

### **ATTACHMENT 3**

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

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING DIVISION 35.42.040-AGRICULTURAL PROCESSING FACILITIES, AND ARTICLE 35.11, GLOSSARY, TO ALLOW FOR PROCESSING OF AGRICULTURAL PRODUCTS FROM A RAW FORM TO A MILLED LIQUID FORM ON PARCELS ZONED AG-I AND AG-II IN THE UNINCORPORATED AREA OF THE COUNTY LOCATED OUTSIDE OF THE COASTAL ZONE.

Case No. 11ORD-00000-00016

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

#### **SECTION 1**

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.42.040, Agricultural Processing Facilities, to read as follows:

#### **35.42.040 - Agricultural Processing Facilities**

**A. Purpose and applicability.** This Section establishes standards and procedures for agricultural processing facilities, where allowed by Article 35.2 (Zones and Allowable Land Uses.

**B. Standards.**

1. Agricultural processing facilities shall be subject to the following standards.
  - a. The facility may be used for the sorting, cleaning, packing, freezing, milling, bottling and storage of horticultural and agricultural products (other than animals) grown on or off the premises preparatory to wholesale or the retail sale and/or shipment in their natural form or a milled liquid form.
  - b. Agricultural processing that includes milling and/or bottling of horticultural or agricultural products shall be limited to the following standards:
    - (1) Agricultural processing is limited to simple mechanical processing to convert fruit from a solid to a liquid without additives, chemical reactions or changes in natural ambient temperatures.
    - (2) Milling of agricultural products shall not generate wastewater discharges, or hazardous wastes.
    - (3) All process water and waste material from milling shall be managed on site as recycled irrigation water or organic compost. Exceptions are permissible in those unusual circumstances where some process water and/or waste material may be legally discharged into a sanitary sewer system, or legally disposed of as a solid waste (e.g., in those cases involving an unexpected contaminant).

- (4) Milling of horticultural or agricultural products from offsite sources shall be limited to no more than 49 percent the total volume of milled products on the facility premises, and where such premises comprise more than one legal parcel, at least 5 percent of the total volume of milled products shall be harvested from the legal parcel upon which the processing operation is located.
- (5) The legal parcel on which the processing occurs is planted with the horticultural or agricultural product prior to the commencement of any processing allowed in compliance with this Section.
- (6) The processing facility and any facilities devoted to ancillary activities such as wholesale sales and marketing, and parking, are limited to one acre.
- (7) On-site retail sales of any product resulting from the agricultural processing are not allowed.
- ~~b-c.~~ 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 that are located within 25 miles of the boundaries of the County.
- ~~e-d.~~ 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 the County for local processing, distribution, or sale
- ~~d-e.~~ Products processed at the facility are determined by the review authority to be the same or as similar to products grown on the premises where the facility is located or on other local agricultural lands located within 25 miles of the boundaries of the County.
- ~~e-f.~~ ~~Outside the Coastal Zone the~~ The facility and products shall be consistent with the Uniform Rules for Agricultural Preserves and Farmland Security Zones.
- ~~f-g.~~ This type of facility shall not be located on prime soils unless an alternative location on nonprime soils does not exist within a reasonable distance of the proposed site.
- 2. Additional agricultural processing facilities consisting of commercial and/or industrial development, structures, uses, and areas that are directly related to the processing, packaging, treatment and/or sale of agricultural commodities, transportation facilities required to support agriculture or fertilizer manufacturing area allowed in the Inland area within rural areas the Rural Area as designated on the Comprehensive Plan maps and designated with the Agricultural Industry Overlay on the Comprehensive Plan maps, provided that a Development Plan is approved in compliance with Section 35.82.080 (Development Plans).

**~~C. Permit requirements (Coastal Zone).~~**

- ~~1. Applications for facilities shall be accompanied by:~~
  - ~~a. A landscape plan in compliance with Section 35.34.030 (Landscape Plans).~~

~~b.—Information regarding truck vehicle routes that will serve the facility.~~

- ~~2.—A Conditional Use Permit for an agricultural processing facility shall not be required under this Section if the facility is primarily devoted to the processing of products grown on the premises, which may include products grown off premises if accessory and customarily incidental to the marketing of the products in their natural form that are grown on the premises.~~

## SECTION 2

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, of Chapter 35.110, Definitions, to amend the definition of Agricultural Processing as follows:

**Agricultural Processing.** The initial processing or preparation for shipping of agricultural products, including milling by simple mechanical process without additives, chemical reactions, changes in ambient temperatures and/or hazardous materials on the same site ("on-premise products") or from other properties ("off-premise products"), for onsite marketing or for additional processing and/or packaging elsewhere. Examples of this land use include the following:

drying of corn, rice, hay, fruits and vegetables flower growing pre-cooling and packaging of fresh or farm dried fruits and vegetables sorting, grading and packaging of fruits and vegetables pressing olives to create olive oil.

Does not include "wineries" which are defined separately.

## SECTION 3

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

## SECTION 4

Except as amended by this Ordinance, Article 35.4 and Article 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

## SECTION 5

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting 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 8th day of July, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
STEVE LAVAGNINO, CHAIR  
BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

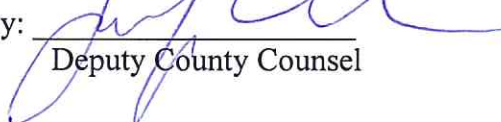
ATTEST:

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