LINKS

Category Number	Links
1D	• Enhanced Density Bonus, Santa Cruz County Code (SCCC) 17.12.065 - https://ecode360.com/47542009
1E	• Residential Uses Chart, SCCC 13.10.322-1 - https://ecode360.com/47531607
1G	• Enhanced Density Bonus, SCCC 17.12.065 - https://ecode360.com/47542009 • Farmworker Housing, SCCC 13.10.631 - https://ecode360.com/47532765 • Regional Housing Need R Combining District, SCCC 13.10.475 - https://ecode360.com/47532340 • PRH Permanent Room Combining District, SCCC 13.10.424 - https://ecode360.com/47532145 • Housing on Public and Community Facilities PF District, SCCC 13.10.361 - https://ecode360.com/47542009 • 2023 Housing Element - https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/2023%20Housing%20Element_Final_10-16-24%20New%20Date.pdf
1H	• Commercial Use Charts, SCCC 13.10.332-1 - https://ecode360.com/47531752 • General Plan Policies, Built Environment - https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/GP%20Chapter%202_Built%20Environment%20Certified_Clean_032724_Final.pdf?ver=BFPMDUYDA1V6DLJR2u94gQ%3d%3d&timestamp=1712076343610
1I	• Zoning Regulations, SCCC 13.10 - https://ecode360.com/47531752 • 2023 Housing Element - https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/2023%20Housing%20Element_Final_10-16-24%20New%20Date.pdf
1L	• Affordable Housing Requirements, SCCC 17.10 - https://ecode360.com/47541762#47541762
1K	• Affordable Housing Requirements, SCCC 17.10 - https://ecode360.com/47541762#47541762
2B	• Sustainability Update EIR - https://cdi.santacruzcountyca.gov/Portals/35/CDI/UnifiedPermitCenter/Get

	%20Involved/CEQA/Sustainability%20Update%20Final%20EIR/Final%20EIR%20-%20Complete%20Document.pdf • Housing Element EIR Addendum - https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/2023%20Housing%20Element/Final_SC%20County-Housing%20Element-EIR%20Addendum10-16-23.pdf?ver=VoP4Ztulmx9Ge2zaoDQ8Mw%3d%3d&timestamp=1726605347398 • Ministerial Combining District Ordinance - https://santacruzcountyca.iqm2.com/Citizens/FileOpen.aspx?Type=4&ID=57627 • Ministerial Combining District, SCCC 13.10.494 – 13.10.497 - https://ecode360.com/47532383
2C	• 2023 Housing Element - https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/2023%20Housing%20Element_Final_10-16-24%20New%20Date.pdf • Housing Element Appendices - https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General Plan Chapters/Chapter 4 Appendices/2023 Housing Element_Appendices Combined_10-16-24 New Date.pdf?ver=RevbC0miVZnOJ2x7XaSfQQ%3d%3d • Ministerial Combining District, SCCC 13.10.494 – 13.10.497 - https://ecode360.com/47532383 • PRH Permanent Room Combining District, SCCC 13.10.424 - https://ecode360.com/47532145 • Farmworker Housing, SCCC 13.10.631 - https://ecode360.com/47532765 • Affordable Housing Requirements, SCCC 17.10 - https://ecode360.com/47541762#47541762
2E	• Sustainability Update – https://cdi.santacruzcountyca.gov/Planning/PolicyPlanning/SustainabilityUpdate.aspx
2F	• Affordable Housing Requirements, SCCC 17.10 - https://ecode360.com/47541762#47541762
2I	• Unified Permit Center Website - https://cdi.santacruzcountyca.gov/UPC.aspx
2J	• Affordable Housing Requirements, SCCC 17.10 - https://ecode360.com/47541762#47541762
2K	• Santa Cruz County ePlan Review Website - http://scceplanreview.santacruzcounty.us/

	• Form PLG-100 – Discretionary Permit Application - https://cdi.santacruzcountyca.gov/Portals/35/CDI/UnifiedPermitCenter/Discretionary%20Permits%20and%20Zoning/Forms%20and%20Publications/ePlan/Discretionary%20Permit%20Application_PLG100.pdf
2L	• Unified Permit Center Website - https://cdi.santacruzcountyca.gov/UPC.aspx • Check Application Status - https://www2.santacruzcountyca.gov/PlanningapplicationStatus/ • Pending Public Notice Projects - https://cdi.santacruzcountyca.gov/UPC/GetInvolved/PendingPublicNoticeProjects.aspx • Permit Center Dashboard - https://www.santacruzcountyca.gov/VisionSantaCruz/CommunityResults/PermitCenter.aspx • Major Project Applications - https://cdi.santacruzcountyca.gov/UPC/GetInvolved/MajorProjectApplications.aspx
3A	• Recreational Fees, SCCC 15.03.050 – https://ecode360.com/47537818#47537818 • Childcare Fees, SCCC 15.04.050 – https://ecode360.com/47537886#47537886
3B	• Santa Cruz County ADU Incentives Program – https://www.helloadu.org/new-santa-cruz-county-how-to-apply • Pre-Designed ADU Plans – https://cdi.santacruzcountyca.gov/Planning/Housing/ADU.aspx • ADU Website – https://cdi.santacruzcountyca.gov/Planning/Housing/ADU.aspx
3D	• Mobile Home Conversions, SCCC 13.30 – https://ecode360.com/47535797 • Mobile Home Closures, SCCC 13.31 – https://ecode360.com/47535833 • Rental Adjustment Procedures for Mobile Home Parks, SCCC 13.32 – https://ecode360.com/47535868 • Temporary Rental of Mobile Homes in Mobile Home Parks, SCCC 13.34 – https://ecode360.com/47536126 • Tiny Homes on Wheels, SCCC 13.10.680 – https://ecode360.com/47533642#47533642 • Conversion of Transient Occupancy Recreational Vehicle & Travel Trailer Parks to Permanent Occupancy, SCCC 13.10.685 – https://ecode360.com/47533931#47533931
3E	• Sustainability Update – https://cdi.santacruzcountyca.gov/Planning/PolicyPlanning/SustainabilityUpdate.aspx

	• 2022 Active Transportation Plan – https://cdi.santacruzcountyca.gov/Portals/35/CDI/PublicWorks/Transportation/Traffic%20Engineering/SCC_ATP_Final_web.pdf?ver=lB8_5AVR6x97vFp7oSECSg%3d%3d • Access + Mobility Element – https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/GP%20Chapter%203_Access%20and%20Mobility%20Certified_Clean_032724_Final.pdf?ver=eN-2wF1brdrj-7up4zoSdw%3d%3d&timestamp=1712076362068 • Bicycle Parking Requirements, SCCC 13.16.040 – https://ecode360.com/47535195#47535195 • Shower Facilities Requirements, SCCC 13.16.041 – https://ecode360.com/47535215#47535215 • Transportation Demand Management, SCCC 13.16.200 – https://ecode360.com/47535353#47535353
4C	• 2023 Housing Element: Policy H-3.10, pg. 4-42 – https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/2023%20Housing%20Element_Final_10-16-24%20New%20Date.pdf • 2023 Housing Element, Appendix HE-A: Fair Housing Report – https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/Chapter%204%20Appendices/2023%20Housing%20Element_Appendices%20Combined_10-16-24%20New%20Date.pdf?ver=RevbC0miVZnOJ2x7XaSfQQ%3d%3d • May 19, 2026 Board of Supervisors Authorization of Commitment of Housing Funds for affordable housing predevelopment or rehabilitation activities in response to the Notice of Funding Availability issued in March 2026 ○ Staff Report – https://santacruzcountyca.primegov.com/viewer/preview?id=0&type=8&uid=b6dd0904-8c9c-4681-9a86-e7e5cf365c26 ○ Applications Narrative and Funding Commitment – https://santacruzcountyca.primegov.com/viewer/preview?id=0&type=8&uid=ce179137-5f45-4f42-831c-4350c0fb5166 ○ May 19, 2026, County of Santa Cruz Board of Supervisors Meeting Agenda – https://santacruzcountyca.primegov.com/Portal/Meeting?meetingTemplateId=1179
4E	• 2023 Housing Element: Program H-3I, pg. 4-47 – https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/2023%20Housing%20Element_Final_10-16-24%20New%20Date.pdf • 2023 Housing Element, Appendix HE-A: Fair Housing Report – https://cdi.santacruzcountyca.gov/Portals/35/CDI/Planning/Policy/GeneralPlanTownPlans/General%20Plan%20Chapters/Chapter%204%20Appendice

	s/2023%20Housing%20Element_Appendices%20Combined_10-16-24%20New%20Date.pdf?ver=RevbC0miVZnOJ2x7XaSfQQ%3d%3d
4H	• Housing Successor Agency Reports – https://cdi.santacruzcountyca.gov/Planning/Housing/HousingResources/HousingSuccessorAgencyReports.aspx

ATTACHED DOCUMENTS

Category	Document (linked to document in PDF)
2A	• Ordinance 5495 • Ordinance 5467 • Ordinance 5482 • Ordinance 5452
2C	• Application # 241320 – Soquel Dr. & Thurber Ln. Development Permit • Application 241385
2E	• Ordinance 5421 • Ordinance 5423 • Ordinance 5495 • Ordinance 5467 • Ordinance 5482 • Ordinance 5452
2G	• Ordinance 5421 • Ordinance 5423 • Ordinance 5495 • Ordinance 5467 • Ordinance 5482
2I	• April 26, 2022 Santa Cruz County Board of Supervisors Meeting Agenda Item - Staff Report
2N	• Ordinance 5452
4G	• 2023 Measure K Resolution No. 216-2023 Supporting Budget Priorities
Appendix 5	• Santa Cruz County Encampment Response Guidelines • Housing for a Health Santa Cruz Annual Report

Docusign Envelope ID: EBE8AE7D-B96E-458A-9467-183A08FC5BD9

Adopted ORD-5467 12/17/2024
Board of Supervisors
DOC-2024-994 24.a

ORDINANCE NO. 5467

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING THE COUNTY ZONING MAP AND CHANGING THE ZONE DISTRICT DESIGNATIONS FOR 27 PARCELS (APNs 025-013-37, 025-091-49, 025-091-50, 025-111-14, 026-063-13, 026-122-36, 026-201-40, 026-311-33, 026-461-31, 026-681-08, 029-031-05, 029-071-03, 029-081-03, 029-081-04, 029-162-09, 031-101-46, 031-152-24, 031-161-11, 037-191-11, 037-191-12, 037-191-13, 037-191-18, 037-211-19, 037-211-34, 041-233-24, 051-341-13, and 051-521-11) TO IMPLEMENT THE 2023 HOUSING ELEMENT; AND ACCEPTING THE ADDENDUM TO THE SUSTAINABILITY UPDATE ENVIRONMENTAL IMPACT REPORT AS ADEQUATELY ADDRESSING THE IMPACTS OF THE ZONING MAP AMENDMENTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the County of Santa Cruz Board of Supervisors recognizes the need for additional affordable housing, particularly very low- and low-income housing and housing to support the local workforce; and

WHEREAS, the County adopted the 2023 Housing Element in November 2023, which was certified by the State Department of Housing and Community Development in April 2024; and

WHEREAS, the 2023-2031 Regional Needs Housing Allocation ("RHNA") established by the State and the Association of Monterey Bay Area Governments and for the County is 4,634 units; and

