

22.62.060 – Coastal Agricultural and Resource-Related Districts

A. Purpose of Section. This Section provides regulations for use and development-and-new-land uses, proposed within the coastal agricultural and resource-related zoning districts established consistent with Local Coastal Program policies by Section 22.62.030 (Coastal Zoning Districts Established). The purpose of these zoning districts is to protect agricultural land, continued agricultural uses and the agricultural economy by maintaining parcels large enough to sustain agricultural production, preventing conversion to non-agricultural uses, and prohibiting uses that are incompatible with long-term agricultural production or the rural character of the County's Coastal Zone and to preserve important soils, agricultural water sources, and forage to allow continued agricultural production on agricultural lands. (Policy C-AG-1)

B. Purposes of zoning districts. The purposes of the individual zoning districts are as follows.

- 1. C-APZ (Coastal, Agricultural Production Zone) District.** The C-APZ zoning district is intended to preserve privately-owned agricultural lands that are suitable for land-intensive or land-extensive agricultural production. (Policy C-AG-2)

The principal permitted use of lands in the C-APZ district is agriculture, is limited to the types of agricultural development set forth below and only when consistent with the development standards set forth in Section 22.65.040:

~~a Agricultural production; including activities that are accessory and incidental to, in support of, and compatible with agricultural production. These activities include use of land for the breeding, raising, pasturing, and grazing of livestock; the production of food and fiber; the breeding and raising of bees, fish, poultry, and other fowl; the planting, raising, harvesting and producing of agriculture, aquaculture, mariculture, horticulture, viticulture, vermiculture, forestry crops, and plant nurseries; substantially similar uses of an equivalent nature and intensity;~~

~~Agricultural accessory structures or and agricultural accessory uses activities appurtenant and necessary to the operation of agricultural uses for agricultural production, including one farmhouse per legal lot, one intergenerational home, agricultural worker housing, limited agricultural product sales and processing, educational tours, agricultural homestay facilities with three or fewer guest rooms, barns, fences, stables, corrals, coops and pens, and utility facilities (not including wind energy conversion systems and wind testing facilities);~~

Agricultural dwelling units: farmhouses, intergenerational homes, and agricultural worker housing;

Agricultural product sales and processing; and

Not-for-profit educational tours. (Policy C-AG-2)

Conditional uses in the C-APZ zone include a second intergenerational home per legal lot, for-profit educational tours, agricultural homestay facilities, agricultural worker housing above 12 units per legal lot, and additional agricultural uses and non-agricultural uses including land division, and residential development potentially up to the zoning density, consistent with Section 22.65.040 Policies C-AG 7, 8 and 9. Conditional residential development shall not exceed a maximum density of 1 residential unit per 60 acres. Densities specified in the zoning are maximums and not entitlements, and that may not be achieved when the standards of the Agriculture policies and, as applicable, other LCP policies are applied. (Policy C-AG-1, 2).

The C-APZ zoning district is consistent with the Agriculture 1 land use category of the Marin County Local Coastal Program.

2. **C-ARP (Coastal, Agricultural, Residential Planned) District.** The C-ARP district applies to lands adjacent to residential areas, ~~and at the edges of Agricultural Production Zones~~ in the Coastal Zone that have potential for agricultural production or have more limited agricultural production operations but that are not being used in such a way as to meet the criteria to be zoned ~~do not otherwise qualify for protection under the C-APZ zone~~. The C-ARP district provides flexibility in lot size and building locations to concentrate development to maintain the maximum amount of land for agricultural use, and to maintain the visual, natural resource and wildlife habitat values of subject properties and surrounding areas. The C-ARP district requires the grouping clustering of proposed development. The C-ARP zoning district is consistent with the Agriculture 1, 2, and 3 land use categories of the Marin County Local Coastal Program. Residential use shall be the principal permitted use in all parcels with the land use designation of C-AG3; Agriculture shall be the principal permitted use in all parcels with the C-AG1 and C-AG2 land use designations. (Policy C-AG-3)
3. **C-OA (Coastal, Open Area) District.** The C-OA District provides for open space, outdoor recreation, and other open lands, including areas particularly suited for park and recreational purposes, access to beaches, natural drainage channels, and areas that serve as links between major recreation and open space reservations. The C-OA zoning district is consistent with the Public and Quasi Public - Open Space land use category of the Marin County Local Coastal Program.

