



COUNTY OF SANTA BARBARA  
CALIFORNIA

MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU STREET  
SANTA BARBARA, CALIFORNIA 93101-2058  
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TO THE HONORABLE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, CALIFORNIA

MONTECITO PLANNING COMMISSION  
HEARING OF APRIL 17, 2018

***RE: Agricultural Employee Dwelling Ordinance Amendment; 18ORD-00000-00003***

Hearing on the request of the Planning and Development Department that the Montecito Planning Commission recommend that the County Planning Commission recommend that the Board of Supervisors adopt an ordinance (Case No. 18ORD-00000-00003) amending Division 4, Zoning Districts, and Division 7, General Regulations, of Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code, and recommend to the County Planning Commission that the County Planning Commission recommend that the Board of Supervisors, after considering the Negative Declaration (14NGD-00000-00014) adopted for the 2015-2023 Housing Element Update, determine that as reflected in the CEQA findings, no subsequent negative declaration or other environmental document shall be prepared for this project pursuant to CEQA Guidelines Section 15162. The proposed Article II amendment will streamline the permit process for agricultural employee dwellings in the Agriculture I (AG-I) and Agriculture II (AG-II) zones in the Coastal Zone.

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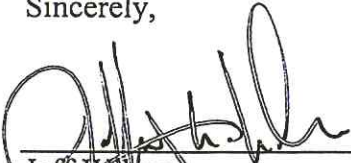
Dear Honorable Members of the Board of Supervisors:

At the Montecito Planning Commission hearing of April 17, 2018, Commissioner Keller moved, seconded by Commissioner Senauer and carried by a vote of 3 to 0 (Newman recused) to:

1. Make the required findings for approval, including California Environmental Quality Act (CEQA) findings, and recommend to the County Planning Commission that the County Planning Commission make the findings for approval and recommend that the Board of Supervisors make the findings for approval of the proposed amendment, including CEQA findings (Attachment A of the staff report dated April 9, 2018);
2. Recommend to the County Planning Commission that the County Planning Commission recommend that the Board of Supervisors, after considering the Negative Declaration (14NGD-00000-00014) adopted for the 2015-2023 Housing Element Update, determine that as reflected in the CEQA findings (Attachment A of the staff report dated April 9, 2018), no subsequent Negative Declaration or other environmental review document shall be prepared for this project pursuant to CEQA Guidelines Section 15162; and

3. Adopt a resolution recommending that the County Planning Commission adopt a resolution recommending that the Board of Supervisors approve Case No. 18ORD-00000-00003, an ordinance amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment B of the staff report dated April 9, 2018).

Sincerely,



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Jeff Wilson  
Secretary to the Montecito Planning Commission

cc: Case File: 18ORD-00000-00003  
Planning Commission File  
Dianne M. Black, Director  
Jenna Richardson, Deputy County Counsel  
Jessi Steele, Planner

Attachments: Attachment A – Findings for Approval  
Attachment B – Resolution of the Montecito Planning Commission

JW/dmv

## ATTACHMENT A: FINDINGS FOR APPROVAL

CASE NO. 18ORD-00000-00003

### 1.0 CEQA FINDINGS

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

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

On January 20, 2015, the Board of Supervisors adopted the 2015-2023 Housing Element Update and the associated Negative Declaration (14NGD-00000-00014). The Negative Declaration concluded that the 2015-2023 Housing Element Update, including Programs 1.4 and 2.4, would not result in any significant environmental impacts. This Negative Declaration fulfills the environmental review requirements for the proposed Article II amendment in accordance with CEQA Guidelines Section 15162. This section provides that the lead agency shall not prepare a subsequent Environmental Impact Report (EIR) for a project when the lead agency or another entity has already adopted a negative declaration or certified an EIR for that project, unless one or more of the following have occurred: 1) substantial changes are proposed which will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or, 3) new information of substantial importance which was not known and could not have been known at the time the previous EIR was certified or negative declaration was adopted has become available.

