

22.30.060 - Agricultural Accessory Structures.

- A. Limitation on use. No structure approved in compliance with this Section or Section 22.06.040.E.1 (Exemptions from Permit Requirements - Agricultural Accessory Buildings) as an agriculture accessory structure (e.g., a barn, shop, etc.) shall be used for residential purposes without first securing a land use permit for residential use and thereafter obtaining a construction permit. The construction permit shall be required for the entire structure if it was constructed as an exempt agricultural building in compliance with Section 22.06.040.E.1 and in any case for any changes to the structure proposed by the applicant and/or necessary to satisfy the requirements of Title 19 of this code (The Building and Construction Ordinance) for a dwelling.

B. Timing. Where a parcel proposed as the site of an agricultural accessory building is less than 10 acres, an agricultural accessory building shall be established only after a principal use has first been established on the site.

C. Minimum site area. An agricultural accessory building shall not be established on a lot with an area less than one acre.

D. Front setback. 50 feet, unless a greater setback is otherwise required by Section 1108(b) of Appendix Chapter 11 of the Uniform Building Code.

E. Side and rear setbacks. 30 feet, unless a greater setback is otherwise required by Section 1108(b) of Appendix Chapter 11 of the UBC, but no closer than 100 feet to any dwelling outside the ownership of the applicant.

[Amended 1984, Ord. 2163; 1986, Ord. 2250; 1992, Ord. 2553; 1994, Ord. 2696] [22.08.041]

• 22.30.070 - Agricultural Processing Uses.

- Agricultural processing activities, including but not limited to wineries, packing and processing plants, fertilizer plants, commercial composting and olive oil production without the use of solvents, are allowable subject to the following standards.

A. Permit requirements.

1. Minor Use Permit approval is required for agricultural processing activities, including, but not limited to, wineries, packing and processing plants, fertilizer plants, commercial composting, and industrial hemp processing, unless [Section 22.08.030](#) (Project-Based Permit Requirements) or Subsection D. would otherwise require Conditional Use Permit approval.

2. Olive oil production. In the Agriculture and Rural Lands land use categories the permit shall be determined by [Section 22.06.030](#), Table 2-3 for olive oil production as allowed by this Section where the 100 percent of the raw materials being processed are grown on the site of the processing facility or on adjacent parcels. Olive oil production facilities as allowed by this Section where any of the raw materials being processed are not grown on the site of the processing facility or on adjacent parcels shall be subject to Minor Use Permit approval.

B. Application content.

1. Public notice.

a. Prior to application submittal. The applicant shall submit evidence that the neighboring property owners and the applicable advisory group were notified of the request prior to the submission of the land use permit to the county. This notice shall be provided by the applicant sending a letter using the form provided by the Department of Planning and Building. The letter shall be mailed or delivered at least 10 days prior to application submittal to the applicable advisory group and to all owners of real property as shown on the latest equalized assessment roll within 1,000 feet of the subject site.

b. Public hearing notice. Public notice shall be provided to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed agricultural processing site and to all property owners fronting any local roads that serve the facility back to an arterial or collector, instead of in the manner normally required for public hearings by [Section 22.70.060](#). Public notice may be required to be provided to properties greater than 1,000 feet away for certain applications at the discretion of the Director of Planning and Building.

2. Description of use. Applications for agricultural processing uses are to include a description of all processes and equipment proposed for use on the site, and a description of measures proposed to minimize the off-site effects of dust, odor or noise generated by the proposed operation. Such information is to be provided in addition to that specified in [Article 6](#) (Land Use and Development Permit Procedures), in order to evaluate the conformity of a proposed use with the standards of [Article 3](#) (Site Planning and General Project Design Standards).

C. Minimum site area. No minimum required unless Subsection D. would otherwise require a minimum site area.

D. Standards for specific uses.

1. Fertilizer plants. The following are minimum requirements to enable consideration of a specific proposal. Greater separation between fertilizer plants and other uses may be required through land use permit approval.

a. Location: No closer than one-half mile from any residential category located within an urban or village reserve line; and no closer than 400 feet to any residence outside the ownership of the applicant.

b. Setbacks: 200 feet from each property line.