C. Allowed land uses and permit requirements in agricultural/resource districts. Table 5-1 lists the land uses allowed in the agricultural/resource zoning districts within the Coastal Zone, in compliance with Chapter 22.62 (Coastal Zoning Districts and Allowable Land Uses).

D. Development standards for agricultural- and resource-related districts. Proposed uses and development and new land uses consistent with the definitions in Article VIII shall comply with the all provisions of the LCP, including Chapters 22.32 as applicable (Standards for Specific Land Uses), this Chapter, Chapter 22.64 (Coastal Zone Development and Resource Management Standards), 22.65 (Coastal Zone Planned District Development Standards), 22.66 (Coastal Zone Community Standards), and 22.68 (Coastal Permit Requirements).

E. Residential Development Impacts and Agricultural Use. Ensure that lands designated for agricultural use are not ~~de facto converted to residential use, thereby losing the long term productivity of such lands.~~

1. Residential development shall not be allowed to diminish current or future agricultural use of the property or convert it to primarily residential use.
 - (b) Any proposed residential development subject to a Coastal Permit shall comply with LCP policies including ensuring that the mass and scale of new or expanded structures respect environmental site constraints and the character of the surrounding area. Such development must be compatible with ridge protection policies and avoid tree cutting and grading wherever possible.
 - (c) The County shall exercise its discretion in light of some or all of the following criteria and for the purpose of ensuring that the parcel does not ~~de facto convert to residential use~~:

- (1) The applicant's history of production agriculture.
- (2) How the long term agricultural use of the property will be preserved for example, whether there is an existing or proposed dedication or sale of permanent agricultural easements or other similar protective agricultural restrictions, such as Williamson Act contract or farmland security zone.
- (3) Whether long term capital investment in agriculture and related infrastructure, such as fencing, processing facilities, market mechanisms, agricultural worker housing or agricultural leasing opportunities, has been established or is proposed to be established.
- (4) Whether sound land stewardship practices, such as organic certification, riparian habitat restoration, water recharge projects, fish friendly farming practices, and/or erosion control measures, have been or will be implemented.
- (5) Whether the proposed residential development will facilitate the ongoing viability of agriculture such as through the intergenerational transfer of existing agricultural operations.

(e) ~~In no event shall a single family residence subject to these provisions exceed 7,000 square feet in size. Where one or two intergenerational residence units are allowed in the C APZ zone, the aggregate residential development on the subject legal lot shall not exceed 7,000 square feet.~~

(d) The following shall be excluded from the 7,000 square foot limitation:

- (1) Agricultural worker housing;
- (2) Up to 540 square feet of garage space for each residence unit;
- (3) Agricultural accessory structures; and
- (4) Up to 500 square feet of office space in the farmhouse used in connection with the agricultural operation on the property.

(e) The square footage limitations noted in the above criteria represent potential maximum residence unit sizes and do not establish a mandatory entitlement or guaranteed right to development.

