



## Agricultural Building Exemption Application

I/we, the undersigned, hereby apply for an agricultural building exemption as allowed by *Section 19.02.020(f)(1)(s)(1-19)* of the San Luis Obispo County Code for the building and parcel described below.

**NOTE: Agricultural buildings within the Coastal Zone are NOT exempt from the provisions of the Coastal Zone Land Use Ordinance (CZLUO). Although such buildings may still be exempt from building permit requirements, a separate Land Use Permit and Coastal Development Permit may be required by CZLUO Sections 23.03.020 through 23.03.042.**

### REGULATIONS FOR AGRICULTURAL BUILDING EXEMPTIONS

Regulations contained in *Section 19.02.020(f)(1)(s)(1-19)* of the Building and Construction Ordinance (Title 19 of the San Luis Obispo County Code) exempt certain agricultural accessory buildings from the necessity of having a building permit. In order to qualify for the exemption, a proposed agricultural accessory building must meet the definition of such buildings contained in Section 202 of the 2022 California Building Code, as well as the specific criteria in *Section 19.02.020(f)(1)(s)(1-19)* of the County's Building and Construction Ordinance.

*Section 19.02.020(f)(1)(s)(1-19)* of the County's Building and Construction Ordinance exempts agricultural buildings (as defined above) from building permit requirements if the property owner files the required exemption form with the Department of Planning and Building, and if all the following criteria are satisfied:

**Owner must read and initial each statement below to signify understanding or verify this information.**

- \_\_\_\_ 1. A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.
- \_\_\_\_ 2. Building site must be within an Agriculture or Rural Lands land use category (zone), outside of identified urban or village areas reserve lines as delineated by Title 22 or 23 of the San Luis Obispo County Code.
- \_\_\_\_ 3. Property must be at least 20 acres or more.
- \_\_\_\_ 4. Building must be located at least 100 feet from any adjacent property or public road.
- \_\_\_\_ 5. Building must be located a minimum of 50 feet from any adjacent building structure, including other Ag-Exempt Structures.

- \_\_\_ 6. Floor areas of the building must not exceed 3,000 square feet, and the height of the building must not exceed one story including a storage loft/mezzanine (1/3 of the ground floor area) open to the floor below; loft may not be partitioned into rooms.
- \_\_\_ 7. There must be an apparent existing agricultural use on the property, or the site must have obvious potential to be developed with an agricultural use for which a structure will be needed.
- \_\_\_ 8. The building site cannot be located within an Airport Review Area, Flood Hazard, or Sensitive Resource Area combining designation as defined by the Land Use Element of the San Luis Obispo County General Plan.
- \_\_\_ 9. Complies with all applicable regulations in this code and Title 22 and 23.
- \_\_\_ 10. Plumbing fixtures shall not be installed other than hose bibbs or wash sinks, or lavatories installed with a **separate permit**.
- \_\_\_ 11. Building cannot have architectural features such as French Doors that might make it readily habitable. Other types of sliding doors or other features commonly found in barns are permitted.
- \_\_\_ 12. Building cannot have insulation, heating, and/or cooling system, unless necessary for storage of certain farm products (**separate permit required**).
- \_\_\_ 13. The interior finishes shall be consistent for use as a barn and farm product storage area.
- \_\_\_ 14. Building may not contain cabinetry and/or built-in shelving beyond those necessary for use as a barn and farm product storage area.
- \_\_\_ 15. Building may only have lighting and electrical wiring to the extent necessary to house farm implements, equipment, hay, grain, poultry, livestock, or horticultural products installed with a **separate permit**.
- \_\_\_ 16. Building cannot be used to store hazardous materials subject to the limitation provided for in other codes, including but not limited to the California Fire Code and California Building Code.
- \_\_\_ 17. On a case-by-case basis, the chief building official may permit exterior shower heads for the purpose of emergency rinsing only.
- \_\_\_ 18. Roof mounted renewable energy systems may not be allowed.
- \_\_\_ 19. No grading will take place over 50 cubic yards, or over 20 cubic yards in a water course, but **other agency permits** may be required, or 10 cubic yards within the El Pomar planning area.

