



County of Santa Cruz
Cannabis Licensing Office
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January 21, 2025

AGENDA: February 12, 2025
Item #10

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: Public hearing to review and provide recommendations to the Board of Supervisors regarding an ordinance amendment to Santa Cruz County Code Sections 13.10.372 and 13.10.640 to allow temporary produce sales areas and produce stands within the Timber Production and Special Use Zone district. Amendments also include clarification on the types of products sold and allowances to sell agricultural products and ability to reuse pre-existing structures with a commercial use which allowed for direct consumer services and adoption of an Addendum to the Environmental Impact Report prepared for the Sustainability Policy and Regulatory Update under the California Environmental Quality Act (CEQA).

Members of the Planning Commission:

The purpose of this item is for the Planning Commission to conduct a public hearing and provide a recommendation to the Board of Supervisors (Board) related to proposed changes to the temporary produce sales areas and produce stands as defined in Santa Cruz County Code (SCCC) section 13.10.640 and ancillary changes to SCCC section 13.10.372 to allow for these operations in the Timber Production (TP) and Special Use (SU) zone districts.

BACKGROUND

On November 14, 2023, the Board presented a letter emphasizing sustainable growth, economic development, and responsible cannabis regulation, in alignment with the 2023 Sustainability Plan updates. They discussed the matter and directed the Cannabis Licensing Office (CLO) to conduct public meetings across various districts to collect public opinion. The motion from that meeting outlined specific discussion topics to be covered:

- Changes to canopy limits;
- Increases to cannabis cultivation area and greenhouses;
- Limited retail sale of cannabis goods grown and produced by cultivation licensees at the point of cultivation;

- Medicinal, educational and recreational options for onsite consumption;
- An onsite consumption pilot program; and
- Changes to co-location options for non-retail commercial cannabis.

The Board instructed the CLO to facilitate discussions on potential options to gain a deeper understanding of public concerns before considering any changes to the existing cannabis ordinance.

The CLO collaborated with Board members to identify key individuals and groups for targeted outreach to encourage attendance at the public meetings. Board members supported these efforts by including information about the meetings in their newsletters. The CLO promoted the meetings on their website and coordinated with the Public Information Officer to share updates across social media platforms, including NextDoor, X (formerly Twitter), and Facebook. A press release was also issued. The NextDoor post received 14,000 impressions, while the Facebook post garnered 1,100 impressions prior to the meetings.

Community meetings were conducted in Districts one, two, four, and five. District three, which currently has no commercial cannabis businesses under County jurisdiction, did not host a meeting as directed by Supervisor Cummings. The meetings were held after 5:00pm, in a hybrid format, allowing community members to participate either in person or via Zoom.

The CLO presented a report of the results of the listening sessions to the Board on June 4, 2024. The report prompted a discussion among the Board members which resulted in the Board directing the CLO to draft ordinances related to the items on the November 14, 2023, agenda memo, mentioned above.

This report is limited to the retail sale of cannabis goods grown and produced by cultivation licensees.

On October 29, 2024, the CLO presented code amendments for the Board's consideration, which would implement their direction from the June 4, 2024 Board meeting. During the October 29, 2024 Board meeting, the Board directed CLO staff to bring the land use code amendments to the Planning Commission and return to the Board on or before January 31, 2025 with a scheduled public hearing to consider both the land use and business licensing code amendments. The code amendments were drafted to include the produce stands and temporary produce sales areas that already exist in TP and SU zone districts while also reflecting the Board's direction. The Board accepted a deferral request from CLO staff to return by March 25, 2025.

The proposed ordinance amendments are presented with this report as Exhibit C (SCCC section 13.10.640) and Exhibit E (SCCC section 13.10.372).

The provisions in the SCCC relating to non-retail commercial cannabis were first adopted by the Board in May 2018, with the goal of being an iterative regulatory program that evolved over time. Since adoption, SCCC Chapter 13.10 has been revised to provide clarity and reflect changes made at the state level and the Board's vision for the program. In 2020 the Board identified a disconnect between their original stated goals and implementation of the program. This disconnect stemmed from the concept that all cannabis development was a commercial use rather than an agricultural use, which led to cannabis being defined as an agricultural activity and being principally permitted within the Commercial Agricultural (CA) zone district. Following that change there have been additional iterative changes to the program.

DESCRIPTION AND ANALYSIS

Staff has prepared changes to SCCC sections 13.10.640 and 13.10.372 following the Board's directive of allowing limited retail sales of cannabis goods at farms, per the November 14, 2023 Board letter. This letter noted that, "Cannabis cultivation is an agricultural endeavor, and these proposed changes would allow cannabis cultivators to engage in agri-tourism activities along the same lines as those included in December's Sustainability Policy and Regulatory Update." In order to facilitate the Board directed change, staff reviewed the Sustainability Policy and Regulatory Update with the CLO to determine how to allow these activities.

The proposed change to SCCC section 13.10.372, applicable to the TP zone, includes a clarifying statement in the Use Chart allowing agricultural uses allowed by right within the CA zone to include those allowed within SCCC section 13.10.640.

The proposed changes to SCCC section 13.10.640 apply to produce stands and temporary produce sales areas. One of the proposed changes allows these to be in the SU and TP zone districts. This is based on the allowed uses of these zone districts as defined by SCCC section 13.10.372 (for the TP zone) and 13.10.382 (for the SU zone). These allowed uses include agricultural uses and accessory structures incidental to agricultural use. The inclusion of these zone districts was based on Board direction and on the reality that farm stands already exist in these zone districts. Another proposed change would allow produce stands within an existing building that has an approved pre-existing commercial use which allowed for direct consumer uses. A proposed technical change includes clarification that agricultural products, not just raw goods, may be sold at produce stands. This change was prompted because the current language includes examples of agricultural products but the examples were limited to food products and some farm stand proprietors are selling non-food based agricultural products at these sites.

Environmental Analysis

The attached Addendum (Exhibit B) to the Final Environmental Impact Report ("EIR") for the Sustainability Policy and Regulatory Update ("Sustainability Update") analyzes the proposed code modifications to the Final EIR approved in 2022 and demonstrates that all potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the Final EIR.

The changes proposed are minor in nature and clarify the code that was approved as part of the Sustainability Update. A detailed analysis of how the proposed changes are included in the impacts evaluated in the Final EIR are included in Exhibit B.

Summary of Proposed Program Revisions

The proposed amendments include changes that will allow farm stands and temporary produce sales areas in the TP and SU zone districts. The proposed amendments will allow produce stands within an existing building that has an approved pre-existing commercial use which allowed for direct consumer uses. Another proposed technical change includes clarification that agricultural products, not just raw goods, may be sold at produce stands.