WHEREAS, given the current zoning of parcels within the 2023 Housing Element sites inventory, approximately 75 total parcels must be rezoned to accommodate the RHNA, as required by Government Code Subsections 65583(c)(1) and 65583.2(h) and (i); and

WHEREAS, Program H-1B of the Santa Cruz County 2023 Housing Element requires the County to rezone vacant or underutilized property to appropriate multi-family residential and/or mixed-use zone districts to accommodate the RHNA in each income category; and

WHEREAS, rezoning also implements Program H-1C of the Santa Cruz County 2023 Housing Element, which applies the Ministerial Combining District to those sites that accommodate 20% or more lower income units in the Housing Sites Inventory and allows ministerial processing for future developments that accommodate that level of affordable housing; and

WHEREAS, Program H-1J of the Santa Cruz County 2023 Housing Element requires the County to rezone residential parcels pursuant to Senate Bill 10, which allows up to 10 units on qualifying infill parcels, providing "missing middle" housing within low-density infill neighborhoods; and

Docusign Envelope ID: EBE8AE7D-B96E-458A-9467-183A08FC5BD9

WHEREAS, County staff has divided the proposed land use designations and rezonings into two groups (Batch A and Batch B), the first of which includes 27 parcels; and

WHEREAS, the County prepared an Addendum to the Santa Cruz County Sustainability Update Environmental Impact Report ("EIR") pursuant to Section 15164 of the State California Environmental Quality Act ("CEQA") guidelines, and determined that the that the environmental impacts of the 2023 Housing Element and its proposed programs, as part of the County's General Plan, are consistent with the environmental impacts evaluated in the EIR, and therefore no additional environmental analysis is required; and

WHEREAS, Senate Bill 10 allows for the rezoning by ordinance, and associated redesignation of land uses in the General Plan, of residential parcels to accommodate up to 10 units on a parcel without CEQA review; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on December 10, 2024, and finds that the proposed Zoning Map Amendments are consistent with the findings required by the Santa Cruz County Code, including:

(1) The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan;

(2) The proposed zone districts are compatible with the level of utilities and community services available to the land;

(3) The proposed rezoning is in the best interests of the public health, safety, and welfare; and

(4) The sites will accommodate housing type(s) that are needed to house the local workforce in support of the local economy.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The County of Santa Cruz Zoning Map as established by Santa Cruz County Code section 13.10.180 is amended by changing the zone district designation of the parcels indicated in Exhibit 1, attached hereto and incorporated herein by this reference.

SECTION II

The County prepared an Addendum to the Environmental Impact Report ("EIR") for the Sustainability Policy and Regulatory Update pursuant to Section 15164 of the State CEQA Guidelines, and determined that the environmental impacts of the 2023 Housing Element and its proposed programs, as part of the County's General Plan, are consistent with the environmental impacts evaluated in the EIR, and therefore no additional environmental analysis is required.

Docusign Envelope ID: EBE8AE7D-B96E-458A-9467-183A08FC5BD9

SECTION III

The Board of Supervisors further finds and determines in its reasonable discretion and on the basis of the entire record before it that the proposed Zoning Map amendments are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan.

SECTION IV

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid**.**

SECTION V

This Ordinance shall take effect 31 days after final adoption.

PASSED AND ADOPTED this 17th day of December 2024, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Supervisors Koenig, Friend, McPherson and Hernandez
NOES: None
ABSENT: Supervisor Cummings
ABSTAIN: None

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1/10/2025

Felipe Hernandez
VICE CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: DocuSigned by:
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1/10/2025

Juliettete Rezzato
Clerk of the Board

APPROVED AS TO FORM:

DocuSigned by:
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Office of the County Counsel

Docusign Envelope ID: EBE8AE7D-B96E-458A-9467-183A08FC5BD9

DISTRIBUTION: County Counsel
Community Development & Infrastructure Department
County Geographic Information Services

Docusign Envelope ID: EBE8AE7D-B96E-458A-9467-183A08FC5BD9

Exhibit 1: Batch A Housing Element Rezones - Zoning Map Amendments

Assessor's Parcel Number	Existing Zone District	New Zone District
025-013-37	PA	PA-Min
025-091-49	RM-4	RM-2
025-091-50*	RM-4	RM-2
025-111-14*	R-1-6	RM-2
026-063-13*	R-1-5	RM-1.5
026-122-36	R-1-6	RM-1.5-Min
026-201-40*	R-1-6	RM-1.5
026-311-33	C-1	C-1-Min
026-461-31*	R-1-6	RM-2
026-681-08*	R-1-5	RM-1.5
029-031-05*	R-1-5	RM-3
029-071-03	R-1-6	RM-1.5-Min
029-081-03*	R-1-6	RM-4
029-081-04*	R-1-6	RM-2.5
029-162-09*	R-1-6	RM-2
031-101-46*	R-1-4	RM-2
031-152-24	M-1	RF-Min
031-161-11	M-1	RF-Min
037-191-11	R-1-9	RF-Min
037-191-12	R-1-6	RF-Min
037-191-13	R-1-6	RF-Min
037-191-18	R-1-6; R-1-9	RF-Min
037-211-19*	R-1-9	RM-1.5
037-211-34*	R-1-6; R-1-9	RM-4
041-233-24	C-4; R-1-20	C-2-Min
051-341-13	R-1-10-AIA	RM-2-AIA-Min
051-521-11	R-1-10-AIA	RM-1.5-AIA-Min

*SB 10 Rezoning

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

Adopted 5/20/2025
Board of Supervisors
DOC-2025-384 23.a

ORDINANCE NO. 5482

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING THE COUNTY ZONING MAP AND CHANGING THE ZONE DISTRICT DESIGNATIONS FOR 43 PARCELS (APNs 025-111-15, 025-361-01, 025-361-03, 026-111-40, 026-261-13, 026-261-16, 029-111-60, 029-162-08, 029-162-44, 029-181-43, 029-181-44, 029-182-15, 029-191-38, 029-192-07, 029-192-15, 029-192-27, 029-193-03, 029-391-08, 030-031-04, 030-092-01, 030-121-61, 030-221-46, 030-241-13, 030-241-14, 030-253-72, 030-281-08, 030-281-34, 031-113-10, 031-113-12, 031-113-48, 031-152-03, 032-041-44, 032-041-67, 032-041-68, 037-112-16, 037-191-08, 039-201-36, 039-201-37, 050-041-38, 050-041-45, 050-041-46, 053-011-01, AND 053-011-09) TO IMPLEMENT THE 2023 HOUSING ELEMENT; AND ACCEPTING THE ADDENDUM TO THE SUSTAINABILITY UPDATE ENVIRONMENTAL IMPACT REPORT AS ADEQUATELY ADDRESSING THE IMPACTS OF THE ZONING MAP AMENDMENTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, the County of Santa Cruz Board of Supervisors recognizes the need for additional affordable housing, particularly very low- and low-income housing and housing to support the local workforce; and

WHEREAS, the County adopted the 2023 Housing Element in November 2023, which was certified by the State Department of Housing and Community Development in April 2024; and

WHEREAS, the 2023-2031 Regional Needs Housing Allocation ("RHNA") established by the State and the Association of Monterey Bay Area Governments and for the County is 4,634 units; and

WHEREAS, given the current zoning of parcels within the 2023 Housing Element sites inventory, approximately 75 total parcels must be rezoned to accommodate the RHNA, as required by Government Code Subsections 65583(c)(1) and 65583.2(h) and (i); and

WHEREAS, Program H-1B of the Santa Cruz County 2023 Housing Element requires the County to rezone vacant or underutilized property to appropriate multi-family residential and/or mixed-use zone districts to accommodate the RHNA in each income category; and

WHEREAS, rezoning also implements Program H-1C of the Santa Cruz County 2023 Housing Element, which applies the Ministerial Combining District to those sites that accommodate 20% or more lower income units in the Housing Sites Inventory and allows ministerial processing for future developments that accommodate that level of affordable housing; and

WHEREAS, Senate Bill 10 ("SB 10"), codified in Government Code Section 65913.5, allows for the rezoning by ordinance, and associated redesignation of land uses in the General

Plan, of residential parcels to accommodate up to 10 units on a parcel without review under the California Environmental Quality Act ("CEQA"); and

WHEREAS, Program H-1J of the Santa Cruz County 2023 Housing Element requires the County to rezone residential parcels pursuant to SB 10, which allows up to 10 units on qualifying infill parcels, providing "missing middle" housing within low-density infill neighborhoods; and

WHEREAS, County staff has divided the proposed land use designations and rezonings into two groups (Batch A and Batch B); and

WHEREAS, 29 of the parcels included in this Batch B are being rezoned pursuant to SB 10 (the "SB 10 Parcels"); and

WHEREAS, with respect to the SB 10 Parcels, this Ordinance is adopted pursuant to SB 10; and

WHEREAS, the County prepared an Addendum to the Santa Cruz County Sustainability Update Environmental Impact Report ("EIR") pursuant to Section 15164 of the CEQA Guidelines, and determined that the environmental impacts of the 2023 Housing Element and its proposed programs, as part of the County's General Plan, are consistent with the environmental impacts evaluated in the EIR, and therefore no additional environmental analysis is required; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on April 29, 2025, and finds that the proposed Zoning Map Amendments are consistent with the findings required by the Santa Cruz County Code and Senate Bill 10, including:

(1) The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan;

(2) The proposed zone districts are compatible with the level of utilities and community services available to the land;

(3) The proposed rezoning is in the best interests of the public health, safety, and welfare;

(4) The sites will accommodate housing type(s) that are needed to house the local workforce in support of the local economy;

(5) The increased density authorized by this Ordinance, and in particular the increased density authorized for the SB 10 Parcels, is consistent with the County's obligation to affirmatively further fair housing pursuant to Government Code Section 8899.50; and

(6) The SB 10 Parcels are clearly identified in the rezoning table provided in Exhibit I to this Ordinance, with an asterisk next to each SB 10 Parcel Number, and are clearly demarcated in the maps provided in the staff report associated with this Ordinance.

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NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The County of Santa Cruz Zoning Map as established by Santa Cruz County Code section 13.10.180 is amended by changing the zone district designation of the parcels indicated in Exhibit 1, attached hereto and incorporated herein by this reference. The Zoning Map Designation boundaries for APNs 030-281-08, 030-281-34, 030-031-04, 037-191-08, 053-011-01, and 053-011-09 are set forth on the maps in Exhibit 2, attached hereto and incorporated herein by this reference.

SECTION II

The County prepared an Addendum to the Environmental Impact Report ("EIR") for the Sustainability Policy and Regulatory Update pursuant to Section 15164 of the CEQA Guidelines, and determined that the environmental impacts of the 2023 Housing Element and its proposed programs, as part of the County's General Plan, are consistent with the environmental impacts evaluated in the EIR. Based on the analysis contained in the Addendum, the Board of Supervisors determines that no additional environmental analysis is required to effectuate the rezonings that are the subject of this Ordinance.

SECTION III

The Board of Supervisors further finds and determines in its reasonable discretion and on the basis of the entire record before it that the proposed Zoning Map amendments are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan.

