



**COUNTY OF SANTA BARBARA
PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Santa Barbara County Planning Commission

FROM: Alex Tuttle, Deputy Director
Long Range Planning Division

DATE: March 11, 2024

RE: Agricultural Enterprise Ordinance (AEO)
County Planning Commission Hearing – March 13, 2024
Case Nos. 23ORD-00005 and 23ORD-00006

At the Planning Commission hearing of February 14, 2024, Commissioners Parke and Reed presented several proposed revisions to the draft project for the full Commission to consider. In addition, the Commission received a presentation regarding several recommendations by the Agricultural Advisory Committee (AAC) to revise the proposed project to address the AAC's concerns as they relate to agriculture. The Planning Commission directed staff to review the proposed revisions, identify where suggested revisions converge or diverge with the current draft ordinance text and, where clarification is needed, indicate where the Commission needs to resolve divergent suggestions and make its recommendations to the Board of Supervisors (Board).

Attachment A to this staff memo is a matrix that summarizes the proposed project and presents the suggested revisions from the last hearing. The matrix (an abbreviated version originally presented in the Draft Environmental Impact Report and Attachment A of the staff report to the Planning Commission dated November 14, 2023) has been updated to include additional permit requirements and development standards that were presented to the Planning Commission in the draft ordinance text included as Attachments C and D of the staff report dated November 14, 2023.

Staff intends to use the matrix as a tool to assist the Planning Commission during the March 13th hearing to review the project, suggested revisions, and decision points, and to give direction to staff regarding the proposed project so that staff can return with draft ordinances the Planning Commission will recommend to the Board.

For some of the proposed agricultural enterprise uses, multiple revisions have been suggested. This staff memo highlights these uses and breaks out the suggestions into discrete topics to further illustrate the Commission's decision points. This memo also presents additional suggested revisions that would apply to multiple uses.

Lastly, the Planning Commission must make a recommendation to the Board regarding the permit type for each level, or intensity, of use. The matrix in Attachment A identifies the various options to support this recommendation.

A. Small-Scale Campgrounds

Based on the suggested revisions, there are three key decision points for proposed small-scale campgrounds:

- Campground size and number (number of sites, number of campground locations or “envelopes,” and campground area)
- Zoning Clearance permit options, including low impact campgrounds
- Landowner provided accommodations

A.1 Campground Size and Number

Table 1 presents the project description and a compilation of suggested revisions to the number of allowed individual campsites on an agricultural premises, the number of campgrounds and the size of a campground.

Table 1 – Campground Size and Number of Campgrounds

	Number of Campsites (per premises size)	Number of Campgrounds¹	Campground Size Campground “Envelope”
Proposed Project (EIR Project Description and Draft Ordinance Text)	≤ 100 ac: up to 15 sites > 100-320 ac: up to 20 sites > 320 ac: up to 30 sites	1 or 2	2 nd remotely located: 1 ac
Suggested Revisions	≤ 100 acre: up to 15 sites > 100-320 ac: up to 25 sites > 320 ac: up to 30 sites plus 5 campsites per each additional 100 ac Maximum 100 campsites Portable toilets at remote locations	2 on premises < 320 ac 4 on premises ≥ 320 ac	N/A
	≤ 100 ac: up to 15 sites > 100-320 ac: up to 20 sites > 320 ac: up to 30 sites	1 except on ≥ 1,000 ac allow a 2 nd campground	< 100 ac: 1 ac ≥ 100-320 ac: 2 ac ≥ 320 ac: 3 ac 2 nd campground: 1 ac

¹ Allow camping in one or more locations (or campgrounds) on one agricultural premises.

The proposal to allow remote campgrounds to be served by portable toilets instead of the required onsite wastewater treatment systems (OWTS) would require a recommendation from the Board to County EHS to amend Chapter 18C of the County Code and the local agency management program (LAMP).

A.2 Zoning Clearance Options

The proposed project would allow small-scale campgrounds (30 campsites or fewer depending on premises size) with a Land Use Permit. Table 2 presents two suggested revisions to allow smaller campgrounds with a Zoning Clearance.

Table 2 – Zoning Clearance Options

	Low Impact Campground (Zoning Clearance)	Small Premises Tier (Zoning Clearance)
Suggested Revisions	<p>Up to 9 individual campsites scaled to premises acreage:</p> <p>40 ac: up to 2 sites 60 ac: up to 3 sites 80 ac: up to 4 sites 100 ac: up to 6 sites 150 ac: up to 9 sites</p> <p>Campsites only for tents, RVs, travel trailers brought by the visitor/guests</p> <p>No landowner provided accommodations No structures or infrastructure Portable toilets only LUP if adjacent to row crops</p>	<p>[Proposed project would allow up to 15 sites on premises ≤ 100 ac]</p> <p>Reduce permit tier for up to 15 sites to Zoning Clearance instead of LUP</p> <p>40-60 ac: up to 4 sites 60-80 ac: up to 8 sites > 80 ac: up to 15 sites</p> <p>OWTS consistent with EHS LUP if adjacent to row crops</p>

The proposal to allow the low impact campground to be served by portable toilets instead of the required OWTS would require a recommendation from the Board to County EHS to amend the County Code and LAMP.

