

# Agricultural Employee Housing Code Update



**Permit Sonoma File No. ZCE24-0009**

**Board of Supervisors**

**Eric Gage, Project Planner**

**October 7, 2025**



# Housing Element Background

- 2023-2031 Housing Element approved in August 2023
- Certified by the state in October 2023
- One hundred (100) implementation actions across 32 programs
- **Housing Element Subprogram 15g**
  1. Reduce thresholds to qualify for farmworker housing units
  2. Amend the Zoning Code for consistency with the State Employee Housing Act





# Housing Element Public Engagement Spring 2022

- Community Advisory Committee with member of Community Alliance with Family Farmers
- Farmworker focus groups in Spanish and English
- Feedback
  - High cost of applying for housing
  - Lack of access to credit, housing assistance programs
  - Racial and linguistic discrimination
  - Substandard conditions, pests, hazards
  - Fear of landlord retaliation





# Code Update Public Engagement August 2024 – March 2025

- Meetings with Economic Development Collaborative, Farm Bureau, Sonoma County Vintners, Dept. of Agriculture, Weights and Measures
- Farmer surveys of existing and proposed thresholds
- CAFF member focus group

## Feedback

- Vegetable crops, cut flowers not included in thresholds
- Smaller farms may have high labor needs depending on practices
- Diversified farming is a response to rising land prices
- Small diversified farms cannot meet acreage thresholds
- A gross sales metric would work better for small farmers







# Farmworker Unit Production Threshold

Section 26-24-040(B)(1). One DU per each:

Agricultural Use	Existing Threshold	Proposed Threshold
<u>Dairy</u> cows, sheep, or goats	50	30
Grapes, apples, pear, or prunes, other orchard crops	20 acres	10 acres
Broiler chickens	20,000	15,000
Egg-layer chickens	15,000	15,000
Turkeys	3,000	3,000
<u>Non-dairy</u> sheep, goats, cattle, hogs	100	50
Mature Horses	30	30
Wholesale nurseries	1 acre of greenhouses or outdoor containers	0.5 acres of greenhouses or outdoor containers
Wholesale nurseries	3 acres of field-grown plants	1 acre of field-grown plants
Row Crops	Other comparable uses at the discretion of the director	2 acres of vegetables, row crops and/or cut flowers
Annual Gross Sales	N/A	If no threshold can be met, \$120,000 in annual inflation-adjusted gross sales



# Employee Housing Act (EHA) – Agricultural Employee Housing

- EHA establishes HCD-permitted, ministerial process for state-permitted employee housing
- Agricultural employee housing, consisting of 5-12 units or 36 beds within agricultural zones
- Subject to the same permit requirements as an agricultural use in the same zone
- Ministerial approval of agricultural employee housing in zones that allow agriculture by right





# Employee Housing Act – Zoning Code Changes

- Code revisions for compliance with the Employee Housing Act
  - Agricultural Employee Housing changed from residential use to agricultural use
  - Change of terminology to umbrella category of “agricultural employee housing” and aligns subcategories with EHA
  - Eliminate use permit or zoning permit requirements
- Requirements conflicting with State law are removed such as:
  - Discretionary permitting requirements
  - Non-objective standards
  - Standards that directly conflict with the EHA
- County’s objective development standards still apply
- County issues building permits for construction before HCD permit to operate





# Employee Housing Act – Housing Categories

Agricultural Employee Housing Category	Location	Duration	Requirements
Temporary Camp	Wherever agriculture is permitted	<90 days	<ul style="list-style-type: none"><li>• Immediate removal after 90 days</li><li>• Owner affidavit</li></ul>
Seasonal Housing	Wherever agriculture is permitted	<180 days	<ul style="list-style-type: none"><li>• Parcel size</li><li>• Setbacks</li><li>• Access and parking</li><li>• Affidavit and covenant</li></ul>
Permanent Housing	Wherever agriculture is permitted	>180 days	<ul style="list-style-type: none"><li>• Parcel size</li><li>• Setbacks</li><li>• Access and parking</li><li>• Affidavit and covenant</li></ul>
Caretaker Unit	On a property with housing for >5 seasonal workers and no primary residence	Permanent	<ul style="list-style-type: none"><li>• Property meets threshold criteria for farmworker unit</li></ul>





# Planning Commission Review

- Planning Commission reviewed the amendments in July 2025
- Commissioners directed staff to develop additional monitoring and enforcement for County permits

## Existing Controls:

- Covenant requirements to collect deferred impact fees if/when the agricultural use is removed and the residence remains in place
- County retains the authority to redesignate the residence as non-conforming or other permitted use

## Staff recommends additional monitoring consisting of:

- Property owners submit forms annually documenting compliance with qualifying agricultural thresholds
- Monitoring by staff at regular intervals





# General Plan Consistency

- The farmworker housing threshold update implements the policies of the Housing Element, Agricultural Resources Element and Land Use Element and are therefore consistent with the General Plan
- The proposed amendments for compliance with state mandates supersede the authority of the County's General Plan

## Environmental Determination

- Revisions to county-permitted farmworker housing are exempt under CEQA Guidelines §15183
- Residential density was analyzed in the 2020 General Plan EIR. Since then:
  - No new project-specific impacts not analyzed in the EIR
  - No new significant offsite or cumulative impacts
  - No new information resulting in more severe impacts
- Proposed code changes for compliance with the Employee Housing Act are administrative updates and not a project under CEQA





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- Proposed code changes for compliance with the Employee Housing Act are administrative updates to ministerial procedures, and are not a project under CEQA







# Staff Recommendation

- Adopt a resolution recommending that the Board of Supervisors amend Sonoma County Code Chapters 26 (Zoning Code), 30, 40A, and 40D text for consistency with the California Employee Housing Act and to implement Subprogram 15g of the 2023-2031 Housing Element as shown in Exhibit A.





# Questions