{BOS app. 10/2/12, 11/13/2012, 1/15/2013, 2/26/2013}

**TABLE 5-1-a - ALLOWED USES AND PERMIT REQUIREMENTS FOR COASTAL
 AGRICULTURAL & RESOURCE-RELATED DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT			See Standards in Section:
	C-APZ Agricultural Production	C-ARP Agricultural Residential Planned	C-OA Open Area	
AGRICULTURE, MARICULTURE				
Agricultural accessory activities	PP (8), E	PP, E	PP, E	22.32.021
Agricultural accessory structures	PP (8), E	PP, E	PP, E	22.32.022
Agricultural homestays, 3 or fewer guest rooms	PP U(10)	PP(10)	—	22.32.023 22.32.115
Agricultural homestays, 4 or 5 guest rooms	U(10)	U(10)	—	22.32.023 22.32.115
Agricultural Intergenerational Home (first) <u>on legal lots 120 acres or larger and meeting all development standards set forth in 22.65.040(C)(1)(e)</u>	PP (8)	--	—	22.32.024
<u>Agricultural Intergenerational Home (first) on legal lots 120 acres or larger not meeting development standards set forth in 22.65.040(C)(1)(e)(9)</u>	P	—	—	22.32.024
Agricultural Intergenerational Home (second) <u>on legal lots 180 acres or larger</u>	U	--	—	22.32.024
Farmhouse <u>on legal lots 60 acres or larger and meeting all development standards set forth in 22.65.040(C)(1)(e)</u>	PP (8)	PP	—	22.32.025
Farmhouse on legal lots 60 acres or larger <u>not meeting development standards set forth in 22.65.040(C)(1)(e)(9)</u>	P	P	—	22.32.025
Agricultural processing uses (<u>≤5,000 sqft.</u>) <u>meeting all development standards set forth in 22.65.040(C)(1)(f)</u>	PP (8)	U	—	22.32.026
Agricultural processing uses (<u>>5,000 sqft.</u>) <u>not meeting development standards set forth in 22.65.040(C)(1)(f)</u>	U	U	—	22.32.026
Agricultural production	PP (8), E	PP, E	P	22.32.030
Agricultural product sales (<u>≤500 sqft.</u>) <u>meeting all development standards set forth in 22.65.040(C)(1)(f)</u>	PP (8)	PP	U	22.32.027
Agricultural product sales (<u>>500 sqft.</u>) <u>not meeting development standards set forth in 22.65.040(C)(1)(f)</u>	U	U	U	22.32.027
Agricultural worker housing <u>meeting all development standards set forth in 22.65.040(C)(1)(e)</u>	PP (8)	PP	U	22.32.028
<u>Agricultural worker housing not meeting development standards set forth in 22.65.040(C)(1)(e)(9)</u>	U	U	U	22.32.028
Commercial gardening	PP, E	P	P	
Dairy operations	PP, E	P	P(4)	22.32.030
Educational tours (non-profit or owner/operator)	PP	PP	PP	22.32.062 22.32.115
Educational tours (for-profit)	U	P	P	22.32.062 22.32.115
Fish hatcheries and game reserves	U	P	P	
Livestock operations, grazing	PP, E(5)	P(5)	P	22.32.030
Livestock operations, large animals	PP, E(5)	P(5)	—	22.32.030
Livestock operations, sales/feed lots, stockyards	P(5)	P(5)	—	22.32.030
Livestock operations, small animals	PP, E(5)	P(5)	—	22.32.030

Mariculture/aquaculture	PP	PP	—	22.32.105
Plant nurseries	PP	PP	—	
Raising of other food and fiber producing animals not listed under "agricultural production"	U	U	—	22.32.030

[BOS app. 1/15/2013]

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirements
E	Certain uses may be exempt or Categorically Excluded from permit requirements.
PP	Principal permitted use. (2)
P	Permitted use. (2)
U	Conditional use, Use Permit required. (2)
—	Use not allowed. (See 22.02.020.E regarding uses not listed.)

Notes:

- (1) Listed land uses must be consistent with definitions in Article VIII (Development Code Definitions).
- (2) See Chapter 22.42 (Design Review) for separate, non-coastal permit Design Review requirements for all uses.
- (4) Dairy operations allowed only on a site of 50 acres or larger.
- (5) Permit requirements are determined by Section 22.32.030 (Animal Keeping).
- (8) Only one single family dwelling per legal lot allowed (does not include intergenerational homes or agricultural worker housing). To create additional parcels and additional single family homes, see also 22.86 (Subdivisions). The principal permitted use of land in the C-APZ district is agriculture, limited to the types of agricultural development set forth in Section 22.65.040.
- (10) Only allowed when the primary use of the property is for agriculture; see Section 22.32.115 (Non-Agricultural Uses). The non-agricultural standards contained in Section 22.32.115 do not apply to C-ARP zoned properties with an assigned density of one unit per 1-5 acres.

