

NOTE: Additions to the original text in the *Non-Coastal Zoning Ordinance* are underlined. Deletions are indicated by ~~strikethrough~~.

## **AMENDMENTS TO THE NON-COASTAL ZONING ORDINANCE FOR FARMWORKER AND ANIMAL CARETAKER HOUSING**

1. Amend the text of Sec. 8102-0 – Application of Definitions to modify and add the following definitions:

Caretaker – An employee who must be on the property in conjunction with a principal use for a substantial portion of each day for security purposes or for the vital care of people, equipment or other conditions of the site.

Animal Caretaker – A person employed full time on the same property for activities associated with Animal Husbandry or Animal Keeping, Non-Husbandry (see Sec. 8104-4).

Dwelling Unit, Animal Caretaker – A dwelling unit occupied by an animal caretaker, and his or her family, employed full time and working on the same lot on which the dwelling unit is located, or on other land in Ventura County that is under the same ownership or lease as the subject lot.

Dwelling Unit, Caretaker – A dwelling unit ~~used~~ occupied by a caretaker, and his or her family, employed full time and working on the same lot on which the dwelling unit is located or on other land ~~which~~ that is under the same ownership, or lease or contract as the subject lot.

Dwelling Unit, ~~Farm Worker~~ Farmworker – A dwelling unit ~~used~~ occupied by a ~~farm worker~~ farmworker, and his or her family, ~~principally~~ employed full time and working on the same lot on which the dwelling unit is located or on other land ~~which~~ that is under the same ownership, or lease or contract as the subject lot.

Employed Full Time – “Employed full time” means that the person is working a minimum of 32 hours per week at the job for which they are employed.

~~Farm Worker~~ Farmworker – A person principally employed for activities associated with ~~agricultural or on the farm processing~~ Crop and Orchard Production (see Sec. 8105-4), and all uses listed there under.

Farmworker Housing Complex - A residential facility where the dwelling units are rented to, or sleeping quarters in a dormitory are occupied by, persons who are principally employed within the County of Ventura for activities associated with Crop and Orchard Production (see Sec. 8105-4), and all uses listed there under. Members of the farmworker’s household, if any, may also occupy said dwelling unit.

Principally Employed – The source of personal income that exceeds 50 percent of the gross personal income as reflected in a person’s previous annual income tax return.

2. Amend the table of Sec. 8105-4 - PERMITTED USES IN OPEN SPACE, AGRICULTURAL, RESIDENTIAL AND SPECIAL PURPOSE ZONES for “Farm Worker Dwelling Units”, “Animal Caretaker Dwelling Units” and “Farm Labor Group Quarters”, as follows:

<b>AGRICULTURE AND AGRICULTURAL OPERATIONS</b>	<b>OS</b>	<b>AE</b>	<b>RA</b>	<b>TP</b>
<del>Farm Worker</del> <u>Farmworker</u> Dwelling Units	△	△	△	△
not meeting standards established by Sec. 8107-26.1 & 2	□	□	□	□
Animal Caretaker Dwelling Units	△	△	△	△
not meeting standards established by Sec. 8107-26.1 & 2	□	□	□	□

Key: △ = Zoning Clearance  
 □ = Planning Director-approved Conditional Use Permit

<b>ANIMAL KEEPING, NON-HUSBANDRY</b>	
Accessory Structures	See Accessory Structures Related to Agriculture and Animal Husbandry/Keeping; <u>Animal Shade Structures</u> ; <u>Animal Caretaker Dwelling Units</u>

<b>DWELLINGS</b>	<b>OS</b>	<b>AE</b>
Dwellings, Multi-Family		
<del>Farm Labor Group Quarters</del>	⊗	⊗
<u>Farmworker Housing Complex</u>	⊗	⊗

Key: ⊗ = Planning Commission-approved Conditional Use Permit  
 ⊗ = Planning Commission-approved Planned Development Permit

3. Amend the table of Sec. 8105-5 - PERMITTED USES IN COMMERCIAL AND INDUSTRIAL ZONES for “Farm Worker Dwelling Units”, as follows:

<b>CROP PRODUCTION</b>	<b>M1</b>	<b>M2</b>	<b>M3</b>
USES AND STRUCTURES, ACCESSORY	△	△	△
Dwelling <u>Unit</u> , <del>Farm Worker</del> <u>Farmworker</u> (Maximum One Per Lot)	□	□	□

4. Amend Sec. 8107-1.3.1 – Construction, as follows:

Mobilehomes and manufactured housing may be used as single-family dwellings if the unit was constructed on or after June 15, 1976, or certified by the California Department of Housing and Community Development (HCD) as meeting September 15, 1971, or later, California construction standards. Units used as second dwellings are subject to this date limitation, but mobilehomes used as caretaker or ~~farm worker~~ farmworker dwellings are not.