CONCLUSION

The proposed code amendments help further align the agri-tourism goals noted in the Sustainability Update to be inclusive of all types of agricultural activities in our County. These changes reflect the current types of farm stands and temporary produces sales areas which exist. Allowing the reuse of existing commercial buildings further helps our agricultural operators and aligns with our goals to preserve farmlands. These iterative changes will help build upon the work of the Sustainability Update to support farms and further agri-tourism.

Based on the community input received to date and the Board's direction, CLO staff has prepared the following recommended actions for the Planning Commission:

RECOMMENDED ACTIONS

It is therefore RECOMMENDED that the Planning Commission take the following actions:

1. Conduct a public hearing on the proposed amendments to the Santa Cruz County Code sections 13.10.640 and 13.10.372; and
2. Adopt the attached Resolution (Exhibit A) recommending that the Board of Supervisors confirm that the Addendum (Exhibit B) to the Final EIR for the Sustainability Update meets the requirements under CEQA and approve and adopt the proposed amendments to Santa Cruz County Code sections 13.10.640 and 13.10.372 (Exhibits C and E).

Sincerely,

SAM LOFORTI
County Administrative Office Staff

EXHIBITS

Exhibit A: Resolution

Exhibit B: Addendum for updates to Temporary Produce Sales Area and Produce Stands

Exhibit C: Santa Cruz County Code section 13.10.640 Amendments

Exhibit D: Santa Cruz County Code section 13.10.640 Amendments Strikethrough – Underline

Exhibit E: Santa Cruz County Code section 13.10.372 Amendments

Exhibit F: Santa Cruz County Code section 13.10.372 Amendments Strikethrough - Underline

EXHIBIT A

BEFORE THE PLANNING COMMISSION OF THE COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Commissioner:
Duly seconded by Commissioner:
The following Resolution is adopted:

**PLANNING COMMISSION RESOLUTION RECOMMENDING BOARD OF
SUPERVISORS ADOPTION OF PROPOSED AMENDMENTS TO SANTA CRUZ
COUNTY CODE SECTIONS 13.10.372 AND 13.10.640 REGARDING FARM
STANDS AND TEMPORARY PRODUCE SALES AREAS**

The Santa Cruz County Planning Commission hereby finds and declares:

WHEREAS, on June 4, 2024, the Board of Supervisors for the County of Santa Cruz (“Board”) directed the Santa Cruz County Cannabis Licensing Office (“CLO”) to prepare and propose revisions to the County’s Cannabis Program, specifically to Santa Cruz County Code (“SCCC”) Chapter 13.10, to allow retail sales at farm stands and temporary produce stands; and

WHEREAS, the Board also directed the Planning Commission to hold a public hearing on the proposed changes to the farm stand and temporary produce stand regulations; and

WHEREAS, the Planning Commission finds that the proposed amendments to SCCC sections 13.10.372 and 13.10.640 are consistent and compatible with the Santa Cruz County General Plan and all components of the Local Coastal Program implementing ordinances; and

WHEREAS, on November 15, 2022, the Board certified an Environmental Impact Report (EIR) for the County of Santa Cruz Sustainability Policy and Regulatory Update (Sustainability Update), consisting of amendments to the County’s General Plan/Local Coastal Program (LCP), including four updated General Plan elements, amendments to sections of the SCCC, adoption of County Design Guidelines, and General Plan land use map and/or zoning map amendments (State Clearinghouse No. 2020079005); and

WHEREAS, Sections 15162 and 15164 of the California Environmental Quality Act (“CEQA”) Guidelines require an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred; and

WHEREAS, the County has prepared an Addendum to the Santa Cruz County Sustainability Update EIR pursuant to Section 15164 of the CEQA Guidelines, and has determined that the revisions to Chapter 13.10 of the SCCC to allow retail sales at farm stands and temporary produce stands are consistent with the environmental impacts evaluated in the Sustainability Update EIR and subsequent addenda as documented by

EXHIBIT A

the review contained in the Addendum,, and none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred..

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board, confirm that the Addendum (submitted as Exhibit B) to the Final EIR meets the requirements under CEQA; and

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board approve and adopt the proposed amendments to sections 13.10.372 and 13.10.640 of the SCCC (submitted as Exhibits C and E).

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 12th day of February 2025 by the following vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Chairperson, Planning Commission

ATTEST: _____
Secretary to the Planning Commission

APPROVED AS TO FORM:

Signed by:


OFFICE OF THE COUNTY COUNSEL

cc: County Counsel

Certificate Of Completion

Envelope Id: 2DF2376E-89F7-4E95-8D0C-F4A01A6798F6

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Subject: Complete with Docusign: PC Reso for Farm Stands FINAL.pdf

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Sam LoForti

AutoNav: Enabled

701 Ocean Street

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Santa Cruz, CA 95060

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

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2/4/2025 7:53:54 AM

Certified Delivered

Security Checked

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Signing Complete

Security Checked

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Completed

Security Checked

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County of Santa Cruz

DEPARTMENT OF COMMUNITY DEVELOPMENT AND INFRASTRUCTURE

701 OCEAN STREET, FOURTH FLOOR, SANTA CRUZ, CA 95060-4070
 Planning (831) 454-2580 Public Works (831) 454-2160

To: Clerk of the Board
 Attn: Juliette Rezzato
 701 Ocean Street, Room 500
 Santa Cruz, CA 95060

Project Name: Addendum for updates to Temporary Produce Sales Area and Produce Stands, State Clearinghouse No. 2020079005

Project Location: Countywide

Assessor Parcel No.: N/A

Project Applicant: County of Santa Cruz Community Development and Infrastructure

Project Description: The project updates the Santa Cruz County Code (SCCC) for temporary produce areas and produce stands as defined in SCCC section 13.10.640. The changes encompass minor revisions to allowable sales and allowance of these sites to occur within the Timber Production (TP) and Special Use (SU) zone districts, as defined by the Board of Supervisors. The project includes discretionary aspects associated with cannabis sales at these sites, as defined in SCCC chapter 7.138.

Agency Approving Project: County of Santa Cruz Board of Supervisors

County Contact: Samuel LoForti

Telephone No. 831-454-3426

Date Completed: January 22, 2025

This is to advise that the County of Santa Cruz Board of Supervisors has approved the above-described project on _____, 2025 (date) and found the Addendum to the Final Environmental Impact Report for the Sustainability Policy and Regulatory Update necessary to facilitate the proposed code changes and that no substantial changes or significant environmental effects will occur.

Background:

This document is an addendum to the Final Environmental Impact Report ("EIR") for the Sustainability Policy and Regulatory Update ("Sustainability Update") (State Clearinghouse No. 2020079005), which was certified by the Board of Supervisors on November 15, 2022. In accordance with the California Environmental Quality Act (CEQA), this addendum analyzes proposed code modifications to the Final EIR approved in 2022 and demonstrates that all potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the Final EIR.

