

# AGRICULTURAL WORKER HOUSING ORDINANCE

## Public Review Draft

October 14, 2021

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Proposed Amendments to the  
Non-Coastal Zoning Ordinance (PL19-0105)



**COUNTY** *of* **VENTURA**

This is a draft version of the ordinance and is expected to have revisions as the project moves forward. Planning staff is tentatively scheduled to present the draft ordinance to the Planning Commission in December 2021.

Please provide comments to Ruchita Kadakia, Project Planner at [Ruchita.Kadakia@ventura.org](mailto:Ruchita.Kadakia@ventura.org). **Staff is receiving comments on this public review draft until October 29, 2021.**

Based on comments received, there may be an updated version posted as part of the Planning Commission packet on the Planning Division website.

**Prepared by:**

County of Ventura  
Resource Management Agency - Planning Division



To receive periodic updates about the project and upcoming avenues for public involvement and hearings, visit the project website at <https://vcrma.org/farmworkers-housing>.

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA,  
AMENDING DIVISION 8, CHAPTER 1, ARTICLES 2, 5, 7 AND 8 OF THE VENTURA  
COUNTY ORDINANCE CODE, NON-COASTAL ZONING ORDINANCE RELATED TO  
REGULATIONS FOR AGRICULTURAL WORKER HOUSING**

The Board of Supervisors of the County of Ventura (“County”) ordains as follows:

**Section 1**

**ARTICLE 2:  
DEFINITIONS**

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**Article 2, Section 8102-0 – Application of Definitions**, of the Ventura County Ordinance Code is hereby amended by adding the following definitions in their appropriate alphabetical order:

Agricultural Worker Housing – Housing occupied by farmworkers and animal caretakers in the form of farmworker or animal caretaker dwelling units, farmworker housing complexes, group quarters or temporary trailers pursuant to Section 8107-41 of this Chapter.

Employee Housing – Shall have the same meaning as “employee housing” as defined in Section 17008 of the Health and Safety Code, as may be amended, and that is regulated by the California Department of Housing and Community Development.

Employee Housing, Agricultural – Housing occupied by agricultural employees, which may include permanent employee housing, seasonal employee housing or temporary employee housing, and that is regulated by the California Department of Housing and Community Development.

Employee Housing, Permanent – Employee housing which is not temporary or seasonal as defined in the Health and Safety Code Section 17010(c), as may be amended, and that is regulated by the California Department of Housing and Community Development.

Employee Housing, Seasonal – Employee housing which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year, as defined in Health and Safety Code Section 17010(b), as may be amended, and that is regulated by the California Department of Housing and Community Development.

Employee Housing, Temporary – Employee housing which is not operated on the same site annually and which is established for one operation and then removed, as defined

in Health and Safety Code Section 17010(a), as may be amended, and that is regulated by the California Department of Housing and Community Development.

**Article 2, Section 8102-0 – Application of Definitions**, of the Ventura County Ordinance Code is hereby amended by revising the following existing definitions to read as follows:

Dwelling Unit, Animal Caretaker – A single-family dwelling unit occupied by an *animal caretaker*, ~~and his or her family~~, *employed full-time* and working on-site where the same lot on which the dwelling unit is located, or employed on other land in Ventura County that is under the same ownership or lease as the subject lot. Members of the animal caretaker’s household, if any, may also occupy said dwelling unit.

Dwelling Unit, Farmworker – A single-family dwelling unit occupied by a farmworker ~~and his or her family~~ *employed full-time* and working on-site where the same lot on which the dwelling unit is located, or employed on other land that is under the same ownership or lease as the subject lot. Members of the farmworker’s household, if any, may also occupy said dwelling unit. Farmworkers who are principally employed offsite in activities associated with agricultural packing and storage facilities, and transportation of agricultural products to the market may not occupy a farmworker dwelling unit.

Farmworker – A person *principally employed in agriculture* ~~for activities associated with Crop and Orchard Production (see Section 8105-4), and all uses listed there under.~~

Farmworker Housing Complex - A residential ~~facility~~ development, distinct from a farmworker dwelling unit, where the ~~dwelling~~ units are rented to, ~~or sleeping quarters in a dormitory are occupied by~~, persons who are *principally employed* within Ventura County for activities associated with *agriculture* ~~Crop and Orchard Production (see Section 8105-4), and all uses listed there under.~~ Farmworker housing complexes may include studios, one-, two- or three-bedroom units within the complex. Members of the *farmworker’s* household, if any, may also occupy said unit within the complex.