SECTION IV

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid**.**

SECTION V

This Ordinance shall take effect outside the Coastal Zone on the 31st day following adoption and shall take effect inside the Coastal Zone upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 20th day of May, 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

AYES: Supervisors Koenig, De Serpa, Cummings, Martinez and Hernandez
NOES: None
ABSENT: None
ABSTAIN: None

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5/28/2025

Felipe Hernandez
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: DocuSigned by:
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5/28/2025

Juliette Rezzato
Clerk of the Board

APPROVED AS TO FORM:

Signed by:
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Natalie Kirkish
Office of the County Counsel

DISTRIBUTION: County Counsel
Community Development & Infrastructure Department
County Geographic Information Services

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

Exhibit 1: Batch B Housing Element Rezones - Zoning Map Amendments

Assessor's Parcel Number	Existing Zone District	New Zone District
025-111-15*	R-1-6	RM-2
025-361-01*	R-1-6	RM-1.5
025-361-03*	R-1-6	RM-1.5
026-111-40*	R-1-6-D	RM-2.5-D
026-261-13	C-2-D	C-2-D-Min
026-261-16	C-2-D	C-2-D-Min
029-111-60*	RM-4	RM-2
029-162-08*	R-1-6	RM-4
029-162-44*	R-1-6	RM-1.5
029-181-43*	RM-4	RM-1.5
029-181-44*	R-1-6	RM-2
029-182-15*	RM-4	RM-1.5
029-191-38*	R-1-6	RM-1.5
029-192-07*	R-1-6	RM-1.5
029-192-15*	R-1-6	RM-1.5
029-192-27*	R-1-6	RM-3
029-193-03*	R-1-6	RM-1.5
029-391-08*	R-1-6	RM-2
030-031-04*	R-1-6	RM-2
030-092-01*	R-1-6	RM-2
030-121-61	C-4	C-2-Min
030-221-46	C-2-GH	C-2-GH-Min
030-241-13*	R-1-6	RM-1.5
030-241-14*	R-1-6	RM-2.5
030-253-72*	R-1-6	RM-3.5
030-281-08*	R-1-6	RM-3.5
030-281-34*	R-1-6	RM-3
031-113-10*	R-1-4	RM-1.5
031-113-12*	R-1-4	RM-1.5
031-113-48*	R-1-4	RM-2
031-152-03*	R-1-4	RM-3
032-041-44	C-2	C-2-Min
032-041-67	C-2	C-2-Min
032-041-68	C-2	RF-Min
037-112-16*	R-1-8	RM-1.5
037-191-08*	R-1-9	RM-1.5
039-201-36	PR	RF-Min
039-201-37	PR	RF-Min
050-041-38	R-1-1AC	RM-2

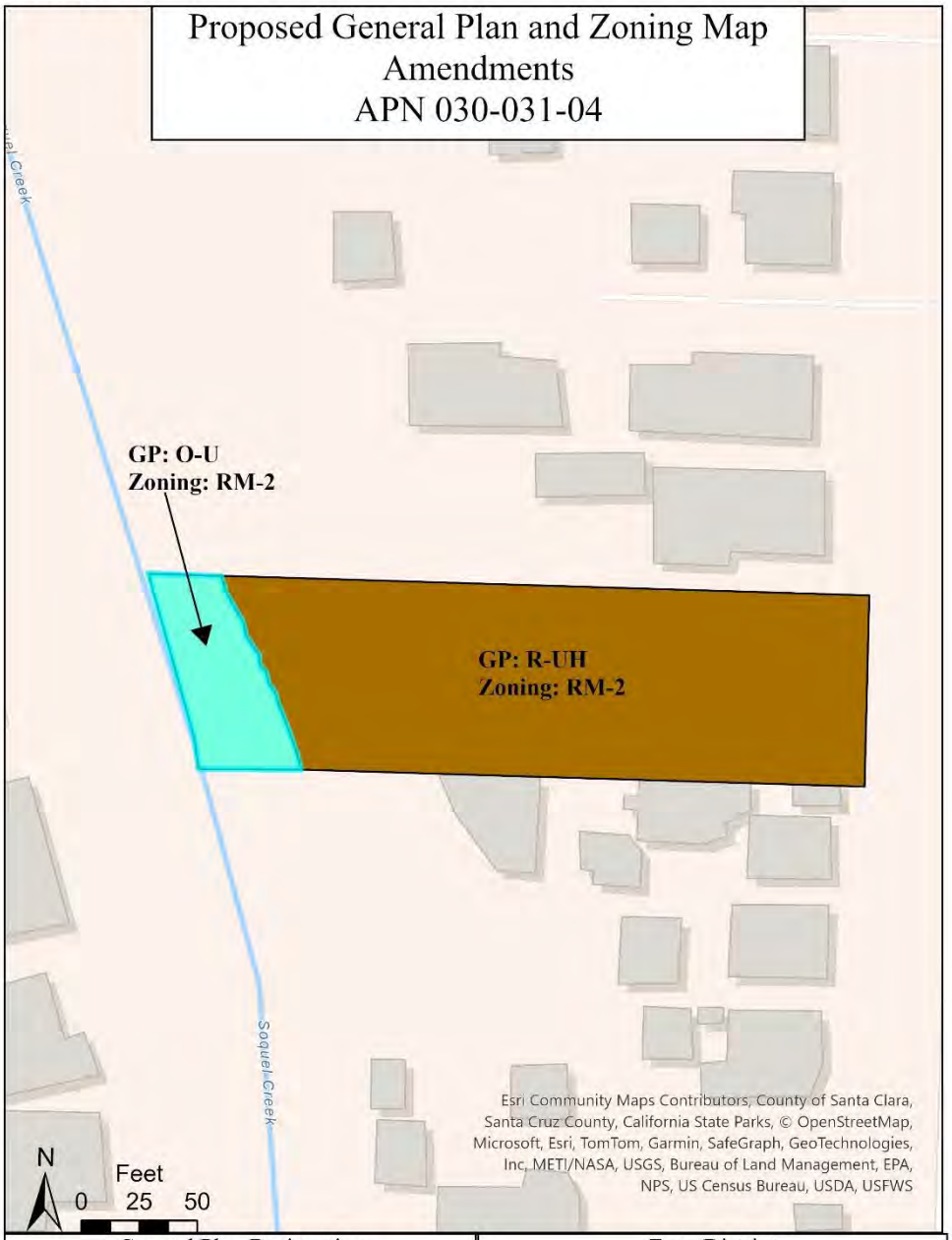
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Assessor's Parcel Number	Existing Zone District	New Zone District
050-041-45	R-1-1AC	RM-2-Min
050-041-46	R-1-1AC-AIA	RM-2-AIA-Min
053-011-01	PR	PR; RM-1.5-Min
053-011-09	PR	PR; PF-Min

*SB 10 Rezoning

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

EXHIBIT 2

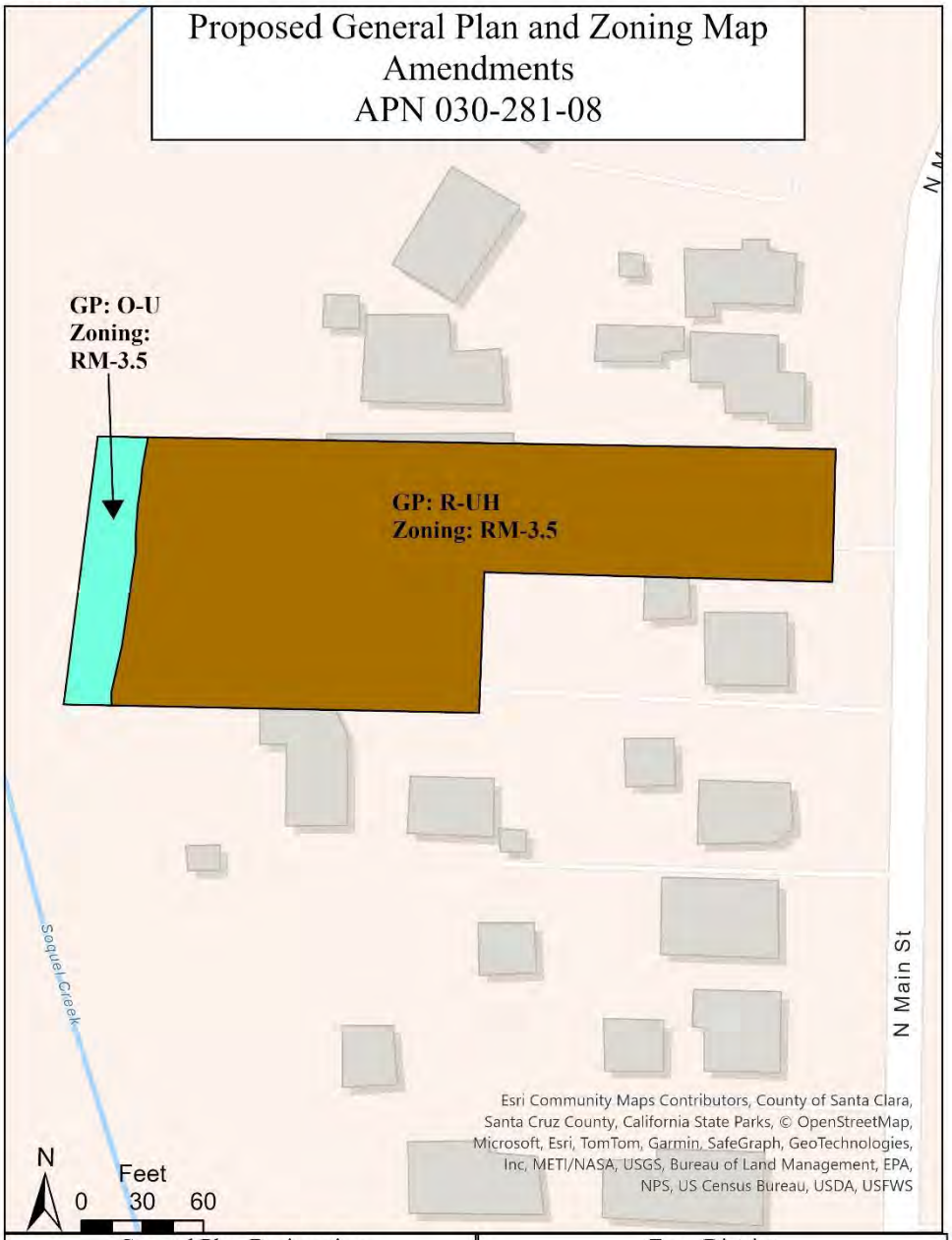


General Plan Designation	Zone District
Existing: Urban Open Space (O-U), Urban Medium Density Residential (R-UM)	Existing: Single-Family Residential - Min. 6,000 square feet per unit (R-1-6)
Proposed: Urban Open Space (O-U)), Urban High Density Residential (R-UH)	Proposed: Multifamily Residential - Min. 2,000 square feet per unit (RM-2)