CEQA Authority to Amend

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that:

The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 of the CEQA Guidelines does not require a subsequent EIR be prepared for a project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to

the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*
- (A) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
 - (C) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
 - (D) *Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*
- Association of Environmental Professionals 2024 CEQA Guidelines 248.

Likewise, California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

- (a) *Substantial changes are proposed in the project which will require major revisions of the environmental impact report;*
- (b) *Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report;*
- (c) *New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.*

The proposed changes would not result in any new significant impacts, nor would they substantially increase the severity of previously anticipated significant impacts. All of the impacts associated with the proposed modifications are within the envelope of impacts addressed within the Final EIR and do not constitute new or substantially increased significant impacts. The basis for this determination is included within the analysis section below. The modifications do not trigger the requirements for preparation of a subsequent or supplemental EIR pursuant to section 15162 of the CEQA guidelines.

Overview of the Approved Final EIR

The approved Final EIR consists of amendments to the County's existing General Plan/Local Coastal Program (LCP) and several sections of the SCCC, as well as two other components described below. The proposed Sustainability Update is a comprehensive update to the County's General Plan/LCP and modernization of the SCCC. The goal of this update was to implement new policies and code regulations that support more sustainable communities in Santa Cruz County. The County's previous LCP was adopted in 1994, and was updated to align with new state laws, new regional and local plans, and a community vision that is focused on sustainable growth. The SCCC needed to be updated to implement the changes that are proposed in the General Plan/LCP. The County modernized the SCCC and prepared County Design Guidelines that were intended to help applicants understand the County's development rules and design projects that align with the community's vision. The proposed project also arises in part from the Sustainable Santa Cruz County Plan, accepted by the Board of Supervisors in October 2014 as a planning and feasibility study that focused on sustainable development of the County's urban areas.

The Sustainability Update consisted of four key components that are further described below:

1. General Plan/LCP Amendments. The approved amendments, text revisions, new or revised goals, objectives and policies, and new and revised implementation strategies that replaced prior programs. Revisions were included for the following five General Plan/LCP chapters:
 - Chapter 1: Introduction;
 - Chapter 2: Built Environment (formerly Land Use);
 - Chapter 3: Access + Mobility (formerly Circulation);
 - Chapter 5: Agriculture, Natural Resources + Conservation; and
 - Chapter 7: Parks, Recreation + Public Facilities.

The above-listed General Plan/LCP elements joined three other existing elements that were previously updated, which comprise the entirety of the General Plan/LCP:

- Chapter 4: Housing (2016);
 - Chapter 6: Public Safety (2020); and
 - Chapter 8: Noise (2019).
2. SCCC Amendments. Amendments to the SCCC were included in Title 13—Planning and Zoning Regulations and Title 18—Procedures, with some revisions to Title 5—Business Regulations, Title

- 12—Building Regulations, Title 15— Community Facilities, and Title 16—Environmental and Resource Protection, in order to ensure regulations incorporated State law and modern practices, reflected General Plan/LCP proposed revisions, and are internally consistent.
3. County Design Guidelines. The Sustainability Update includes adoption of County Design Guidelines, which are referenced in revisions to SCCC Chapter 13.11.
 4. Land Use and Zoning Map Amendments. Selected property-specific General Plan land use designation changes and/or rezonings have been identified by County staff and include identified opportunity sites such as the vacant property located at Soquel Drive and Thurber Lane and vacant and underutilized properties along the Portola Drive commercial corridor. There were General Plan designation and/or zone district amendments for other parcels in order to achieve consistency with the General Plan and/or existing uses on a property.

The California Coastal Act of 1976 (Coastal Act) requires local jurisdictions to adopt an LCP to regulate development within the coastal zone. The Coastal Act requires jurisdictions to have an LCP consisting of both a Land Use Plan (LUP) and a Local Coastal Implementation Plan (LCIP) with implementing actions that are consistent with the statewide Coastal Act policies. The Coastal Act requires Coastal Commission approval of amendments to jurisdictions' LUP and LCIP. The approved Sustainability Update included amendments to some General Plan/LCP goals, objectives, policies, and implementation strategies that are also part of the LUP. The approved Sustainability Update included amendments to some sections of the SCCC that included sections that are part of the LCIP. These sections and chapters required Coastal Commission approval as part of an LCP amendment. The Coastal Commission certified the Sustainability Update on December 15, 2023.

Analysis

The proposed modification to SCCC section 13.10.640 would allow for temporary produce sales areas and produce stands within the Timber Production (TP) and Special Use (SU) zoning districts in addition to the previously approved Agricultural and Commercial Agricultural zoning districts. A produce stand may be allowed within an existing building that has an approved pre-existing commercial use which allowed for direct consumer sales. An additional technical change includes clarification that agricultural products, not just raw goods, may be sold at temporary produce stands. The proposed addition of SCCC Chapter 7.138 includes discretionary requirements associated with security, sales limits, seasonal operational restrictions required to obtain a business license. Chapter 7.138 only applies to businesses in compliance with SCCC section 13.10.640.

The proposal to allow these temporary produce sales areas and produce stands within the TP and SU zone districts is based on the allowed uses of these zone districts as defined by SCCC section 13.10.372 (for the TP zone) and 13.10.382 (for the SU zone). These allowed uses include agricultural uses and accessory structures incidental to agricultural use.

The inclusion of the TP and SU zone districts does not constitute a substantial change to the Final EIR that would cause new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, since the EIR was adopted, there is no new information of substantial importance that shows there is a potential for new or substantially more severe significant effects, or that new mitigation measures would reduce any significant impacts of the project.

The Project is within the scope of the impacts evaluated in the EIR. The EIR evaluated the potential for significant impacts related to small-scale, ancillary agricultural support uses, such as marketing of products grown on the site and agri-tourism. Specifically, the EIR evaluated the impacts of the adoption of SCCC section 13.10.640, which allows temporary produce sales areas, produce stands, and produce markets in the Agriculture and Commercial Agriculture zoning districts if certain conditions are met. Project features contained in both the Sustainability Update's General Plan Amendments and Code Amendments protect prime agricultural land and preserve long-term commercial agricultural use. (See Draft EIR Table 4.2-4, citing ARC 1.1.3 -5, 7, 11-12; ARC 1.2.1-2.4; ARC 1.3.1-3; ARC 1.4.5, ARC 2.1.4.) Moreover, the Draft EIR concludes that the structural development that will result from these activities supports the continued viability of commercial agricultural operations. Additionally, SCCC section 13.10.640 (C)(4) requires the produce stand and any associated parking and circulation areas to remove as little agricultural land as possible, and requires all associated improvement to be located off, or on the perimeter of the Type 1 – 3 soils to the maximum extent feasible. As a result, the inclusion of produce markets and produce sales areas in TP and SU zoning districts will not result in any new significant impacts to agricultural lands as conversions of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are unlikely to occur, and if they do occur must comply with General Plan Policy ARC 1.3.1 and must be incidental to the agricultural use.