Farmworker, 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. A farmworker whose income from activities associated with agriculture is at least 50 percent of their gross personal income, as reflected in documents cited in Section 8107-41.2.2(d). For temporary or seasonal farmworkers, gross personal income may be calculated on a quarterly basis to meet the employment criteria.~~

**Section 2**  
**ARTICLE 5:**  
**USES AND STRUCTURES BY ZONE**

**Article 5, Section 8015-4 - Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones**, of the Ventura County Ordinance Code, is hereby amended to read as follows with respect to the below-stated land uses relating to agricultural worker housing, animal caretaker dwelling units and employee housing:

**Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones**

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<b>AGRICULTURE AND AGRICULTURAL OPERATIONS</b>											
<b>ACCESSORY USES AND STRUCTURES * (15)</b>											
<b>Farmworker Dwelling Units* (15, 25)</b>	ZC	ZC	ZC							ZC	
not meeting standards established by Sec. 8107-26.1 & 2 (25, 32)	GUP	GUP	GUP							GUP	
<b>Animal Caretaker Dwelling Units* (26)</b>	ZC	ZC	ZC							ZC	
not meeting standards established by Sec. 8107-26.1 & 2 (26, 32)	GUP	GUP	GUP							GUP	
<b>Agricultural Worker Housing</b>	See Sec. 8107-41										
<b>Farmworker Dwelling Units ‡ (15, 25)</b>											
<b>Maximum of 4 dwelling units</b>	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	PD	PD	PD							PD	
<b>Animal Caretaker Dwelling Units* (26)</b>											
<b>Maximum of 4 dwelling units</b>	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	PD	PD	PD							PD	

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Farmworker and Animal Caretaker Temporary Trailers	ZC	ZC									
<b>DWELLINGS (43)</b>											
Dwellings, Single-Family * (Mobilehomes - See Sec. 8107-1.3)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	
Mobilehome, Continuing Nonconforming (15)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
Dwellings, Two-Family, Or Two Single-Family Dwellings							ZC	PD			
Dwellings, Multi-Family (42)(43)(44)								PD	ZC		
Employee Housing	See Sec. 8107-YY										
Agricultural Employee Housing											
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
More than 4 dwelling units or not meeting standards established by Sec. 8107-YY.3	PD	PD	PD							PD	
Other Employee Housing (6 or fewer employees)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Farmworker Housing Complex	PD	PD	PD								
Farmworker Group Quarters	PD	PD	PD								

*[Staff Explanation: Proposed addition of the use category “Agricultural Worker Housing” and all its sub-types under the heading of Accessory Uses and Structures, Agriculture and Agricultural Operations, which includes Farmworker Dwelling Units, Animal Caretaker Dwelling Units, and Farmworker and Animal Caretaker Temporary Trailers. The discretionary entitlement type for farmworker and animal caretaker dwelling units were changed from a CUP to PD permit. Farmworker Housing Complexes are expanded as an allowable use in the RA zone. Additionally, staff proposes the addition of (1) Farmworker Group Quarters as a use allowed with a discretionary permit, and (2) Employee Housing, consistent with the Employee Housing Act pursuant to sections 17000 et seq. of the California Health and Safety Code.]*

**Article 5, Section 8105-5 – Permitted Uses in Commercial and Industrial Zones**, of the Ventura County Ordinance Code, is hereby amended to read as follows with respect to the below-stated crop production land uses:

**Sec. 8105-5 – Permitted Uses in Commercial and Industrial Zones**

	CO	C1	CPD	M1	M2	M3
<b>CROP PRODUCTION (12)</b>	Exempt (See Sec. 9600 et seq. of the Ventura County Ordinance Code for regulations pertaining to industrial hemp cultivation.)					
USES AND STRUCTURES, ACCESSORY				ZC	ZC	ZC
<del>Dwelling, Farm Worker (Maximum One Per Lot)</del>				CUP	CUP	CUP
Fuel Storage				ZC	ZC	ZC
Underground Fuel Storage Permitted By Other County Agencies				E	E	E
Offices				CUP	CUP	CUP
Packing, Preliminary Processing Or Storage Of Crops; Without Structures				ZC	ZC	ZC
Agricultural Sales Facility; Small Up To 500 Sq. Ft. * (15)		ZC	ZC	ZC	ZC	ZC
not meeting standards established by Section 8107-6.2		CUP	CUP	CUP	CUP	CUP

*[Staff Explanation: Proposed deletion of farmworker dwelling unit in the industrial zones, as sensitive and incompatible uses such as housing is discouraged within the industrial zones. For agricultural uses such as packing plants, a caretaker unit is allowed with a discretionary permit which can be utilized for housing, if necessary.]*

*\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.*

<b>E</b> = Exempt	<b>ZCW</b> = Zoning Clearance with signed waivers	<b>Not Allowed</b>	Exempt	Approved by <i>Planning Director</i> or Designee	Approved by Planning Commission	Approved by Board of Supervisors
<b>ZC</b> = Zoning Clearance unless specifically exempted	<b>PD</b> = Planned <i>Development</i> Permit					
	<b>CUP</b> = Conditional Use Permit					