Source: Community Development and Infrastructure

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

EXHIBIT 2

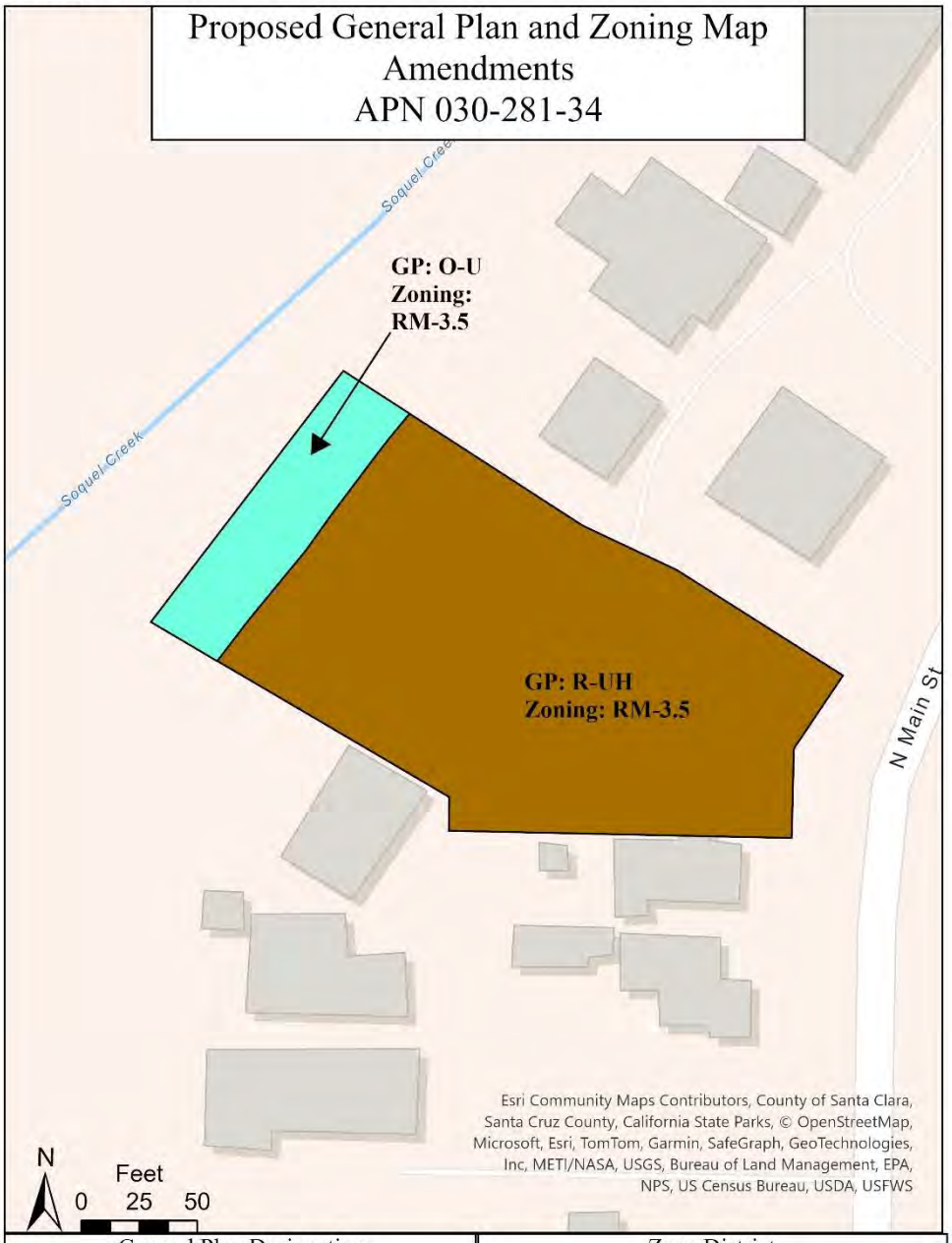


General Plan Designation	Zone District
Existing: Urban Open Space (O-U), Urban Medium Density Residential (R-UM)	Existing: Single-Family Residential - Min. 6,000 square feet per unit (R-1-6)
Proposed: Urban Open Space (O-U)), Urban High Density Residential (R-UH)	Proposed: Multifamily Residential - Min. 3,500 square feet per unit (RM-3.5)

Source: Community Development and Infrastructure

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

EXHIBIT 2

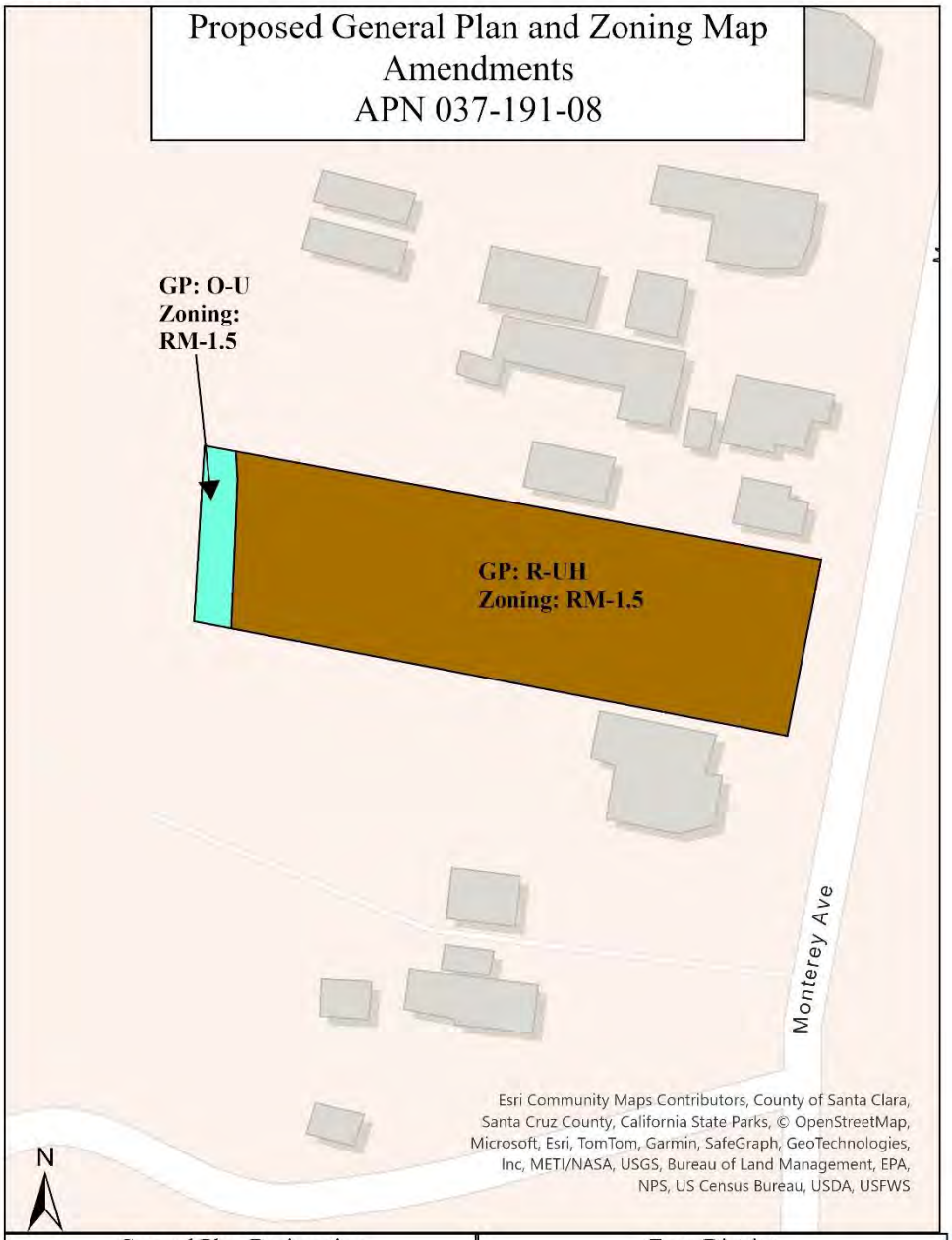


General Plan Designation	Zone District
Existing: Urban Open Space (O-U), Urban Medium Density Residential (R-UM)	Existing: Single-Family Residential - Min. 6,000 square feet per unit (R-1-6)
Proposed: Urban Open Space (O-U)), Urban High Density Residential (R-UH)	Proposed: Multifamily Residential - Min. 3,500 square feet per unit (RM-3.5)

Source: Community Development and Infrastructure

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

EXHIBIT 2

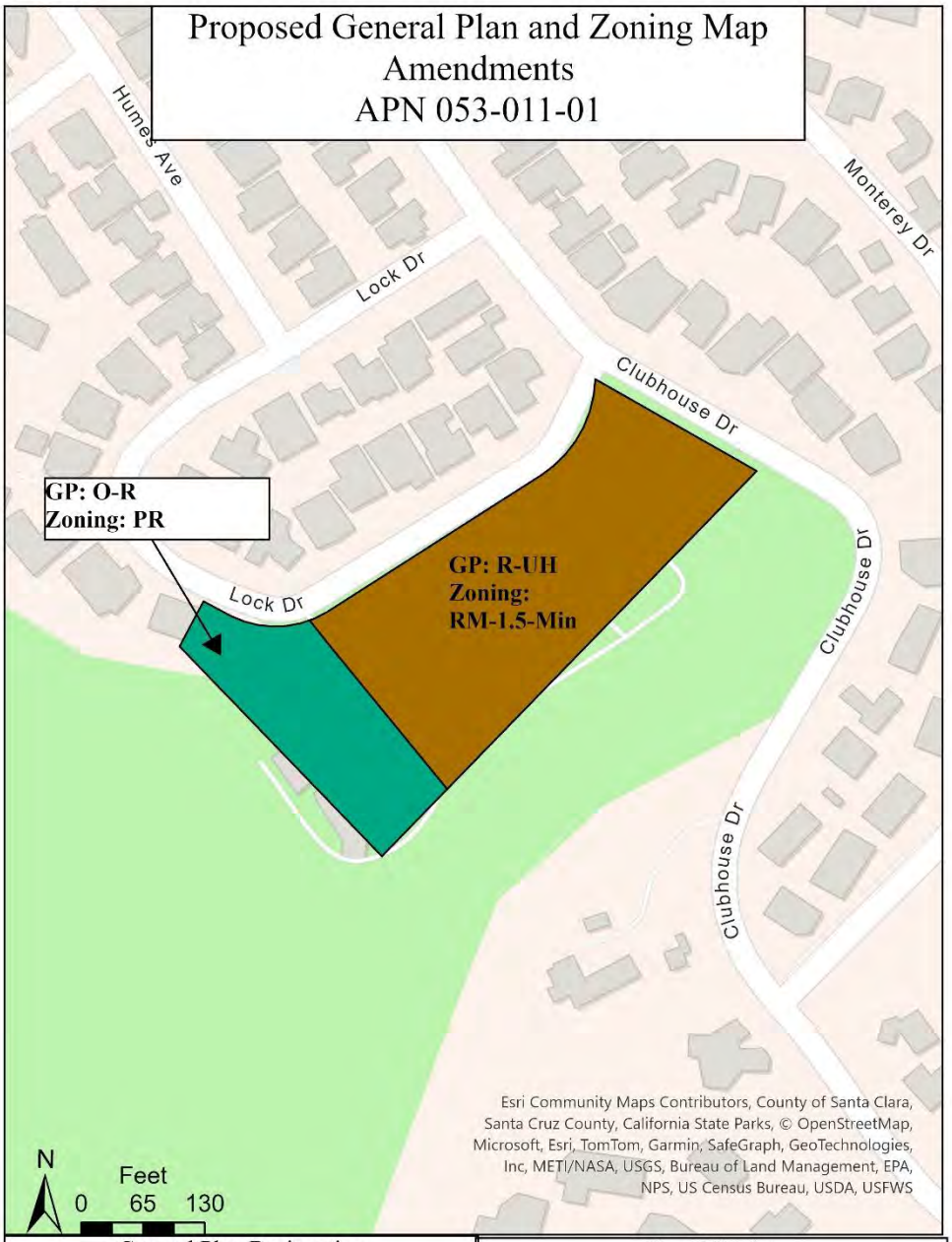


General Plan Designation	Zone District
Existing: Urban Open Space (O-U), Urban Low Density Residential (R-UL)	Existing: Single-Family Residential - Min. 9,000 square feet per unit (R-1-9)
Proposed: Urban Open Space (O-U)), Urban High Density Residential (R-UH)	Proposed: Multifamily Residential - Min. 1,500 square feet per unit (RM-1.5)

