling and all accessory structures, landscaping, and non-agricultural roads serving the dwelling shall occupy no more than 10,000 square feet or such larger area as is provided for under Subsection D below.
3. Farm buildings, corrals, and permitted agricultural employee housing shall not be subject to the above site limitation, except in the case of superprime contracts as described in Subsection D below.

**C. Premises containing parcels greater than or equal to 100 acres in size.**

1. For premises with multiple parcels with a zoning minimum parcel size of 100 acres or greater, a maximum of three principal dwellings may be allowed provided each dwelling is located on a separate legal parcel at least 100 acres in size. As a condition of a land use permit, the additional principal dwelling(s) shall be occupied by an immediate family member as defined herein, and the property owner shall provide evidence of a written agreement that all lands

within the agricultural preserve contract shall be managed principally for agricultural purposes, subject to the terms and conditions of the Williamson Act and Uniform Rules, for the duration of the contract.

2. Where premises contain parcels both less than 100 acres and equal to or greater than 100 acres in size, and an existing principal dwelling is located on a parcel less than 100 acres in size, no further principal dwellings are allowed.
3. In the case of a single principal dwelling on the premises, the dwelling and all accessory structures (including ADUs and JADUs), landscaping, and non-agricultural roads serving the dwelling shall occupy no more than two acres or three percent of the parcel, whichever is smaller.
4. In the case of two or three principal dwellings on the premises, the total area occupied by all of the dwellings and all accessory structures (including ADUs and JADUs), landscaping, and non-agricultural roads serving the dwellings shall be no more than three acres. Farm buildings, corrals, and permitted agricultural employee housing shall not be subject to the above site limitation.

D. Notwithstanding the commercial production requirements set forth in Section 1-2.3.B, Superprime Land, superprime parcels greater than 10 acres (but less than 20 acres) may increase their development envelope allocation by planting additional land to commercial production. For each acre (or portion thereof) in size beyond a 10-acre parcel an additional 1,000 square feet may be added to the development envelope if one additional acre beyond the required minimum productive acreage is fully planted (as herein defined) in commercial agricultural production. Table 1-4 describes the increased allowances and planting requirements that are available for each parcel size. For example, a 15-acre parcel could increase its development envelope to a maximum of 15,000 square feet if at least 12 acres (five acres above the minimum) are fully planted in commercial agricultural production. If a 15-acre parcel only wishes to add 2,000 square feet to its development envelope, then it would only need to plant two additional acres beyond its minimum productive acreage requirement of seven acres. However, the maximum amount of square feet that a 15-acre parcel could add to its development envelope is 5,000, even if six or more acres above the minimum were planted.

This development envelope shall include the principal dwelling, landscaping, driveways, and accessory structures. Roads used for agricultural purposes are not included within the development envelope. Horse and other animal facilities (e.g. stables and corrals), new agricultural employee housing, and other similar agriculturally-related structures on superprime land may be remotely sited from the principal dwelling, as long as the total area occupied by these structures, when added to the area occupied by the principal dwelling and residential accessory structures, does not exceed the permitted envelope allowance as set forth in this section.

**Table 1-4. Development Envelope Allowances on Superprime Land**

Parcel Size (acres)	Maximum Development Envelope Allowance (square feet)	Planting Requirement to Receive Allowance (acres)	Minimum Productive Acreage (from Table 1-2)
for: 5 – 10	up to: 10,000	If: 4.75	4.75
> 10 – 11	11,000	6.00	5.00
> 11 – 12	12,000	7.50	5.50
> 12 – 13	13,000	9.00	6.00
> 13 – 14	14,000	10.5	6.50
> 14 – 15	15,000	12.0	7.00

Parcel Size (acres)	Maximum Development Envelope Allowance (square feet)	Planting Requirement to Receive Allowance (acres)	Minimum Productive Acreage (from Table 1-2)
> 15 – 16	16,000	13.5	7.50
> 16 – 17	17,000	15.0	8.00
> 17 – 18	18,000	16.5	8.50
> 18 – 19	19,000	18.0	9.00
> 19 – < 20	20,000	19.5	9.50

- E. In order to preserve productive agricultural land to the maximum extent feasible, the development envelope shall minimize intrusion into agricultural areas and minimize ‘barbell’, ‘peninsula’, and ‘finger’ type configurations. A guest house or ADU, where allowed under the zoning ordinance, shall be included in the development envelope and must be clustered with the principal dwelling.