**Section 3**  
**ARTICLE 7:**  
**STANDARDS FOR SPECIFIC USES**

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Article 7, Section 8107-26 – Farmworker and Animal Caretaker Dwelling Units, of the Ventura County Ordinance Code, is hereby repealed:

**Sec. 8107-26 - ~~Farmworker and Animal Caretaker Dwelling Units~~**  
**~~[Deleted]~~**

~~Farmworker and animal caretaker dwelling units shall be developed in accordance with the following standards:~~

**~~Sec. 8107-26.1 - Quantities~~**

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

<b>STANDARDS FOR MINISTERIAL FARMWORKER AND ANIMAL CARETAKER DWELLING UNITS (Sec. 8107-26.1)</b>	
<b>AGRICULTURAL LAND USE</b>	<b>FARMWORKER AND ANIMAL CARETAKER DWELLING UNITS</b>
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 dwelling per 320 acres grazing land

**~~Sec. 8107-26.2 - Dwelling Unit Size~~**

~~No farmworker 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.~~



### **Sec. 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.~~

### **Sec. 8107-26.4 – Annual Verification of Farmworker or Animal 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 15th of each year to the Planning Director or his or her designee, in a form acceptable to the Planning Director, demonstrating that 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.~~

### **Sec. 8107-26.5 – Enforcement of Farmworker and Animal Caretaker Employment Criteria**

~~Violations of the provisions of Section 8107-26.3 or 8107-26.4 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.~~

*[Staff Explanation: Language merged with Sec. 8107-41 – Agricultural Worker Housing to remove repetition and reduce redundancy.]*

**Article 7, Section 8107-41 – Farmworker Housing Complexes**, of the Ventura County Ordinance Code, is hereby repealed and reenacted to read 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. 8107-41.1.~~

~~**Sec. 8107-41.3 – Enforcement of Farmworker Employment Criteria**~~

~~The provisions of Section 8107-41.1 and 8107-41.2 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 8107-41.1 or 8107-41.2 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 seq. 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.~~

~~**Sec. 8107-41.4 – Farmworker Community Centers**~~

~~Farmworker housing complexes may include community centers for the primary benefit of farmworkers.~~

**Sec. 8107-41: Agricultural Worker Housing**

In addition to all other applicable requirements of this Chapter, *Agricultural Worker Housing* shall be developed and operated in accordance with the following requirements:

**Sec. 8107-41.1 – Purpose**

Under Section 65580(a) of the Government Code, the Legislature has declared that the availability of housing, including farmworker housing, is of vital statewide importance. The purpose of this section is to promote the development of, and to establish development standards for, *agricultural worker housing*, which is available to: *farmworkers and animal caretakers who are employed on a full-time, full-time seasonal, temporary or part-time basis*; and their families. *Agricultural worker housing* includes:

- 1) *Farmworker and Animal Caretaker Dwelling Units*;
- 2) *Farmworker Housing Complexes*;
- 3) *Farmworker Group Quarters* pursuant to Section 8107-41.3.4; and
- 4) *Temporary trailers for seasonal and temporary farmworkers and animal caretakers* pursuant to Section 8107-41.3.5.

## **Sec. 8107-41.2 – Employment Criteria, Verification and Enforcement**

### **Sec. 8107-41.2.1 – Occupancy Restrictions for Agricultural Worker Housing**

- (a) Agricultural worker housing shall only be occupied by farmworkers and animal caretakers, and their families.
- (b) The applicant shall demonstrate that the agricultural worker housing shall only be used for farmworkers and animal caretakers (on a permanent or seasonal basis) who meet the employment criteria in Section 8107-41.2.2.
- (c) A deed restriction in a form approved by the County that runs with the land shall be recorded with the County Recorder, prior to the issuance of a Zoning Clearance for construction for all agricultural worker housing except for temporary trailers, limiting the use of such housing to agricultural worker housing and setting forth the conditions and requirements applicable to such use. The property owner shall also be required to provide written disclosure of all such conditions and requirements before any sale, lease or financing of the subject lot(s) and dwelling units.