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

The Negative Declaration (14NGD-00000-00014) is available for review at:

<http://longrange.sbcountyplanning.org/programs/housing/documents/Final%20Negative%20Declaration.pdf>

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



## **2.0 ADMINISTRATIVE FINDINGS**

The Montecito Planning Commission shall make the following findings in compliance with Article II Section 35-180.6 in order to recommend approval of an Article II text amendment to the County Planning Commission, and recommend that the County Planning Commission make the following findings and recommend that the Board of Supervisors adopt the following findings in order to approve an Article II text amendment:

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

The agricultural sector is the top contributor to the county's economy and plays a vital role in statewide agricultural production. High labor demand and the countywide housing shortage have created a significant need for affordable housing for agricultural employees and their families. Agricultural employee housing can provide a low-cost housing option to employees and their families who may otherwise stay in hotels or other short-term accommodations, often in overcrowded and unsanitary living conditions. The proposed Article II amendment is in the interest of the general community welfare because it helps satisfy this local housing need. By streamlining and clarifying the permit process for certain agricultural employee dwellings, the proposed amendment removes governmental barriers and enables applicants to more easily and affordably develop agricultural employee housing. Thus, the proposed Article II amendment encourages the development of safe and affordable housing for agricultural employees and their families.

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

The proposed Article II amendment is consistent with the Comprehensive Plan because it implements two programs from the Housing Element. The Housing Element is one of the mandatory elements of the Comprehensive Plan. The Board of Supervisors adopted the Housing Element after making a finding that it was in conformity with other mandatory and optional elements of the Comprehensive Plan. The Housing Element contains Programs 1.4 and 2.4, along with 35 other programs to carry out the County's housing goals and policies. Therefore, the proposed Article II amendment implements and is in conformity with the Comprehensive Plan, including the Housing Element.

Furthermore, the proposed Article II amendment does not allow new land uses, increase permitted densities, or alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan and Montecito Community Plan. In order for County decision-makers to approve a development permit based on the proposed amendment, the decision-makers must determine that the project is consistent with the policies and development standards of the Comprehensive Plan. As part of this process, Planning and Development staff will perform a policy consistency analysis during the review of the application, and County decision-makers will not approve the project unless they can determine it is consistent with applicable policies and the findings required for approval. Therefore, the proposed Article II amendment is consistent with the Comprehensive Plan.

Similarly, the proposed Article II amendment does not allow new land uses, increase permitted densities, or alter the purpose or intent of Article II. Rather, the proposed amendment reduces the permit requirements for development that is already allowed in specific zones and clarifies that mobile homes and manufactured homes complying with the California Code of Regulations, Title 25, Division 1, Housing and Community Development, may be used as agricultural employee dwellings. Proposed projects based on the proposed Article II amendment would still need to be consistent with all applicable requirements of Article II. Therefore, the proposed Article II amendment is consistent with Article II.

As discussed in the Montecito Planning Commission staff report dated April 9, 2018, Programs 1.4 and 2.4 direct the County to "...adopt/apply...land-use tools...to encourage the development of unit types that are affordable by design, including...farm employee dwellings" and "evaluate and revise...permit process procedures which streamline the permit process for farmworker housing," respectively. Accordingly, the proposed Article II amendment streamlines the permit process for agricultural employee dwellings in the Agriculture I (AG-I) and Agriculture II (AG-II) zones by (1) allowing agricultural employee dwellings for one to nine employees with a Coastal Development Permit, (2) increasing the number of employees allowed to occupy dwellings at each permit level, and (3) modifying the employment location requirements for agricultural employee dwellings within certain zones and permit levels. In addition, the proposed amendment clarifies that agricultural employee dwellings may include mobile homes and manufactured homes that comply with the California Code of Regulations, Title 25, Division 1, Housing and Community Development. By implementing Housing Element Programs 1.4 and 2.4 and clarifying regulations related to the use of mobile homes and manufactured homes in accordance with State law, the proposed Article II amendment is consistent with the requirements of state housing, planning, and zoning laws.

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

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

The proposed Article II amendment, as analyzed in the Montecito Planning Commission staff report dated April 9, 2018, is consistent with sound zoning and planning practices to regulate land uses for the overall protection of the environment and community values. The proposed amendment reduces the permit requirements for development that is already allowed in specific zones and clarifies that mobile homes and manufactured homes may be used as agricultural employee dwellings. In addition, the proposed amendment does not allow new land uses, increase permitted densities, or alter the purpose and intent of any policies or development standards of the Comprehensive Plan, including the Coastal Land Use Plan. Rather, the proposed amendment will remove governmental barriers to the development of affordable agricultural employee dwellings and help facilitate their production through increased flexibility and reduced permit costs and time. Therefore, similar to Finding 2.2, above, the proposed Article II amendment is consistent with the Comprehensive Plan, Article II, and good zoning and planning practice.



