

Ordinance Code chapter 82-50 establishes requirements and standards for housing accommodations for five more farmworkers. Chapter 82-50 is intended to be consistent with the Employee Housing Act (Health and Safety Code section 17000 et seq.), which regulates housing accommodations for five or more employees. Housing accommodations for four or fewer farmworkers are not regulated separately by the County Zoning Code, but must comply with all zoning requirements of the zoning district where the housing accommodations are located.

The classifications established by Ordinance Code chapter 82-50 correspond to classifications made in the Employee Housing Act.

County Ordinance Code

State Health and Safety Code

FARMWORKER DWELLING

§ 82-50.402(a): Housing Type. A farmworker dwelling may only be a residential dwelling or a residential second unit.	§ 17021.5(b): Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation.
§ 82-50.402(b): Occupancy. A farmworker dwelling may only be occupied by five or six farmworkers, subject to the requirements of section 82-50.408.	<p>§ 17008(b)(1)(D): "Employee housing" includes housing accommodations for five or more agricultural employees.</p> <p>§ 17021.5(b): Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation.</p>
§ 82-50.402(d): Location. A farmworker dwelling may be located in any zoning district where a single family dwelling is allowed.	§ 17021.5(b): Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation.
§ 82-50.602(a): Permit. A ministerial permit is required before a farmworker dwelling may be established under this chapter. An application for a farmworker dwelling permit will be decided without discretionary review or public hearing.	§ 17021.5(b): Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation.

FARMWORKER HOUSING COMPLEX

<p>§ 82-50.404(a): Housing Type. A farmworker housing center may include any type of housing other than single-family residential housing, including but not limited to mobile homes, manufactured housing, tents, recreational vehicles, travel trailers, maintenance-of-way cars, and group housing. A farmworker housing complex may not exceed 12 residential units if it is not group housing. A farmworker housing complex may not exceed 36 beds if it is group housing.</p>	<p>§ 17008(a)(1): Employee housing includes housing accommodations that consist of any boardinghouse, tent, bunkhouse, maintenance-of-way car, mobilehome, manufactured home, recreational vehicle, travel trailer, or other housing accommodations.</p> <p>§ 17021.6(b): 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 shall be deemed to be an agricultural land use.</p>
<p>§ 82-50.404(c): Location. One farmworker housing complex may be located on a legal lot in an agricultural zoning district (A-2, A-3, A-4, A-20, A-40 and A-80).</p>	<p>§ 17021.6(b): 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 shall be deemed to be an agricultural land use.</p>
<p>§ 82-50.602(b): Permit. A ministerial permit is required before a farmworker housing complex may be established under this chapter. An application for a farmworker housing complex permit will be decided without discretionary review or public hearing.</p>	<p>§ 17021.6(b): 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 shall be deemed to be an agricultural land use.</p>

FARMWORKER HOUSING CENTER

If farmworker housing exceeds 12 residential units if it is not group housing, or exceeds 36 beds if it is group housing, then the housing is not deemed to be an agricultural land use under Health and Safety Code section 17021.6(b). The County may therefore require a land use permit for this use, which is classified as a farmworker housing center under Ordinance Code section 82-50.406. A land use permit is required for a farmworker housing center under section 82-50.602(c).

OCCUPANCY

<p>§ 82-50.408(b): If farmworker housing is not provided by an agricultural employer, is not provided in connection with an agricultural workplace, is located in a rural area, is subject to the State Housing Law (Health and Safety Code section 17910 et seq.), and is at least 30 years old, then one of the following applies:</p> <p>(1) At least 51 percent of the structures in the housing accommodation must be occupied by farmworkers if the accommodation is separated into units.</p> <p>(2) At least 51 percent of the housing accommodation must be occupied by farmworkers if the accommodation is not separated into units.</p>	<p>§ 17008(b)(1): Employee housing includes accommodations where all of the following factors exist: the accommodations are located in a rural area; the accommodations are not maintained in connection with any work or workplace; and the accommodations are used by five or more agricultural employees for any of the following: (1) temporary or seasonal residency; (2) permanent residency if the accommodation is a mobilehome, manufactured home, travel trailer, or recreational vehicle; or (3) permanent residency if the accommodation is subject to the State Housing Law and is more than 30 years old and at least 51 percent of the structures in the accommodation, or 51 percent of the accommodation if not separate into units, are occupied by agricultural employees.</p>
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DURATION

<p>§ 82-50.410(a): Farmworker housing may be temporary, seasonal or permanent housing if the housing is provided by an agricultural employer and is maintained at or in connection with an agricultural workplace.</p>	<p>§ 17008(a)(2): Employee housing includes accommodations that are maintained in connection with any work or place where work is being performed.</p>
<p>§ 82-50.410(b): If farmworker housing for five or more farmworkers is not provided by an agricultural employer and is not provided in connection with an agricultural workplace, then:</p> <ul style="list-style-type: none"> (1) The farmworker housing must be located in a rural area, and (2) The farmworker housing may be one of the following: <ul style="list-style-type: none"> (A) Temporary housing; (B) Seasonal housing; or (C) Permanent housing, as long as the farmworker housing: (i) is a mobile home, manufactured home, travel trailer, or recreational vehicle; or (ii) is subject to the State Housing Law (Health and Safety Code section 17910 et seq.), is at least 30 years old, and at least 51 percent of the housing is for farmworkers. 	<p>§ 17008(b)(1): Employee housing includes accommodations where all of the following factors exist: the accommodations are located in a rural area; the accommodations are not maintained in connection with any work or workplace; and the accommodations are used by five or more agricultural employees for any of the following: (1) temporary or seasonal residency; (2) permanent residency if the accommodation is a mobilehome, manufactured home, travel trailer, or recreational vehicle; or (3) permanent residency if the accommodation is subject to the State Housing Law and is more than 30 years old and at least 51 percent of the structures in the accommodation, or 51 percent of the accommodation if not separate into units, are occupied by agricultural employees.</p>