### **Sec. 8107-41.2.2 – Employment Criteria for Agricultural Workers**

- (a) Farmworker and animal caretaker dwelling units shall only be rented or provided under the terms of employment to farmworkers or animal caretakers who are employed on a full-time (minimum of 32 hours per week), full-time seasonal, or temporary basis by the property owner or lessee of the lot upon which the dwelling unit is located to work onsite or on other land in Ventura County that is under the same ownership or lease.
- (b) Units in a farmworker housing complex and farmworker group quarters shall only be rented or provided to persons who are principally employed within Ventura County for activities directly associated with agriculture. This includes farmworkers who work on a full-time, full-time seasonal, temporary or part-time basis.
- (c) Temporary trailers shall only be rented or provided to farmworkers and animal caretakers who are employed on a full-time, full-time seasonal, or temporary basis by the property owner or lessee of the lot to work on the land upon which the temporary trailer is located.
- (d) Proof of qualifying employment for occupants of agricultural worker housing shall be provided at the time of permit approval, which can be satisfied by providing a combination of at least two of the following documents, as applicable:
  - i. Employee's income tax return;
  - ii. Employee's pay receipts;
  - iii. Employer's DE-34 form;
  - iv. Employer's ETA 790 form;
  - v. Employee's W-2 form;
  - vi. Employer's DLSE-NTE form;
  - vii. A notarized document signed by both the employer and the employee, which states that the occupant of the agricultural worker housing is

- employed in agriculture, and includes a description of the employee's job duties; or,
- viii. Other proof approved in writing by the Planning Director or his/her designee.

- (e) A qualified farmworker or animal caretaker who has been renting or occupying a farmworker or animal caretaker dwelling unit, or a unit in a farmworker housing complex, and who subsequently retires or becomes disabled, may continue to reside in the unit. Members of the farmworker's or animal caretaker's household, if any, may also occupy said unit.

### **Sec. 8107-41.2.3 – Annual Verification of Employment of Agricultural Workers**

The owner or lessee of the property, property management company, and/or designated agent of the owner or lessee, shall submit any applicable County-required verification fees as established by resolution of the Board of Supervisors, and an annual employment verification declaration, no later than May 15th of each year to the Planning Director or designee, in a form acceptable to the Planning Director, to verify that all the dwelling units or sleeping quarters in the agricultural worker housing are occupied by persons who meet the employment criteria established in Section 8107-41.2.2 above. For purposes of this Section 8107-41.2.3, permanent agricultural worker housing includes all agricultural worker housing except for temporary trailers. The completed verification declaration and supporting documentation shall require the property owner to meet all the following requirements:

- (a) Verify and provide evidence that any permanent agricultural worker housing was occupied by farmworkers or animal caretakers during the preceding calendar year;
- (b) Declare that any permanent agricultural worker housing will be occupied by farmworkers or animal caretakers during the current calendar year; and,
- (c) Provide proof of qualifying employment for occupants of agricultural worker housing, upon request by the County, by using a combination of at least two of the documents as listed in Sec. 8107-41.2.2(d).

### **Sec. 8107-41.2.4 – Enforcement**

- (a) The provisions of Sections 8107-41.2.2 and 8107-41.2.3 of this Chapter shall be referenced or set forth in deed restrictions and/or conditions of approval that shall be recorded in the subject property's chain of title. Violations of Sections 8107-41.2.2 and 8107-41.2.3 may be enforced pursuant to Article 14 of this Chapter or through any other available legal means.
- (b) Any administrative civil penalties collected pursuant to Section 8114-3.7 of this Chapter for violations of Section 8107-41 et seq. of this Chapter, shall be deposited in a farmworker housing fund account for exclusive use by the County to fund rehabilitation and/or construction of farmworker housing.
- (c) In addition to all other available enforcement and legal remedies, the County may require the removal of a housing unit and restoration of the site (including any affected agricultural soils) based on the unpermitted or unverified use of the

agricultural worker housing units, or based on other violations of Section 8107-41 et seq.

### **Sec. 8107-41.3 – Permitting and Development Standards for Agricultural Worker Housing**

All agricultural worker housing shall comply with the setback, lot coverage, height, and other development standards applicable to the zone in which it is located and the following development standards, unless otherwise indicated in this Section 8107-41.3.

#### **Sec. 8107-41.3.1 - General Requirements**

- a. New agricultural worker housing shall not be located on land classified as “Prime” or “Statewide” Importance by the California Department of Conservation Important Farmland Inventory, unless approved with a Planned Development Permit.
- b. Agricultural worker housing shall not be located on areas utilized for active crop production on the parcel, unless approved with a Planned Development Permit.
- c. New agricultural worker housing shall be clustered together and sited near existing road and other structures to reduce grading, landform alteration, the need for construction of new roads, and potential impacts to agricultural soils and operations.
- d. New exterior lighting for agricultural worker housing shall be of a low profile and limited to security needs only (see definition of Luminaires, Essential); all exterior lights shall be directed downward and fully shielded from streets and any off-site residences.

