

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST DISTRICT OFFICE  
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February 20, 2020

Gregg Hart, Chair  
Board of Supervisors  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, CA 93101

**RE: Santa Barbara County Local Coastal Program Amendment No. LCP-4-STB-18-0098-3-Part B (Agricultural Employee Dwellings)**

Dear Honorable Chair Hart and Supervisors:

On February 13, 2020 the Coastal Commission approved LCP Amendment LCP-4-STB-18-0098-3-Part B with suggested modifications. The Commission's resolution of certification is contained in the findings of the staff report dated January 23, 2020. The suggested modifications as approved by the Commission on February 13, 2020 are attached.

Section 13544 of the Commission's Administrative Regulations requires that after certification the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above, the Commission's certification with suggested modifications *shall expire six months* from the date of the Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.
- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object to the Executive Director's determination. If a majority of the Commissioners present object to the Executive Director's determination and find that the local government action does not conform to the provisions of the Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.

- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

The Commission and staff greatly appreciate the County's consideration of this matter.

Authorized on behalf of the California Coastal Commission by:

John Ainsworth  
Executive Director



By: Deanna Christensen  
District Supervisor

cc: Jessi Steele, Santa Barbara County Planning and Development Department

**FINAL SUGGESTED MODIFICATIONS TO THE PROPOSED  
IMPLEMENTATION PLAN/COASTAL ZONING ORDINANCE AMENDMENT**

**LCP Amendment No. LCP-4-STB-18-0098-3-Part B (Agricultural Employee Dwellings)**

Existing language of the certified Implementation Plan/Coastal Zoning Ordinance is shown in straight type. The County’s proposed amendment language to the certified Implementation Plan/Coastal Zoning Ordinance is shown in ~~strikeout~~ and underline. Language approved by the Commission to be modified is shown in ~~double-strikeout~~ and double underline. Other modifications approved by the Commission that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in *italics*.

**SUGGESTED MODIFICATION 1**

*The list of permitted and conditionally permitted uses in subsections 35-68.3, 35-68.4, and 35-68.5 of Section 35-68 (AG-I - Agriculture I) and subsections 35-69.3 and 35-69.4 of Section 35-69 (AG-II - Agriculture II) shall be updated to reflect the changes certified in LCP Amendment Nos. LCP-4-STB-18-0071-2-Part B (Accessory Dwelling Units) and LCP-4-STB-18-0039-1-Part C (Cannabis Regulations).*

**SUGGESTED MODIFICATION 2**

*Subsection B (Allowed Zones and Permit Requirements) of Section 35-144R (Agricultural Employee Dwellings) shall be modified as follows:*

- B. Allowed zones and ~~P~~permit requirements.** Additional dwellings, including mobilehomes, manufactured homes, and park trailers complying with the California Code of Regulations, Title 25, Division 1, Housing and Community Development, that provide housing for agricultural employees may be allowed in compliance with the following table. The table provides for land uses that are allowed subject to compliance with all applicable provisions of this Article and subject to first obtaining a Coastal Development Permit in compliance with Section 35-169 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35-178 (Land Use Permits) as applicable. Permitted uses are shown in the table as either “PP,” which denotes a Principal Permitted Use, or “P,” which denotes a non-Principal Permitted Use. An action by the decision-maker to approve or conditionally approve a permit application for a non-Principal Permitted Use may be appealed to the Coastal Commission in compliance with Section 35-182.6 (Appeals to the Coastal Commission). Uses allowed subject to the approval of a Major Conditional Use Permit or a Minor Conditional Use Permit in compliance with Section 35-172 (Conditional Use Permits) are shown as “CUP” uses or “MCUP” uses in the table, respectively. An application for a Coastal Development Permit shall be processed concurrently and in conjunction with the application for the Major or Minor Conditional Use Permit, and the Coastal Development Permit for the conditionally permitted use may be appealed to the Coastal Commission in compliance with Section 35-182.6 (Appeals to the Coastal Commission).