LANDOWNER NAME		
Name (Print)	Phone Number	Email
Signature of landowner		Date

***Note: A copy of the property owner's driver license, notarization, or other acceptable verification is required to be presented to verify the property owner's signature.***

LANDOWNER INFORMATION			
Name		Daytime Phone	
Mailing Address			
City	State	Zip Code	
Email Address		<input type="checkbox"/> Primary Contact	
AGENT INFORMATION			
Name		Daytime Phone	
Mailing Address			
City	State	Zip Code	
Email Address		<input type="checkbox"/> Primary Contact	

PROPERTY INFORMATION		
Assessor Parcel Number(s)		Parcel Size(s)
Project Address		
City	State	Zip Code
Describe the current agricultural use of the property.		
PROPOSED STRUCTURE		
Floor Area (3,000 sf max)		
Loft/Mezzanine Area		
Height of Building		
Use Description		
<i>Note: Use of the building is restricted to storage of farm implements, hay, grain, poultry, livestock, and/or horticultural products.</i>		

## **SUBMITTAL CHECKLIST**

Plans must be drawn to scale & include:

- ☐ Site Plan showing:
  - Property boundaries and fronting street(s)
  - Footprint of all existing and proposed buildings and driveways
  - Location of existing and proposed easements (when applicable)
  - Distances between all existing and proposed structures and between all structures and exterior property lines
  - Location of existing wells and septic systems
- ☐ Floor Plan, including stairs to open storage loft shown if applicable
- ☐ Building elevations, including roof slope, building height, window and door types, wall and roof coverings.

## **COMPLIANCE WITH STRUCTURAL CODE REQUIREMENTS**

The proposed structure must comply with the structural provisions of the 2022 California Building Code. Please specify how this will be done.

- ☐ Plans will be prepared by a licensed architect or engineer.
- ☐ Other (please specify): \_\_\_\_\_

## **THIS EXEMPTION IS NOT APPLICABLE TO STRUCTURES USED FOR GROWING, INCLUDING BUT NOT LIMITED TO GREENHOUSES AND HOOP STRUCTURES LEGAL DECLARATION**

## LEGAL DECLARATION

In filing for this exemption, I certify the structure will not be used for any purpose other than those allowed for an agricultural building as defined by Section 202 of the 2022 California Building Code (CBC). No portion of the building will be used for living or sleeping quarters, the sale of merchandise, agricultural processing, or any other use that is not directly related to the agricultural operations on the same property. I also certify that all work will comply with the provisions of applicable construction codes and other laws/ordinances of this jurisdiction. Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the Ag-exempt building.

I understand and agree that if I pursue a construction permit in the future for this agricultural building structure that it will be necessary to prepare construction plans and any related structural engineering documentation showing compliance to the most current adopted San Luis Obispo County codes and ordinances. I also understand that I may be required to employ the services of a California State-registered Architect or Engineer to prepare plans, engineering, testing, as-built justifications, and be responsible for the entire scope of work proposed.

I have read and understand the above information on this form, and am aware of the enforcement provisions of the San Luis Obispo County Code for violations thereof. I agree to allow routine inspections by those authorized to do so, at reasonable hours, to assure continuing compliance with this exemption.

Property Owner		
Name	Phone Number	Email
Signature of Property Owner		Date

***Note: A copy of the property owner's driver license, notarization, or other acceptable verification is required to be presented to verify the property owner's signature.***

## OFFICE USE ONLY

**The determination of the application for exemption is as follows:**

Date Received: \_\_\_\_\_ By: \_\_\_\_\_

Plan Area/Comm. Code: \_\_\_\_\_ LU Category: \_\_\_\_\_

Combining Designation: \_\_\_\_\_

☐ Approved pending Building Review

☐ Not Approved

Comments: \_\_\_\_\_

## BUILDING REVIEW

Date Received: \_\_\_\_\_ By: \_\_\_\_\_

☐ Approved - This building meets the criteria to be constructed without a permit. Any proposed plumbing, electrical, or grading work associated with this building is NOT exempt and requires a construction permit. Site Plan and Floor Plan have been reviewed in making this determination.

☐ Not Approved - This application does not meet the criteria for exemption from construction permits for the following reason: \_\_\_\_\_