



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning and  
Development (P&D)  
**Department No.:** 053  
**For Agenda Of:** November 5, 2024  
**Placement:** Departmental  
**Estimated Time:** 2 hours  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Lisa Plowman, Director, Planning and Development Department  
Director(s) (805) 568-2068  
Contact Info: Alex Tuttle, Deputy Director, Long Range Planning  
(805) 568-2072  
**SUBJECT: Agricultural Enterprise Ordinance**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors (Board) consider the recommendations of the County Planning Commission, follow the procedures outlined below, and approve Case Nos. 23ORD-00005, 23ORD-00006, 24RZN-00004, and 24RZN-00005 to adopt the Agricultural Enterprise Ordinance, and take the following actions:

- a) Make the required findings for approval, including the California Environmental Quality Act findings and Statement of Overriding Considerations (Attachment 1).
- b) Certify the Agricultural Enterprise Ordinance Program Environmental Impact Report (EIR) (County Environmental Document No. 23EIR-00003, State Clearinghouse No. 2021110353), dated February 2024 (Attachment 2), as modified by the EIR Revision Document (RV 01), dated November 5, 2024 (Attachment 3).
- c) Approve the Agricultural Enterprise Ordinance by taking the following actions:
  - i) Adopt an ordinance amending the zoning regulations of the County Land Use and Development Code (Case No. 23ORD-00005), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 4);
  - ii) Adopt an ordinance amending the zoning regulations of the Article II Coastal Zoning Ordinance (Case No. 23ORD-00006) of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment 5);

- iii) Adopt an ordinance amending the County Zoning Map (Case No. 24RZN-00004) of the County Land Use and Development Code, Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, by adding a new Limited Agricultural Enterprise (LAE) Overlay Zone (Attachment 6); and
- iv) Adopt an ordinance amending Article II Coastal Zoning Ordinance of Chapter 35, Zoning of the Santa Barbara County Code (Case No. 24RZN-00005) by amending the Guadalupe Dunes/Point Sal Coastal Plan Zoning Overlay by adding a new Limited Agricultural Enterprise (LAE) Overlay District (Attachment 7).
- d) Adopt a resolution to amend the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Attachment 8).
- e) Adopt a resolution authorizing submittal of the Agricultural Enterprise Ordinance amendments to the California Coastal Commission for certification as an amendment to the Santa Barbara County Local Coastal Program (Attachment 9).

**Summary Text:**

The County of Santa Barbara (County) proposes to adopt the Agricultural Enterprise Ordinance (Project). The purpose of the proposed Project is to help sustain the economic viability and diversity of agricultural operations in unincorporated areas of Santa Barbara County. The proposed Project would expand the range and diversity of allowable uses on all rural unincorporated lands zoned Agricultural II (AG-II), including in the coastal zone, and allow incidental food service at winery tasting rooms zoned Agricultural I (AG-I) or AG-II. The additional allowable uses are intended to be small-scale and ancillary to the primary agricultural uses. The proposed Project would ease permit requirements for a specified range of uses in a way that supports the overall economic viability of agricultural operations while also maintaining the primary agricultural function, productivity, and character of these agricultural zone districts.

The County Planning Commission (Commission) held eight public hearings on the project before making their recommendation to the Board (November 29 and December 13, 2023, and January 10, February 14, March 13, June 12, July 24, and August 28, 2024), during which the Commission: (1) received an overview of the AEO project and the Program Environmental Impact Report (PEIR); (2) received testimony from County Fire and Environmental Health Services Division staff regarding health and safety considerations; (3) directed staff to meet with the Agricultural Advisory Committee (AAC) ad hoc subcommittee and received the AAC’s recommendations for the AEO; and (4) received extensive public comments on various aspects of the project.

**Background:**

**1.0 Project Information**

Agriculture plays a substantial role in both the economy and cultural history of Santa Barbara County. Given that agriculture is the single largest production industry in terms of dollar value, the County recognizes the need to protect and maintain agricultural viability and economic productivity. Increased flexibility and/or appropriate incentives may allow agricultural landowners to respond to changing market forces, improve land management techniques, and broaden allowable uses to enhance income on agricultural lands while maintaining primary agricultural uses into the future.