Source: Community Development and Infrastructure

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

EXHIBIT 2



General Plan Designation	Zone District
Existing: Parks, Recreation, and Open Space (O-R)	Existing: Parks, Recreation and Open Space (PR)
Proposed: Parks, Recreation, and Open Space (O-R), Urban High Density Residential(R-UH)	Proposed: Parks, Recreation and Open Space (PR), Multifamily Residential - Min. 1,500 square feet per unit, Ministerial Combining District (RM-1.5-Min)

Source: Community Development and Infrastructure

Docusign Envelope ID: FEB14D00-3AC6-485A-B96A-4D345D62CE7E

EXHIBIT 2



General Plan Designation	Zone District
Existing: Parks, Recreation, and Open Space (O-R)	Existing: Parks, Recreation and Open Space (PR)
Proposed: Parks, Recreation, and Open Space (O-R), Public Facility/Institutional(P)	Proposed: Parks, Recreation and Open Space (PR), Public and Community Facilities, Ministerial Combining District (PF-Min)

Source: Community Development and Infrastructure

Docusign Envelope ID: 1525ABBC-25CD-4A0F-8AED-643ABA49A142

ORDINANCE NO._____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE SECTIONS 13.10.327 AND 13.10.328 BASED ON CALIFORNIA COASTAL COMMISSION FEEDBACK, ALLOWING TWO-UNIT RESIDENTIAL DEVELOPMENTS AND URBAN LOT SPLITS IN UNINCORPORATED AREAS OF SANTA CRUZ COUNTY

WHEREAS, pursuant to authority delegated to the County of Santa Cruz by the California Coastal Commission, the County of Santa Cruz regulates development in the portion of the coastal zone that lies in the unincorporated area of the county and that is outside of the original jurisdiction of the California Coastal Commission; and

WHEREAS, Santa Cruz County Code (SCCC) Chapter 13.10 is an implementing ordinance of the adopted Local Coastal Program (LCP) and is part of the LCP Implementation Plan; and

WHEREAS, on October 29 and December 10, 2024, at duly noticed public hearings, the Board of Supervisors adopted an ordinance implementing Senate Bill (SB) 9 to allow two-unit developments and urban lot splits in the unincorporated areas of Santa Cruz County; and

WHEREAS, the Board of Supervisors directed staff to submit the proposed amendments to the sections of the SCCC that are LCP-implementing to the Coastal Commission for certification, as provided in SCCC Chapter 18.60; and

WHEREAS, on April 11, 2025, the Coastal Commission held a public hearing on the amendments to the LCP Implementation Plan adopted by the Board of Supervisors and certified them with suggested modifications; and

WHEREAS, in a letter dated April 16, 2025, the County received the Coastal Commission's Resolution of Certification and adopted findings approving the proposed amendments to the LCP, if modified as suggested; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on June 24, 2025, to consider the California Coastal Commission's suggested modifications to the SCCC; and

WHEREAS, staff has reviewed the amendments for compliance with the California Environmental Quality Act (CEQA) and found that, with the required regulations proposed therein, the Ordinance is statutorily exempt from CEQA pursuant to Government Code Sections 65852.21(j) and 66411.7(n). Additionally, the Ordinance is exempt from CEQA because there is no reasonably foreseeable significant impact on the environment, and staff prepared and filed a Notice of Exemption for the project; and

WHEREAS, pursuant to Title 14, California Code of Regulations Section 15251(f), the Coastal Commission's LCP amendment certification process is the functional equivalent of the

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environmental review required by CEQA and the Coastal Commission found that the proposed LCP amendments, as modified, will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with Public Resources Code Section 21080.5(d)(2)(A);

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.327 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.327 Two-unit residential developments.

(A) General Purposes. The purpose of this section is to provide for two-unit residential developments, pursuant to Government Code Section 65852.21. The regulations in this section are promulgated in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development.

(B) Definitions. Solely for the purposes of this section, the following words and phrases shall have the following definitions.

(1) "Census Urban Area" means an urbanized area or urban cluster, as designated by the United States Census Bureau and as mapped in the County Geographic Information System (GIS).

(2) "Dwelling Unit" shall have the same meaning as defined in SCCC 13.10.700-D.

(3) "Major Transit Stop," as defined in Public Resources Code Section 21064.3, means a site containing an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

(4) "Primary Dwelling Unit," means one single-family or multi-family residential unit designated on a single parcel, as described in the definition of "Dwelling Unit" in SCCC 13.10.700-D.

(C) Property Eligibility Requirements.

(1) An eligible parcel shall be located wholly within a Census Urban Area.

(2) An eligible parcel shall only be located within the SU, R-1, RA, or RR zone districts. A parcel within the SU zone district must have an underlying single family residential General Plan/Land Use Plan land use designation, including R-MT, R-R, R-S, R-UVL, R-UL, R-UM, or R-UH, to be eligible.

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(3) An eligible site shall not be in:

(a) Areas identified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Government Code Section 65913.4.

(b) Historic district or property included on the State Historic Resources Inventory or designated or listed as a County historic property or historic district in the County's Historic Resources Inventory.

(c) Critical fire hazard area, as defined in SCCC 12.01.040.

(d) Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed residences can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.

(e) Environmentally sensitive habitat areas or their buffers within the Coastal Zone boundary, except for properties where there is a buildable site available outside of such areas and their buffers.

(4) A parcel located in any of the following areas as identified in the County General Plan/Local Coastal Program or County Code requires sufficient State and local mitigation to be eligible under this section.

(a) For areas not subject to SCCC 13.10.327(C)(3)(d) above, Geologic Hazards, as defined in SCCC 16.10.040(T). Parcels within Geologic Hazard areas may be required to provide a geologic hazard assessment pursuant to SCCC 16.10.050(B).

(b) Outside of the Coastal Zone, 100-year flood hazard areas and floodways, as defined in SCCC 16.13. Parcels within these areas are only eligible if the flood hazards and floodways are mitigated pursuant to SCCC 16.13.

(c) State Response Areas (SRAs), including very high, high, and moderate fire severity zones, as mapped by the California Department of Forestry and Fire Protection (CAL FIRE) and the California Board of Forestry and Fire Protection. Parcels within these areas are only eligible if mitigation is provided in compliance with Government Code Section 65913.4(a)(6)(D) and the parcel is located outside Critical Fire hazard areas.

(d) Airport Safety Zones. Parcels within these areas are only eligible if they are compliant with standards and maximum densities established by SCCC 13.12.

(e) Outside of the Coastal Zone, sensitive habitat areas and their buffers shall be protected pursuant to Title 16. A biotic approval through the biotic review

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process outlined in SCCC Chapter 16.32 shall be obtained in order to establish appropriate development areas.

(5) No Ellis Act (Government Code Section 7060 et seq.) evictions(s) have occurred for any existing housing on the parcel in the 15 years prior to submittal of the application.

(6) An eligible parcel shall be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.

(D) Project Requirements.

(1) For two-unit residential development only, the project shall contain no more than two primary residential units on a single parcel, plus accessory dwelling units (ADUs) or junior ADUs (JADUs) consistent with SCCC 13.10.681. The total number of units (primary units, ADUs and JADUs combined) may not exceed four units on a single parcel. ADUs and JADUs included in two-unit residential development must comply with the County ADU regulations.

(2) The project will not require demolition or alteration of any of the following types of housing:

(a) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(b) Housing that is subject to any form of rent or price control.

(c) Housing that has been occupied by a tenant (whether rent paying or not) in the last three years.

(3) All new rental units resulting from any two-unit residential development project shall be rented long term (greater than 30 days).

(E) Objective Development Standards. Two-unit residential development shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.

(1) Residential Structure Type.

(a) Attached single-family, detached single-family or multi-family duplex structures are allowed for two-unit residential developments. Duplexes may include either two primary units, or a primary unit and one ADU, or a primary unit and one JADU.

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(b) Mobile homes are allowed for two-unit residential developments compliant with the adopted California Building Code. A mobile home is required to be less than 10 years old and placed on a permanent foundation.

(c) Tiny Homes on Wheels (THOW) are allowed for two-unit residential developments as a primary dwelling unit.

(d) Existing ADUs on a parcel may be converted into a primary dwelling unit. If an ADU is to be converted, the maximum number of two primary dwellings units for a two-unit residential development will be achieved.

(e) A combination of three or four units, attached or detached, comprised of primary dwellings plus ADUs and JADUs will be allowed for a two-unit residential development.

(2) Accessory Structures. Habitable and non-habitable accessory structures shall comply with SCCC 13.10.611.

(3) Lot Standards.

(a) For existing development on two-unit residential development applications, existing setbacks may be retained for an existing structure or for a structure reconstructed in the same location and to the same dimensions as an existing structure.

(b) Front yard setback, height, lot coverage, and floor area ratio shall meet the standards of the zoning district in SCCC 13.10.323, except as follows:

(i) The minimum side and rear setbacks are four feet, subject to restrictions of any onsite public utility easements.

(ii) Pleasure Point standards. Pleasure Point standards shall apply, except if the required 10-foot second story setbacks are infeasible for an 800 square foot dwelling, the setback may be reduced by the minimum necessary to accommodate the proposed project. Side and rear setbacks for the second story shall be no less than four feet. In the event of a conflict, the standards herein shall prevail.

(4) Parking Standards.

(a) One off-street parking space is required per dwelling unit, except as follows:

(i) If the parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in Public Resources Code Section 21155, or a major transit stop, as defined in Public Resources Code Sections 21155 and 21064.3, no parking shall be required.

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(ii) If the parcel is within one block of a car share vehicle rental location, no parking shall be required.

(5) Two-unit residential development projects shall meet the following buildability criteria:

(a) All lots shall have a "Will Serve" letter from a water district or mutual water company, or an Individual Water Service Permit issued by the Environmental Health Division of the Health Services Agency for a well or other water source prior to issuance of a building permit as described in the current County Lists of Required Information (LORIs).

(b) The parcel shall have or qualify for a compliant sewage disposal system, either a septic system sized for the development and approved by the Environmental Health Division of the Health Services Agency, or a sewer connection provided by the wastewater provider, as applicable.

(c) If units are connected to an onsite wastewater treatment system (OWTS), the OWTS must meet or be upgraded to meet current standards in compliance with SCCC 7.38.

(d) Emergency Vehicle Access. The site access must comply with the fire district access standards applicable to both new and existing roads in SCCC 7.92.503.2.1.

(e) Site Safety. The building site shall be free from geologic hazards to the extent that the safety of the proposed development can be ensured. A geological hazards assessment, full geologic report, soils (also called "geotechnical") report, or hydrologic report may be required to assess or address environmental/safety concerns pursuant to SCCC 16.10.

(f) Legal Access. A parcel may not be used as a building site unless it is accessible from a public right-of-way or has legally deeded access.

(g) Structures shall comply with required setbacks and buffers from environmentally sensitive habitat areas, geologic hazards, agricultural resource lands, and other environmental protection setbacks as specified in SCCC Title 16 or the setbacks established through a biotic report or geological hazards assessment, respectively.