The EIR evaluates the impacts of agricultural uses on urban land uses, and concludes that the establishment of buffers provided for in the SCCC will protect adjacent neighbors from impacts related to dust, noise, odors, potential “drift” of pesticide application, and other disturbances associated with agricultural operations. (See Final EIR section 3.2.4) As a result, the project will not result in any potential significant impacts related to these impact areas. The EIR evaluates traffic related cumulative development and growth, both within the unincorporated county and in the incorporated cities. The traffic analysis included in section 4.15.3.3 notes that potential significant impacts are limited to development and redevelopment within urban areas within the County’s urban services line. Traffic related impacts from farm stands were not concluded to have a substantial impact in the EIR. No other impacts to environmental resources analyzed in the Sustainability Update EIR are anticipated or reasonably foreseeable as a result of the proposed SCCC amendments or future development as allowed by the SCCC amendments.

The EIR evaluates impacts to forest lands and concludes the Sustainability Update would not directly result in impacts related to the conversion of forest lands, (see Draft EIR section 4.2.3.2). Forest lands and timberlands are primarily located within the TP zone district and the Project does not include any provisions that allow for the conversion of these lands to be utilized for temporary produce sales areas or produce stands. Therefore, the EIR evaluation extends to this Project.

Summary

The proposed modifications are limited technical changes which only impact retail sales for agricultural goods and products produced by the farms. These temporary produce sales areas are not permanent installations and will not result in the conversion of agricultural lands. The EIR determined that the existing County Code provisions and those adopted as part of the Sustainability Update prevent agricultural ancillary uses such as support facilities and tourism facilities from causing any potential significant impacts.

13.10.640 Temporary produce sales areas, produce stands, and produce markets.

(A) The purpose of these regulations is to provide for and regulate the sale of farm commodities produced on-site, and also to allow the sale of related goods that promote agricultural products originating in Santa Cruz County and neighboring counties.

(B) Definitions.

(1) "Retail food law" for purposes of this chapter, means any chapter of any California Code regulating health and sanitation standards for retail food facilities. Retail food law shall be administered and enforced by County of Santa Cruz Environmental Health Services, unless another agency is specifically identified by law.

(C) General Standards. The following general standards shall apply to all produce sales areas, stands, and markets regulated by this chapter:

(1) One temporary produce sales area, one produce stand, or one produce market per site is allowed, subject to approval as set forth in SCCC [13.10.312](#)(D), Agricultural Uses Chart, and Chapter [13.11](#) SCCC.

(2) A temporary produce sales area or produce stand shall be allowed only if:

(a) It is located in the A (Agriculture), CA (Commercial Agriculture), TP (Timber Production), or SU (Special Use) Zoning District;

(b) It is accessory to agricultural production on the same parcel;

(c) At least 75 percent of the gross site area, that can be utilized for agricultural production, is devoted to agricultural production;

(d) The entirety of any subject parcel is owned or leased by the produce area/stand proprietor; and

(e) The floor area, excluding storage, shall not exceed 800 square feet. A larger floor area up to 1,600 square feet may be considered with an MUP or may be allowed if the building has a pre-existing commercial use which allowed for direct consumer services, including, but not limited to, wine tasting rooms, prepared food service, sales.

(3) A produce market shall be allowed only if:

- (a) It is located in the A Zoning District;
 - (b) It is accessory to agricultural production on the same site;
 - (c) At least 75 percent of the gross site area is devoted to agricultural production;
 - (d) The entirety of any subject parcel is owned or leased by the produce market proprietor;
and
 - (e) The floor area, excluding storage, does not exceed 1,800 square feet. A floor area of up to 3,600 square feet may be considered with approval of a CUP, where it can be demonstrated that a need for a market larger than 1,800 square feet exists, such as may be required for a larger agricultural operation.
- (4) The produce stand, produce market, and associated parking and circulation areas shall remove as little land as possible from agricultural production or potential production. To minimize disturbance to agricultural soils, all associated improvements shall be located off, or on the perimeter of, Type 1—3 soils to the maximum extent feasible. Stands and markets should be located at the front of the parcel in conjunction with roadway access, or clustered with the existing development on the site.
- (5) Safe ingress and egress from the site shall be provided.
- (6) Produce stands and produce markets may have a maximum of one double-faced free-standing sign and one sign attached to the structure, not including small, pedestrian-oriented price signs up to one-half square feet each placed with produce. No sign or face shall exceed 10 square feet. No illuminated signs or off-site signs shall be allowed. All signs shall be located outside the public right-of-way and shall not obstruct ingress, egress, or vehicular site distance.
- (7) The point of origin of each commodity sold at the produce stand or produce market, including the name of the farm and county where it was grown, shall be prominently displayed indoors, using legible lettering, preferably with produce price signs.
- (8) Produce stands and produce markets shall be subject to the laws and regulations administered by other County of Santa Cruz departments, as well as the requirements of other jurisdictional agencies such as the California Department of Food and Agriculture and California Department of Transportation.

(D) Temporary Produce Sales Area. Temporary produce sales areas are subject to the following standards and requirements:

- (1) Three parking spaces shall be provided. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter, of good agricultural soils and shall not encroach upon any public rights-of-way or create a traffic hazard. Parking is not required to be paved unless specified by permit.
- (2) A temporary produce sales area may sell only raw, unprocessed fruits, vegetables, nuts, cut flowers, and other agricultural produce in its raw or natural state produced on land that the produce stand's proprietor controls. No other commodities may be sold from a temporary produce sales area.
- (3) A temporary produce sales area may only be open for up to 90 consecutive days per year to coincide with the harvest of the commodity. The applicant must obtain an administrative use permit to operate a produce stand if the produce sales area will be open for longer than 90 consecutive days in a year or if produce sales will be staggered (non-consecutive) due to differing harvest times.
- (4) During the time when the temporary produce sales area is closed, all signage pertaining to the produce sales area, the temporary structure, and all for-sale products shall be removed from view.

(E) Produce Stands. Produce stands are permitted subject to the following standards and requirements along with any other requirements deemed necessary due to the size, configuration, and location of the site.

- (1) One off-street parking space shall be provided for each 400 square feet of gross floor area or a minimum of three parking spaces, whichever is greater. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter, of Type 1—3 agricultural soils, and shall not encroach upon any public rights-of-way or create a traffic hazard. Parking is not required to be paved unless specified by discretionary permit as appropriate to control dust or mud, or to prevent erosion and sedimentation.
- (2) A produce stand shall be used to sell primarily raw, unprocessed fruits, vegetables, eggs, honey, cut flowers, and other agricultural produce in its raw or natural state produced on land that the produce stand's proprietor controls.