The uses and related development enabled by the proposed Project would generate new opportunities for local farmers and ranchers to increase revenues and enhance the economic productivity of their operations. For example, “agritourism” is generally defined as a commercial enterprise at a working farm or ranch

conducted for the enjoyment or education of visitors, which also generates supplemental income for the owner. Such uses can also be an effective tool to educate the public about the importance of agriculture, its contribution to the county's economy and quality of life, and to more broadly support the county's important tourism and visitor-serving industry. Agritourism can provide additional benefits for local agriculture, such as enhancing the appeal and demand for local products, fostering regional marketing efforts, and creating value-added and direct-marketing opportunities. When sited and scaled appropriately, such enterprises have the potential to promote the preservation of agricultural land and operations, thereby preserving the character of the agricultural lands while contributing to economic development and employment opportunities.

1.1 Summary of Proposed Project

The proposed Project would amend the County Land Use and Development Code (LUDC) and Coastal Zoning Ordinance, Article II (Article II) to expand upon a tiered permitting structure first adopted for AG-II zoned lands in the Gaviota Coast Plan Area. The proposed AEO uses would be allowed on lands zoned AG-II countywide. In addition, incidental food service would also be allowed at winery tasting rooms on lands zoned AG-I. The proposed Project would replace the tiered permitting structure that currently exists only in the Gaviota Coast Plan Area.

Proposed AEO uses include both supplementary agricultural uses and various rural recreation uses, as summarized below.

**Table 1 – Summary of Uses**

Supplementary Agricultural Uses	Rural Recreation Uses
<ul style="list-style-type: none"> <li>• Agricultural processing beyond the raw state (small-scale)</li> </ul>	<ul style="list-style-type: none"> <li>• Small-scale campgrounds</li> </ul>
<ul style="list-style-type: none"> <li>• Agricultural product preparation</li> </ul>	<ul style="list-style-type: none"> <li>• Farmstays</li> </ul>
<ul style="list-style-type: none"> <li>• Aquaponics</li> </ul>	<ul style="list-style-type: none"> <li>• Educational experiences or opportunities</li> </ul>
<ul style="list-style-type: none"> <li>• Composting</li> </ul>	<ul style="list-style-type: none"> <li>• Fishing or hunting operations</li> </ul>
<ul style="list-style-type: none"> <li>• Farm stands</li> </ul>	<ul style="list-style-type: none"> <li>• Horseback riding</li> </ul>
<ul style="list-style-type: none"> <li>• Firewood processing and sales</li> </ul>	<ul style="list-style-type: none"> <li>• Incidental food service**</li> </ul>
<ul style="list-style-type: none"> <li>• Lumber processing/milling</li> </ul>	<ul style="list-style-type: none"> <li>• Small-scale events</li> </ul> <p>Small-scale special events may include farm-to-table dinners, cooking classes, weddings, receptions, parties, writing or yoga workshops, and similar gatherings, and non-motorized trail runs, bike races, equestrian endurance rides, and similar activities, operated on a commercial basis.</p>
<ul style="list-style-type: none"> <li>• Tree nut hulling</li> </ul>	

\*\* Incidental food service would be allowed in conjunction with select AEO uses, as well as at winery tasting rooms on lands zoned AG-I or AG-II.

### 1.1.1 Tiered Permitting

The tiered permitting structure for the proposed AEO uses includes: (1) a level of use that would allow the use to be exempt from zoning permits; and (2) greater intensities of use that could be allowed with a Zoning Clearance (ZC), Land Use Permit (LUP), Coastal Development Permit (CDP), Minor Conditional Use Permit (MCUP), or Conditional Use Permit (CUP). This tiered permitting structure would provide flexible permitting based on the size, scale, and level of intensity of the use and compliance with development standards. For example, small-scale uses in the Inland Area might be exempt from planning permits or allowed with a ZC or LUP. In the Coastal Zone, due to the Coastal Act definition of “principal permitted use” and “development,” which includes a “change in the intensity of use,” most uses would likely require a CDP, except farm stands that meet specific standards. This is consistent with how Article II is currently structured for many of the uses that were established as part of the Gaviota Coast Plan.

### 1.1.2 Description of Permit Types

For most of the proposed AEO uses, if the use is not exempt or is not allowed with a ZC or LUP (because the proposed use does not meet the criteria for the lower-level permit), an applicant would be required to obtain a MCUP or CUP for the use.

A use that is exempt from zoning permits still must comply with applicable standards of the LUDC (Inland Area) or Article II (Coastal Zone), including AEO related development standards. Issuance of an exemption from the Planning and Development Department is not required, but may be obtained upon request.