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

IN THE MATTER OF RECOMMENDING THAT THE ) RESOLUTION NO. 18 - 13  
COUNTY PLANNING COMMISSION RECOMMEND )  
THAT THE BOARD OF SUPERVISORS ADOPT AN ) Case No.:  
ORDINANCE AMENDING DIVISION 4, ZONING ) 18ORD-00000-00003  
DISTRICTS, AND DIVISION 7, GENERAL )  
REGULATIONS, OF ARTICLE II, THE COASTAL )  
ZONING ORDINANCE, OF CHAPTER 35, ZONING, )  
OF THE SANTA BARBARA COUNTY CODE, TO )  
STREAMLINE THE PERMIT PROCESS FOR )  
AGRICULTURAL EMPLOYEE HOUSING IN THE )  
AGRICULTURE I AND AGRICULTURE II ZONES IN )  
THE COASTAL ZONE. )

WITH REFERENCE TO THE FOLLOWING:

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



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

- G. The proposed Article II amendment is consistent with the Coastal Act of 1976, the Santa Barbara County Coastal Land Use Plan, the Comprehensive Plan, and the requirements of the state planning, zoning, and development laws.
- H. The Montecito Planning Commission has held a duly noticed public hearing, as required by Government Code Section 65854, on the proposed ordinance amendment at which hearing the proposed ordinance amendment was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Government Code Section 65855, the Montecito Planning Commission recommends that the County Planning Commission recommend that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Montecito Planning Commission, based on the findings included as Attachment A of the Montecito Planning Commission staff report dated April 9, 2018.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors in compliance with Government Code Section 65855.
4. The Chair of the Montecito Planning Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this Resolution to reflect the above described action by the Montecito Planning Commission.

PASSED, APPROVED AND ADOPTED by the Montecito Planning Commission of the County of Santa Barbara, State of California, this 17th day of April 2018, by the following vote:

AYES: Keller, Senauer, Cole

NOES:

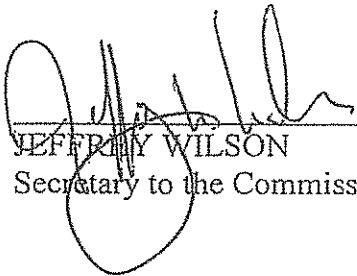
ABSTAIN: Newman (recused)

ABSENT:

  
\_\_\_\_\_  
JOE COLE, CHAIR  
Santa Barbara Montecito Planning Commission



ATTEST:



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JEFFREY WILSON  
Secretary to the Commission

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By 

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Danielle Drossel  
Deputy County Counsel

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



## EXHIBIT 1: ARTICLE II COASTAL ZONING ORDINANCE AMENDMENT

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

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

Case No. 18ORD-00000-00003

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

### SECTION 1:

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

#### *Section 35-68.3 Permitted Uses.*

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
8. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.

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

## **SECTION 2:**

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

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

1. Commercial raising of animals, boarding of animals, and commercial riding stables.
2. Animal hospitals, and animal husbandry services.
3. Facilities for the sorting, cleaning, packing, freezing, loading, transporting and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
  - a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
  - b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale,
  - c. The primary intent of the development of this facility shall be to serve south coast agriculture,
  - d. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands,
  - e. The facility processes products grown on the premises or on other local agricultural lands,
  - f. All application for such facilities shall be accompanied by a landscape plan pursuant to the requirements of Section 35-68.4 of this Article,
  - g. Siting of this type of facility on prime agricultural lands or agriculturally productive non-prime soils should be avoided where feasible, and
  - h. All applications for such facilities shall be accompanied by defined truck and vehicle routes proposed to serve the facility.

No Conditional Use Permit shall be required under this section for such facilities if they are

devoted primarily to the handling of products grown on the premises and the processing of products grown off premises if accessory and customarily incidental to the marketing of products in their natural form grown on the premises.

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

### **SECTION 3:**

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

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

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

### **SECTION 4:**

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

*Section 35-69.3 Permitted Uses.*

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this Section 35-69.
2. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
3. Commercial boarding of animals.
4. Private and/or commercial kennels.
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).



6. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use located on the same lot.
7. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).
8. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
9. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
10. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot.
11. Special Care Homes, subject to the provisions of Section 35-143 (Community Care Facilities).
12. Transitional and Supportive Housing, subject to the provisions of Section 35-143.5 (Transitional and Supportive Housing).
13. Agricultural employee dwellings, including mobile homes and manufactured homes, providing housing for one to nine employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
14. Uses, buildings and structures accessory and customarily incidental to the above uses.

