

An Overview of Santa Barbara County's Agricultural Enterprise Ordinance


THE GIST


The County of Santa Barbara's proposed Agricultural Enterprise Ordinance would expand the range of activities on farms and ranches (all unincorporated lands zoned AG-II), and allow incidental food service at wine tasting rooms on lands zoned AG-I. The goal, through a tiered permitting program, is to allow landowners to conduct less intensive uses and to re-classify these uses as permitted as well as to only require conditional use permits for intensive uses. This ordinance is consistent with the community's growing interest in crop cultivation, wine production and animal husbandry. It will also expand the public use and enjoyment of our idyllic farmlands via overnight stays, events, tours, retreats, classes, hunting, fishing, farm-to-table dinners and farmstands.


CONTEXT

Santa Barbara County's proposed ordinance is intended to sustain the economic viability and diversity of agricultural operations. Currently, uses on agriculturally zoned land are limited to agriculture, single homes, agricultural employee dwellings, and agricultural outbuildings (e.g., barns). Some non-agricultural uses (e.g., campgrounds, special events) may be allowed, but currently require a Conditional Use Permit—an expensive and time-consuming process. The ordinance would create new revenue streams for farmers and streamline permitting.

WHAT AGRITOURISM USES WILL BE ALLOWED



USE	REQUIRED PERMIT
<p>Small-Scale Campground</p> <p>A site for temporary occupancy by campers which may include individual campsites. May include accommodations for RVs.</p> 	<p>Zoning Clearance (ZC) or Land Use Permit (LUP) (Inland)/Coastal Development Permit (CDP) (Coastal Zone)</p> <p>Number of Campsites per Premises (by size):</p> <ul style="list-style-type: none"> • ≤ 100 acres: up to 15 sites • > 100-320 acres: up to 20 sites • > 320 acres: up to 30 sites • 2 vehicles per campsite <p>Landowner may provide no more than one of the following semi-permanent 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 that would be towed to/from the site) • 30-day maximum (max) stay <p>Minor Conditional Use Permit (CUP) or CUP: Larger campgrounds, guest ranches, or those otherwise not complying with standards for ZC/LUP/CDP may be allowed with CUP per existing regulations.</p>

USE	REQUIRED PERMIT
<p>Farm Stays Transient lodging visitor-serving accommodations provided as part of a working farm or ranch operation. Lodging and food service are only available to registered guests of the farm stay operation.</p> 	<p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone):</p> <p>Maximum Guests/Bedrooms</p> <ul style="list-style-type: none"> • ZC: 10 guests/4 bedrooms • LUP/CDP: 15 guests/6 bedrooms <p>Farm Stay Accommodations</p> <ul style="list-style-type: none"> • ZC/CDP: Existing principal dwelling only • LUP/CDP (H): Any combination of an existing principal dwelling, conversion of existing building/structure, proposed cottage or park trailer <p>Location</p> <ul style="list-style-type: none"> • ZC/CDP: Existing principal dwelling only • LUP/CDP (H): All farmstay accommodations clustered in proximity to existing principal dwelling <p>Minor Conditional Use Permit (CUP) or CUP:</p> <p>Maximum Guests/Bedrooms</p> <ul style="list-style-type: none"> • 15 guests/6 bedrooms <p>Farm Stay Accommodations</p> <ul style="list-style-type: none"> • Any combination of an existing principal dwelling, conversion of existing building/structure, proposed cottage or park trailer <p>Location</p> <ul style="list-style-type: none"> • A majority of allowed farm stay accommodations shall be sited in proximity to existing principal dwelling. • A portion of accommodations may be located in remote envelope not to exceed 1 acre.

USE	REQUIRED PERMIT
<p>Educational Experience or Opportunity</p> <p>Includes small guided tours of farm or ranch, academic and technical training for farmers and ranchers, and education workshop experiences for the general public regarding the agricultural and natural resources on the premises.</p> 	<p>Exempt: (No new structures or additions requiring planning permits)</p> <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 acres: 50 attendees max • > 100-320 acres: 75 attendees max • > 320 acres: 100 attendees max • Not more than 24 days per year <p>Annual Maximum Attendance</p> <ul style="list-style-type: none"> • ≤ 100 acres: 1,200 attendees • > 100-320 acres: 1,800 attendees • > 320 acres: 2,400 attendees <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone):</p> <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 acres: 80 attendees max • > 100-320 acres: 120 attendees max • > 320 acres: 150 attendees max • Not more than 24 days per year <p>Annual Maximum Attendance</p> <ul style="list-style-type: none"> • ≤ 100 acres: 1,920 attendees • > 100-320 acres: 2,880 attendees • > 320 acres: 3,600 attendees <p>Minor Conditional Use Permit (CUP) or CUP: Educational activities that do not comply with standards for exemption or ZC/LUP/CDP may be allowed with a MCUP per existing regulations as a "similar gathering."</p>