2. Wineries. For the purposes of this section, a winery is defined as an agricultural processing facility used for the processing (fermentation when combined with any of the following: crushing, barrel aging, blending, and bottling) of juices into wine or the refermenting of still wine into sparkling wine. This definition does not include the storage of case goods in the absence of processing (included under Warehousing).

a. Access location. The principal access driveway to a winery with public tours, tasting, retail sales or special events held in compliance with Subsection D.2.i. is to be located on or within one mile of an arterial or collector.

b. Solid waste disposal. Pomace may be used as fertilizer or soil amendment, provided that such use or other disposal shall occur in accordance with applicable Health Department standards.

c. Liquid waste disposal. Standards will be set, where applicable, through Regional Water Quality Control Board discharge requirements developed in compliance with [Section 22.10.180](#) (Water Quality).

d. Setbacks.

(1) Rural areas. All winery structures and outdoor use areas shall be a minimum of 100 feet from each property line and no closer than 200 feet to any existing residence outside of the ownership of the applicant. Where a winery has public tours, tasting, retail sales, or special events (in compliance with Subsection D.2.i.), the setback shall be increased to 200 feet from each property line and no closer than 400 feet to any existing residence outside the ownership of the applicant. These setbacks can be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required by Subsection A. Approval may be granted only after the Review Authority first determines that the request satisfies any of the following findings: (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); (2) the property fronts an arterial or collector street; (3) the setbacks are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use.

(2) Urban and village areas. As required by [Section 22.10.140](#) et seq.

e. Signing. As provided by [Chapter 22.20](#) (Signs) of this title.

f. Parking. Parking shall be provided in compliance with [Chapter 22.18](#) (Parking and Loading Standards). Parking lot construction standards shall be provided in compliance with [Section 22.18.060](#). The parking shall be located and/or landscaped so it is screened from public roads where topography or existing on-site vegetation (including vineyards) does not provide for adequate screening. No parking shall be allowed within any adjoining road right-of-way.

g. Design standards.

(1) Exterior. In the Agriculture, Rural Lands or Residential Rural land use categories, all structures associated with the winery (including production facilities) shall have an exterior design style that is agricultural or residential in nature using non-reflective siding and roofing materials. Structures shall not use an exterior design style typically associated with large industrial facilities unless the facility is proposed in the Commercial Service or Industrial land use categories.

(2) Screening. Any portion of the winery structures that are visible from public roads shall be screened where necessary to ensure the rural character of the area is unchanged unless screening is not practical, feasible or necessary due to existing topographic conditions or existing on-site vegetation (including vineyards). The screening may include such measures as landscape or existing vegetative screening, existing topography, and/or arrangement of the structures on the site to minimize bulky appearance. Any tank located outside of structures shall be screened 100 percent from public roads.

(3) Height. The maximum height of any structure associated with a winery facility shall be 35 feet. The height may be increase to 45 feet where a pitched roof of greater than 4 in 12 is proposed and at least 50 percent of the structure is at 35 feet in height or less.

(4) Lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed operated in a manner that would throw light, either reflected or directly, in an upward direction.

h. Tasting rooms. Tasting rooms shall be clearly incidental, related and subordinate to the primary operation of the winery as a production facility.

(1) Permit requirement. Minor Use Permit approval. Tasting rooms shall also meet all the standards for wineries set forth in Subsection D.2., in addition to the specific standards of this Subsection.

(2) Location. The tasting room shall be located within or no more than 200 feet from the winery facilities. This standard may be waived where site constraints, on-site access, visual concerns, grading or other environmental issues can be better addressed through an increased distance. A Minor Use Permit application may be used to modify this standard where an existing structure built prior to 1980 is being used as the tasting facility.