#### **Sec. 8107-41.3.2 – Permitting Standards for Farmworker and Animal Caretaker Dwelling Units**

Farmworker dwelling units and animal caretaker dwelling units are subject to the following development standards:

- a. Farmworker and animal caretaker dwelling units may be permitted with a Zoning Clearance if the maximum number of allowable units does not exceed the limits listed below in Table 8107- 41.1 for that lot.
- b. No more than four farmworker or animal caretaker dwelling units shall be located on any single lot.
- c. New farmworker and animal caretaker dwelling units shall not exceed 1,800 square feet in gross floor area. An attached accessory structure, either habitable or non-habitable, with internal access to the farmworker or animal caretaker dwelling unit shall count toward the total square footage of the dwelling unit.
- d. Farmworker or animal caretaker dwelling units not meeting the above criteria (a, b or c) may only be approved with a Planning Director-approved Planned Development Permit.

**Table 8107- 41.1**  
**MAXIMUM ALLOWABLE FARMWORKER AND ANIMAL**  
**CARETAKER DWELLING UNITS WITH A ZONING CLEARANCE**

<b><u>Agricultural Land Use</u></b>	<b><u>Maximum Allowable Farmworker and Animal Caretaker Dwelling Units</u></b>
<u>Irrigated row crops and field-grown plant materials</u>	<u>One unit per 20 acres in crops</u>
<u>Vineyards, orchards and field crops</u>	<u>One unit per 30 acres in crops</u>
<u>Dry farming irrigated pasture, grain and hay</u>	<u>One unit per 80 acres in crops</u>
<u>Greenhouses</u>	<u>One unit per 2 acres of propagating greenhouse</u>
<u>Nurseries</u>	<u>One unit per acre of propagating greenhouse. In addition, the lot must have at least 3 acres of field-grown plant materials as a supportive use</u>
<u>Rangeland</u>	<u>One unit per 320 acres grazing land</u>
<u>Fowl and poultry ranches</u>	<u>One unit per 20,000 broiler chickens, or one unit per 15,000 egg-laying hens, or one unit per 3,000 turkeys</u>
<u>Horse ranches and equestrian facilities</u>	<u>One unit per 10 brood mares, or one unit per 25 equines, where a stall exists for each animal</u>

**Sec. 8107-41.3.3 – Standards for Farmworker Housing Complexes**

Farmworker housing complexes shall be subject to the following development standards:

- a. Minimum Parcel Size: A farmworker housing complex is allowed on a parcel with a minimum parcel size as noted below:

<b><u>Zone</u></b>	<b><u>Minimum Parcel Size for Farmworker Housing Complexes</u></b>
<u>Agricultural Exclusive (AE)</u>	<u>40 acres<sup>1</sup></u>
<u>Open Space (OS)</u>	<u>10 acres</u>
<u>Rural Agricultural (RA)</u>	<u>5 acres</u>

<sup>1</sup> Farmworker Housing Complexes may be allowed on parcels of less than the prescribed minimum parcel size on land zoned AE pursuant to Sec. 8103-2.7.

- b. Units in a farmworker housing complex may include studios, one-, two- or three-bedrooms.
- c. A farmworker housing complex shall be prohibited in any location designated as a Very High Fire Hazard Severity Zone.

- d. Open Space Requirements: When the development includes more than 12 units, recreational facilities and open space shall be provided for the benefit and recreational use of the residents in accordance with the following standards:
- i. The development shall be landscaped pursuant to Sections 8106-8.2.2, 8106-8.2.3, and 8106-8.2.8 of this Chapter. Section 8106-8.2.7 shall apply to any parking areas containing manufactured slopes.
  - ii. All recreational areas and landscaping shall be installed prior to occupancy of the final unit within the complex. Landscaped areas shall be maintained.
  - iii. Outdoor Common Area:
    - (a) At least 20 percent of the area set aside for housing shall be outdoor common area.
    - (b) At least 50 percent of the area designated as outdoor common area shall be comprised of land with slopes of ten percent or less.
    - (c) Agricultural worker housing shall include recreational areas developed for use with activities such as for baseball, basketball, soccer or horseshoes. Farmworker housing complexes intended for families shall also include children's play equipment.
    - (d) Property owner(s) shall be responsible for the maintenance of all outdoor common areas.
  - iv. Outdoor Private Area: Outdoor private area shall be provided for each unit in the development in the form of outdoor patios, decks and/or balconies and shall be directly and exclusively accessed by the unit it is intended to serve.
    - (a) Ground Floor Units: Private outdoor areas must be at least 80 square feet per unit and all dimensions must be at least 8 feet.
    - (b) Upper-Level Units: Private outdoor areas shall be provided as balconies or loggias, and must be at least 40 square feet per unit, with a minimum 5-foot depth dimension.
  - e. Amenities: Farmworker housing complexes may include community centers for the primary benefit of the residents.