USE	REQUIRED PERMIT
<p>Fishing Operation</p> <p>Catching fish either for food or as a sport.</p> 	<p>Exempt:</p> <ul style="list-style-type: none"> • 20 participants daily maximum • No new structures or additions requiring planning permits <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone):</p> <ul style="list-style-type: none"> • 30 participants daily maximum • Gross floor area of any new structure is less than 600 sf <p>Minor Conditional Use Permit (CUP) or CUP: Operation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP.</p>
<p>Hunting</p> <p>Hunting animals, either for food or as sport.</p> 	<p>Exempt:</p> <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 <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone): Gross floor area of any new structure is less than 600 sf</p> <p>Minor Conditional Use Permit (CUP) or CUP: Operation that does not comply with standards for exemption or ZC/LUP/CDP may be allowed with a CUP.</p>
<p>Horseback Riding</p> <p>Fee-based rental of horses for riding on the farm or ranch (includes allowing someone to bring their own horse to ride on the farm or ranch).</p> 	<p>Exempt:</p> <ul style="list-style-type: none"> • 24 participants daily maximum • Existing roads and trails; no new structures or additions requiring planning permits <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone): 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>Minor Conditional Use Permit (CUP) or CUP: Coastal - Operation that does not comply with standards for CDP may be allowed with a CUP.</p>

USE	REQUIRED PERMIT
<p>Incidental Food Service at Winery Tasting Rooms in AG-I and AG-II</p> <p>Food service that is incidental and subordinate to the winery tasting room.</p> 	<p>Exempt:</p> <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 <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone): Provision of foods that exceed those allowed through an exemption including an outdoor barbeque or pizza oven that is not part of a food truck or catered food operation. Service limited to the hours of operation of the tasting room.</p>
<p>Incidental Food Service (not at winery tasting rooms)</p> <p>Food service that is incidental and subordinate to the primary agricultural use of the property. Only allowed in conjunction with another agricultural enterprise activity that brings the public to the farm or ranch.</p>	<p>Exempt:</p> <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 or additions requiring planning permits <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone): Outdoor barbeque or pizza oven that is not part of a food truck or catered food operation but is incidental to another agricultural enterprise use that brings the public to the farm or ranch.</p>

USE	REQUIRED PERMIT
<p>Small-Scale Events (Mix and Match) (winery events will continue to be governed by winery ordinance and permits approved thereunder)</p> <p>Any combination of farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, non-motorized trail runs, bike races, equestrian endurance rides and similar activities/ gatherings.</p> 	<p>Exempt:</p> <ul style="list-style-type: none"> • ≤ 100 acres: 50 attendees max • > 100-320 acres: 75 attendees max • > 320 acres: 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 <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone):</p> <ul style="list-style-type: none"> • ≤ 100 acres: 80 attendees max • > 100-320 acres: 120 attendees max • > 320 acres: 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 <p>Minor Conditional Use Permit (CUP) or CUP: Events that do not comply with standards for exemption or ZC/LUP/CDP may be allowed with Minor CUP pursuant to existing regulations.</p>
<p>Farmstand</p> <p>Revises regulations for farm stands on AG-II to be consistent with state law regulating farm stands.</p> 	<p>Exempt:</p> <ul style="list-style-type: none"> • If a structure is required for sale of agricultural products, it must occur within an existing agricultural structure or from a separate stand, not exceeding 800 sf • Allows sale of artisanal crafts (up to 20% of floor area) • Up to 50 sf of sales area for bottled water, sodas, and other non-hazardous foods produced off-site <p>Zoning Clearance or Land Use Permit (Inland); Coastal Development Permit (Coastal Zone):</p> <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) • Up to 50 sf of sales area for bottled water, sodas and other non-hazardous foods produced off-site.

NEXT STEPS

- The Draft Environmental Impact Report (EIR) for the Ordinance was released on Aug 1, 2023 for a 45-day public review comment period. This comment period ends on Sep 14, 2023.
- It is anticipated that the ordinance will go to the Planning Commission for approval this fall, with final approval by the Board of Supervisors following shortly after.