A.3. Landowner-Provided Accommodations

Whether to allow landowner-provided accommodations at campgrounds other than a campsite where visitors bring their own camping accommodations (e.g., tent, camper van, RV, travel trailer) has been a frequent topic of discussion. Table 3 below presents a summary of the project description regarding landowner provided accommodations and suggested revisions.

Table 3 – Landowner-Provided Accommodations

Proposed Project (EIR Project Description and Draft Ordinance Text)	Suggested Revisions
<p>Allow landowner to provide no more than one of the following accommodations at each campsite</p> <ul style="list-style-type: none"> • Park trailer or “park mod” • Recreational vehicle • Travel trailer • Tent cabin • Yurt 	<p>Option 1</p> <ul style="list-style-type: none"> • Prohibit park mod trailers and similar structures with permanent utility hook-ups • Allow tents, yurts, travel trailers, other RVs <p>Option 2</p> <ul style="list-style-type: none"> • Limit the number of landowner provided accommodations to a proportion of total campsites on the premises (e.g. 30% of total campsites)

A.4. Additional Development Standards for Campgrounds

As presented in Attachment A, several additional development standards for campgrounds have been suggested for the Planning Commission’s consideration. These include:

- A minimum premises size of 40 acres
- An onsite supervision requirement
- Maximum stay
 - Up to 14 consecutive nights
 - Total of 28 nights per year
 - At least one week between stays
- Prohibit animals (e.g., dogs) at campgrounds adjacent to other agricultural premises farming row/food crops
- A permit revocation process
- Landscape screening for landowner-provided accommodations

B. Incidental Food Service at Winery Tasting Rooms

Table 4 presents a summary of the project description with development standards and suggested revisions.

Table 4 – Incidental Food Service at Winery Tasting Rooms

Proposed Project (EIR Project Description and Draft Ordinance Text)	Suggested Revisions
<p>Exempt (No Permit)</p> <ul style="list-style-type: none"> • Prepackaged foods (shelf stable or perishable) • Prepackaged meals or picnics (e.g., salads and sandwiches delivered from offsite food facility) • Food truck • Catered food • No tasting room expansion • No new structures or additions <p>Zoning Clearance</p> <ul style="list-style-type: none"> • All foods allowed under exemption • Any other foods • Outdoor barbeque or pizza oven • No tasting room expansion • No new structures or additions <p>Potential Changes to Approved Development Plan</p> <ul style="list-style-type: none"> • Only when tasting room is expanded or new structures or additions proposed in conjunction with incidental food service <p>Additional Development Standards</p> <ul style="list-style-type: none"> • Service limited to the hours of operation of the tasting room • Service provided within footprint of approved tasting room and/or exterior area open to public for wine tasting 	<ul style="list-style-type: none"> • Keep simple • Locate in tasting room • Limit to tasting room hours of operation • Must be active winery operation • Commercial kitchens ok

The current draft ordinance text substantially aligns with the suggested revisions. One of the themes heard is that there is a desire to allow food preparation to occur onsite at the tasting room (a “commercial kitchen”). Staff believes that the language in the draft ordinance text allows for this; however, the language can be clarified if the Planning Commission recommends doing so. Regardless, the term “commercial kitchen” will not be used as that term has no meaning in the California Retail Food Code, which regulates food facilities.

The County Public Health Department reviews all food facilities to ensure compliance with the Retail Food Code and issues permits. The type of food facility permit is based on the type of food to be sold and whether it will be prepared or handled onsite. The intent of the current draft ordinance is to allow, with a Zoning Clearance or above, any type of incidental food service at tasting rooms, which might include preparation of food onsite.

Another common theme, and one that is already included in the draft ordinance text, is that food service occur in the tasting room area, occur within the hours of operation of the tasting room, and that there must be an active winery on the premises. LUDC Section 35.42.280 regulates wineries and a tasting room is only allowed in conjunction with a winery.

Staff reviewed winery permit data and found that out of 86 permitted (or pending) wineries, 60 have tasting rooms. Of these, the tasting room hours of operation are included in the approved permits for 45 tasting rooms (75 percent). Average hours of operation range from 10:00 am to 5:00 pm with only a few having earlier or later hours of operation, with the latest closing at 6:30 p.m. The average tasting room size is 1,705 sq. ft. with the largest topping out at 4,879 sq. ft. and the smallest being 220 sq. ft.