(3) Number of tasting rooms allowed. One tasting room is allowed for each winery. If more than one winery share production facilities or more than one winery is located on a site, only one tasting room is allowed. More than one winery facility may share a tasting room.

i. Special events. For the purposes of this section special events are defined as any of the following events when there is the possibility that 50 people or more individuals will attend: concerts (with or without amplified sound), weddings, advertised events (including fund raising, but not including industry-wide events), and advertised winemaker dinners open to the general public. Does not include normal patronage of the tasting room or non-advertised events.

(1) Permit requirement. Minor Use Permit approval where six or less special events for no more than 80 individuals are proposed, unless a higher level of permit is required by this ordinance for the proposed facility. Conditional Use Permit approval for six or more special events or where there is the possibility that more than 80 individuals may attend.

(2) Minimum site area. 20 acres. A Minor Use Permit application may be used to waive this standard where the character of the area, access, and the types of special event proposed make a 20 acre minimum site area unnecessary, unless a higher level of permit is required by this ordinance for the proposed facility.

(3) Limitation on use. Special events are limited to 40 days a year. Any special event proposing outdoor amplified music shall only be allowed from 10:00 a.m. to 5:00 p.m. No outside amplified sound shall occur before 10:00 a.m. or after 5:00 p.m. The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65dB.

(4) Design and operational standards: All special events shall also meet all the applicable standards set forth in Subsection D.2. and the standards set forth in Subsection 22.30.610.D.1—4 and E, in addition to the specific standards of this Subsection

(5) Setbacks. All special events shall conform to the setback standards of Subsection D.2.d.

(6) Effect on existing Special Events. All unpermitted existing special events in existence on the effective date of this section (November 21, 2001) shall be subject to the standards specified in this Subsection. Required land use permits shall be requested from the county within 120 days of the effective date specified above. If the required land use permit, has not been requested within the time frames set forth in this section, the penalties of [Chapter 22.74](#) (Enforcement) of this Title shall apply.

3. Commercial composting. These standards apply to the establishment of a commercial composting operation in addition to any applicable standards or permits that may be required from the California Integrated Waste Management Board or the County Environmental Health Department.

a. Minimum site area: Five acres.

b. Parking requirement. None, provided that sufficient usable area is available to permanently accommodate all employee and user parking needs entirely on-site. Parking areas shall be located no closer than 100 feet from each property line.

c. Setbacks. Outdoor use areas and structures shall be 200 feet from each property line, and no closer than 500 feet to any residence outside of the ownership of the applicant.

4. Olive oil production. For the purposes of this section the production of olive oil is the making of edible oil obtained solely from the fruit of the olive tree (*olea europea L.*) and specifically excludes the manufacture of edible oils obtained using solvents or re-esterification processes and any oils resulting from a mixture with other oils except in the making of flavored olive oil. Olive oil processed using solvents is included under "Food and Beverage Products."

a. Solid waste disposal. Pomace may be used as fertilizer or soil amendment, provided that such use or other disposal shall occur in accordance with applicable Health Department standards.

b. Liquid waste disposal. Standards shall be set, where applicable, through Regional Water Quality Control Board discharge requirements developed in compliance with [Section 22.10.180](#) (Water Quality).

c. Setbacks.

(1) Rural areas. All structures and outdoor use areas shall be a minimum of 200 feet from each property line and no closer than 500 feet to any existing residence outside of the ownership of the applicant.

