

Farmworker Housing Ordinance Frequently Asked Questions

CHAPTER 22.52 PART 24

Q: How many farmworkers must occupy the housing for it to be considered farmworker housing? Is there a maximum number of occupants?

A: Farmworker housing must be occupied by a minimum of five farmworkers.

The maximum number of farmworkers that may occupy a *farmworker dwelling unit* is six.

The maximum number of farmworkers that may occupy a *farmworker housing complex* provided in group living quarters (i.e. bunkhouse) is 36, as the ordinance allows up to 36 beds.

Q: Does the ordinance allow families or relatives of farmworkers to occupy the farmworker housing?

A: Yes. *Farmworker housing complexes* that consist of up to 12 units or spaces may be occupied by farmworkers and their households.

Q: Does the housing need to be located on the same site as the agricultural operation?

A: No. Farmworker housing may be located either on- or off-site.

Q: Can the housing be provided by someone other than an agricultural employer?

A: Yes.

Q: If I am an agricultural employer, do I have to provide housing to my employees?

A: No. The farmworker housing ordinance does not require farmers and growers to provide housing; it streamlines the land use permitting process for individuals who are interested in providing housing to farmworkers.

Q: Could farmworker housing consist of recreational vehicles or travel trailers?

A: Yes. *Farmworker dwelling units* are single-family residential units. However, *farmworker housing complexes* include conventional and non-conventional structures, such as recreational vehicles and travel trailers.

Q: Are farmworker housing complexes subject to the subdivision ordinance?

A: The subdivision ordinance does not apply to mobilehomes. This would also be the case for non-conventional structures, as they would be permitted by the State.

Furthermore, farmworker housing is most likely to be rental housing. However, Title 21 requires a lease-only map for rental projects if the lot size is at least twice the required area in the zone. Again, this would only apply to conventional structures.

Q: What is the difference between conventional and non-conventional housing types?

A: Conventional structures are essentially Type V, wood frame construction.

Non-conventional structures include housing types that would be permitted and regulated by the State. These housing types include tents, recreational vehicles, and travel trailers. Mobilehomes are also permitted by the State.

The table below outlines the regulations and laws that apply to conventional and non-conventional structures.

Housing Type	Laws and Regulations	Local Permits	State Permits
Conventional structures	Local regulations	Applicants must obtain permits from Regional Planning, Public Works, Fire, and Public Health (Environmental Health).	HCD issues permit to operate employee housing.
Conventional and non-conventional structures	Local and State	Applicants must obtain permits from local agencies for Type V structures (single-family dwellings, bunkhouses, etc). HCD requires an approval in concept from local agencies for non-conventional structures.	Upon consent from local agencies, HCD issues permit to construct and permit to operate non-conventional structures. *
Mobilehomes and manufactured housing (two or more on one lot)	CA Mobilehome Parks Act and Regulations	HCD requires an approval in concept from Regional Planning, Public Works, Fire, and Public Health (Environmental Health).	Upon consent from local agencies, HCD issues permit to construct and permit to operate. *
Non-conventional structures (two or more on one lot), such as tents, recreational vehicles, and travel trailers	CA Special Occupancy Parks Act and Regulations	HCD requires an approval in concept from Regional Planning, Public Works, Fire, and Public Health (Environmental Health).	Upon consent from local agencies, HCD issues permit to construct and permit to operate. *

* If a local agency is inappropriately withholding approval, HCD will issue the permit to construct and permit to operate.