Questions have been posed regarding what type of permit would be required, and whether the winery permit would need to be revised. Section 35.42.280 requires a Development Plan permit for all wineries that have a tasting room. Section 35.42.280 limits the size of a tasting room at smaller wineries that may be approved by the Zoning Administrator. Larger wineries that may be approved by the Planning Commission are not subject to these limits. Regardless, most winery permits define a square footage and hours of operation for tasting rooms in their permits, and any revisions require some level of change to the approved permit. This may be as simple as a Land Use Permit (when the change is determined to be in substantial conformity to the approved Development Plan), or an Amendment or Revision to the Development Plan for more significant or expansive revisions (see LUDC Subsections 35.84.040.C, 35.84.040.D, and 35.84.040.E).

C. Educational Experiences and Opportunities

The project description and draft ordinance text propose two tiers of permitting: an exempt level and a second tier to be allowed with either a Zoning Clearance or Land Use Permit (to be recommended by the Planning Commission). The AAC suggests an alternative that would (1) create three permit tiers for an exemption, Zoning Clearance, and Land Use Permit, while splitting the difference between the high and low proposals, and (2) increase the number of people that could attend a small guided tour. Table 5 presents this proposal.

Table 5 – AAC Suggestions for Educational Experiences and Opportunities

Exempt	<u>Zoning Clearance</u>	Zoning Clearance or Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)
<p>Small Guided Tours</p> <ul style="list-style-type: none"> • 1540 attendees max per small guided tour • Not more than 80-50 small guided tours per year <p>Other Educational Experiences or Opportunities</p> <ul style="list-style-type: none"> • ≤ 100 ac: 50 attendees max • > 100-320 ac: 75 attendees max • > 320 ac: 100 attendees max • Not more than 24 days per year <p>Annual Maximum Attendance Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> • ≤ 100 ac: 1,200 attendees • > 100-320 ac: 1,800 attendees • > 320 ac: 2,400 attendees <ul style="list-style-type: none"> • No new structures or additions requiring planning permits • Parking coordinator required for events with 100 or more attendees 	<p><u>Small Guided Tours</u></p> <ul style="list-style-type: none"> • <u>40 attendees max per guided tour</u> • <u>Not more than 90 small guided tours per year</u> <p><u>Other Educational Experiences or Opportunities</u></p> <ul style="list-style-type: none"> • <u>≤ 100 ac: 65 attendees max</u> • <u>> 100-320 ac: 95 attendees max</u> • <u>> 320 ac: 125 attendees max</u> • <u>Not more than 24 days per year</u> <p><u>Annual Maximum Attendance</u> <u>Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</u></p> <ul style="list-style-type: none"> • <u>≤ 100 ac: 1,560 attendees</u> • <u>> 100-320 ac: 2,340 attendees</u> • <u>> 320 ac: 3,000 attendees</u> <ul style="list-style-type: none"> • <u>No new structures or additions requiring planning permits</u> • <u>Parking coordinator required for events with 100 or more attendees</u> 	<p>Small Guided Tours</p> <ul style="list-style-type: none"> • 1540 attendees max per small guided tour • Not more than 128-130 small guided tours per year <p>Other Educational Experiences or Opportunities</p> <ul style="list-style-type: none"> • ≤ 100 ac: 80 attendees max • > 100-320 ac: 120 attendees max • > 320 ac: 150 attendees max • Not more than 24 days per year <p>Annual Maximum Attendance Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> • ≤ 100 ac: 1,920 attendees • > 100-320 ac: 2,880 attendees • > 320 ac: 3,600 attendees <ul style="list-style-type: none"> • One new agricultural enterprise accessory structure not to exceed 2,500 sf gross floor area • Parking coordinator required for events with 100 or more attendees

D. Setbacks

Setbacks (or buffers) are proposed sparingly in the AEO draft ordinance text, primarily for campgrounds, small-scale special events, and educational experiences and opportunities to reduce potential land use conflicts and noise impacts (from amplified sound) that could affect neighboring residential uses. The AAC suggests setbacks or buffers that vary depending on the type of food crop being grown on the adjacent agricultural premises. The AAC-suggested setbacks/buffers are presented in Table 6 on the following page. The AAC also suggests that some adjustments be allowed during permit review depending on site-specific features that would prevent new farming activities adjacent to the agricultural enterprise premises.

**Table 6 – AAC Suggested Setbacks (in feet)
based on Type of Agriculture located on Adjacent Premises**

	Campgrounds	Farmstays	Small-Scale Events	Composting
Row Crops	1,000	1,000	1,000 ²	500
Orchard	400	400	500 ^{2,3}	50-300
Vineyards	400	400	500 ^{2,3}	50-300
Grazing/Range Lands	400	400 ¹	500 ^{2,3}	50-300
¹ A setback for farmstays adjacent to grazing/range lands would only apply for a “remote” farmstay location. ² Setback shall also apply to “AEO accessory structure” if permitted to support small-scale special events <u>and</u> educational experiences and opportunities. ³ 1,000-ft setback if adjacent to residential				

The AAC suggests setbacks to protect productive agriculture on lands zoned AG-II that are adjacent to the premises proposing the AEO use. The intent is to protect food crops from potential trespass that could result in harm to the crop. The AAC also considered standard regulatory requirements that farmers must meet when applying agricultural chemicals. According to the AAC, farming operations could be adversely affected if overnight accommodations or other intensive public uses are located within those regulatory distances. In addition, visitors at campgrounds, farmstays, and events might find standard agricultural operations such as dust, noise, light, and other activities unpleasant. The setbacks could reduce these conflicts.