A ZC is a ministerial zoning permit that Planning and Development Department staff issues for certain development and uses within the Inland Area of the county to ensure that a project complies with required development standards. A ZC is not noticed and is not appealable.

A LUP is a Planning Director-approved zoning permit for certain development and uses within the Inland Area of the county. A LUP is not subject to a public hearing; however, in contrast with a ZC, LUPs are noticed (e.g. mailed notices to neighboring properties and posted placard) prior to approval and LUPs are subject to appeal.

A CDP is a Planning Director-approved zoning permit for certain development and uses within the Coastal Zone. CDPs are subject to specific noticing and administrative appeal procedures set forth in Article II, in order to satisfy requirements of the Coastal Act. A CDP is not subject to a public hearing, but is noticed prior to approval, and is subject to appeal.

A CDP with hearing (CDP-H), is a CDP for certain development within the Coastal Commission appeals jurisdiction, and for non-principal permitted uses. The key distinctions between a “principal permitted use” and “non-principal permitted use” are: (1) the degree to which the use implements the designated land use and intent and purpose of a zone (e.g., AG-II zone district); and (2) principal permitted uses are not subject to a hearing and appeal to the Coastal Commission, whereas non-principal permitted uses require a public hearing and are subject to appeal to the Coastal Commission. The Zoning Administrator is the decision-maker for CDP-Hs, unless the hearing is waived in accordance with applicable provisions of the CZO, in which case the Director becomes the decision-maker. These permits are noticed and the decisions may be appealed to a higher review authority (e.g., Board of Supervisors), including the Coastal Commission.

Minor CUPs and CUPs are discretionary zoning permits for uses that are typically inappropriate for certain zones but, under certain conditions, may be allowed. Decision-makers must make certain, heightened

findings (e.g., findings related to neighborhood compatibility) that differ from other zoning permits, in order to approve Minor CUPs and CUPs. The Zoning Administrator is the decision-maker for Minor CUPs and the County Planning Commission is the decision-maker for CUPs. The hearings for these permits are noticed and the decisions may be appealed to a higher review authority (e.g., Board of Supervisors).

The Planning Commission reviewed and considered appropriate permit levels and level of use/intensity for each potential AEO use; including, which uses/levels could be exempt from zoning permits. In general, the Commission’s recommendations trended towards allowing a greater number of AEO uses with a Zoning Clearance (ZC) or exempt from permits (See Attachment 12 – Summary of PC Recommendations).

**Table 2 – Permit Type Summary**

Permit Type	Noticing	Hearing	Decision-maker	Appealable
ZC	No	No	P&D Director	No
LUP	Yes	No	P&D Director	Yes
CDP	Yes	No	P&D Director	Yes
CDP (H) with hearing	Yes	Yes	Zoning Administrator	Yes
Minor CUP	Yes	Yes	Zoning Administrator	Yes
CUP	Yes	Yes	Planning Commission	Yes

1.1.3 Development Standards

The draft LUDC and Article II CZO ordinance amendment text (Attachments 4 and 5) incorporate development standards to minimize potential land use compatibility issues; minimize adverse effects on agricultural resources, the natural environment and resources; and promote and protect general public health, safety, and welfare. The proposed development standards are derived from a variety of sources, including: (1) the AEO Program Environmental Impact Report (PEIR) Project Description; (2) PEIR proposed and recommended mitigation measures; (3) existing LUDC and Article II standards; (4) Planning Commission recommendations; and (5) standards to ensure the proposed AEO uses are consistent with the Santa Barbara County Comprehensive Plan and County Code. The development standards would apply to all AEO permit tiers, including AEO uses proposed to be exempt from zoning permits. For discretionary permit tiers, there is the ability to modify the development standards on a case by case basis as warranted. Examples of development standards include the following:

- Compliance with Public Health Department requirements, County Fire Code, and Building Code requirements
- Fire Protection Plan for County Fire Department review and approval
- Informational Advisory – Advisory to visitors/guests disclosing the AEO use is located on an active agricultural operation and visitors may be exposed to minor inconveniences such as noise, dust, and odors from agricultural operations on the premises and/or adjacent agricultural lands
- Setbacks to address land use compatibility, noise, lighting, and signage
- Setbacks from sensitive habitats

#### 1.1.4 Uniform Rules Amendments

The proposed Project also includes a Uniform Rules amendment to address the compatibility of proposed AEO uses on lands subject to a Williamson Act contract. Over 64% of privately owned AG-II zoned lands (493,600 acres) are also enrolled in the County's Agricultural Preserve Program.

The Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) is the set of rules by which the County administers its Agricultural Preserve Program under the California Land Conservation Act of 1965, better known as the Williamson Act. The purpose of the Williamson Act is the long-term conservation of agricultural and open space lands. The Act establishes a program to enroll land in Williamson Act or Farmland Security Zone contracts whereby the land is restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. Participation in the program is voluntary by the County and by the eligible landowners.

The Uniform Rules implement the Williamson Act by defining eligibility requirements and compatible uses to which each participating landowner must adhere in order to receive a reduced tax assessment. Often, the Uniform Rules are more restrictive than the underlying agricultural zoning requirements, as is the case with the current proposed amendments.

The Agricultural Preserve Advisory Committee (APAC) is an advisory committee to the Board of Supervisors. The APAC reviewed the proposed AEO uses and the conditions under which various AEO uses could be considered a compatible use on agricultural preserve contracted lands, and have forwarded their proposed Uniform Rules amendment recommendation to the Board of Supervisors (Attachment 8 – Exhibit 1).

Pursuant to Government Code Section 51231, the Board is the decision making body for amendments to the Uniform Rules regarding allowed uses on lands that are subject to agricultural preserve contracts. Furthermore, pursuant to Government Code Section 51239, the APAC, not the County Planning Commission, advises the Board on the administration of the agricultural preserves in the County. Therefore, the proposed amendments to the Uniform Rules, as recommended by the APAC, were presented at the County Planning Commission hearings for informational purposes only.

As mentioned above, the APAC's recommended Uniform Rules amendments to allow AEO uses on contracted lands are more restrictive than the AEO-related zoning ordinance amendments recommended by the County Planning Commission. Table 3 below, provides a summary of the key differences between the APAC's recommended Uniform Rules amendments and the AEO zoning ordinance amendments recommended by the County Planning Commission. The APAC's recommended Uniform Rules amendments include specific criteria and requirements that must be met for the AEO use or activity to be considered compatible on agricultural preserve contracted land and consistent with the Williamson Act.

**Table 3 – Differences between APAC and County PC Recommendations**

	<b>APAC</b>	<b>County PC</b>
<b>Small-scale campground</b>		
Number of campground development area(s) (per premises)	One (1)	< 320 acres: Up to 2 ≥ 320 acres: Up to 4
Size of campground development area(s) (per premises)	≥ 40 ac to ≤ 100 ac: one acre ≥ 100 ac to ≤ 320 ac: two acres > 320 ac: three acres	<ul style="list-style-type: none"> <li>Total disturbance not to exceed five acres</li> <li>Remote campground development area(s) not to exceed one acre</li> </ul>
<b>Farmstay</b>		
Location of farmstay accommodations	<ul style="list-style-type: none"> <li>Principally located in clustered proximity to principal dwelling and infrastructure</li> <li>One remote farmstay envelope allowed, not to exceed one acre</li> </ul>	<ul style="list-style-type: none"> <li>Can be entirely remote, clustered, or combination of both</li> <li>If remote, limited to one remote envelope, not to exceed one acre</li> </ul>
<b>Stacking of AEO Uses</b>		
Farmstays and small-scale campgrounds allowed on the same premises	Both allowed on the same premises of 100 acres or greater	Both allowed on the same premises of 40 acres or greater
<b>Small-scale Events</b>		
Minimum premises size	Allowed on premises of 40 acres or greater	No premises size limitation
<b>Educational experiences or opportunities</b>		
Minimum premises size	Allowed on premises of 40 acres or greater	No premises size limitation

1.1.5 Permit Streamlining for Larger Agricultural Structural Developments

The proposed Project also includes amendments to Article II to provide consistent permit streamlining for larger agricultural structural development (e.g., barns, stables, and sheds) throughout unincorporated lands zoned AG-II. In 2010, the Board of Supervisors adopted an ordinance amending the County LUDC that revised the Development Plan (DVP) thresholds for larger structural agricultural development on lands zoned AG-II. In 2016, the Board adopted, and in 2018, the Coastal Commission certified, this same amendment to Article II with minor modifications, thereby applying it to the Coastal Zone of the Gaviota Coast Plan area.

