
35.42.135 Farmworker Housing

- A. **Purpose.** As stated in Government Code Section 65580(a), the State Legislature has declared that the availability of housing, including farmworker housing, is of vital statewide importance. Furthermore, California Health and Safety Code Section 17000, *et seq.*, known as the Employee Housing Act, includes regulations that require local jurisdictions to allow the development of farmworker housing provided such housing complies with the Employee Housing Act. Therefore, the purpose of this Section is to promote the development of, and establish development standards for, farmworker housing consistent with this legislative declaration and in compliance with the California Health and Safety Code.
- B. **Applicability.** The standards of this Section shall apply to the development of Farmworker Employee Housing as that use is defined in Section 35.500.020 (Definition of Specialized Terms and Phrases) and as may be allowed in compliance with the approval of the applicable permit identified in Chapter 35.422 (Resource Protection Zones), Chapter 35.423 (Residential Zones) and Chapter 35.424 (Commercial Zones).
- C. **Farmworker housing requirements.**
1. **State regulations.** All farmworker housing shall also comply, where applicable, with all of the following:
 - a. California Health and Safety Code Section 17000 through 17062.5, also known as the Employee Housing Act.
 - b. California Health and Safety Code Section 18200 *et seq.*, also known as the California Mobilehome Parks Act.
 - c. California Health and Safety Code Section 18860 *et seq.*, also known as the California Special Occupancy Parks Act.
 2. Farmworker housing may be developed and/or maintained for the purpose of providing permanent, seasonal or temporary employee housing for farmworkers.
 3. Farmworker housing may be allowed, but not required, to be:
 - a. Developed or provided by the employer(s) of the farmworker; and/or
 - b. Located on the same property where the qualifying farm work is being performed.
 4. If farmworker housing is developed and/or provided by a person or entity other than the farmworker's employer, the farmworker housing shall consist only of:
 - a. Seasonal or temporary farmworker housing, or
 - b. A manufactured home, mobilehome, travel trailer, or recreational vehicle, if such housing is intended to be permanent (i.e., permanent employee housing).
 5. Prior to the approval of a Building Permit for a farmworker housing complex, the applicant shall submit all required information to, and obtain all applicable approvals from, the following County departments:
 - a. Fire Department.
 - b. Planning and Development Department.
 - c. Public Health Department.
 - d. Public Works Department.
 6. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate farmworker housing, and annually thereafter, the applicant shall submit a completed verification form to the Director describing all of the following:

considered a one-family dwelling for determining the parking requirement in compliance with Table 3-4 (Residential Parking Standards).

- c. A farmworker housing complex consisting of any group living quarters, such as barracks or a bunkhouse, shall provide one parking space for every four beds in the complex.
 - d. Parking requirements for employees as listed in Table 3-4 (Residential Parking Standards) is not required to be provided.
- E. **Covenant and agreement.** Within 30 days after approval of an application for farmworker housing, the applicant shall record with the County Recorder a covenant that runs with the lot on which the farmworker housing is located and is for the benefit of the County, declaring that:
1. The farmworker housing will continuously be maintained in compliance with this Section 35.442.105 (Farmworker Housing) and all other applicable sections of the Development Code;
 2. The applicant will obtain and maintain, for as long as the farmworker housing is operated, the appropriate permit(s) from California Department of Housing and Community Development pursuant to the Employee Housing Act and the regulations promulgated thereunder;
 3. The improvements required by the County Fire Department, the Planning and Development Department, the Public Health Department, and the Public Works Department, related to the farmworker housing shall be constructed and/or installed, and continuously maintained by the applicant;
 4. The applicant will submit the annual verification form to the Director as required by Subsection 35.442.105.C.6; and
 5. Any violation of the covenant and agreement required by this section shall be subject to the enforcement procedures of Chapter 35.498 (Enforcement and Penalties).