An additional suggestion offered by Commissioners Parke and Reed was to apply the setbacks used for wineries. The winery regulations in LUDC Subsection 35.42.280.C.2 require the setbacks presented in Table 7 below.

Table 7 – Current Winery Setbacks in feet (LUDC Subsection 35.42.280.C.2)

	Setback from Adjacent Lot	Setback from Existing Residence on Adjacent Lot
Standard Setback	100	200
Setback if Winery includes Public Tours, Public Wine Tasting, Retail Sales, or Special Events	200	400

E. Criteria or Test to Qualify the Primary Agricultural Use of the Premises

The draft ordinance text states that agricultural enterprise uses “shall be allowed only on active working farms or ranches that produce agricultural products, which serves as the primary land use of the premises.” Required development standards state that the uses “shall be secondary, incidental, and subordinate to the primary agricultural use of the premises.” The AAC and public commenters have suggested that the AEO include criteria that identify the primary agricultural use

on the premises and determine the agricultural enterprise use is incidental. With the Planning Commission's direction, staff can work with the AAC to identify appropriate criteria.

Attachment:

Attachment A – Agricultural Enterprise Use Matrix: Summary Descriptions and Suggested Revisions

Attachment A – Agricultural Enterprise Use Matrix: Summary Descriptions and Suggested Revisions

Summary Project Description ¹				
Exempt	Zoning Clearance (Inland Only)	Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Primary Themes and Suggestions for Revising Draft Ordinance	Suggested Alternative Development Standards
Small-Scale Campground				
N/A	N/A	<p>Number of campsites per premises size</p> <ul style="list-style-type: none"> • ≤ 100 acres (ac): up to 15 sites • > 100-320 ac: up to 20 sites • > 320 ac: up to 30 sites 	<p>Number of campsites per premises size</p> <ul style="list-style-type: none"> • ≤ 100 acres (ac): up to 15 sites • > 100-320 ac: up to 25 sites • > 320 ac: up to 30 sites • plus 5 campsites per each additional 100 ac over 320 ac • Maximum 100 campsites (1,720 ac premises or larger) 	
		<p>Campground envelopes/number of campgrounds</p> <ul style="list-style-type: none"> • Campground operation shall be located within one or two development areas (aka envelopes) • The remote development area shall not exceed 1 acre 	<p>Campground envelopes</p> <ul style="list-style-type: none"> • Provide a maximum size/area for the campground <ul style="list-style-type: none"> ○ 40 ac - < 100 ac: 1 acre ○ 100 ac - < 320 ac: 2 acres ○ ≥ 320 ac: 3 acres • Allow 2nd campground envelope on premises > 1,000 ac <p>Number of campgrounds per premises</p> <ul style="list-style-type: none"> • < 320 ac: up to 2 campgrounds • ≥ 320 ac: up to 4 campgrounds • Maximum number of allowed campsites per premises would be divided between multiple campgrounds 	<ul style="list-style-type: none"> • 40-ac minimum premises to allow campground • Allow portable toilets at remote campgrounds
		<p>Landowner-provided accommodations</p> <p>Landowner may provide no more than one of the following accommodations per campsite:</p> <ul style="list-style-type: none"> • Park trailer (trailer designed to be parked in one location for an extended period of time and function as a cabin) • Yurt or tent cabin • Travel trailer (Airstreams or other RV trailers) 	<p>Landowner-provided accommodations</p> <ul style="list-style-type: none"> • Prohibit park mod trailers and similar structures w/perm utility hook-ups. • Allow tents, yurts, travel trailers, other RVs 	<p>Landowner provided accommodations</p> <ul style="list-style-type: none"> • If allowed, limit the number of landowner provided accommodations to 30% of total number of campsites. • If allowed, require landscape screening
		<p>Other development standards</p> <ul style="list-style-type: none"> • Setback 1,000 ft from premises boundary • Maximum stay 30 consecutive days • Up to 8 persons per campsite • 2 vehicles per campsite, one of which may be an RV 	<p>Two camping options with a Zoning Clearance (LUP if adjacent to row crops)</p> <ul style="list-style-type: none"> • Low impact camping with up to 9 campsites <ul style="list-style-type: none"> ○ 40 ac: up to 2 sites ○ 60 ac: up to 3 sites ○ 80 ac: up to 4 sites ○ 100 ac: up to 6 sites ○ 150 ac: up to 9 sites ○ No landowner provided accommodations ○ No infrastructure, no structures ○ Recommend Board of Supervisors direct EHS to allow portable toilets • Reduced permit tier for up to 15 campsites <ul style="list-style-type: none"> ○ 40-60 ac: up to 4 sites ○ 60-80 ac: up to 8 sites ○ > 80 ac: up to 15 sites ○ OWTS consistent with EHS 	<p>Other development standards</p> <ul style="list-style-type: none"> • Require setbacks from adjacent ag premises based on adjacent crop: <ul style="list-style-type: none"> ○ 1,000 ft from row/food crops, ○ 400 ft from orchards, vineyards, grazing/range lands • Setback alternative: 200 ft, or 400 from existing residence on adjacent lot (premises) • Maximum stay <ul style="list-style-type: none"> ○ Up to 14 consecutive nights ○ Total of 28 nights per year ○ At least one week between stays • Consider prohibiting animals (e.g., dogs) at campgrounds adjacent to premises with row crops • Require onsite supervision • Create a permit revocation process