#### **SECTION 5:**

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

#### ***Section 35-69.4 Uses Permitted With a Major Conditional Use Permit.***

1. Animal hospitals and clinics.
2. Low-intensity recreational development such as hiking trails, public riding stables, recreational camps, campgrounds, retreats, and guest ranches, provided that such development:
  - a. Is in character with the rural setting,
  - b. Does not interfere with agricultural production on or adjacent to the lot on which it is located,
  - c. Does not include commercial facilities open to the general public who are not using the recreational facility, and
  - d. Does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.
3. Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises, provided:
  - a. The winery is located on premises used for vineyard purposes,

- b. The winery is operated in connection with the processing of wine grapes grown on the premises, and
  - c. Retail sales of wine grape products shall be limited to those processed on the premises.
4. Facilities for the sorting, cleaning, packing, freezing, and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
- a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
  - b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale,
  - c. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands, and
  - d. The facility processes products grown on the premises or on other local agricultural lands.
5. Piers and staging areas for oil and gas development subject to the regulations in DIVISION 9, OIL AND GAS FACILITIES.
6. Aquaculture, subject to the provisions of Section 35-136 (General Regulations).
7. Sorting, cleaning, and further breaking and storing of abalone shells landed live in Santa Barbara County, preparatory to shipment in their natural form.
8. Agricultural employee dwellings, including ~~trailers~~ mobile homes and manufactured homes, providing housing for ~~five~~ 20 or more employees in compliance with Section 35-144R (Agricultural Employee Dwellings).
9. Exploration and production of offshore oil and gas reservoirs from onshore locations, including exploratory and production wells, pipelines, temporary storage tanks, dehydration and separation facilities, and temporary truck terminals located within the Las Flores Canyon Consolidated Oil and Gas Processing Site, subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
10. Consolidated pipeline terminal, subject to being designated for such use in Policy 6-13A and B of the Coastal Plan and the requirements set forth in DIVISION 9, OIL AND GAS FACILITIES.

#### **SECTION 6:**

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

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

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

## **SECTION 7:**

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

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

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

1. ~~Zones where allowed.~~
  - a. ~~Trailers may be used as single family dwellings in all zoning districts for not to exceed four employees.~~
  - b. ~~Trailers may be used as single family dwellings in the AG-II zoning district for five or more employees.~~
2. ~~The permittee complies with the State Mobile Home Act.~~
3. ~~The trailer(s) complies with applicable setbacks and building separation requirements required for structures of the zone district in which the trailer is located.~~
4. ~~The permit includes a condition that the trailer shall be removed from the premises within six months following the discontinuance of use of the premises for agricultural purposes.~~

## **SECTION 8:**

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

### ***Section 35-144R. Agricultural Employee Dwellings.***

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



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

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

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

C. Location of employment.

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

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

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

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

1. Employer's income tax return.
2. Employee's pay receipts.
3. Employer's DE-3 form.
4. Employee's W-2 form.
5. A notarized contract between the permittee and the employee which delineates work to be performed and wages to be received.
6. Other option approved by the Director.

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

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

**FG.** **Notice to property owner.** Before issuance of a Land Use Permit or Zoning Clearance for the Agricultural Employee Dwelling, a Notice to Property Owner prepared by the Department that specifies at a minimum (1) the occupancy requirements of the Agricultural Employee Dwelling and (2) the requirement for provision of documentation of employment and the need for the Agricultural Employee Dwelling in compliance with Subsection F, above, shall be recorded by the property owner.

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

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

**H.** **Mobile homes and manufactured homes.**

1. A mobile home or manufactured home may be used as an agricultural employee dwelling in compliance with the above table provided:
  - a. The permittee complies with the California Code of Regulations, Title 25, Division 1, Housing and Community Development.



- b. The mobile home(s) or manufactured home(s) complies with applicable setbacks and building separation requirements required for structures of the zone district in which the mobile home or manufactured home is located.

**SECTION 9:**

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

**SECTION 10:**

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

**SECTION 11:**

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

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

AYES:

NOES:

ABSTAIN:

ABSENT:

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DAS WILLIAMS, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

ATTEST:  
MONA MIYASATO, COUNTY EXECUTIVE OFFICER  
CLERK OF THE BOARD

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

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

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