(F) Application Procedures.

(1) Two-unit residential development projects shall be approved ministerially if the application complies with the eligibility requirements and objective development standards herein.

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(2) Two-unit residential applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(3) Projects in the Coastal Zone.

(a) Projects located within the Coastal Zone shall require a Coastal Development Permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required to approve said permit.

(b) Nothing in this chapter shall supersede or in any other way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code) except that the County shall not be required to hold public hearings for coastal development permits for an eligible development pursuant to this section.

(4) Basis for Project Denial.

(a) An application for a two-unit residential development shall be denied if any of the following are found:

(i) The two-unit residential development fails to comply with any objective development standard imposed by this section. Any such requirement or condition that is the basis for denial shall be specified in writing.

(ii) The Building Official makes a written finding, based upon a preponderance of the evidence, that the proposed development would have a specific, adverse impact, as described in Government Code Section 65589.5(d)(2) and further specified in this section, upon the public health and safety, and there is no feasible method to satisfactorily mitigate or avoid that specific, adverse impact.

(iii) Within the Coastal Zone, the two-unit residential development fails to meet the provisions of this section or the remainder of the certified Santa Cruz County Local Coastal Program.

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SECTION II

Section 13.10.328 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.328 Urban lot split.

(A) General Purposes. The purpose of this section is to provide for urban lot splits, pursuant to Government Code Section 66411.7. These regulations are provided in order to preserve the public health, safety and general welfare of the people and environment of the County of Santa Cruz, and to promote orderly growth and development.

(B) Definitions.

(1) "Urban lot split" means a subdivision of a parcel within a "Single-Family Residential" zone district, as defined, into two parcels pursuant to Government Code Section 66411.7.

(2) See SCCC 13.10.327(B) for additional definitions relevant to this section.

(C) Nothing in this section shall be construed to supersede or in any other way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20, commencing with Section 30000, of the Public Resources Code), except that the County shall not be required to hold public hearings for coastal development permits for an eligible urban lot split pursuant to this section.

(1) Urban lot splits located within the Coastal Zone shall require a coastal development permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110, except that no public hearing shall be required.

(D) Additional Eligibility Requirements for an Urban Lot Split.

(1) The requirements of SCCC 13.10.327(C) and (D) for two-unit residential developments apply as urban lot split eligibility requirements. Lot splits on parcels requiring mitigation under SCCC 13.10.327(C)(4) shall identify building footprint areas where adequate mitigation can be implemented.

(a) Urban lot splits are prohibited in Coastal Hazards Areas, including areas seaward of and on/adjacent to coastal bluffs, except for blufftop properties where proposed building sites can meet the 100-year bluff erosion stability setback without reliance on any existing or proposed shoreline armoring.

(2) Parcel Map Required. A parcel map is required for all urban lot splits pursuant to Government Code Section 66411.7 and shall comply with parcel map requirements in SCCC 14.01.

(3) No Prior Urban Lot Split. A parcel is only eligible for processing under this section if:

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(a) The parcel has not been established through a prior urban lot split; and

(b) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split.

(4) Property owners are required to sign an affidavit stating the intent to occupy a unit on one of the lots as their primary residence for a minimum of three years.

(5) The site plan shall indicate at least one existing legal dwelling unit on the property or one existing dwelling unit under construction (passed first inspection) at the time of application submittal. Documentation of occupancy status of existing structures may be required.

(6) Both new lots shall be limited to residential uses only.

(7) Urban lot splits shall allow up to two minimum 800 square foot primary units on each lot created. Existing primary dwelling units are not subject to the 800 square foot provision. An accessory dwelling unit (ADU) and a junior accessory dwelling unit (JADU) count toward the two-unit total per lot. Units may be attached or detached. An urban lot split may include the development of two primary dwellings per lot or one primary dwelling and one ADU or one primary dwelling and one JADU per lot, or one primary dwelling on one lot and no development on the other lot. A maximum of four total units may result from an urban lot split.

(8) ADUs and JADUs are subject to SCCC 13.10.681, except as explicitly provided in SCCC 13.10.327 or this section.

(9) No urban lot split shall be allowed that requires a discretionary permit for an exception to objective standards or requires any other discretionary review other than a Coastal Development Permit.

(E) Objective Development Standards. All urban lot splits shall comply with the objective development standards below, except that no standard shall preclude the development of a unit up to 800 square feet. In the event that a standard is reduced, the reduction shall be the minimum required to accommodate the unit.

(1) Existing Parcel Size. The area of the existing parcel is 2,400 square feet or more (net developable site area).

(2) Number of New Parcels. The urban lot split creates no more than two new parcels.

(3) New parcels shall conform to the following standards:

(a) The gross site area of the larger parcel shall not be more than 60 percent of the gross site area of the existing parcel.

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(b) In no case shall the net developable site area of the smaller parcel be less than 1,200 square feet.

(c) Parcels with septic systems shall each comply with gross parcel size pursuant to SCCC 7.38.

(4) The maximum parcel size allowed is 60 percent of the existing parcel's gross site area.

(5) Any parcel proposed for an urban lot split must itself be a legal parcel of record created in compliance with the Subdivision Map Act, the LCP, and applicable provisions of the Santa Cruz County Code.

(6) Any urban lot split involving a vacant parcel shall meet the buildability criteria stated in SCCC 13.10.327(E)(5).

(7) Lots created by an urban lot split shall allow parking according to the standards requirements in SCCC 13.10.327(E)(4).

(8) Access to Public Right-of-way. All newly created parcels shall provide access to, or adjoin, the public right-of-way in a manner sufficient to allow development on the parcel to comply with all applicable property access requirements under the California Fire Code Section 503 (Fire Apparatus Access Roads) and California Code of Regulations Title 14, Section 1273.00 et seq.

(a) Shared Driveways. Driveway access shall meet the applicable fire agency standard, including driveway width, fire turnaround, turning radius, slope, and driveway surface.

(b) The minimum driveway width shall be 12 feet or the applicable standard of the fire agency having jurisdiction over the property, whichever is greater.

(9) Setbacks. Lots created by an urban lot split shall allow for structures to meet the lot standards pursuant to SCCC 13.10.327(E)(3).

(10) Existing Structure on One Parcel. The proposed lot split shall not result in the splitting of any structure between the two parcels and shall not create a new encroachment of an existing structure over a property line.

(11) Floor Area and Lot Coverage. Lots created by an urban lot split shall allow for structures to meet the lot standards pursuant to SCCC 13.10.327(E)(3).
(a) If application of the zone district standard for lot coverage or FAR would preclude a proposed lot split, the standard may be reduced by the minimum amount necessary to allow development per the land division as determined by the Director of the Community Development and Infrastructure Department or their designee ("Director").

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(12) Compliance with Subdivision Requirements. The parcel map shall satisfy the objective requirements of the Subdivision Map Act and SCCC 14.01. Non-title site requirements, disclosures and other information may also be required on the Parcel Map documents by the Director.

(13) The site plan shall indicate at least one existing legal dwelling unit on the property or one existing dwelling unit under construction (permitted and passed first inspection) at the time of application submittal. The structure shall be final and occupied by the owner prior to map recordation. Documentation of occupancy status of existing structures may be required.

(14) Any vacant parcel proposed for a two-unit residential development or urban lot split must be a legal lot of record created in compliance with the Subdivision Map Act, the LCP, and Santa Cruz County Code.

(F) Application Procedures. Urban lot split applications must be approved, or a notice of deficiency sent, within 60 days of receipt of a completed application. Such applications resubmitted in response to a notice of deficiency must be approved or a notice of deficiency sent, within 60 days.

(G) Deed Restrictions. Before obtaining building permits, the property owner shall file with the Santa Cruz County Recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:

(1) The primary use of the dwelling units must be residential.

(2) For an urban lot split with a shared driveway, maintenance and use of the shared driveway must be permanently provided through a reciprocal access easement and maintenance agreement or other comparable mechanism.

(3) The dwelling unit may not be used for vacation rentals as defined in SCCC 13.10.700-V.

(4) Affordable housing impact fees shall apply to projects pursuant to SCCC 17.10.034.

(5) The above declarations run with the land and are binding upon all successors in ownership of the property. Lack of compliance shall be cause for code enforcement pursuant to SCCC 19.01.

(6) The deed restriction shall lapse upon removal of all dwelling units established under this section.

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SECTION III

The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to the Santa Cruz County Code are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION IV

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid**.**

SECTION V

This ordinance shall take effect after the Executive Director of the California Coastal Commission reports to the Commission their determination that the County's actions are legally adequate, and the Commission does not object to the Executive Director's determination, and notice of the certification of the LCP amendment is filed with the Secretary of the Resources Agency.

PASSED AND ADOPTED this _____ day of _____ 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

_____
Felipe Hernandez
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Juliette Rezzato
Clerk of the Board

Docusign Envelope ID: 1525ABBC-25CD-4A0F-8AED-643ABA49A142

APPROVED AS TO FORM:

Signed by:
Natalie Kirkish
D52DC6AA0E74498...

Natalie Kirkish
Office of the County Counsel

DISTRIBUTION: County Counsel
Community Development & Infrastructure Department

Docusign Envelope ID: 2574B518-AE09-4B57-82AC-2AD873FACBB6

Adopted ORD-5452 08/27/2024
Board of Supervisors
DOC-2024-639 18.a

ORDINANCE NO. 5452

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ ADDING SANTA CRUZ COUNTY CODE SECTIONS 13.10.494 THROUGH 13.10.497, CREATING A NEW MINISTERIAL COMBINING DISTRICT, AND AMENDING TABLE 13.10.400 TO INCLUDE A NEW MINISTERIAL COMBINING DISTRICT

WHEREAS, the County of Santa Cruz Board of Supervisors recognizes the need for additional affordable housing, particularly very low- and low-income housing and housing to support the local workforce and for essential workers, including but not limited to those working in healthcare, education, public safety, other public sector or non-profit jobs, services, environmental practitioners, agriculture, hospitality, and tourism; and

WHEREAS, the County adopted a Housing Element in November 2023, which was certified by the State Department of Housing and Community Development in April 2024; and

WHEREAS, Programs H-1B and H-1C of the Santa Cruz County 2023 Housing Element require the County to develop a by-right overlay zone to permit rental and owner-occupied multi-family housing uses ministerially pursuant to Government Code Sections 65583.2(c), (h) and (i) for developments with 20 percent or more lower-income units; and

WHEREAS, this overlay zone or "Combining District" shall apply to sites included in the Housing Sites Inventory of the 2023 Housing Element as sites for lower-income housing in one or more prior cycles but not developed during the prior cycles, which are identified in Table 7 of Appendix HE-E with the Combining District indicated with a "-Min" in the Proposed Zoning Column; and

WHEREAS, the Combining District shall also apply to parcels listed in Table 7 of Housing Element Appendix HE-E, which provide lower-income units to meet the County's assigned Regional Housing Needs Allocation; and

WHEREAS, the purpose of Santa Cruz County Code Chapter 13.10 is to implement the General Plan and Local Coastal Program Land Use Plan by providing specific regulations as to the allowable uses of land and structures; and

WHEREAS, the County has prepared an Addendum to Environmental Impact Report (EIR) prepared for the Sustainability Policy and Regulatory Update pursuant to Section 15164 of the State CEQA Guidelines, and has determined that the proposed 2023 Housing Element and its proposed programs, as part of the County's General Plan, is consistent with the environmental impacts evaluated in the EIR; and

WHEREAS, the Planning Commission held a public meeting on May 28, 2024, and a duly noticed public hearing on June 12, 2024, and recommended adoption of this Ordinance to the Board of Supervisors with recommended amendments which have been included herein; and

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WHEREAS, the Board of Supervisors held a public hearing on August 13, 2024, to consider public input on this Ordinance;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.10.400 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.400 Combining Districts.