¹ All of the proposed uses, except incidental food service, aquaponics, and farm stands, may be allowed with a Minor Conditional Use Permit or Conditional Use Permit if the proposed size and scale exceeds what would be allowed with a lower permit tier.

Summary Project Description ¹					
Exempt	Zoning Clearance (Inland Only)	Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Primary Themes and Suggestions for Revising Draft Ordinance	Suggested Alternative Development Standards	
Incidental Food Service at Winery Tasting Rooms in AG-I and AG-II					
<ul style="list-style-type: none"> Non-potentially hazardous prepackaged food (e.g., shelf stable, refrigeration not required) Potentially hazardous prepackaged food (e.g., perishable, may require refrigeration or other temperature control) Prepackaged meals or picnics (e.g., salads and sandwiches) Food truck Catered food Service limited to the hours of operation of the tasting room Service provided within footprint of approved tasting room and/or exterior area open to public for wine tasting No expansion of tasting room No new structures No additions to existing structures 	<ul style="list-style-type: none"> Provision of foods that exceed those allowed through an exemption (i.e., food service allowed under exemption plus any other foods, including foods prepared onsite) Outdoor barbecue not part of food truck or catered food operation Outdoor pizza oven not part of food truck or catered food operation Service limited to the hours of operation of the tasting room Service provided within footprint of approved tasting room and/or exterior area open to public for wine tasting No expansion of tasting room No new structures No additions to existing structures 	<ul style="list-style-type: none"> All types of food service allowed with an exemption or Zoning Clearance Service limited to the hours of operation of the tasting room Service provided within footprint of approved tasting room and/or exterior area open to public for wine tasting Structural changes may be allowed with potential change to approved Development Plan along with Land Use Permit: <ul style="list-style-type: none"> Expansion of tasting room footprint New structures Additions to existing structures 	<ul style="list-style-type: none"> Simple definition of incidental food service Locate in tasting room Limit to tasting room hours of operation Must be active winery operation Commercial kitchens ok 	--	
Educational Experiences and Opportunities					
<p>Small Guided Tours</p> <ul style="list-style-type: none"> 15 attendees max per small guided tour Not more than 80 small guided tours per year <p>Other Educational Experiences or Opportunities</p> <ul style="list-style-type: none"> ≤ 100 ac: 50 attendees max > 100-320 ac: 75 attendees max > 320 ac: 100 attendees max Not more than 24 days per year <p>Annual Maximum Attendance</p> <p>Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> ≤ 100 ac: 1,200 attendees > 100-320 ac: 1,800 attendees > 320 ac: 2,400 attendees <ul style="list-style-type: none"> No new structures or additions requiring planning permits Parking coordinator required for events with 100 or more attendees 	<p>Small Guided Tours</p> <ul style="list-style-type: none"> 15 attendees max per small guided tour Not more than 128 small guided tours per year <p>Other Educational Experiences or Opportunities</p> <ul style="list-style-type: none"> ≤ 100 ac: 80 attendees max > 100-320 ac: 120 attendees max > 320 ac: 150 attendees max Not more than 24 days per year <p>Annual Maximum Attendance</p> <p>Any combination of small guided tours and other educational experiences or opportunities may be allowed; however, the maximum annual attendance shall not exceed:</p> <ul style="list-style-type: none"> ≤ 100 ac: 1,920 attendees > 100-320 ac: 2,880 attendees > 320 ac: 3,600 attendees <ul style="list-style-type: none"> One new agricultural enterprise accessory structure not to exceed 2,500 sf gross floor area Parking coordinator required for events with 100 or more attendees 	<p>Planning Commission to recommend the most appropriate permit for the proposed level of use below</p>		<ul style="list-style-type: none"> Similar to small-scale events, clarify that the educational experiences and opportunities regulations do not apply to wineries, which are regulated separately Increase number of attendees for small guided tours from 15 to 40 Establish additional permit tier to created exempt, Zoning Clearance, and Land Use Permit tiers See staff memo dated March 11, 2024, Section C 	<ul style="list-style-type: none"> 100-ft setback from premises boundary when people congregating for the activity Require setbacks from adjacent ag premises based on adjacent crop only for any new structure permitted to support the educational activities: <ul style="list-style-type: none"> 1,000 ft from row/food crops, 400 ft from orchards, vineyards, grazing/range lands Ensure these regulations do not apply to countywide agricultural events