- (3) Up to 15 percent of the area of the produce stand may be used for the sales of processed, pre-packaged, non-potentially hazardous foods, and other agricultural products, including, but not limited to, dried fruit, jams, jellies, fruit pies, soaps, essential oils, topical products and other items produced by the stand proprietor within the County. All processed agricultural products are subject to County use permit requirements for agricultural processing and any applicable retail food law.
 - (4) Produce stands not in use for a period of three consecutive years shall be removed from the premises at the landowner's expense.
 - (5) Cold storage shall not be included as part of the allowable produce stand size and may require a separate approval, pursuant to SCCC [13.10.312](#) and Chapter [13.11](#) SCCC.
 - (6) A produce stand may be open to the public up to seven days a week as long as the farm is producing agricultural products to be sold at a produce stand.
- (F) Produce Markets. Produce markets are subject to the following standards and requirements along with any other requirements deemed necessary due to the size, configuration, and location of the site.
- (1) One off-street parking space shall be provided for each 400 square feet of gross floor area with a minimum of three parking spaces. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter of, Type 1—3 agricultural soils and shall not encroach upon any public rights-of-way or create a traffic hazard. Surfacing materials for the parking spaces shall be specified by discretionary permit.
 - (2) A produce market shall be used to sell primarily raw, unprocessed fruits, vegetables, eggs, honey, cut flowers, nursery plants or flowers, nuts, and other agricultural produce in its raw or natural state that have been grown in the County of Santa Cruz.
 - (3) Up to 25 percent of the area of the produce market may be used for the display of processed, pre-packaged, non-potentially hazardous foods including, but not limited to, dried fruit, jams, jellies, and fruit pies. All processed foods are subject to any applicable retail food law and must be obtained from approved sources. Products may also be obtained from cottage food operations within the County of Santa Cruz.
 - (4) Up to five percent of the display area may be used for sales of taxable items that advance the sale of agricultural products or educate the public about the agricultural industry.

(5) Except as provided in subsection (F)(4) of this section, no taxable items may be sold at produce markets and the sale of petroleum products, alcoholic beverages, tobacco, or magazines is specifically prohibited.

(6) Cold storage accessory to a produce market shall be located within or attached to the main structure and shall be used to store raw produce products and bottled water only for on-site sale. Cold storage facilities for wholesale agricultural commodities may require a separate site development permit pursuant to Chapter [13.11](#) SCCC.

(7) A produce market may operate up to 365 days a year. [Ord. 5423 § 24, 2022].

13.10.640 Temporary produce sales areas, produce stands, and produce markets.

(A) The purpose of these regulations is to provide for and regulate the sale of farm commodities produced on-site, and also to allow the sale of related goods that promote agricultural products originating in Santa Cruz County and neighboring counties.

(B) Definitions.

(1) "Retail food law" for purposes of this chapter, means any chapter of any California Code regulating health and sanitation standards for retail food facilities. Retail food law shall be administered and enforced by County of Santa Cruz Environmental Health Services, unless another agency is specifically identified by law.

(C) General Standards. The following general standards shall apply to all produce sales areas, stands, and markets regulated by this chapter:

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(b) It is accessory to agricultural production on the same parcel;

(c) At least 75 percent of the gross site area, that can be utilized for agricultural production, is devoted to agricultural production;

(d) The entirety of any subject parcel is owned or leased by the produce area/stand proprietor; and

(e) The floor area, excluding storage, shall not exceed 800 square feet. A larger floor area up to 1,600 square feet may be considered with an MUP or may be allowed if the building has a pre-existing commercial use which allowed for direct consumer services, including, but not limited to, wine tasting rooms, prepared food service, sales.

(3) A produce market shall be allowed only if:

- (a) It is located in the A Zoning District;
 - (b) It is accessory to agricultural production on the same site;
 - (c) At least 75 percent of the gross site area is devoted to agricultural production;
 - (d) The entirety of any subject parcel is owned or leased by the produce market proprietor;
and
 - (e) The floor area, excluding storage, does not exceed 1,800 square feet. A floor area of up to 3,600 square feet may be considered with approval of a CUP, where it can be demonstrated that a need for a market larger than 1,800 square feet exists, such as may be required for a larger agricultural operation.
- (4) The produce stand, produce market, and associated parking and circulation areas shall remove as little land as possible from agricultural production or potential production. To minimize disturbance to agricultural soils, all associated improvements shall be located off, or on the perimeter of, Type 1—3 soils to the maximum extent feasible. Stands and markets should be located at the front of the parcel in conjunction with roadway access, or clustered with the existing development on the site.
- (5) Safe ingress and egress from the site shall be provided.
- (6) Produce stands and produce markets may have a maximum of one double-faced free-standing sign and one sign attached to the structure, not including small, pedestrian-oriented price signs up to one-half square feet each placed with produce. No sign or face shall exceed 10 square feet. No illuminated signs or off-site signs shall be allowed. All signs shall be located outside the public right-of-way and shall not obstruct ingress, egress, or vehicular site distance.
- (7) The point of origin of each commodity sold at the produce stand or produce market, including the name of the farm and county where it was grown, shall be prominently displayed indoors, using legible lettering, preferably with produce price signs.
- (8) Produce stands and produce markets shall be subject to the laws and regulations administered by other County of Santa Cruz departments, as well as the requirements of other jurisdictional agencies such as the California Department of Food and Agriculture and California Department of Transportation.

(D) Temporary Produce Sales Area. Temporary produce sales areas are subject to the following standards and requirements:

- (1) Three parking spaces shall be provided. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter, of good agricultural soils and shall not encroach upon any public rights-of-way or create a traffic hazard. Parking is not required to be paved unless specified by permit.
- (2) A temporary produce sales area may sell only raw, unprocessed fruits, vegetables, nuts, cut flowers, and other agricultural produce in its raw or natural state produced on land that the produce stand's proprietor controls. No other commodities may be sold from a temporary produce sales area.
- (3) A temporary produce sales area may only be open for up to 90 consecutive days per year to coincide with the harvest of the commodity. The applicant must obtain an administrative use permit to operate a produce stand if the produce sales area will be open for longer than 90 consecutive days in a year or if produce sales will be staggered (non-consecutive) due to differing harvest times.
- (4) During the time when the temporary produce sales area is closed, all signage pertaining to the produce sales area, the temporary structure, and all for-sale products shall be removed from view.

(E) Produce Stands. Produce stands are permitted subject to the following standards and requirements along with any other requirements deemed necessary due to the size, configuration, and location of the site.