The following combining designations may be applied to basic zone districts in order to impose particular limitations or exercise some type of planning control. A combining district shall be denoted by the use of a dash and the letter(s) listed below under "Designation," following the basic zoning designation:

SCCC	Designation	Summary of Limitations Imposed
13.10.416 through 13.10.418	D (Designated Park Site)	Denotes parcels designated in the General Plan and Local Coastal Program Land Use Plan in whole or part as proposed park sites.
13.10.421 through 13.10.423	GH (Geologic Hazards)	Denotes the presence of a particular physical hazard on the property; use and development is subject to the Geologic Hazard Ordinance (SCCC 16.10) regulations.
13.10.424 through 13.10.429	PRH (Permanent Room Housing Combining District)	Denotes parcels with structures originally in use as Type A visitor accommodations, nursing homes, residential care facilities, or other transient accommodations or care facilities, which may be used as permanent multifamily rental housing in multifamily structures or dwelling groups, with specific use and development standards.[1]
13.10.431 through 13.10.433	H (Assisted Housing)	General Plan and Local Coastal Program Land Use Plan policies regarding affordable housing priority sites apply.
13.10.434 through 13.10.436	SBE (Seascape Beach Estates) Combining Zone District)	Denotes parcels in the Seascape Beach Estates neighborhood with special residential development standards intended to maintain characteristics of the existing built environment and ensure protection of the public viewshed.

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SCCC	Designation	Summary of Limitations Imposed
13.10.437 through 13.10.439, 13.12	AIA (Airport Influence Area Combining District)	Denotes parcels within two miles of the boundary of the Watsonville Municipal Airport; use and development is subject to the Airport Combining Zone District Ordinance (SCCC 13.12) regulations.
13.10.441 through 13.10.443	I (Statement of Intention)	Board of Supervisors has agreed not to rezone the property in the foreseeable future.
13.10.444 through 13.10.448	PP (Pleasure Point Community Design)	Denotes parcels subject to special residential design standards and guidelines specific to the Pleasure Point neighborhood, to be applied in addition to the residential site standards found in SCCC 13.10.323(B).
13.10.451 through 13.10.453	L (Historic Landmark)	Property/structure has been designated a historic landmark and is subject to the regulations of the Historic Resources Ordinance (SCCC 16.42).
13.10.456 through 13.10.458	MH (Mobile Home Park)	Denoted property upon which a mobile home park has been established pursuant to an approved development permit or legally established prior to the requirement for a development permit; mobile home park development, operation, rental, sale and conversion are subject to all provisions of federal, State and County regulations.
13.10.461 through 13.10.463	O (Open Space Easement)	Owner has executed an open space easement contract with the County to maintain the land in its natural state for a period of 10 years. The 10-year period is renewed every year.
13.10.471 through 13.10.473	P (Agricultural Preserve and Farmland Security)	Owner has executed an agricultural preserve contract with the County to maintain the land in agricultural and open space use for a period of 10 years. The 10-year period is renewed every year.
13.10.475 through 13.10.478	R (Regional Housing Need)	Special use and development standards for development of housing at density of 20 units per acre with any RM-2 zoned parcel, or in C-1, C-2, or PA commercial zones, or public facility zones[2]
13.10.481 through 13.10.483	SP (Salamander Protection)	The regulations of the Sensitive Habitat Protection Ordinance (SCCC 16.32) apply and

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SCCC	Designation	Summary of Limitations Imposed
		require special site development standards to protect the endangered species.
13.10.491 through 13.10.493	W (Watsonville Utility Prohibition)	Prevention of urban services to undeveloped/rural areas west of the City of Watsonville to protect farmlands and environmentally sensitive areas in the Coastal Zone west of Watsonville.
13.10.494 through 13.10.497	Min (Ministerial Combining District)	Proposed rental or for-sale multi-family housing developments in the -Min combining district shall be processed on a ministerial basis (i.e., a "by-right" or "non-discretionary" development review process), if at least 20% of the total units in the multi-family development are restricted lower-income units available for rent or for sale to lower-income households (at or below 80% of Area Median Income). Ministerial projects are exempt from CEQA review pursuant to the Public Resources Code and CEQA Guidelines. Qualifying development applications in this district are subject to and shall be processed consistent with Government Code Subsections 65583.2(c), (h) and (i), or their successor Subsections, and with Programs H-1B and H-1C of the 2023-2031 Housing Element of the General Plan, as further set forth in SCCC 13.10.494 – .497.

SECTION II

Article X: Ministerial Combining District and Section 13.10.494 are hereby added to the Santa Cruz County Code, to read as follows:

Article X. Ministerial Combining District

13.10.494 Purposes of the Ministerial Combining District.

(A) The Ministerial Combining District (-Min) is established to denote those properties upon which certain qualifying multi-family housing developments as defined herein are eligible for ministerial review (also known as by-right development) in accordance with the provisions of Government Code Section 65583.2 and amendments thereto, and with Programs H-1B and H-1C of the 2023 Housing Element of the Santa Cruz County General Plan. Development applications that qualify for ministerial review pursuant to this section are exempt from CEQA review pursuant to the ministerial exemption in the Public Resources Code.

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(B) For purposes of this section, "use by right" or "ministerial review" means that County review of a proposed for-sale or rental multi-family residential development located within the -Min Combining District may not require a conditional use permit, planned unit development permit, or other discretionary County review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of property located within the -Min Combining District shall be subject to all laws, including, but not limited to, County codes that implement the California Subdivision Map Act. The "use by right" or "ministerial review" process established by this section does not exempt a qualifying housing project from design review pursuant to SCCC Chapter 13.11. However, that design review shall not constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multi-family residential housing shall be provided in accordance with Government Code Section 65589.5(f).

(C) The following definitions apply for the purposes of this section:

(1)"Housing development project" means a use consisting of any of the following:

(a) Residential units only.

(b) Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.

(c) Transitional housing or supportive housing.

(2) "Infeasible" means not capable or highly unlikely of being accomplished in a successful manner, taking into account economic, environmental, social, temporal, and technological factors.

SECTION III

Section 13.10.495 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.495 Designation of the Ministerial Combining District.

(A) Parcels included in the -Min Combining District must be located within the Urban Services Line and have access to municipal water and sewer services and dry utilities. This requirement does not impose any additional duty on the County to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in this combining district.

(B) Two types of parcels listed in Table 7 of the Housing Sites Inventory in Appendix HE-E of the 2023 Housing Element are eligible for designation into the Ministerial Combining District:

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(1) Parcels described in Housing Element Program H-1C: This type includes parcels included in the 2023 Housing Sites Inventory that were previously included in the 4th or 5th Cycle Housing Element Sites Inventory as sites for lower-income housing but have not yet been developed with lower-income housing as projected. These parcels are shown with a designation of "-Min" in the "Proposed Rezoning" column of Table 7 of Housing Element Appendix HE-E.

(2) Parcels described in Housing Element Program H-1B: This type includes those parcels listed in Table 7 of Housing Element Appendix HE-E that meet all criteria below:

(a) The parcel is not covered by the rezoning proposed in Program H-1C;

(b) The parcel is projected to yield four or more lower-income units (including any very low- or extremely low-income units) as shown on Table 7; and

(c) At the time rezoning is proposed, development of the lower-income units projected for the site in Table 7 is necessary for the County to meet its shortfall of lower-income units as defined in Program H-1B, and such housing development has not already been entitled or ministerially approved on the site at the time of rezoning.

SECTION IV

Section 13.10.496 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.496 Use and development standards in the Ministerial Combining District.

Parcels designated as -Min Combining District are subject to the objective use and development standards of the base district that apply to any multi-family development in that district, provided that such standards do not conflict with this section. The base district may be any of the following districts that allow residential multi-family development: RM, RF, C1, C2, PA, PF. In addition, the following use and development standards shall apply to the -Min Combining District:

(A) In order to qualify for ministerial review pursuant to this section, a proposed housing development in the -Min Combining District must meet all of the following criteria, consistent with State Housing Element law:

(1) At least 20 percent of the total units in the housing development, inclusive of any density bonus units, shall be provided as deed-restricted units affordable for rent or purchase by lower-income households, as defined in Section 50079.5 of the California Health and Safety Code. The applicant shall record a restrictive covenant in a form provided by the County that ensures the continued affordability of all lower-income units for the life of

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the unit, unless a shorter affordability term is required by low-income housing tax credit regulations or other applicable law.

(2) Housing units restricted for lower-income households pursuant to this section shall be made available at a monthly housing cost that does not exceed 30 percent of monthly income for low-income households, defined for this purpose as households earning exactly 60 percent of Area Median Income (AMI), with adjustments for household size made in accordance with the adjustment factors on which the lower-income eligibility limits are based. For lower-income rental units, that monthly housing cost includes monthly rent and utilities charged to the tenant. For lower-income units in for-sale developments, monthly housing costs include the following: mortgage payments (principal and interest), property taxes, property insurance, and homeowners' association dues, if any. All lower-income units in for-sale projects must be offered for sale at the same time that any market-rate units in the development are offered for sale.

(3) If the project is subject to the affordable housing requirements of SCCC 17.10, it must meet the applicable requirements of that chapter as well as those of this section. Any lower-income units required pursuant to this section may be counted toward the inclusionary requirements of SCCC 17.10, provided they also meet all standards of that chapter applicable to affordable housing units in new developments.

(4) If the applicant applies for a density bonus pursuant to SCCC 17.12 and State density bonus law, it must comply with all applicable provisions of SCCC 17.12 and State law in addition to those of this section, including but not limited to replacement housing requirements, if applicable.

(B) The density and development standards of sites in the -Min Combining District shall meet the following minimum criteria:

(1) Each site proposed for designation into the -Min Combining District (which, for sites designated in the Housing Sites Inventory as "consolidated sites," may consist of one or more parcels), shall be large enough to permit development of at least 16 units, based on a density of at least 20 units per acre.

(2) Parcels in the -Min Combining District shall allow rental or for-sale multi-family residential development at a density of at least 20 units per acre, or more if a higher density is allowed by the base district.

(3) A housing development proposed on a site in the -Min Combining District that is proposed for ministerial review pursuant to this section shall include at least as many lower-income units as are projected for the site in Table 7 of the Housing Sites Inventory, shall achieve a minimum density of at least 20 units per acre, and shall meet all applicable minimum density policies in the General Plan and/or Zoning Code applicable to the base zoning district in which the project is located, which policies may require a density higher than 20 units per acre.

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(4) A housing development eligible for ministerial review pursuant to this section shall comply with, and is subject to all of the following:

(a) All objective, quantifiable, written development standards, conditions, and policies of the General Plan/Local Coastal Program and/or Zoning Code applicable to multi-family developments in the base zoning district where the project is located. These development standards, conditions, and policies shall be applied by the County in such a manner as to facilitate and accommodate the qualifying housing development at the density permitted on the site and proposed by the developer in order to meet the County's lower-income Regional Housing Needs Allocation (RHNA) for the 6th cycle. Notwithstanding the foregoing, if a density bonus application is filed for the qualifying housing development, any concessions or waivers of development standards for which the project qualifies shall not be considered a failure to comply with objective standards.