Summary Project Description ¹				
Exempt	Zoning Clearance (Inland Only)	Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Primary Themes and Suggestions for Revising Draft Ordinance	Suggested Alternative Development Standards
Farmstay				
N/A	<p><u>Maximum guests/bedrooms</u> 10 guests/4 bedrooms</p> <p><u>Farmstay accommodations</u> Existing principal dwelling only</p> <p><u>Location</u> Existing principal dwelling only</p> <ul style="list-style-type: none"> • Minimum 40-acre premises required • Length of stay 30 consecutive days or less 	<p><u>Maximum guests/bedrooms</u> 15 guests/6 bedrooms</p> <p><u>Farmstay accommodations</u> CDP: Existing principal dwelling only</p> <p>LUP/CDP (H): Any combination of an existing principal dwelling, conversion of existing building/structure, proposed cottage, or park trailer</p> <p><u>Location</u> CDP: Existing principal dwelling only</p> <p>LUP/CDP (H): All farmstay accommodations clustered in proximity to existing principal dwelling</p> <ul style="list-style-type: none"> • Minimum 40-acre premises required • Length of stay 30 consecutive days or less <p>Minor CUP All standards as allowed with a LUP with one additional option. With a Minor CUP a majority of allowed farmstay accommodations shall be clustered in proximity to existing principal dwelling, but a portion of accommodations may be located in a remote envelope not to exceed 1 acre.</p>	<ul style="list-style-type: none"> • Allow a maximum 8 bedrooms if possible under state law • Allow location remotely • Allow both farmstays and campgrounds on same premises • At LUP and Minor CUP allow farmstay structure in clustered proximity to existing principal dwelling and/or permitted winery structural development (for situations where no dwelling near the winery and the winery location is acceptable) • Revise Zoning Clearance allowances: <ul style="list-style-type: none"> ○ Allow 5 bedrooms instead of 4 ○ Include conversion of existing buildings, and allow in clustered proximity to existing principal dwelling and/or permitted winery structural development 	<ul style="list-style-type: none"> • Require setbacks from adjacent ag premises based on adjacent crop: <ul style="list-style-type: none"> ○ 1,000 ft from row/food crops, ○ 400 ft from orchards, vineyards, grazing/range lands ○ 400 ft setback from grazing/range lands only applicable to remotely located farmstays • Setback alternative: 200 ft, or 400 from existing residence on adjacent lot (premises) • Allow both farmstays & campgrounds on same premises only on larger premises (e.g., > 100 ac) • Reduce length of stay from 30 consecutive days to the following: <ul style="list-style-type: none"> ○ Up to 14 consecutive nights ○ Total of 28 nights per year ○ At least one week between stays
Small-Scale Events (Mix and Match) (winery events governed by winery ordinance, LUDC Section 35.42.280)	Planning Commission to recommend the most appropriate permit for the proposed level of use below			
<ul style="list-style-type: none"> • ≤ 100 ac: 50 attendees max • > 100-320 ac: 75 attendees max • > 320 ac: 100 attendees max • Not more than 8 days per year • Not more than 2 days per month • No new structures or additions requiring planning permits • Parking coordinator required for events with 100 or more attendees • 1,000-ft setback from cities and lands zoned residential 	<ul style="list-style-type: none"> • ≤ 100 ac: 80 attendees max • > 100-320 ac: 120 attendees max • > 320 ac: 150 attendees max • Not more than 12 days per year • Not more than 3 days per month • One new agricultural enterprise accessory structure not to exceed 2,500 sf gross floor area • Parking coordinator required for events with 100 or more attendees • 1,000-ft setback from cities and lands zoned residential 	<ul style="list-style-type: none"> • ≥ 40 ac: 40 attendees max • ≥ 320 ac: 80 attendees max • ≥ 1,000 ac: 200 attendees max • Allow early start times for non-motorized bike races, trail runs, equestrian endurance rides and similar. 	<ul style="list-style-type: none"> • For stationary events, require setbacks from adjacent ag premises based on adjacent crop: <ul style="list-style-type: none"> ○ 1,000 ft from row/food crops, ○ 400 ft from orchards, vineyards, grazing/range lands • 40 ac minimum premises • Parking coordinator for larger events like requirement for winery events 	