#### **Sec. 8107-41.3.4 – Standards for Farmworker Group Quarters**

Farmworker group quarter facilities are a group of structures, or a single structure in the form of single room occupancy, dormitories, boarding houses, barracks or bunkhouses, consisting of either individual or shared facilities for the purpose of providing housing or services for farmworkers. These facilities are generally designed as a combination of sleeping rooms or bunk beds and may include a shared kitchen, mess hall and bathroom facility. This type of agricultural worker housing is designed for, and may only be occupied by, individual farmworkers and not their families; and

may, but is not required to, be owned or managed by an entity or organization. Farmworker group quarters are subject to the following additional standards:

- a. Minimum lot size: Farmworker group quarters shall be located on lots with a minimum area of five acres.
- b. Minimum unit size: For dormitory-style housing, a minimum of 50 gross square feet of personal living space shall be required for each occupant.
- c. Setbacks: Farmworker group quarters shall adhere to the following setbacks:

<u>Setback</u>	<u>From</u>
<u>20 feet</u>	<u>Street property line</u>
<u>10 feet</u>	<u>Other property line</u>
<u>6 feet</u>	<u>Any other structure</u>
<u>75 feet</u>	<u>Any barns, pens or other facilities for livestock or poultry</u>

- d. Accessory Uses and Structures: The following accessory uses and structures are allowed for farmworker group quarter facilities if specifically authorized by a Planning Director-approved Planned Development Permit. Such accessory uses and structures must be located either in a single community building or in a permitted location outdoors, and such uses and structures may not be used by the general public:
  - i. Food service for residents of the group quarters, which may include kitchen facilities and a dining hall;
  - ii. Laundry facilities for residents of the group quarters;
  - iii. Enclosed storage facilities for each resident or dwelling unit;
  - iv. Facilities primarily used to provide residents of the group quarters with information regarding and referral to employment, social and community, education, health and other services.

**Sec. 8107-41.3.5 – Standards for Farmworker and Animal Caretaker Temporary Trailers**

A maximum of one temporary trailer may be used to provide housing for seasonal or temporary farmworkers or animal caretakers, and their families, on a limited term basis. The trailer must be located on the same lot where the farmworkers or animal caretakers are employed.

- a. Permit Type and Requirements: A qualifying temporary trailer shall be permitted with a Zoning Clearance, which will serve as a ministerial Limited Term Trailer Permit, for a maximum of 180 consecutive calendar days or fewer in any 12-month period pursuant to the following:
  - i. The permit application shall include a description of the number of seasonal or temporary farmworkers or animal caretakers to occupy the temporary trailer, the area of cultivation and crops requiring these



workers, and the time period for which seasonal or temporary farmworkers or animal caretakers are required.

- ii. The permit application shall clearly identify the location of sewer connections, dump stations, or otherwise demonstrate adequate sewage disposal by, for example, including a plan or contract for regular service through registered or permitted septage pumping vehicles, or a combination thereof, which will serve the trailer.
- iii. In addition to meeting all ministerial Zoning Clearance permit application requirements, the applicant shall submit an affidavit in a separate signed statement affirming that the temporary trailer will only be used to house seasonal or temporary farmworkers or animal caretakers solely employed on the site for agricultural production or animal keeping.
- iv. The Limited Term Trailer Permit application shall include applicable County fees and any compliance deposits, in accordance with the Board-adopted fee schedule, for a monitoring program to be conducted by the Resource Management Agency. Additionally, the applicant shall be required to submit a cash bond for enforcement activities, which may include removal of the trailers from the site when the permit period ends.
- v. After the issuance of a Zoning Clearance authorizing use of the temporary trailer as housing for seasonal or temporary farmworkers or animal caretakers under this Section 8107-41.3.5, all electrical and plumbing connections to the trailer(s) must be approved and inspected by the Building and Safety Division prior to occupancy of the trailer.

b. General Requirements:

- i. A maximum of one temporary trailer will be allowed on any lot.
- ii. The temporary trailer must be a motor home, travel trailer, truck camper, recreational vehicle, or camping trailer, that is self-contained and habitable (as defined in subsection (v) below), and that is either self-propelled, truck-mounted, or permanently towable on roadways without a permit under the Vehicle Code.
- iii. A temporary trailer used to house seasonal or temporary farmworkers or animal caretakers shall be occupied for no more than 180 consecutive calendar days in any 12-month period.
- iv. The maximum size of a temporary trailer occupying a space on the lot shall be 320 square feet of living area. Living area does not include built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, or bath and toilet rooms.
- v. The temporary trailer must be “habitable” as the term is used in this Section 8107-41.3.5 by meeting all of the following criteria:
  - (a) The temporary trailer must contain sleeping, cooking, bathing and sanitary facilities;