The proposed Project would amend Article II to apply the same DVP thresholds to the remainder of the AG-II zone within the Coastal Zone, an area of approximately 6,327 acres that is located west of the City of Guadalupe. A DVP would be required when any one of the following gross floor area thresholds is met:

- Non-agricultural structural development would total 15,000 square feet (sf) or more, cumulative;
- An individual agricultural structure is proposed to be 15,000 sf or larger;

- An individual agricultural structure is proposed to be at least 10,000 sf and there is another 10,000-sf agricultural structure on the site (i.e., resulting in at least two 10,000-sf agricultural structures on the lot); or
- The proposed structure(s) would result in a total gross floor area on a lot that exceeds the DVP threshold listed for the applicable lot area as shown in Table 17-1 of Article II. Total gross floor area includes the gross floor area of agricultural structural development and non-agricultural structural development, both existing and proposed.

## 2.0 Planning Commission Recommendation

Numerous changes were made to the project during the course of the eight County Planning Commission hearings in response to PC direction. The Planning Commission staff reports included in Attachment 13 reflect the evolution of the project proposal during that hearing process. On August 28, 2024, the County Planning Commission voted 5-0 to recommend the Board adopt the AEO amendments, with a final set of revisions (Attachment 11 – PC Resolution and Action Letter). All Planning Commission recommendations have been incorporated into the proposed LUDC and Article II ordinance amendments (Attachment 4 and 5, respectively), as well as proposed ordinance amendments to add the Limited Agricultural Enterprise Overlay to the County zoning maps (Attachments 6 and 7). Attachments 4-1 and 5-1 depict a track-change version of the LUDC and Article II ordinance amendments with new text underlined and deleted text ~~struck-out~~. Staff has incorporated minor ordinance text revisions and clarifications into the Planning Commission recommended LUDC and Article II ordinance amendments.

For easier review, staff has provided a summary table of the Planning Commission recommendations for each AEO use, including proposed permit levels and a list of key development standards and/or applicable zoning requirements (Attachment 12 – AEO Matrix).

### 2.1 Agricultural Commodities Setbacks

Appropriate AEO setbacks from adjacent properties with agricultural commodities (e.g. row crops, orchards, vineyards) was a key issue area of discussion by the Commission, the Agricultural Advisory Committee, and the public over the course of several meetings. Much of the discussion focused on a proposed 1,000-foot setback from adjacent row and food crops for certain agricultural enterprise uses, and how best to balance food safety concerns and restrictions, while not unduly limiting agricultural enterprise use opportunities on adjacent agricultural lands.

To address this issue, the Planning Commission introduced the concept of using a “zoning overlay” as a potential tool to limit some of the proposed AEO uses that present potential conflicts with historic food crop growing areas in the County (e.g. west and east of the cities of Santa Maria and Lompoc), while continuing to allow all uses that are currently allowed in the AG-II zone.

Proposed Limited Agricultural Enterprise Overlay. The proposed Limited Agricultural Enterprise (LAE) zoning overlay involves both text and map amendments to the LUDC and Article II.

*Overlay Text Amendments.* The proposed LAE overlay would expressly allow a limited number of AEO uses most closely aligned with agriculture (e.g. farm stand, small-scale agricultural processing, and aquaponics) with the same exemptions, permit requirements, and development standards as are proposed by the AEO for all AG-II zones. The intent of the Commission was to allow all current uses in the AG-II zone to continue unchanged with the proposed LAE overlay; therefore, the draft overlay text proposes to continue to allow horseback riding/equestrian facilities with a land use permit, and hunting as an allowed



use (hunting is regulated by the California Department of Fish and Wildlife – no planning permit is required). All other AEO uses could be allowed in the LAE overlay with a Minor Conditional Use Permit.

*Overlay Map Amendments.* The map amendments would amend the County Zoning Map in the Inland Area to add the overlay (Case No. 24RZN-00004) and would amend the Guadalupe Dunes/Point Sal Coastal Plan Zoning Overlay in the Coastal Zone to add the overlay (Case No. 24RZN-00005). The overlay map exhibits attached to the rezone amendments (Attachment 6 - Exhibits 1, 2, and 3, and Attachment 7 – Exhibit 1) depict the locations of the proposed LAE overlay. Please visit <https://arcg.is/188Pau0> to review an interactive map that displays the proposed Limited Agricultural Enterprise overlay.

For AG-II zoned lands outside of the proposed LAE overlay, the Planning Commission recommends a standard 200-foot setback for certain AEO uses from adjacent agricultural commodities, rather than individual setbacks from adjacent food crops, orchards, or vineyards. The setbacks would be required for exempt uses and uses that require a permit.