Development shall also be consistent, as applicable, with Chapters 22.130 (Definitions), 22.32 (Standards for Specific Land Uses), 22.64 (Coastal Zone Development and Resource Management Standards), 22.65 (Coastal Zone Planned District Development Standards), 22.66 (Coastal Zone Community Standards), and 22.68 (Coastal Permit Requirements).

[BOS app. 10/2/2012]

→ **22.65.040 – C-APZ Zoning District Standards**

A. Purpose. This Section provides additional development standards for the C-APZ zoning district ~~that are designed~~ to preserve productive lands for agricultural use, and ensure that development is accessory and incidental to, ~~in necessary for the support of~~, and compatible with agricultural uses.

B. Applicability. The requirements of this Section apply to proposed development in addition to the standards established by Section 22.65.030 (Planned District General Development Standards) and Chapter 22.64 (Coastal Zone Development and Resource Management Standards), and all other applicable provisions of this Development Code.

C. Development standards. Development permits in the C-APZ district shall ~~also~~ be subject to the following standards and requirements in addition to section 22.65.030:

- 1. Standards for ~~agricultural uses~~ all development in the C-APZ:**
 - a. Permitted development shall protect and maintain ~~renewed~~ and continued agricultural ~~production use~~, and ~~contribute to~~ agricultural viability ~~on-site and on adjacent agricultural lands~~. Development of agricultural facilities shall be sited to avoid agricultural land ~~suitable for agricultural production (i.e prime agricultural land or other land suitable for agriculture)~~ whenever possible, consistent with the operational needs of agricultural production. If use of ~~agricultural such~~ land is necessary, prime agricultural land shall not be ~~utilized for structural development~~ ~~converted~~ if it is possible to utilize other lands suitable for agricultural use. In addition, as little agricultural land as possible shall be ~~used for structural development~~ ~~converted~~.
 - b. Development shall be permitted only where adequate water supply, sewage disposal, road access and capacity and other public services are available to support the proposed development after provision has been made for existing and continued agricultural ~~operations~~ ~~production~~. Water diversions or use for a proposed development shall not adversely impact stream or wetland habitats, have significant effects on groundwater resources, or significantly reduce freshwater inflows to water bodies including Tomales Bay, either individually or cumulatively.
 - c. Permitted development shall have no significant adverse impacts on environmental quality or natural habitats, and shall meet all other applicable policies, consistent with the LCP.
 - d. In order to retain the maximum amount of land in agricultural production or available for future agricultural ~~uses~~ ~~production~~, all infrastructure and structural development (e.g. agricultural accessory structures, other agricultural uses, and roads) ~~farmhouses, intergenerational homes, and agricultural homestay facilities~~ shall be ~~placed within a clustered development area placed in one or more groups along with any non-agricultural development~~ ~~on~~ of a total of no more than five percent of the gross acreage of the parcel, to the extent feasible, with the remaining acreage retained in or available for agricultural production or open space.

An application for development shall map the development area, which shall total no more than five percent of the parcel's total acreage, clearly demarcating the area within

which all current and subsequent development proposals must be located, subject to the allowed exceptions specified below. All new structural development shall be clustered within the identified development area, except when:

- (a) Placing development outside such areas is necessary for agricultural operations (e.g. when a more remote barn is required in a different part of the property to allow for efficient agricultural operations); or
- (b) When placing development within such areas would be inconsistent with applicable LCP standards (e.g. when such placement would be within a required stream setback area).

In the latter case, new development shall be placed as close as possible to the existing clustered development area in a way that also meets applicable LCP standards.

Development shall be located close to existing roads, and shall not require new road construction or improvements resulting in significant impacts on agriculture, natural topography, major vegetation, or significant natural visual qualities of the site. Development shall be sited to minimize impacts on coastal resources and adjacent agricultural operations and shall be designed and sited to avoid hazardous areas.

e. Agricultural dwelling units shall also meet the following standards, including those specified in Section 22.64.040(C)(4), below:

1. The agricultural dwelling unit must be owned by a farmer or operator actively and directly engaged in agricultural production on the property.
2. No more than a combined total of 7,000 square feet may be used as an agricultural dwelling, whether in a single farmhouse or in a combination of a farmhouse and one or two intergenerational homes (agricultural worker housing, up to 540 square feet of garage space in the farmhouse, and up to 500 square feet of office space in the farmhouse used in connection with the agricultural operation shall be excluded from the 7,000 square foot limitation).
3. An application for a farmhouse shall identify all parcels owned (in either total or partial fee ownership) by the same owner of the property upon which the proposed farmhouse is located, and shall require the execution of a covenant specifying that no additional farmhouses shall be allowed on those identified parcels.
5. An intergenerational home shall be placed on the same legal lot of record as the legally permitted farmhouse. Any allowable intergenerational home cannot be divided from the rest of the legal lot.
6. A density of 60 acres per unit shall be required for each farmhouse and intergenerational house (i.e. at least 60 acres for a farmhouse and 120 acres for a farmhouse and intergenerational house). Future land division on a parcel containing a farmhouse and/or intergenerational house is prohibited if the resulting parcel is less than the required 60 acre densities.
7. No more than 27 intergenerational homes may be allowed in the County's coastal zone.
8. Agricultural worker housing above 36 beds or 12 units shall be subject to the density limits specified for the applicable zoning district. An application for agricultural worker housing above 36 beds or 12 units shall include a worker housing needs assessment and plan, including evaluation of other available worker housing in the area. The amount of additional worker housing approved shall be commensurate with the demonstrated need.

Agricultural Worker housing requires recording a restrictive covenant running with the land for the benefit of the County ensuring that the agricultural worker housing will continuously be maintained as such, or, if no longer needed, for non-dwelling agricultural production related uses.

9. In addition to the required findings specified above, principally permitted agricultural dwelling units must the following standards:
 - a. Only one farmhouse or a combination of one farmhouse and one intergenerational home with the combined total of 7,000 square feet is allowed for each farm owner or operator actively and directly engaged in agriculture, regardless of the number of legal lots the farm owner or operator owns.
 - b. Agricultural worker housing must provide accommodations consisting of no more than 36 beds in group living quarters or 12 units or spaces per legal lot for agricultural workers and their households, and shall not be included in the calculation of density.
 - c. The agricultural dwelling unit is not placed on land designated as prime agricultural land.
 - d. The agricultural dwelling unit is placed within the mapped clustered development area required in subsection (d) and does not require any new road construction. An intergenerational home must be placed immediately adjacent to an existing farmhouse within the mapped clustered development area and not require any new road construction. Immediately adjacent means less than 100 feet.
 - e. The agricultural dwelling unit does not require any Coastal Zone Variance.

f. Other Agricultural Uses: Agricultural product sales and processing facilities shall be classified as principally permitted agricultural uses only when also consistent with the following standards:

1. The building(s) or structure(s) used for processing activities do not exceed an aggregate floor area of 5,000 square feet;
2. With the exception of incidental additives or ingredients, agricultural products to be processed are produced on the same site, or on other agricultural properties located in Marin County that are owned or leased by the processing facility owner or operator.
3. The operator of the processing facility is directly involved in the agricultural production on the property on which the processing facility is located;
4. Sufficient parking, ingress, and egress is provided. In addition, conditions as to the time, place, and manner of use of the processing facility may be applied as necessary through the Coastal Permit process to ensure consistency with provisions of the LCP.
5. The building(s) or structure(s), or outdoor areas used for retail sales do not exceed an aggregate floor area of 500 square feet;
6. Agricultural products to be sold are produced on the same site, or on other agricultural properties located in Marin County that are owned or leased by the processing facility owner or operator;
7. The operator of the sales facility is directly involved in the agricultural production on the property on which the sales facility is located;
8. Sufficient parking, ingress, and egress is provided. In addition, conditions as to the time, place, and manner of use of the sales facility may be applied as necessary through the Coastal Permit process to ensure consistency with provisions of the LCP.

9. In addition to the required findings specified above:
 - a. The processing facility and the building(s) or structure(s) or outdoor areas used for retail sales are not placed on land designated as prime agricultural land.
 - b. The processing facility and the building(s) or structure(s) or outdoor areas used for retail sales are placed within the mapped clustered development area required in subsection (d) and do not require any new road construction.
 - c. The processing facility and the building(s) or structure(s) or outdoor areas used for retail sales do not require a Coastal Zone Variance.