Summary Project Description ¹				
Exempt	Zoning Clearance (Inland Only)	Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Primary Themes and Suggestions for Revising Draft Ordinance	Suggested Alternative Development Standards
Agricultural Processing Beyond the Raw State				
Agricultural Product Preparation				
Tree Nut Hulling				
<ul style="list-style-type: none"> All material to be processed originates from the premises No new structures or additions that would require planning permits 	<i>Planning Commission to recommend the most appropriate permit for the proposed level of use below</i> Any new structures limited to less than 5,000 sf gross floor area		<ul style="list-style-type: none"> Remove requirement that all material to be processed originate from the premises Limit source of products to be processed that are grown off the premises to Santa Barbra, Ventura, San Luis Obispo counties 	<ul style="list-style-type: none"> Alternatives 1 and 2 of EIR suggest including the following standard for the Zoning Clearance/LUP level of use: <ul style="list-style-type: none"> No more than 49 percent of total volume of processed products may originate from off the premises
Composting				
<i>Planning Commission to recommend the most appropriate permit for the proposed level of use below</i>				
Small General Composting <ul style="list-style-type: none"> Feedstock may be any combination of green material, agricultural material, food material, and vegetative food material Maximum amount of feedstock and compost, alone or in combination on premises at any one time (≤ 100 cubic yards [cy] and ≤ 750 sf) No limit on amount that can be sold or given away annually (14 CCR §17855[a][4]) No new structures or additions that would require planning permit Agricultural Material Composting <ul style="list-style-type: none"> Agricultural material derived from an agricultural site and returned to the same site or agricultural site owned or leased by the owner, parent, or subsidiary No more than 1,000 cy of compost product may be given away or sold annually (14 CCR §17855[a][1]) <p>Landowner may conduct both operations if they are separated clearly (spatially or otherwise) so that resources and operations are not commingled</p>	Small General Composting <ul style="list-style-type: none"> Feedstock may be any combination of green material, agricultural material, and vegetative food material Maximum amount of feedstock and compost, alone or in combination may not exceed 1,000 cy on premises at any one time No limit on amount that can be sold or given away annually Agricultural Material Composting <ul style="list-style-type: none"> Feedstock is limited to agricultural materials No limit on the amount of agricultural material on premises at any one time No limit on amount of compost sold or given away annually <p>Landowner may conduct both operations if they are separated clearly (spatially or otherwise) so that resources and operations are not commingled</p>	<ul style="list-style-type: none"> Develop a standard for controlling water runoff/quality (e.g., similar to animal waste management plan for equestrian facilities) 	<ul style="list-style-type: none"> Require setbacks from adjacent ag premises based on adjacent crop: <ul style="list-style-type: none"> 500 ft from row/food crops, orchards, vineyards 50-300 ft from, grazing/range lands based on size of composting operation with 300 ft setback applicable to CUP 	
Aquaponics				
<ul style="list-style-type: none"> No new structures or additions that would require planning permits 	N/A	<ul style="list-style-type: none"> Operation that requires new structures or additions that would require planning permits 	--	--

Summary Project Description ¹				
Exempt	Zoning Clearance (Inland Only)	Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Primary Themes and Suggestions for Revising Draft Ordinance	Suggested Alternative Development Standards
Farm Stand				
<i>Planning Commission to recommend the most appropriate permit for the proposed level of use below</i>				
<ul style="list-style-type: none"> If a structure is required for sale of ag products, it must occur within an existing agricultural structure or from a separate stand, not exceeding 800 sf Allow sales of artisanal crafts Area devoted to retail sales of non-plant materials, including artisanal crafts, limited to 300 sf Up to 50 sf of sales area for bottled water, sodas, and other non-hazardous foods produced off-site 		<ul style="list-style-type: none"> New farm stand structure up to 1,500 sf may be allowed Allow sales of artisanal crafts (up to 20 percent of floor area) Area devoted to retail sales of non-plant materials, including artisanal crafts, limited to 300 sf Up to 50 sf of sales area for bottled water, sodas, and other non-hazardous foods produced off-site 	--	--
Fishing Operation				
<i>Planning Commission to recommend the most appropriate permit for the proposed level of use below</i>				
<ul style="list-style-type: none"> 20 participants daily maximum No new structures or additions requiring planning permits 		<ul style="list-style-type: none"> 30 participants daily maximum Gross floor area of any new structure is less than 600 sf 	--	--
Horseback Riding^{2, 3}				
<ul style="list-style-type: none"> 24 participants daily maximum Riders may bring own horses to ride Horses may be brought to premises rental riding Rental of horses at existing stables previously permitted for personal landowner use or commercial boarding Existing roads and trails; no new structures or additions requiring planning permits 	N/A	<p>Inland: Operation that does not comply with standards for exemption may be allowed with LUP (LUDC Subsection 35.21.030.E Table 2-1, as part of an equestrian facility)</p> <p>Coastal: Operation that does not comply with standards for CDP may be allowed with a CUP (Article II CZO Subsection 35-69.4.2)</p>	--	--
Hunting				
<i>Planning Commission to recommend the most appropriate permit for the proposed level of use below</i>				
<ul style="list-style-type: none"> Allowed use pursuant to California Fish and Game Code, and County- Code Chapter 14A, Firearms No new structures or additions requiring planning permits 		<ul style="list-style-type: none"> Gross floor area of any new structure is less than 600 sf 	--	--

² The LUDC already allows any kind of equestrian facility (including horseback riding and rentals, riding academy or lessons, horse exhibition facilities, etc.) on AG-II with a LUP with no defined size limits or operational restrictions (LUDC Subsection 35.21.030.E). The proposed Project would allow a small-scale horseback riding operation without a permit. Additionally, the LUDC allows the commercial boarding of animals (including horses) for members of the public without a permit on AG-II provided there are no other equestrian activities that would require the equestrian facility LUP (LUDC Subsection 35.42.060.D Table 4-2).