5. Amend Sec. 8107-1.3.3 - Exterior Siding, as follows:

Exterior siding of a single-family dwelling shall extend to the ground level, or to the top of the deck or structural platform where the dwelling is supported on an exposed pile foundation complying with the requirements of Sections 2908 and 2909 of the Uniform Building Code, or to the top of a perimeter foundation. For mobilehomes used as caretaker or ~~farm worker~~ farmworker dwellings, manufactured mobilehome skirting shall completely enclose the mobilehome, including the tongue, with a color or material that will be compatible with the mobilehome. For any mobilehomes located more than 150 feet from all property lines, and more than 200 feet from a public road, no skirting is required.

6. Amend Sec. 8107-1.7 - Second Dwelling Units, as follows:

No second dwelling unit may be constructed or installed without the permits required by this Chapter. A second dwelling unit may be allowed, subject to appropriate conditions, on a lot ~~which that~~ contains an existing single-family detached residence and no other dwellings, other than an authorized ~~farm worker~~ farmworker or animal caretaker dwelling, subject to Section 8105-4 and the following:

6. Amend the title and text of Sec. 8107-26 – FARM WORKER AND ANIMAL CARETAKER DWELLING UNITS, as follows:

Sec. 8107-26 - ~~FARM WORKER FARMWORKER AND ANIMAL CARETAKER DWELLING UNITS~~ – ~~Farm worker~~ Farmworker and animal caretaker dwelling units shall be developed in accordance with the following standards:

7. Amend the text of Sec. 8107.26.1 – Quantities as follows:

No more than ~~two (2)~~ four (4) dwelling units, comprised of either ~~farm worker~~ farmworker and/or animal caretaker dwelling units, may be obtained by Zoning Clearance pursuant to the following chart, “Standards for Ministerial ~~Farm Worker~~ Farmworker and Animal Caretaker Dwelling Units”:

STANDARDS FOR MINISTERIAL <del>FARM WORKER FARMWORKER AND ANIMAL CARETAKER DWELLING UNITS</del> (Sec. 8107.26.1)	
<u>AGRICULTURAL LAND USE</u>	<u>FARMWORKER/ AND ANIMAL CARETAKER DWELLING UNITS</u>
Fowl and poultry ranches.	One unit per 50,000 broiler chickens, or one unit per 50,000 egg laying hens, or one unit per 5,000 turkeys.
Horse ranches and equestrian facilities.	One unit per 10 brood mares, or one unit per 25 equines, where a stall exists for each animal.
Greenhouses and hothouses.	One unit per 100,000 sq. ft. of propagating greenhouse.
Irrigated row crops, specialty crops, orchards, vineyards and field-grown plant materials.	One unit per 40 acres in crops.
Irrigated pasture, field crops, grain and hay.	One unit per 40 acres in crops.
Dry farm orchards, beans and specialty field crops.	One unit per 160 acres in crops.
Grazing.	One unit per 320 acres grazing land.

8. Amend the title and text of Sec. 8107-26.2 – Dwelling Unit Construction and Size, as follows:

~~Sec. 8107-26.2 – Dwelling Unit Construction and Size - No farm worker farmworker and or animal caretaker dwelling units ministerially approved for construction after June 27, 1995, shall exceed 1,800 square feet in gross floor area. A CUP for a farmworker or animal caretaker dwelling unit exceeding 1,800 square feet may be granted for compelling reasons.~~

9. Delete Sec 8107-26.3 – Removal:

~~Sec 8107-26.3 – Removal – The unit must be removed within 45 days of the termination of the property's use from agricultural production of animal keeping.~~

10. Add Sec 8107-26.3 - Farm Worker and Animal Caretaker Employment Criteria, as follows:

Section 8107-26.3 – Farmworker and Animal Caretaker Employment Criteria – Farmworker and animal caretaker dwelling units shall only be rented or provided under the terms of employment to persons who are employed full time (minimum of 32 hours per week) as farmworkers or animal caretakers by the property owner or lessee of the lot upon which the dwelling unit sits, or on other land in Ventura County that is under the same ownership or lease as the property with the dwelling unit. A farmworker or animal caretaker who has been renting or occupying a farmworker or animal caretaker dwelling unit and who subsequently retires or becomes disabled, may continue to reside in the dwelling unit. Members of the farmworker's or animal caretaker's household, if any, may also occupy said dwelling unit.