2. **Standards for Non-Agricultural Non-Principally Permitted Uses**

In addition to the standards of Section 1, above, all of the following development standards apply to non-principally permitted uses. Non-agricultural uses, including division of agricultural lands, or construction of two or more dwelling units (excluding agricultural worker or intergenerational housing) shall meet the requirements of Section 22.65.040C above and the following additional requirements:

- a. Non-principally permitted uses shall only be allowed when such uses will serve to maintain and enhance agricultural production.
- b. The creation of a homeowners' or other organization and/or the submission of an Agricultural Production and Stewardship Plan (APSP) may be required to provide for the proper utilization of agricultural lands, including their availability on a lease basis or for the maintenance of the community's roads, septic or water systems.

3. **Standards for Non-Agricultural Conditional Uses**

In addition to the standards of Sections 1 and 2 above, all of the following development standards apply to non-agricultural conditional uses.

- a. **Conservation easements.** Consistent with state and federal laws, the approval of non-agricultural conditional development uses, a sub including land divisions, or construction of two or more dwelling units, excluding agricultural worker and intergenerational housing shall include measures for the long-term preservation of lands proposed or required to remain undeveloped. Preservation shall be accomplished by permanent conservation easements or other encumbrances acceptable to the County. Only agricultural uses shall be allowed under these encumbrances. In addition, the County shall require the execution of a covenant prohibiting further subdivision of parcels created in compliance with this Section and Article VI (Subdivisions), so that each is retained as a single unit.
- b. **Agricultural Production and Stewardship Plans.** The creation of a homeowners' association or other organization and/or the submission of an Agricultural Production and Stewardship Plan (APSP) may be required to provide for the proper use and management of agricultural lands, including and their availability for lease, and/or for the maintenance of community roads or mutual water systems. Submission of an APSP shall be required for approval of land division or other non-agricultural development of C-APZ lands, except as provided for in (2) below. The Director may waive the requirement for an APSP for a project involving an existing commercial agricultural production operation or an existing commercial agricultural property.

(1) The purpose of an Agricultural Production and Stewardship Plan prepared and

submitted for land division or ~~for residential or~~ other non-agricultural development of C-APZ lands is to ensure that long-term agricultural productivity will occur and will substantially contribute to Marin's agricultural industry. Such a plan shall clearly identify and describe existing and planned agricultural uses for the property, explain in detail their implementation, identify on-site resources and agricultural infrastructure, identify product markets and processing facilities (if appropriate), and demonstrate how the planned agricultural uses substantially contribute to Marin's agricultural industry. An APSP shall provide evidence that at least 95% of the land will remain in agricultural production or natural resource protection and shall identify stewardship activities to be undertaken to protect agriculture and natural resources. An APSP shall be prepared by qualified professionals with appropriate expertise in agriculture, land stewardship, range management, and natural resource protection. The approval of a development proposal that includes an APSP shall include conditions ensuring the proper, long-term implementation of the plan.

(2) The requirement for an Agricultural Production and Stewardship Plan shall not apply to agricultural worker housing or to ~~otherwise permissible agricultural dwellings intergenerational homes and may be waived for residences and residential accessory buildings or structures to be occupied or used by the property owner(s) or lessee who is directly engaged in the production on the property of agricultural commodities for commercial purposes.~~ It may also be waived for ~~otherwise permissible~~ non-agricultural land uses when the County finds that the proposal will enhance current or future agricultural use of the property and will not convert the property to ~~primarily~~ residential or other non-agricultural use, as evidenced by such factors as bona fide commercial agricultural production on the property, the applicant's history and experience in production agriculture, and the fact that agricultural infrastructure (such as fencing, processing facilities, marketing mechanisms, agricultural worker housing, or agricultural land leasing opportunities) has been established or will be enhanced.