<b>Permit Requirements and Development Standards for Agricultural Employee Dwellings</b>			<del>CDP</del> <u>Permitted Use; Coastal Development Permit<sup>1</sup></u> <u>PP</u> <u>Principal Permitted Use; Coastal Development Permit<sup>1</sup></u> MCUP <u>Minor Conditional Use Permit<sup>1</sup></u> CUP <u>Conditional Use Permit<sup>1</sup></u>
<u>Zone</u>	<u>Permit requirement</u>	<u>Number of employees</u>	<u>Employment/Location</u>
AG-I	<u>PP<sup>2,3,4</sup></u>	<u>1-4</u>	<u>Employed full-time in agriculture on the farm or ranch upon which the dwelling is located.</u>
	<del>CDP</del> <sup>2,3,4</sup>	<del>5-9</del>	<del>Employed full-time in agriculture on the farm(s) or ranch(es) of the owner or operator of the farm or ranch upon which the dwelling is located.</del>
	MCUP	<u>10-19</u>	<u>Employed full-time in agriculture, the majority (51 percent or more) of which occurs on the farm(s) or ranch(es) of the owner or operator of the farm or ranch upon which the dwelling is located.</u>
	CUP	<u>20 or more</u>	<u>No restriction on location of employment.</u>
AG-II	<del>CDP</del> <sup>2,3,4</sup>	<del>1-24</del> <u>1-4</u>	<del>No restriction on location of employment.</del> <u>Employed full-time in agriculture on the farm or ranch upon which the dwelling is located.</u>
	<u>p<sup>2,3,4</sup></u>	<u>5-24</u>	<u>Employed full-time in agriculture, the majority (51 percent or more) of which occurs on the farm or ranch upon which the dwelling is located.</u>
	CUP	<u>25 or more</u>	<u>No restriction on location of employment.</u>
M-CD	<u>See Section 35-87.</u>		
M-CR	<u>See Section 35-92.</u>		
TC	<u>See Section 35-93.</u>		
<u>All other zones where single-family dwellings are allowed <del>by</del> pursuant to Division 4, Zoning Districts</u>	MCUP	<u>1-4</u>	<u>Employed full-time in agriculture on the farm or ranch upon which the dwelling(s) is located.</u>

<sup>1</sup> Development Plan approval may also be required pursuant to Division 4, Zoning Districts

<sup>2</sup> Projects with a water system with 2 to less than 200 connections will also require a MCUP and may be subject to environmental review. (See Section 35-147.2.)

<sup>3</sup> Projects within a Special Problems Area with an onsite wastewater treatment system, including a dry well, will also require a MCUP and may be subject to environmental review. (See Section 35-147.2.)

<sup>4</sup> Projects with an individual alternative onsite wastewater treatment system will also require a MCUP and may be subject to environmental review. (See Section 35-147.2.)

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).~~

### **SUGGESTED MODIFICATION 3**

*Subsection 5 (Findings Required for Approval) of Section 35-144R.C (Standards that Apply to Agricultural Employee Dwellings in all zones except AG-I and AG-II) shall be modified as follows:*

- 5H. 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 and non-prime land suitable for agriculture to the maximum extent feasible and has been sited and designed to maintain the long-term viability of ~~productivity of the farm's or ranch's~~ agricultural resources and operations on the property and on adjacent agricultural lands.
  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.

### **SUGGESTED MODIFICATION 4**

*Subsection 5 (Findings Required for Approval) of Section 35-144R.D (Standards that Apply to Agricultural Employee Dwellings in the AG-I and AG-II Zones) shall be modified as follows:*

- 5. 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 and non-prime land suitable for agriculture to the maximum extent feasible and has been sited and designed to maintain the long-term viability of ~~productivity of the farm's or ranch's~~ agricultural resources and operations on the property and on adjacent agricultural lands.
  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.

**SUGGESTED MODIFICATION 5**

The Agricultural Employee Housing use within Table 18-2 of Section 35-430.E (Gaviota Coast Plan Overlay: Allowable Development and Planning Permit Requirements) shall be modified as follows:

<b>Table 18-2 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for the Gaviota Coast Plan Area</b>	P	Permitted use, Coastal Permit required (2)					
	PP	Principal Permitted Use, Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Major Conditional Use Permit required					
	E	Allowed use, No Permit required					
	S	Permit determined by Specific Use Regulations					
—	Use Not Allowed						
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>						<b>Specific Use</b>
	AG-II	M-CD(3)	REC	RES	RR	TC	

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Agricultural employee <del>housing</del> <u>dwellings</u> , 4 or fewer employees	PP	—	—	—	—	—	<del>35-460.C</del> <u>35-144.R</u>
Agricultural employee <del>housing</del> <u>dwellings</u> , <u>5-24</u> <del>or more</del> employees	<del>CUP</del>	—	—	—	—	—	<del>35-460.C</del> <u>35-144.R</u>
<u>Agricultural employee dwellings, 25 or more employees</u>	<u>CUP</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>35-144.R</u>

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