- (1) One off-street parking space shall be provided for each 400 square feet of gross floor area or a minimum of three parking spaces, whichever is greater. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter, of Type 1—3 agricultural soils, and shall not encroach upon any public rights-of-way or create a traffic hazard. Parking is not required to be paved unless specified by discretionary permit as appropriate to control dust or mud, or to prevent erosion and sedimentation.
- (2) A produce stand shall be used to sell primarily raw, unprocessed fruits, vegetables, eggs, honey, cut flowers, and other agricultural produce in its raw or natural state produced on land that the produce stand's proprietor controls.

(3) Up to 15 percent of the area of the produce stand may be used for the sales of processed, pre-packaged, non-potentially hazardous foods, ~~produced by the stand proprietor and other~~ agricultural products, including, but not limited to, dried fruit, jams, jellies, ~~and fruit pies, soaps,~~ essential oils, topical products and other items produced by the stand proprietor within the County.

All processed agricultural products~~foods~~ are subject to County use permit requirements for agricultural processing and any applicable retail food law.

(4) Produce stands not in use for a period of three consecutive years shall be removed from the premises at the landowner's expense.

(5) Cold storage shall not be included as part of the allowable produce stand size and may require a separate approval, pursuant to SCCC [13.10.312](#) and Chapter [13.11](#) SCCC.

(6) A produce stand may be open to the public up to seven days a week as long as the farm is producing agricultural products to be sold at a produce stand.

(F) Produce Markets. Produce markets are subject to the following standards and requirements along with any other requirements deemed necessary due to the size, configuration, and location of the site.

(1) One off-street parking space shall be provided for each 400 square feet of gross floor area with a minimum of three parking spaces. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter of, Type 1—3 agricultural soils and shall not encroach upon any public rights-of-way or create a traffic hazard. Surfacing materials for the parking spaces shall be specified by discretionary permit.

(2) A produce market shall be used to sell primarily raw, unprocessed fruits, vegetables, eggs, honey, cut flowers, nursery plants or flowers, nuts, and other agricultural produce in its raw or natural state that have been grown in the County of Santa Cruz.

(3) Up to 25 percent of the area of the produce market may be used for the display of processed, pre-packaged, non-potentially hazardous foods including, but not limited to, dried fruit, jams, jellies, and fruit pies. All processed foods are subject to any applicable retail food law and must be obtained from approved sources. Products may also be obtained from cottage food operations within the County of Santa Cruz.

(4) Up to five percent of the display area may be used for sales of taxable items that advance the sale of agricultural products or educate the public about the agricultural industry.

(5) Except as provided in subsection (F)(4) of this section, no taxable items may be sold at produce markets and the sale of petroleum products, alcoholic beverages, tobacco, or magazines is specifically prohibited.

(6) Cold storage accessory to a produce market shall be located within or attached to the main structure and shall be used to store raw produce products and bottled water only for on-site sale. Cold storage facilities for wholesale agricultural commodities may require a separate site development permit pursuant to Chapter [13.11](#) SCCC.

(7) A produce market may operate up to 365 days a year. [Ord. 5423 § 24, 2022].

13.10.372 Uses in the Timber Production TP District.

(A) **Allowed Uses.** The uses allowed in the Timber Production District shall be as provided in the Timber Production Uses Chart below. Certain disallowed uses that were legally established and are preexisting on a parcel may be considered legal nonconforming uses. See SCCC [13.10.260](#) and [13.10.261](#) for regulations regarding legal nonconforming uses. For amendments to a use with a valid discretionary permit, see SCCC [18.10.134](#).

(B) **Use Permits.** A discretionary permit for an allowed use is known as a “use permit.” Certain allowed uses are permitted by right and other allowed uses require a use permit as indicated in the Timber Production uses chart. The processing procedures for use permits are detailed in Chapter [18.10](#) SCCC, Discretionary Permit Approval Procedures.

(C) **Other Discretionary Permits.** Physical site development may require a site development permit pursuant to SCCC [13.11.035](#), a coastal development permit pursuant to SCCC [13.20.050](#), or other discretionary review.

(D) **Timber Production Uses Chart.** Allowed uses and permit requirements in the TP Zone District are identified in the following chart. Uses that are not specifically identified in the chart but are determined by the Planning Director to be of the same general character as an identified use, may be permitted subject to the same permit requirements as the identified use.

All discretionary nontimber uses in the TP Zone District shall be compatible with the growing and harvesting of timber as supported by a compatibility analysis, pursuant to SCCC [13.10.375](#)(A).

KEY:

- P Permitted by right: Use is allowed without a use permit.
- ZC Zoning Clearance: Ministerial review for conformance with Zoning Ordinance, no use permit required.
- MUP Minor Use Permit: Discretionary permit, no public notice.
- AUP Administrative Use Permit: Discretionary permit with public notice.
- CUP Conditional Use Permit: Discretionary permit with public notice and a public hearing. Hearing is before the Zoning Administrator except where the Planning Commission (PC) is specified.
- MP Mining permit issued in accordance with Chapter [16.54](#) SCCC, Mining Regulations.
- A Use must be ancillary or complementary to another allowed use. A primary allowed use must first be in place or must be proposed concurrently on a site to allow an ancillary or complementary use.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Timber Production		
Timber: Growing, harvesting: the cutting and removal of timber and other forest products, and incidental work	P	
Accessory structures, non-habitable, when incidental to timber production or agricultural use	P ^A	13.10.312 16.22.060
Watershed management; habitat management, fish, and wildlife; in addition to timber harvesting	P	
Agriculture		
Agricultural uses allowed by right in the CA Zone District (except as noted below):	P	13.10.312 and 13.10.640 (for restrictions related to produce sales area and produce stands)
Agricultural research and development facility	CUP	13.10.644
Agricultural employee housing, up to 12 units or 36 beds; caretaker unit	MUP	13.10.631
Greenhouses 500 sf or larger	MUP	13.10.636
Commercial stable or riding academy	CUP	13.10.644
Agricultural uses allowed with a use permit in the CA Zone District	CUP	13.10.312
Conversion of timberland to agricultural uses not	CUP	13.10.312