## 2.2 Low-Impact Camping

Low-impact camping is a new sub-category of campgrounds recommended by the Planning Commission which would allow not more than nine individual campsites with limited amenities. The Planning Commission recommendation supports the concept of low-impact camping, but the Commission expressed concern that requiring an Onsite Wastewater Treatment System to serve a limited number of low-impact campsites could be financially infeasible to prospective landowners seeking to develop a low-impact camping area.

An Onsite Wastewater Treatment System (OWTS), generally referred to as a septic system, is used to collect, treat and dispose of wastewater from land uses that do not have access to a public sewer system. When properly sited, designed, installed, operated and maintained, an OWTS will effectively reduce the impact of the wastewater on the environment and most importantly protect public health.

Overall authority of OWTS lies with the State Water Resources Control Board. At the local level, County Public Health Department, Environmental Health Services (EHS), is responsible for implementing state OWTS regulations through Chapter 18C (Environmental Health Services) of the County Code, and the Santa Barbara County Local Agency Management Program or LAMP, which was adopted by the Board of Supervisors in January 2015, and received final approval by the Central Coast Regional Water Quality Control Board in November 2015. Current regulations in Chapter 18C of the County Code, and the LAMP, require an OWTS for all campgrounds.

As such, the Planning Commission recommended the Board direct County EHS to evaluate options to allow low-impact campgrounds to be served by portable toilets (or other alternative wastewater disposal methods such as composting toilets) instead of the required OWTS, including potential amendments to Chapter 18C (Environmental Health Services) of the County Code and the LAMP. The recommended actions for your Board today do not include specific direction or action on this Planning Commission recommendation.

## 3.0 Environmental Review

The County prepared a Program Environmental Impact Report (PEIR) pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15168 for the proposed Project. As a Program EIR, the level of detail included in the project description and methodology for impact analysis is more general than a project-level EIR, as individual site-level details within affected agricultural zone districts

are not available. In addition, the type, number, and scale of future permit applications that would be processed by the County are unknown, rendering site- and project-specific analyses too speculative for detailed evaluation. This programmatic approach to environmental impact analysis allows the County to consider broad implications and impacts associated with the proposed Project while not requiring a detailed evaluation of individual properties.

The County prepared and distributed a Notice of Completion (NOC) / Notice of Availability (NOA) for the Draft PEIR to relevant agencies and interested parties on August 1, 2023. The NOA provided notice of a 45-day public review and comment period for the Draft PEIR, from August 1, 2023, to September 14, 2023. The County received 43 written comment letters and six oral testimonies (received during the environmental hearing) on the Draft PEIR. The Final PEIR was published in February 2024 and includes responses to comments received and minor EIR text revisions and clarifications. A link to the Final PEIR is included in Attachment 2 to this Board Letter, and the Final PEIR is also available on P&D's website: <https://cosantabarbara.app.box.com/s/k86vlnnhh934a6fkw7461yczb892e71l>

### 3.1 Summary of Project Impacts

The proposed Project would result in significant and unavoidable impacts related to criteria air pollutant emissions, Greenhouse Gas (GHG) emissions, and increases in countywide Vehicle Miles Traveled (VMT), as summarized below. Individual uses and related development under the proposed Project would be small-scale, secondary, and supplemental to existing agricultural uses. These projects would not generate significant and unavoidable impacts individually, but depending on the extent to which property owners make use of the ordinance and the popularity of the uses, these projects could have collective impacts related to an increase in vehicle trips and mobile-source emissions. The operation of new visitor-oriented or rural recreation uses in the rural areas of the county such as farmstays, campgrounds, and events have the potential to attract a large number of visitors to the rural area from both within and outside Santa Barbara County; resulting in cumulative increases of vehicle trips, VMT, and associated air quality and GHG emissions.

- Air Quality. The proposed Project may generate new cumulatively considerable long-term mobile-source nitrogen oxide (NO<sub>x</sub>) and reactive organic compound (ROC) emissions exceeding Santa Barbara County Air Pollution Control District (SBCAPCD) significance thresholds. These emissions would have a cumulatively considerable contribution to the South Central Coast Air Basin's (SCCAB's) nonattainment status for ozone (O<sub>3</sub>) precursors.
- Greenhouse Gas Emissions. The proposed Project may generate new long-term GHG emissions exceeding the County's adopted GHG significance thresholds. Given the analysis of GHG emissions is cumulative in nature, the proposed Project would also result in a considerable contribution to a cumulative significant impact related to GHG emissions.
- Transportation. The proposed Project may generate new vehicle trips, which would generate a net increase in countywide VMT that would exceed the County's adopted VMT thresholds and be inconsistent with State CEQA Guidelines Section 15064.3(d). The contribution of the proposed Project to cumulative increases in total countywide roadway VMT would also be cumulatively considerable.