(2) Urban and village areas. As required by [Section 22.10.140](#) et seq.

d. Parking. None, provided that sufficient usable area is available to permanently accommodate all employee and visitor parking needs entirely on-site.

e. Design standards. In the Agriculture, Rural Lands or Residential Rural land use categories, all structures associated with olive oil production shall have an exterior design style that is agricultural or residential in nature. Structures shall not use an exterior design style typically associated with large industrial facilities unless the facility is proposed in the Commercial Service or Industrial land use category.

f. Lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector or interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed or operated in a manner that would emit light, either reflected or directly, in an upward direction.

g. Tasting rooms and retail sales. Tasting rooms and retail sales shall be clearly incidental, related and subordinate to the primary operation of olive oil production facility. On-site tasting rooms and retail sales of olive oil are subject to [Section 22.30.075](#) (Agricultural Retail Sales - Farm Stands).

h. Effect on existing olive oil production facilities. All existing unpermitted olive oil processing facilities in existence on the effective date of this section (January 17, 2013) shall be subject to the standards specified in this Subsection. Required land use permits shall be requested from the County within 18 months of the effective date specified above. If the required land use permit, has not been requested within the time frames set forth in this section, the penalties of [Chapter 22.74](#) (Enforcement) of this Title may apply.

5. Industrial Hemp Processing. For the purposes of this section the processing of industrial hemp is limited solely to drying, curing, trimming, packaging and preparing for further processing within a permanent building (not a hoop house or similar non-permanent structure). The harvesting of industrial hemp grown onsite that is performed in the field with mobile equipment not involving permanent buildings, hoop houses, or trailers is included under crop production and grazing and subject to the standards set forth under [22.30.244](#). Industrial hemp processing does not include cannabinoid extraction and infusion and manufacturing of finished products. Extraction of cannabinoids from industrial hemp is considered chemical manufacturing.

Manufacturing of finished hemp products are classified under existing industry, manufacturing, and processing uses according to their end product and scale of operations. For example and not limitation, manufacturing of CBD infused chemical products would be considered chemical manufacturing, hemp cloth manufacturing would be classified as textile products and manufacturing of CBD infused food and beverage products, once allowed under state law, would be included under food and beverage products.

a. Location. Industrial hemp processing is only allowed in the Agriculture (AG), Rural Lands (RL), Commercial Service (CS), Residential Rural (RR), and Industrial (IND) land use categories.

b. Nuisance Odors. All industrial hemp processing facilities shall be sited and/or operated in a manner that prevents hemp nuisance odors from being detected offsite. An odor management plan shall be submitted with the use permit application that demonstrates how nuisance odor will be controlled to be undetectable offsite.

c. Design Standards. In the agriculture and rural lands land use categories, all new structures associated with onsite industrial hemp processing shall have an exterior design style that is agricultural or residential in nature. Structures shall not use an exterior design style typically associated with large industrial facilities.

[Amended 1986, Ord. 2250; 1992, Ord. 2553; Added 1995, Ord. 2741 2001, Ord. 2942; 2012, Ord. 3235; 2020, Ord. 3414][22.08.042]

- **22.30.075 - Agricultural Retail Sales.**

These standards apply to the retail sale of agricultural products in structures, or a portion of a structure, constructed or converted for agricultural product merchandising. Hay, grain and feed sales are subject to [Section 22.30.210](#) (Farm Equipment and Supplies). Sales from vehicles and seasonal sales are subject to the applicable provisions of [Section 22.30.330](#) (Outdoor Retail Sales). **Sales in the field not involving a structure that requires a building permit, including U-Pick operations, are considered Crop Production and Grazing.** The standards of this Section apply in addition to all applicable permit requirements and standards of the County Health Department, and any other applicable Federal and State statutes or regulations. It is recommended that applicants contact the County Health Department as early as possible to determine if any additional standards apply.

A. Limitation on use.

1. Field Stand. Field Stands allowed under this section are defined as an open or fully enclosed structure, where 100 percent of the fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey offered for sale are grown or produced by the operator and the stand is located on the site where the products offered for sale are grown or produced or on another site controlled by the grower. Does not include packaging, processing, sampling or tasting or the sales of any packaged or processed produce or products.