- (b) The temporary trailer must either contain an adequate source of potable water for sanitation purposes through an internal tank or be connected to a permanent source of potable water;
- (c) Composting toilets are not allowed. The temporary trailer's wastewater must be disposed of by one of the following means:
  - (i) Through a connection to an existing sewer utility connection; or
  - (ii) Through the use of an incorporated wastewater tank that is located within or outside the vehicle, provided that such tank is regularly serviced, for the duration of the vehicle's use as temporary housing, by a wastewater disposal provider, or a seepage pumping vehicle permitted by the Environmental Health Division. The permittee shall provide proof of such regular wastewater disposal service, in the form of a contract or receipts, to the Planning Division or Environmental Health Division upon request; and
- (d) The temporary trailer must be connected to an approved electrical source. Acceptable electrical connections include the use of an existing electrical source on the lot or a temporary power pole. Generators are not considered an approved electrical source.
- vi. Utility conduits shall be installed underground in conformance with applicable state and local regulations.
- vii. When the temporary trailer is not in use, utilities shall be disconnected, and such housing shall be removed from the site or stored consistent with Section 8107-1.6.4 during the remainder of the year. The temporary trailer shall be removed from the site within five days of the expiration of the permitted period. It may be stored on site for the remaining days of the calendar year if screened from public view and stored in compliance with the open storage regulations in Section 8107-1.6.4. A temporary trailer stored on site shall be covered when not in use.
- c. Site Design Criteria:
  - i. The temporary trailer shall not be located on any agricultural soil designated as "Prime" or "Statewide" Importance in the California Department of Conservation Important Farmland Inventory.
  - ii. Building height and setbacks shall be as prescribed in the applicable zone, except where Title 25 of the California Administrative Code is more restrictive.
  - iii. The temporary trailer shall be located a minimum of six feet from any other structure on the lot.

- iv. Roadways and vehicle pads shall not be permitted in areas of natural slope inclinations greater than 15 percent or where grading would result in slope heights greater than ten feet and steeper than 2:1.
- v. One picnic table, and a grill or campfire ring may be provided on a level, landscaped front yard area.

**Article 7, Section 8107-YY – Employee Housing Pursuant to State Law**, is hereby added to the Ventura County Ordinance Code to read as follows:

### **Sec. 8107-YY – Employee Housing Pursuant to State Law**

#### **Sec. 8107-YY.1 – Purpose and Application**

Health and Safety Code section 17000, et seq., known as the Employee Housing Act, includes regulations that require local jurisdictions to allow the development and use of employee housing. The purpose of this Section is to promote the development of, and to establish development standards for, employee housing consistent with state law. If any provision in this Chapter conflicts with the mandates of the Employee Housing Act as it relates to employee housing, the provisions of the Employee Housing Act shall govern.

#### **Sec. 8107-YY.2 – Employee Housing for Six or Fewer Employees**

Employee housing that accommodates six or fewer employees, pursuant to Health and Safety Code section 17021.5, shall be considered a single-family structure and residential use of property under this Chapter and is subject to the following:

- (1) A lot with an existing single-family dwelling is not eligible for development of new employee housing with a Zoning Clearance for six or fewer employees if applicable zoning does not allow two single-family dwelling units on the subject lot.
- (2) Employee housing for six or fewer employees shall comply with the setback, lot coverage, height, and other development standards applicable to a single-family dwelling on the subject lot.
- (3) No additional development standards other than those applicable to a single-family dwelling apply to an employee housing unit for six or fewer employees.
- (4) Use of a single-family dwelling for purposes of employee housing serving six or fewer persons shall not constitute a change of occupancy for purposes of Health and Safety Code section 17910 et seq. (the State Housing Law) or local building codes.
- (5) Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate the employee housing, and thereafter on an annual basis, the applicant shall submit evidence that the HCD permit for the employee housing is current and valid.

### **Sec. 8107-YY.3 – Agricultural Employee Housing**

All agricultural employee housing shall comply with the setback, lot coverage, height, and other development standards applicable to the underlying zone in which it is located, and the following development standards, unless otherwise indicated in this Section 8107-YY.3.

- (1) For the purposes of this Section, “agricultural employees” shall have the same meaning as defined in Section 1140.4(b) of the Labor Code, as may be amended, which includes those engaged in “agriculture” as such term is defined in Section 1140.4(a) of the Labor Code. Pursuant to Labor Code section 1140.4(a), “agriculture” means farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in Section 1141j(g) of Title 12 of the United States Code), the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market.
- (2) Agricultural employee housing may be developed and maintained for the purpose of providing permanent, seasonal or temporary employee housing.
- (3) Agricultural employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household, or that is approved pursuant to Section 17021.8 of the Health and Safety Code, shall not be deemed a land use under this Chapter that implies that such housing is an activity that differs in any other way from an agricultural land use.
- (4) Agricultural employee housing that consists of four or fewer dwelling units is permitted with a Zoning Clearance provided that each dwelling unit does not exceed 1,800 square feet in gross floor area.
- (5) All other agricultural employee housing may be allowed with a Planning Director-approved Planned Development Permit except that agricultural employee housing that meets the criteria specified in Health and Safety Code Section 17021.8, as may be amended, shall be allowed with a Zoning Clearance.
- (6) Agricultural employee housing shall comply with the same general requirements set forth in Section 8107-41.3.1(a) through (d) of this Chapter that apply to agricultural worker housing.
- (7) Agricultural employee housing designed as housing complexes shall meet the development standards set forth in Section 8107-4.3.3, and those designed as group quarters shall meet the development standards set forth in Section 8107-4.3.4.
- (8) Agricultural employee housing may, but is not required to, be developed or provided by the employer, or located on the same lot where the qualifying agricultural work is being performed.