Based on analysis provided in the Final PEIR, the proposed Project would also result in potentially significant but mitigable impacts related to: Agriculture, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Noise, and Wildfire. The programmatic mitigation measures identified

in the Final PEIR have been incorporated as development standards in the LUDC and CZO ordinance amendments.

### 3.2 EIR Alternatives

In addition to the proposed Project, the PEIR analyzed the following project alternatives:

- No Project Alternative

Under the No Project Alternative, the County would not approve the proposed Agricultural Enterprise Ordinance and therefore would not amend the LUDC or CZO. Additionally, the County would not amend the Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules). The No Project Alternative would not change any of the current regulatory and permitting mechanisms that govern the uses and related development on unincorporated lands zoned Agricultural II (AG-II) or parcels with winery tasting rooms on lands zoned Agricultural I (AG-I).

- Alternative 1 – Reduced VMT Alternative

The purpose of the Reduced VMT Alternative is to reduce the level of significant and unavoidable impacts (Air Quality, GHG emissions, and Transportation -VMT) to the maximum extent feasible by eliminating the largest trip generating uses.

The Reduced VMT Alternative would revise the scope of the Agricultural Enterprise Ordinance by removing farmstays and eliminating the streamlined permitting tiers for campgrounds, small-scale events, and educational experiences and opportunities. Campgrounds, of any size, would continue to be permitted with a CUP, while commercial small-scale events could be permitted under the current requirement for a Minor CUP (MCUP). Although educational experiences and opportunities are not specifically enumerated as an allowed use the LUDC and Article II CZO, many of the examples of the types of activities that qualify as an educational experience could be allowed pursuant to the various permit options under the temporary uses sections of the LUDC (Section 35.42.260).

This alternative would substantially reduce VMT impacts as well as related mobile-source criteria air pollutant and GHG emissions. In addition, this alternative would retain the current zoning ordinance limits for agricultural processing requiring at least 51 percent of the products originate from the premises (i.e., that no more than 49 percent of the products to be produced on the premises may originate from off the premises). By retaining the current zoning ordinance limits on the sourcing of the products to be processed, this alternative would further reduce VMT compared to the proposed Project, and in turn, further reduce criteria air pollutant and GHG emissions.

- Alternative 2 – Reduced Project Alternative

The Reduced Project Alternative would retain all of the uses included in the proposed Project. However, this alternative would revise downward the levels of intensity for several of the highest VMT generating uses that could otherwise qualify for an exemption or low-level permit under the proposed Project. Similar to the Reduced VMT Alternative, this alternative would retain the current zoning ordinance limits for agricultural processing requiring at least 51 percent of the products originate from the premises (i.e., that no more than 49 percent of the products to be produced on the premises may originate from off the premises). Finally, this alternative would reduce the potential for “stacking” of overnight accommodations on participating premises by allowing one campground or one farmstay per premises, but not both.

Of the alternatives considered, the No Project Alternative eliminates the significant and unavoidable impacts identified for the proposed Project; therefore, it is environmentally superior to any project that

would lead to a change in existing conditions. However, the No Project Alternative would not achieve any of the Project Objectives. Without a tiered permitting system, the implementation of small-scale, secondary, supplemental uses would continue to be time consuming and often cost prohibitive. CEQA Guidelines Section 15126.6 also states that if the Environmentally Superior Alternative is the No Project Alternative, the EIR shall also identify an Environmentally Superior Alternative from among the other alternatives.

Other than the No Project Alternative, none of the alternatives would avoid the significant and unavoidable impacts related to VMT. Because the Reduced VMT Alternative, would substantially reduce significant and unavoidable impacts related to criteria air pollutant and GHG emissions to insignificant impacts, it is considered the Environmentally Superior Alternative. However, the removal of farmstays and the elimination of permit streamlining for small-scale campgrounds may reduce the potential economic opportunities provided by the proposed Agricultural Enterprise Ordinance. Under the Reduced VMT Alternative, the beneficial impacts to agricultural resources and related plans, goals, and policies focused on agricultural resources would not be achieved to the same extent as described for the proposed Project.