2. Farm Stand. Farm Stands allowed under this section are defined as a structure or portion thereof, where at least 50 percent of the floor area of the stand is dedicated to selling fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey that is grown or produced by the operator and the stand is located on the site where the products offered for sale are grown or produced or the sale of prepackaged non-potentially hazardous food, including olive oil, from a state approved source grown or produced on-site. The remaining 50 percent of the floor area of the stand may be used for the selling of fruits, vegetables, flowers, shell eggs, nuts, raw fiber or honey that is grown off site. The sale of prepackaged non-potentially hazardous food from a state approved source not grown or produced on site and other non-food ancillary items is limited to 50 square feet of storage and sales area and may include bottled water and soft drinks. Food preparation is prohibited except for food sampling or tasting.

B. Design Standards.

1. **Sales Area Limitation.** The floor area of the structure, portion of a structure and/or any outdoor display area shall be limited to a total of 500 square feet unless otherwise authorized by Minor Use Permit approval.

2. **Use of Structures.** Agricultural Retail Sales located in a structure shall be permitted as required by applicable building codes.

3. **Location.** The principal access driveway to a site with a Field Stand or Farm Stand in a residential land use category shall be located on or within one mile of an arterial or collector. The driveway approach shall conform with current county standards for construction and sight distance.

4. **Setbacks.** Agricultural Retail Sales shall be located a minimum of 50 feet from the front property line, 30 feet from side and rear property lines, but no closer than 400 feet to any existing residence outside the ownership of the applicant. If it is not possible to maintain 400 feet from a residence outside of the ownership of the applicant, the setback can be modified through a Minor Use Permit.

5. **Parking.** One parking space is required per 250 square feet of structure or outdoor display area. Parking shall be provided as follows, with such parking consisting at a minimum of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material, on areas of the site that are not Class I soils as defined by the Natural Resource Conservation Service (NRCS), and outside of the public road right-of-way. Parking areas shall be located in an off-street area accessed by a driveway which conforms to local fire agency standards. The parking area shall be surfaced with crushed rock, Class II aggregate base or similar semi-permanent all weather surface.

6. **Discontinued agricultural use.** In the event that the agricultural use that justified the Agricultural Retail Sales is discontinued for more than one growing season in consultation with Agriculture Department, all use of the site for Agricultural Retail Sales shall be terminated.

C. Notice and hearing requirements.

1. Public notice. For stands in the Residential Rural, Residential Suburban and Recreation categories, notice shall be provided to owners of property within 300 feet of the exterior boundaries of the site. The notice shall be provided not less than 10 days before the date of action on the Site Plan Review in compliance with [Section 22.62.040](#). The notice of a Site Plan Review shall declare that the application will be acted on without a public hearing if no request for a hearing is made in compliance with Subsection C.2.

2. Public hearing. No public hearing shall be held on the application for a Site Plan Review, unless a hearing is requested by the applicant or other affected person. Such request shall be made in writing to the Director no later than 10 days after the date of the public notice provided in compliance with Subsection C.1. If a public hearing is requested, the Agricultural Retail Sales use shall be subject a Minor Use Permit and the Director shall provide notice of the public hearing for the Minor Use Permit in compliance with [Section 22.62.050](#).

D. Application content.

1. Site Plan. A site plan which clearly shows the location of the structure(s) to be used as the Agricultural Retail Sales facility, setbacks to nearest property lines, location of road access and designated parking areas.

2. Floor Plans and Architectural Elevations. A floor plan with dimensions and elevations of the structure(s) to be used.

3. Fire Protection. A fire safety plan that sets forth adequate fire safety measures for the proposed Agricultural Retail Sales facility. Facilities are to be provided as required by the County Fire Department or applicable Fire Agency.

4. Water Supply, Sanitation, and Food Preparation. For Farm Stands, a clearance letter from the County Health Department shall be submitted with the land use permit application that sets forth facilities and permits that are required. The Health Department requirements may include but are not limited to: vermin proof storage, toilet, hand washing facilities and potable water.

E. Exceptions. A Conditional Use Permit may be used to modify the limitation on use and the site design standards as set forth in Subsections A. and B.

[Amended 1994, Ord. 2696; 1999, Ord. 2880; Added 2012, Ord. 3235][22.08.056]