(9) Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate the agricultural employee housing, and thereafter on an annual basis, the applicant shall submit evidence that the HCD permit for the agricultural employee housing is current and valid.

(10) Deed Restriction: Within 30 days after receiving approval for permanent or seasonal employee housing from the Planning Division, and before issuance of the final Zoning Clearance, the applicant shall record with the County Recorder, a deed restriction in a form approved by the County that runs with the land on which the agricultural employee housing is located declaring that:

a. The agricultural employee housing will continuously be maintained in compliance with this Section 8107-YY and all other applicable sections of this Article; and

b. The applicant will obtain and maintain, for as long as the agricultural employee housing is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder.

(11) Signed affidavit for temporary employee housing: Within 30 days after receiving approval for temporary employee housing from the Planning Division, the applicant shall submit a signed affidavit, in a form approved by the County, affirming that:

a. The agricultural employee housing will only be used as temporary employee housing; and

b. The applicant will obtain and maintain, for as long as the temporary employee housing is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder.

**Section 4**  
**ARTICLE 8:**  
**PARKING AND LOADING REQUIREMENTS**

**Article 8, Section 8018-4.7 – Table of Parking Space Requirements by Land Use** of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated residential land uses:

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
<b>RESIDENTIAL LAND USES</b>	<b>MINIMUM REQUIRED</b>	
Boarding Houses or Single Room Occupancy (SRO) Units	1 space per unit, plus parking required for single-family dwelling unit	LT: 1 space per 8 rented rooms (enclosed garages/storage lockers are acceptable) ST: 1 space per 20 residents
Caretaker or Farmworker Single Family Dwellings	1 space for 1 bedroom or less 2 spaces for 2-4 bedrooms 3 spaces for 5 bedrooms	
<u>Farmworker Housing Complexes</u>	<u>See Section 8108-4.7.1</u>	
<u>Group Quarters for Farmworkers</u>	<u>1 space for every 4 beds</u>	
Homeless Shelters	0.2 spaces per resident plus 1 space per employee and volunteer on largest shift, plus 1 space per vehicle used in the operation of the shelter. Up to 25% of the required spaces may be held in reserve or converted to a land use related to the shelter, such as additional bicycle parking, which can be readily reverted back to motor vehicle parking at a later date.	LT: 1 space per 8 residents and 1 space per 25 employees (enclosed garages/storage lockers are acceptable) ST: 1 space per 15 residents
Mobilehome Parks		
<i>Resident Parking</i>	2 spaces per unit	
<i>Visitor Parking (required if internal streets are less than 32 feet wide)</i>	1 space for each 4 units, in addition to parking spaces required for residents	
Multi-Family Dwelling Units	See Sec. 8108-4.7.1	
Accessory Dwelling Units (ORD. AM. 4519-2/27/18)	1 covered/uncovered space (in addition to the spaces required for the principal dwelling unit)  No additional parking is required for accessory dwelling units that meet the provisions of Sec. 8107-1.7.2(e).	

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
<b>RESIDENTIAL LAND USES</b>	<b>MINIMUM REQUIRED</b>	
Single-Family and Two-Family Dwellings <sup>1</sup>		
<i>1-4 Bedrooms (per unit)</i>	2 covered <sup>2</sup> spaces	
<i>5 Bedrooms (per unit)</i>	3 spaces (2 shall be covered <sup>2</sup> )	
<i>6 or More Bedrooms (per unit)</i>	4 spaces, (2 shall be covered <sup>2</sup> )	

(ST: Short-term bicycle parking spaces, generally bike racks.

LT: Long-term bicycle parking spaces, generally enclosed lockers.)

<sup>1</sup> Replacement parking for the principal dwelling unit, as a result of the garage being demolished or converted to an accessory dwelling unit, may be located in any configuration on the same lot as the accessory dwelling unit and as uncovered or tandem spaces, pursuant to Sec. 8107-1.7.1(d) and Sec. 8107-1.7.2(h). (ORD. AM. 4519-2/27/18)

<sup>2</sup> Except that on parcels larger than 1 acre located in OS, AE, RA, RE, RO, and TP zones, parking may be uncovered.