### 3.3 EIR Revision Document

Since publication of the Final PEIR (February 2024), the Planning Commission recommended several changes to the AEO amendments. A Revision Document to the Final PEIR has been prepared to evaluate these changes and is included as Attachment 3 to this Board Letter. As discussed in the EIR Revision Document, recirculation of the Final PEIR is not required.

### 3.4 Findings and Statement of Overriding Consideration

The AEO Final PEIR, dated February 2024, and the EIR Revision Document RV 01, dated October 2024, identifies project impacts related to air quality, greenhouse gas emissions, and transportation as significant environmental effects which are considered unavoidable. To adopt the AEO amendments, CEQA Guidelines Section 15093 requires the Board of Supervisors to adopt a Statement of Overriding Considerations balancing the benefits of the project against the identified unavoidable environmental risks and determine the project benefits outweigh the risks (Attachment 1).

## 4.0 Comprehensive Plan Consistency

Staff reviewed the AEO amendments for consistency with the applicable policies of the Santa Barbara County Comprehensive Plan and concludes that the AEO amendments, as proposed incorporating County Planning Commission recommendations, is consistent with the Comprehensive Plan, including the Coastal Land Use Plan (Attachment 10).

### **Fiscal and Facilities Impacts:**

Budgeted: Yes

The County Adopted Budget FY 2024-2025, page 321, includes funding for the Agricultural Enterprise Ordinance as part of P&D's Long Range Planning Division Budget Program. There are no facilities impacts.

If the Board adopts the AEO, the county can anticipate additional sales tax from on-site sales and some transient occupancy tax from any new licensed farmstays; the county does not currently collect TOT for campsites. Some county departments may need to amend their fee schedules to collect fees for the review of Zoning Clearances and exemptions.

**Special Instructions:**

The Planning and Development Department will satisfy all noticing requirements.

The Clerk of the Board shall provide copies of the Minute Order and signed resolutions and ordinances to the Planning and Development Department (P&D), attention: Julie Harris.

**Attachments:**

1. Findings for Approval and Statement of Overriding Considerations
2. Final Environmental Impact Report (23EIR-00003)
3. EIR Revision Document (RV 01)
4. County Land Use and Development Code Ordinance Amendment for Adoption (Case No. 23ORD-00005)
  - 4-1. County Land Use and Development Code Ordinance Amendment with Revisions Shown
5. Article II Coastal Zoning Ordinance Amendment for Adoption (Case No. 23ORD-00006)
  - 5-1. Article II Coastal Zoning Ordinance Amendment with Revisions Shown
6. County Land Use and Development Code Zoning Map Ordinance Amendment (Case No. 24RZN-00004)
7. Article II Coastal Zoning Ordinance Guadalupe Dunes/Point Sal Coastal Plan Zoning Overlay Ordinance Amendment (Case No. 24RZN-00005)
8. Resolution Amending the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones
  - Exhibit 1 – Proposed Amended Uniform Rules
9. Resolution Authorizing Submittal of the Article II Agricultural Enterprise Ordinance Amendments to the California Coastal Commission
10. Policy Consistency Analysis
11. Planning Commission Action Letter and Resolution, dated August 28, 2024
12. AEO Matrix: Summary of Planning Commission Recommendations
13. Planning Commission Hearing November 29, 2023 Staff Report, Attachments, and Hearing Materials
14. Planning Commission Hearing December 13, 2023 Hearing Materials
15. Planning Commission Hearing January 10, 2024 Hearing Materials
16. Planning Commission Hearing February 14, 2024 Staff Memo and Hearing Materials
17. Planning Commission Hearing March 13, 2024 Staff Memo, Attachment, and Hearing Materials
18. Planning Commission Hearing June 12, 2024 Staff Report, Attachments, and Hearing Materials
19. Planning Commission Hearing July 24, 2024 Staff Memo, Attachments, and Hearing Materials
20. Planning Commission Hearing August 28, 2024 Staff Memo, Attachments, and Hearing Materials
21. Public Comments to Planning Commission (including links)

Agricultural Enterprise Ordinance Amendments  
Case No.: 23ORD-00005, 23ORD-00006, 24RZN-00004, 24RZN-00005  
Hearing Date: November 5, 2024  
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**Authored by:**

David Lackie, Supervising Planner, Long Range Planning Division

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