(3) Projects subject to the potential requirement of preparing an Agricultural Production and Stewardship Plan ~~should~~ shall be referred to such individuals or groups with agricultural expertise as appropriate for analysis and a recommendation. Such individuals or groups ~~should~~ shall also be requested to periodically review and evaluate the effectiveness of the APSP program.

c. **Required findings.** Review and approval of land use permits for non-agricultural development, including land divisions and determinations of allowed density in the C-APZ zoning district, shall be subject to the following written findings, in addition to others required by this Article LCP:

1. The proposed development is necessary because the agricultural use of the property is no longer feasible. Any determination that agricultural use of the property is no longer feasible shall be made in writing and be supported by evidence. The purpose of this standard is to permit agricultural landowners who face economic hardship to demonstrate how development on a portion of their land would ease the hardship and enhance agricultural operations on the remainder of the property.
2. The proposed development will not conflict with the continuation or initiation of agricultural uses on the portion of the property that is not proposed for structural

development, on adjacent parcels, or on other agricultural parcels within one mile of the perimeter of the proposed development.

3. Appropriate public agencies are able to provide necessary services (fire protection, police protection, schools, etc.) to serve the proposed development without extending urban services.
4. If a proposed land division, the land division will not result in any parcel less than 60 acres.
- d. **Transfer of development rights (TDR).** Proposed development within the C-APZ district may use the TDR provisions of Chapter 22.34 (Transfer of Development Rights), so long as such provisions are otherwise LCP consistent.

4. Agricultural Dwelling Unit Impacts and Agricultural Use. Ensure that lands designated for agricultural use are not de facto converted to residential use, thereby losing the long-term productivity of such lands, by the following means:

1. Agricultural dwelling units, other than principally permitted agricultural dwelling units, shall be reviewed to ensure they do not diminish current or future agricultural production on the property or convert it to primarily residential use.
2. Any proposed agricultural dwelling unit and related development subject to a Coastal Permit shall comply with LCP policies including ensuring that the mass and scale of new or expanded structures respect environmental site constraints and the character of the surrounding area. Such development must be compatible with ridge protection policies and avoid tree-cutting and grading wherever possible. All such development shall be clustered with existing structures and development on the farm, pursuant to Section 22.65.040(C)(1)(d), and shall be sited and designed to protect significant public views.

When considering proposed agricultural dwelling units, other than principally permitted agricultural dwelling units, the reviewing authority shall exercise its discretion in light of some or all of the following criteria for the purpose of ensuring that the land does not de facto convert to residential use:

- a. The applicant's history of production agriculture.
- b. How long term agricultural use of the property will be preserved — for example, whether there is an existing or proposed dedication or sale of permanent agricultural easements or other similar protective agricultural restrictions such as Williamson Act contract or farmland security zone.
- c. Whether long term capital investment in agriculture and related infrastructure, such as fencing, processing facilities, market mechanisms, agricultural worker housing or agricultural leasing opportunities have been established or are proposed to be established.
- d. Whether sound land stewardship practices, such as organic certification, riparian habitat restoration, water recharge projects, fish-friendly farming practices, or erosion control measures, have been or will be implemented.
- e. Whether the proposed development will facilitate the ongoing viability of agriculture such as through the transfer or lease of existing agricultural operations.

3. In no event shall agricultural dwellings subject to these provisions exceed 7,000 square feet in size. Where a farmhouse and one or two intergenerational residence units are allowed in the C-APZ zone, the aggregate development of all homes on the subject legal lot shall not exceed 7,000 square feet.
4. However, agricultural worker housing, up to 540 square feet of garage space for each farmhouse, agricultural accessory structures, and up to 500 square feet of office space in the farmhouse used in connection with the agricultural operation on the property shall be excluded from the 7,000 square foot limitation.
5. The square footage limitations noted in the above criteria represent maximum agricultural dwelling unit sizes and do not establish a mandatory entitlement or guaranteed right to development; rather, site constraints and resource protection standards may require reduced size limits in any particular case.
6. Agricultural homestays, bed & breakfasts, home occupations, care facilities, group homes and similar uses allowed in the C-APZ zone may only occur within otherwise allowable agricultural dwelling units and not within additional separate structures.

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