³ In the Coastal Zone, in general, commercial boarding of animals (including horses) is allowed with a CDP and public riding stables and other equestrian facilities may be allowed with a CUP. Within the Gaviota Coast Plan area, horseback riding is allowed with a CDP with Hearing.

Summary Project Description ¹				
Exempt	Zoning Clearance (Inland Only)	Land Use Permit (Inland) Coastal Development Permit (Coastal Zone)	Primary Themes and Suggestions for Revising Draft Ordinance	Suggested Alternative Development Standards
Incidental Food Service (not at winery tasting rooms)				
<ul style="list-style-type: none"> • Non-potentially hazardous prepackaged food (e.g., shelf stable, refrigeration not required) • Potentially hazardous prepackaged food (e.g., perishable, may require refrigeration or other temperature control) • Prepackaged meals or picnics (e.g., salads and sandwiches) • Food truck • Catered food • No new structures • No additions to existing structures • Incidental to another ag enterprise use that brings the public to the farm or ranch 	<p><i>Planning Commission to recommend the most appropriate permit for the proposed level of use below</i></p>	<ul style="list-style-type: none"> • All types of food service allowed with an exemption • Outdoor barbeque that is not part of a food truck or catered food operation • Pizza oven that is not part of a food truck or catered food operation • Incidental to another ag enterprise use that brings the public to the farm or ranch 	--	--
Firewood Processing and Sales				
<ul style="list-style-type: none"> • All materials shall originate from the premises • Premises shall be planted with the source product • No new structures or additions requiring planning or water/wastewater permits • In compliance with Deciduous Oak Tree Protection and Regeneration Ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal 	N/A	<ul style="list-style-type: none"> • Premises shall be planted with the source product • No new structures or additions that would require planning permits • In compliance with Deciduous Oak Tree Protection and Regeneration Ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal 	--	--
Lumber Processing and Milling				
N/A	N/A	<ul style="list-style-type: none"> • Premises shall be planted with the source product • No new structures or additions that would require planning permits • In compliance with Deciduous Oak Tree Protection and Regeneration ordinance and Grading Ordinance Guidelines for Native Oak Tree Removal 	--	--

Revised Proposed Instructions to Staff for Ag Enterprise Ordinance

John Parke & Roy Reed

Incidental Food Service At Wineries

- Definition of incidental food service: keep it simple
- Located with tasting room at vineyard with tasting room hours
- Must be active winery operation
- Commercial kitchens OK
- Up to 2,500 square feet footprint expansion with ZC

Farmstays

- Six units, 8 if possible under state law, ZC or LUP.
- May include conversion of existing buildings, new buildings and park modular trailers.
- Park modular trailers, etc., are farmstay units. Must have code compliant foundation/anchoring system.
- Can have both farmstays and small campground.
- Can be located remotely within a one acre envelope.

Small Campgrounds: Unit Types

- Park modular trailers and similar structures cannot be included as campsites.
- Campsites can include tents, yurts, travel trailers and other RV's.
- Include spaces for simple tent camping or small RV <22ft.
- Remote low impact campgrounds can provide for sewage disposal by porta-potties.

Small Campgrounds: Number of Sites

- Up to 100 acres premises: 15 individual campsites
- 100-320 acres premises: 20 campsites
- 320 acres or more premises: 30 campsites for 320 acres plus 1 more campsites per additional 200 acres.
- 60 campsites maximum for premises. Example: formula allows 60 units on 6,320 acres but 30,000 acres limit 60.
- May be split into into 2 campgrounds for premises under 320 acres, 4 campgrounds for premises 320 acres or over.

Events (non-winery)

- Largest tier of attendees , max 200, requires 1,000 acres or more premises for commercial events.
- Smaller tier of attendees, max 100, requires 320 acres or more premises.
- Smallest tier of attendees, max 50, requires 40 acres or more.
- All by exemption, not more than 12 days per year, 4 days per month, except ZC/LUP required for structure < 2500 sf.

Setbacks

- 1,000 foot setback for pre-existing row crop cultivated at any point during last 3 years prior to proposed AEO use.
- 100 foot setback for everything else, except 400 feet from pre-existing residence.
- Incorporate AAC suggestion if possible for modification for natural buffer from topographic feature.