**1-4.2. Residential Agricultural Unit**

Section 35.42.210 (Residential Agricultural Units) of the County Land Use and Development Code allowing for Residential Agricultural Units (RAUs) expired on July 6, 2008 and is no longer in effect. Therefore, the County no longer issues permits for, or otherwise authorizes, new RAUs. Existing RAUs that were legally established are considered non-conforming uses and are compatible uses on lands subject to an agricultural preserve contract. Existing RAUs are subject to the regulations for non-conforming structures set forth in Chapter 35.101 of the County Land Use and Development Code. An application to expand, rebuild, or otherwise change an existing RAU must comply with (1) the regulations for non-conforming structures set forth in Chapter 35.101 of the County Land Use and Development Code, and (2) the terms of the Williamson Act contract that applies to the premises on which the existing RAU is located.

Nothing in this section affects an owner's ability to build agricultural employee housing pursuant to Section 1-4.3 below.

**1-4.3 Agricultural Employee Housing**

All requests for agricultural employee housing units subject to a Williamson Act contract, including trailers, mobile homes on permanent foundations, and other types of permanent residential structures that are proposed on the premises shall be reviewed by the Agricultural Preserve Advisory Committee for a determination of need. Along with the agricultural employee, his or her family may occupy the agricultural employee housing.

- A. Prior to the issuance of a land use permit or conditional use permit<sup>4</sup>, the landowner shall sign and record a *Notice to Property Owner* with the County that runs with the land affirming that the agricultural employee housing is occupied by an agricultural employee as defined herein. The *Notice to Property Owner* shall include a statement that if at any time the unit is occupied by someone other than an agricultural employee and his/her family, the owner must vacate or remove the unit, or convert the agricultural employee housing unit to a permitted use.
- B. Any new agricultural employee housing should be located to minimize the use of agricultural land, and avoid prime soils and conflicts with agricultural production to the maximum extent feasible.
- C. Given the unique characteristics of superprime land, landowners of superprime contracts shall

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<sup>4</sup> The Zoning Ordinance currently requires that any agricultural employee for which housing is being provided work only on the premises, unless part of a farm labor camp (5 or more units). Any agricultural employee housing units subject to a Williamson Act contract shall be consistent with the Zoning Ordinance, as amended.



demonstrate to the APAC that any new agricultural employee housing will not interfere with the agricultural operation on the subject premises or on other adjacent agricultural lands. To ensure this, any new agricultural employee housing subject to a superprime contract shall count towards the allotted development envelope as set forth in Section 1-4.1 of this Rule, though it may be remotely sited from the principal dwelling.

#### **1-4.4 Accessory Dwelling Unit and Junior Accessory Dwelling Unit**

ADUs and JADUs are subject to the following provisions:

- A. In addition to the principal dwelling, one attached or detached ADU or one JADU may be permitted, and shall be located on the same parcel as the existing principal dwelling, in accordance with the Santa Barbara County Code Chapter 35, Zoning.
- B. The ADU or JADU must be located within the applicable non-agricultural development envelope specified in Section 1-4.1, above. Detached ADUs shall be clustered with the principal dwelling.
- C. One ADU, one JADU, or one guest house shall be allowed on a parcel in accordance with the Santa Barbara County Code Chapter 35, Zoning.
- D. There are no restrictions on who may occupy the ADU.
- E. The JADU shall be subject to an owner-occupancy restriction in accordance with the Santa Barbara County Code Chapter 35, Zoning.