11. Amend the title and text of Sec. 8107-26.4 – Verification of Agricultural Production or Animal Keeping, as follows:

~~Sec. 8107-26.4 – Annual Verification of Agricultural Production or Farmworker or Animal Keeping-Caretaker Employment - The owner of the property, or his/her designated agent, must submit all County-required verification fees as established by resolution of the Board of Supervisors and an annual verification report by May 15<sup>th</sup> of each year to the Planning Director or his or her designee, in a form acceptable to the Planning Director, demonstrating that the property is in agricultural production the farmworker(s) and/or animal caretaker(s) residing in the farmworker and/or animal caretaker dwelling unit(s) meet(s) the employment criteria established in Sec. 8107-26.3. The verification must include any changes in the owner's property holdings, any changes in the amounts of annual agricultural production or animal keeping if applicable, and projections of any anticipated changes in the above for the following year, if applicable.~~

12. Amend the title and text of Sec. 8107-26.5 as follows:

~~Section 8107-26.5 – Enforcement of Farm Worker Farmworker and Animal Caretaker Employment Criteria – The farm worker or animal caretaker (identified by duties and by employment verification via pay stubs or other valid means) designated to reside in the dwelling unit must work on the lot upon which the~~

~~dwelling unit sits, or on other land in the immediate vicinity which is under the same ownership, lease or contract as the property with the dwelling unit.~~  
Violations of the provisions of Section 8107-26.3 or 8107-26.4 shall be shall be administered in accordance with Article 14 of the Non-Coastal Zoning Ordinance. Any administrative civil penalties collected pursuant to section 8114-3.7 and as a result of violation of section 8107-26 et sec shall be deposited in a County farmworker housing fund account for exclusive use by the County or its designee for rehabilitation and/or construction of farmworker housing.

13. Add Sec. 8107-41 et sec, as follows:

Sec. 8107-41 – Farmworker Housing Complexes – In addition to all other applicable requirements of the Non-Coastal Zoning Ordinance, Farmworker Housing Complexes shall be developed and operated in accordance with the following requirements:

Sec. 8107-41.1 – Farmworker Employment Criteria – In a Farmworker Housing Complex, dwelling units shall only be rented to, and all sleeping quarters in a dormitory shall only be occupied by, persons who are principally employed within the County of Ventura for activities associated with Crop and Orchard Production (see Sec. 8105-4), and all uses listed there under. A qualified farmworker who has been renting a dwelling unit in a Farmworker Housing Complex and who subsequently retires or becomes disabled may continue to reside in the dwelling unit. Members of the farmworker's household, if any, may also occupy said dwelling unit.

Sec. 8107-41.2 – Annual Verification of Farmworker Employment - The owner of the property, or his/her designated agent, must submit all County-required verification fees and an annual verification report by May 15<sup>th</sup> of each year to the Planning Director or his or her designee, in a form acceptable to the Planning Director, that all the dwelling units or sleeping quarters are being rented to and occupied by persons who meet the farmworker employment criteria established in Sec. 8107-40.1.

Sec. 8107-41.3 - Enforcement of Farmworker Employment Criteria - The provisions of Section 8107-40.1 and 8107-40.2 shall be enforced through conditions of approval of the Planned Development Permit and any other entitlements required for a Farmworker Housing Complex, and through any necessary contractual agreements and/or deed restrictions implementing such conditions of approval. Violations of sections 8107-40.1 or 8107-40.2 shall be administered in accordance with Article 14 of the Non-Coastal Zoning Ordinance. Any administrative civil penalties collected pursuant to section 8114-3.7 and as a result of violation of section 8107-26 et sec shall be deposited in a County's farmworker housing fund account for exclusive use by the County or its designee for rehabilitation and/or construction of farmworker housing.

14. Amend Sec. 8113-10.3 (c) - Where the Only Change is in the Type of Permit Required, as follows:
- c. Any change to a use or structure which requires a Planned Development Permit or a Conditional Use Permit, but would be exempt from CEQA, not have any adverse impact on adjacent land uses, and would not conflict with the findings otherwise required pursuant to Secs. 8111-1.2.1.1 through 1.2.1.6, may be acted upon by the Planning Director or designee through a Zoning Clearance. Such changes may include, but are not limited to the following:
    - (1) A change in use where the new use requires the same or lesser type of permit as the existing use, provided that any resulting increase in parking space requirements will be accommodated onsite.
    - (2) A cumulative increase or decrease of not more than ten percent in gross floor area, permit area, the area of walls, fences or similar structures used as screening, height, parking area, landscaping area, or total area of on-site identification signs; provided that any resulting increase in parking space requirements will be accommodated on-site.
    - (3) Replacements of second dwelling units or ~~farm worker~~ farmworker or caretaker dwellings, where said replacements do not exceed the current standards of this Chapter.
    - (4) Internal remodeling or minor architectural changes or embellishments involving no change in basic architectural style.