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
exceeding 10 percent of the total timber area on the parcel		
Commercial Cannabis Cultivation, Manufacturing, and Distribution <i>All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to Chapter 7.128 SCCC.</i>		
Indoor cultivation (including greenhouses): outside the coastal zone and 1-mile buffer	AUP/ CUP	<p>AUP for Class CG licensed cultivation activities. CUP for other indoor cultivation.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.</p>
Outdoor cultivation (or new or existing hoop houses): outside the coastal zone and 1-mile buffer	AUP/ CUP	<p>AUP for Class CG licensed cultivation activities <500 sf. CUP for other outdoor cultivation.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.</p>
Water tank	MUP ^A	Pre-existing legal commercial use must exist on site.
Manufacturing, Class 1 or 2 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	<p>MUP if manufacturing involves cannabis cultivated on site. Otherwise, CUP required.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Class 1 or 2 manufacturing not permitted in the Coastal Zone and 1-mile buffer. Class 3 manufacturing not permitted anywhere in the TP district.</p>
Distribution, Class 1 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	CUP for cannabis distribution in new structures, MUP for existing structures.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
		Pre-existing legal commercial use must exist on site. Class 1 distribution not permitted in the Coastal Zone and 1-mile buffer. Class 2 manufacturing not permitted anywhere in the TP district.
Distribution, transport only	P	Pre-existing legal commercial use must exist on site.
Other Commercial, Infrastructure and Utility Uses		
Energy cogeneration	CUP	13.10.700-C
Mining: mineral production and quarry operations	MP	Chapter 16.54
Research facilities for wildlife observation and research	CUP	
Septic tank sludge disposal sites that are approved by the Health Officer	AUP	Chapter 7.42
Utility facility	CUP	Includes private and public utilities and microgrids. 13.10.700-M
Wireless communication facilities	P/CUP	Subject to SCCC 13.10.660 through 13.10.664 , inclusive
Residential Units		
One single-family dwelling per existing parcel of record	P/MUP	P outside coastal zone; MUP inside coastal zone.
Dwelling groups of single-family dwellings	CUP/ CUP-PC	CUP for 1—2 dwelling units. CUP-PC for >2 dwelling units. See SCCC 13.10.373 for density requirements.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Accessory dwelling units (ADUs) or junior accessory dwelling units; (JADUs)	P ^A /MUP ^A	P outside coastal zone; MUP inside coastal zone. A compatibility analysis is required pursuant to SCCC 13.10.375(A) . 13.10.681
Accessory structures (habitable and non-habitable) incidental to a residential use	P ^A	13.10.611
Mobile home, temporary, for not more than five years for a caretaker or watchman in isolated areas on a minimum of 10 acres	MUP ^A	
Residential Units—Commercial Uses (ancillary to residential use)		
Family day care homes	P ^A	Serving up to 14 children (see SCCC 13.10.700-D). 13.10.613
Home occupations	P ^A /CUP ^A	See SCCC 13.10.613 to determine when a CUP is required.
Hosted rentals	ZC ^A	Hosted rental permit required per SCCC 13.10.690 .
Vacation rentals	AUP ^A / CUP ^A	AUP for new rentals with 3 or fewer bedrooms. AUP for renewals. CUP for new rentals with more than 3 bedrooms. Vacation rental permit required per SCCC 13.10.694 .
Recreation and Visitor Accommodation		
State parks	CUP	13.10.351 , et seq.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Organized camps and facilities for outdoor recreational, educational, religious activities	CUP	13.10.351 , et seq. 13.10.689 13.10.692
Bed and breakfast inns, limited to one inn per 40 acres	CUP	Access road must be approved by the responsible fire-protection agency. 13.10.689 13.10.691
Small-scale commercial visitor accommodation, in the Coastal Zone, upon conversion of existing structure	CUP	13.10.689 13.20

1. Table indicates use permits only. Other discretionary permits may be required.

(E) Use Conditions.

(1) Amplified Entertainment. A CUP is required for outdoor amplified entertainment.

(2) Hours of Operation. No business or service establishment shall be open between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP. Within 150 feet of any residentially zoned property, no non-emergency outdoor activity, including loading, sweeping, landscaping, or maintenance shall occur between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP, and no business or service shall be open between the hours of 8:00 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8:00 a.m., except pursuant to an MUP.

(3) Temporary/seasonal use: allowed pursuant to a temporary use permit (TUP), subject to SCCC [13.10.616](#).

(4) Additional conditions for specific uses are found in other sections of the County Code as referenced in the Timber Production Uses Chart. [Ord. 5439 § 7, 2023; Ord. 5423 § 16, 2022; Ord. 5402 § 7, 2022; Ord. 5382 § 4, 2021; Ord. 5365 § 4, 2021; Ord. 5345 § 4, 2020; Ord. 5336 § 6, 2020; Ord. 5334 § 6, 2020; Ord. 5326 § 17, 2020; Ord. 5325 § 17, 2020; Ord. 5272 § 6, 2018; Ord. 5266 § 5, 2018; Ord. 5229 § 4, 2016; Ord. 5092 § 4, 2011; Ord. 4873 § 6, 2007; Ord. 4836 §§ 92, 93, 2006; Ord. 4814 § 5, 2006; Ord. 4808 § 21, 2005; Ord. 4770 § 9, 2004; Ord. 4744 § 9, 2003; Ord. 4715 § 9, 2003; Ord. 4577 § 9, 1999; Ord. 4496-C § 33, 1998; Ord. 4099 § 5, 1990; Ord. 4036 § 6, 1989; Ord. 3893 § 2, 1988; Ord. 3842 § 2, 1987; Ord. 3747 § 1, 1986; Ord. 3632 § 11, 1985; Ord. 3593 § 11, 1984; Ord. 3432 § 1, 1983].

13.10.372 Uses in the Timber Production TP District.

(A) **Allowed Uses.** The uses allowed in the Timber Production District shall be as provided in the Timber Production Uses Chart below. Certain disallowed uses that were legally established and are preexisting on a parcel may be considered legal nonconforming uses. See SCCC [13.10.260](#) and [13.10.261](#) for regulations regarding legal nonconforming uses. For amendments to a use with a valid discretionary permit, see SCCC [18.10.134](#).

(B) **Use Permits.** A discretionary permit for an allowed use is known as a “use permit.” Certain allowed uses are permitted by right and other allowed uses require a use permit as indicated in the Timber Production uses chart. The processing procedures for use permits are detailed in Chapter [18.10](#) SCCC, Discretionary Permit Approval Procedures.

(C) **Other Discretionary Permits.** Physical site development may require a site development permit pursuant to SCCC [13.11.035](#), a coastal development permit pursuant to SCCC [13.20.050](#), or other discretionary review.

(D) **Timber Production Uses Chart.** Allowed uses and permit requirements in the TP Zone District are identified in the following chart. Uses that are not specifically identified in the chart but are determined by the Planning Director to be of the same general character as an identified use, may be permitted subject to the same permit requirements as the identified use.

All discretionary nontimber uses in the TP Zone District shall be compatible with the growing and harvesting of timber as supported by a compatibility analysis, pursuant to SCCC [13.10.375](#)(A).

KEY:

- P Permitted by right: Use is allowed without a use permit.
- ZC Zoning Clearance: Ministerial review for conformance with Zoning Ordinance, no use permit required.
- MUP Minor Use Permit: Discretionary permit, no public notice.
- AUP Administrative Use Permit: Discretionary permit with public notice.
- CUP Conditional Use Permit: Discretionary permit with public notice and a public hearing. Hearing is before the Zoning Administrator except where the Planning Commission (PC) is specified.
- MP Mining permit issued in accordance with Chapter [16.54](#) SCCC, Mining Regulations.
- A Use must be ancillary or complementary to another allowed use. A primary allowed use must first be in place or must be proposed concurrently on a site to allow an ancillary or complementary use.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Timber Production		
Timber: Growing, harvesting: the cutting and removal of timber and other forest products, and incidental work	P	
Accessory structures, non-habitable, when incidental to timber production or agricultural use	P ^A	13.10.312 16.22.060
Watershed management; habitat management, fish, and wildlife; in addition to timber harvesting	P	
Agriculture		
Agricultural uses allowed by right in the CA Zone District (except as noted below):	P	13.10.312 and 13.10.640 (for restrictions related to produce sales area and produce stands)
Agricultural research and development facility	CUP	13.10.644
Agricultural employee housing, up to 12 units or 36 beds; caretaker unit	MUP	13.10.631
Greenhouses 500 sf or larger	MUP	13.10.636
Commercial stable or riding academy	CUP	13.10.644
Agricultural uses allowed with a use permit in the CA Zone District	CUP	13.10.312
Conversion of timberland to agricultural uses not	CUP	13.10.312

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
exceeding 10 percent of the total timber area on the parcel		
Commercial Cannabis Cultivation, Manufacturing, and Distribution <i>All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to Chapter 7.128 SCCC.</i>		
Indoor cultivation (including greenhouses): outside the coastal zone and 1-mile buffer	AUP/ CUP	<p>AUP for Class CG licensed cultivation activities. CUP for other indoor cultivation.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.</p>
Outdoor cultivation (or new or existing hoop houses): outside the coastal zone and 1-mile buffer	AUP/ CUP	<p>AUP for Class CG licensed cultivation activities <500 sf. CUP for other outdoor cultivation.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.</p>
Water tank	MUP ^A	Pre-existing legal commercial use must exist on site.
Manufacturing, Class 1 or 2 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	<p>MUP if manufacturing involves cannabis cultivated on site. Otherwise, CUP required.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Class 1 or 2 manufacturing not permitted in the Coastal Zone and 1-mile buffer. Class 3 manufacturing not permitted anywhere in the TP district.</p>
Distribution, Class 1 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	CUP for cannabis distribution in new structures, MUP for existing structures.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
		Pre-existing legal commercial use must exist on site. Class 1 distribution not permitted in the Coastal Zone and 1-mile buffer. Class 2 manufacturing not permitted anywhere in the TP district.
Distribution, transport only	P	Pre-existing legal commercial use must exist on site.
Other Commercial, Infrastructure and Utility Uses		
Energy cogeneration	CUP	13.10.700-C
Mining: mineral production and quarry operations	MP	Chapter 16.54
Research facilities for wildlife observation and research	CUP	
Septic tank sludge disposal sites that are approved by the Health Officer	AUP	Chapter 7.42
Utility facility	CUP	Includes private and public utilities and microgrids. 13.10.700-M
Wireless communication facilities	P/CUP	Subject to SCCC 13.10.660 through 13.10.664 , inclusive
Residential Units		
One single-family dwelling per existing parcel of record	P/MUP	P outside coastal zone; MUP inside coastal zone.
Dwelling groups of single-family dwellings	CUP/ CUP-PC	CUP for 1—2 dwelling units. CUP-PC for >2 dwelling units. See SCCC 13.10.373 for density requirements.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Accessory dwelling units (ADUs) or junior accessory dwelling units; (JADUs)	P ^A /MUP ^A	P outside coastal zone; MUP inside coastal zone. A compatibility analysis is required pursuant to SCCC 13.10.375(A) . 13.10.681
Accessory structures (habitable and non-habitable) incidental to a residential use	P ^A	13.10.611
Mobile home, temporary, for not more than five years for a caretaker or watchman in isolated areas on a minimum of 10 acres	MUP ^A	
Residential Units—Commercial Uses (ancillary to residential use)		
Family day care homes	P ^A	Serving up to 14 children (see SCCC 13.10.700-D). 13.10.613
Home occupations	P ^A /CUP ^A	See SCCC 13.10.613 to determine when a CUP is required.
Hosted rentals	ZC ^A	Hosted rental permit required per SCCC 13.10.690 .
Vacation rentals	AUP ^A / CUP ^A	AUP for new rentals with 3 or fewer bedrooms. AUP for renewals. CUP for new rentals with more than 3 bedrooms. Vacation rental permit required per SCCC 13.10.694 .
Recreation and Visitor Accommodation		
State parks	CUP	13.10.351 , et seq.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Organized camps and facilities for outdoor recreational, educational, religious activities	CUP	13.10.351 , et seq. 13.10.689 13.10.692
Bed and breakfast inns, limited to one inn per 40 acres	CUP	Access road must be approved by the responsible fire-protection agency. 13.10.689 13.10.691
Small-scale commercial visitor accommodation, in the Coastal Zone, upon conversion of existing structure	CUP	13.10.689 13.20

1. Table indicates use permits only. Other discretionary permits may be required.

(E) Use Conditions.

(1) Amplified Entertainment. A CUP is required for outdoor amplified entertainment.

(2) Hours of Operation. No business or service establishment shall be open between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP. Within 150 feet of any residentially zoned property, no non-emergency outdoor activity, including loading, sweeping, landscaping, or maintenance shall occur between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP, and no business or service shall be open between the hours of 8:00 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8:00 a.m., except pursuant to an MUP.

(3) Temporary/seasonal use: allowed pursuant to a temporary use permit (TUP), subject to SCCC [13.10.616](#).

(4) Additional conditions for specific uses are found in other sections of the County Code as referenced in the Timber Production Uses Chart. [Ord. 5439 § 7, 2023; Ord. 5423 § 16, 2022; Ord. 5402 § 7, 2022; Ord. 5382 § 4, 2021; Ord. 5365 § 4, 2021; Ord. 5345 § 4, 2020; Ord. 5336 § 6, 2020; Ord. 5334 § 6, 2020; Ord. 5326 § 17, 2020; Ord. 5325 § 17, 2020; Ord. 5272 § 6, 2018; Ord. 5266 § 5, 2018; Ord. 5229 § 4, 2016; Ord. 5092 § 4, 2011; Ord. 4873 § 6, 2007; Ord. 4836 §§ 92, 93, 2006; Ord. 4814 § 5, 2006; Ord. 4808 § 21, 2005; Ord. 4770 § 9, 2004; Ord. 4744 § 9, 2003; Ord. 4715 § 9, 2003; Ord. 4577 § 9, 1999; Ord. 4496-C § 33, 1998; Ord. 4099 § 5, 1990; Ord. 4036 § 6, 1989; Ord. 3893 § 2, 1988; Ord. 3842 § 2, 1987; Ord. 3747 § 1, 1986; Ord. 3632 § 11, 1985; Ord. 3593 § 11, 1984; Ord. 3432 § 1, 1983].

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