(b) All applicable development impact fees and other exactions otherwise authorized by law and County Code that are essential to provide necessary public services and facilities to the proposed housing development project.

(c) Any design review process required for similarly sized multi-family residential projects in the base zoning district. However, any such design review process that may be required shall be exempt from CEQA as provided in SCCC 13.10.494(A).

(5) For purposes of this section, a housing development project proposed in the -Min Combining District pursuant to this article shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project is consistent, compliant, or in conformity with it.

SECTION V

Section 13.10.497 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.497 "-Min" Combining District permit processing procedures.

(A) Procedures for Ministerial Processing of Qualifying Projects Outside the Coastal Zone.

(1) Applicants for residential and/or qualifying mixed-use projects located in the -Min Combining District for which the applicant seeks ministerial processing pursuant to this section shall submit a Design Review Group (DRG) preliminary application, and subsequently revise their plans to address comments pertaining to any objective standards from any reviewing agencies, to the extent possible without rendering the project infeasible, prior to filing a building permit application and/or any other ministerial permits required for the project (grading permits, encroachment permits, etc.).

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(2) Projects that qualify for ministerial processing pursuant to SCCC 13.10.496(A) are not subject to SCCC 18.10, which pertains only to discretionary review, and therefore no public hearings are required.

(3) Within five working days of submittal for a building permit and assignment of a building permit application number, the applicant shall send via U.S. mail a Notice of Application to all property owners and residents within 300 feet of the property boundary. The Notice shall describe the parcel number and location of the site, the name of the applicant and owner, a description of the proposed project, and applicant contact information for obtaining more information on the proposed project. Once sent, the applicant shall submit the notice and list of recipients to the Building Section.

(4) Projects funded with federal funds are subject to applicable federal environmental review pursuant to the National Environmental Policy Act (NEPA).

(B) Procedures for Ministerial Processing of Qualifying Projects Inside the Coastal Zone. Projects located within the -Min Combining District and in the Coastal Zone shall require a coastal development permit pursuant to SCCC 13.20.100, the approval of which is subject to the required findings found in SCCC 13.20.110. Proposed housing developments within the Coastal Zone that are eligible for ministerial review pursuant to this section may be eligible for waiver of the SCCC 13.20.100(A)(2) public hearing requirement pursuant to SCCC 13.20.100(A)(2). Coastal development permits issued pursuant to this section may be appealable to the Coastal Commission pursuant to SCCC 13.20.120.

SECTION VI

The Board of Supervisors finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to the Santa Cruz County Code are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION VII

The Board of Supervisors further finds that the County prepared an Addendum to Environmental Impact Report (EIR) prepared for the Sustainability Policy and Regulatory Update pursuant to Section 15164 of the State CEQA Guidelines, and has determined that the environmental impacts associated with the 2023 Housing Element and its programs, including the Ministerial Combining District, were evaluated in that document and CEQA review of this ordinance has been completed.

SECTION VIII

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid**.**

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SECTION IX

This ordinance shall take effect on the 31st day following adoption outside the Coastal Zone and shall take effect upon final certification by the California Coastal Commission inside the Coastal Zone.

PASSED AND ADOPTED this 13th day of August 2024, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Supervisors: Koenig, Friend, Hernandez, McPherson and Cummings
NOES: None
ABSENT: None
ABSTAIN: None

DocuSigned by:
Justin Cummings
C15905D366C8451...
9/11/2024

Justin Cummings
Chairperson, Board of Supervisors

ATTEST: DocuSigned by:
Juliette Rezzato
466B074F3141450...
9/11/2024

Juliette Rezzato
Clerk of the Board

APPROVED AS TO FORM:

DocuSigned by:
Natalie Kirkish
D52DC6AA0E74498...

Natalie Kirkish (8/1/2024, AMS 16153)
Office of the County Counsel

Staff Report to the Planning Commission

Application Number: 241320

Applicant: Anton-Thurber LLC
Owner: Parise Pak
APN: 025-351-19
Site Address: no situs

Agenda Date: September 24, 2025
Agenda Item #: 8
Time: After 9:30 a.m.

Project Description: Proposal to construct a 100% affordable rental housing development. Project consists of construction of five individual structures with heights ranging from 38 feet to 69 feet containing 175 residential units (including two manager units) and service amenities (eg. fitness room, maintenance room, breakroom, management/resident services/leasing office, club room, and laundry room). Project includes construction of approximately 1,800 square feet of ground floor neighborhood commercial space at the corner of Soquel Drive and Thurber Lane, outdoor common area with tot lot, avoidance and potential restoration of riparian woodland, several parking areas containing a total of 257 parking spaces, drainage improvements, right-of-way improvements along Soquel Drive and Thurber Lane, removal of 13 trees, and installation of associated site improvements.

Location: Project located on the northeast corner of the intersection of Soquel Drive and Thurber Lane in the Soquel Planning Area.

Permits Required: Conditional Site Development Permit, Conditional Use Permit, Design Review, and Reduction in Development Standards under State Density Bonus Law (SDBL).

Supervisorial District: First District (District Supervisor: Manu Koenig)

Staff Recommendation:

- Determine that the proposal is exempt from further environmental review under the California Environmental Quality Act.
- Approval of Application 241320, based on the attached findings and conditions.

Project Description & Setting

The subject property is located on the northeast corner of the intersections of Soquel Drive and Thurber Lane in the Soquel Planning Area. The project site is a vacant parcel of approximately 6.26 gross acres in size containing a riparian corridor through the site from the north to the south that bisects the parcel into two developable areas on the west and east side. The parcel has a split zoning of C-2 (Community Commercial) and RF (Residential Flexible) which is consistent with the parcels split General Plan Land Use Designations of C-C (Community Commercial) and R-UHF (Urban High Density Flexible Residential). The southern 1/3 of the parcel contains the commercial zoning and land use designation.

The project site has been used for a host of temporary uses over the years, including seasonal Christmas tree and pumpkin sales and is identified in the 2023 Housing Element (Appendix HE-E-Table 5) Housing Site Inventory list as an opportunity site, zoned appropriately by the Sustainability Policy and Regulatory Update (Sustainability Update) in 2022, and intended to provide a high number of affordable residential units.

The surrounding pattern of development consists of a mix of institutional, medical, commercial and residential development. Most notably, Dominican Hospital is located approximately 1,500 feet to the west of the project site and surrounded by a wide variety of medical services. Additionally, Sutter Health and Surgery Center is located across Soquel Drive from the project site. South of the Sutter facility, at the south end of Chanticleer Avenue, is a recently constructed pedestrian bridge connecting the north side of Highway 1 with other critical facilities, including the Sheriff's Department on the south side of Highway 1. Areas to the north and northwest of the project site consist of single family and multifamily residential development; and the project site is bordered by 3.5 acres of open space (Winkle County Park) to the northeast. Lastly, the project site is on the eastern edge of an existing commercial corridor.

The proposed project can be characterized by two defined areas of development. The majority of the proposed site work would occur on the west side of the riparian area, encompassing the corner of Soquel Drive and Thurber Lane. Construction would consist of four buildings ranging in height of 39 to 69 feet, 1,800 square feet of commercial space, communal amenities, playground, surface and tuck-under parking spaces, and associated site improvements. Development of the west side of the subject parcel would require site grading and removal of three trees.

Proposed work on the east side of the riparian area would consist of one building approximately 67 feet in height, surface and tuck-under parking spaces, picnic area, dog run and pedestrian path connecting Soquel Drive and Winkle Park to the northeast of the project site. Development of the east side of the subject parcel would require site grading and removal of 10 trees.

The project, as a whole, would provide 257 parking spaces, in conformance with the parking allocation prescribed in Santa Cruz County Code (SCCC) 17.12 and consistent with State Density Bonus provisions. Parking consists of a combination of ADA compliant spaces, EV charging and EV ready, tuck under and tandem tenant spaces and six parking spaces reserved for the commercial component of the project. Additionally, the project would provide bicycle parking commiserate with SCCC including 208 enclosed stalls and 16 outdoor racks.

The project requires a Conditional Site and Use Permit, Design Review, Preliminary Grading review, and granting of waivers and incentives pursuant to SDBL.

State Bill (SB) 330 Vesting

In October 2019, Governor Newsom signed into law the Housing Crisis Act of 2019 (SB 330), which established a statewide housing emergency and added new regulations focused on the production and preservation of housing.

The Housing Crisis Act provides an optional vesting opportunity for housing development projects, which would freeze the policies, standards, and fees in effect when a preliminary

application is submitted. Under SB 330, housing development projects are subject only to the ordinances, policies, and standards in effect when the SB 330 Preliminary Application is submitted, including development impact fees, capacity or connection fees or charges, permit or processing fees, and any other required payments. Thus, on August 20, 2024, an SB 330 preapplication was submitted and the requisite fees paid, effectively vesting applicable fees and development standards as described above.

Transportation and Roadside Improvements

The project site is a corner lot with principal frontage along Soquel Drive and Thurber Lane. Several existing curb cuts along these frontages are proposed to be abandoned and three new access drives are proposed to be constructed. The primary entrance to the west side of the proposed development would be located at the north end of Thurber Lane with a secondary (right turn in/ right turn out) point of ingress/egress on the southwest corner of the project site on Soquel Drive. The east side of the project site would be accessed by a single driveway located on Soquel Drive, slightly east of the intersection of Soquel Drive and Chanticleer Avenue to the south.

In order to accommodate the construction of the proposed roadway/roadside improvements and new driveway at the southwest corner of the project site, an existing bus stop would be relocated to the west (across Thurber Lane) approximately 150 feet from its current location. The new location is supported by Santa Cruz Metro because the new location would reduce queueing at the intersection. The applicant would be responsible for contributing their fair share of the cost for design and relocation of the bus stop. Prior to issuance of a building permit for the proposed development, specifically Building B, located at the corner of Soquel Drive and Thurber Lane, a right-of-way vacation would be required in coordination with County Real Property Division.

The project proposes to construct 173 residential units with 1,800 square feet of commercial space. A preliminary transportation analysis prepared by Hexagon Transportation Consultants, Inc., dated January 22, 2025, was provided for the proposed project which concluded that the project would result in an increase in an estimated 221 daily trips generated by the east side of the proposed project (Building C) with 23 trips occurring in the AM peak hour and 21 trips occurring in the peak PM hour. The west side of the proposed project (Buildings A, B, D, & E) would generate an estimated 747 daily trips with 72 trips in the peak AM hour and 74 trips in the peak PM Hour. Overall, the project would generate an estimated 968 daily trips, with 95 trips in the Peak AM and peak PM hours.

In order to offset potential impacts resulting from vehicle trips, the project is required to pay Transportation Improvement Area (TIA) fees based on the number of units proposed. Additionally, the project has been conditioned to require-a fair share contribution (9%) of the cost for signalizing the intersection of Soquel Drive and Chanticleer Avenue.

Vehicle Miles Traveled (VMT)

The transportation analysis determined that the proposed development meets the County of Santa Cruz's VMT screening criteria and is exempt from further detailed VMT analysis. The residential component qualifies as 100% affordable housing, which typically reduces VMT due to increased reliance on public transit and proximity to job centers. The commercial space is designated for local neighborhood use, minimizing longer vehicle trips and supporting local convenience. As both

components satisfy the County's criteria, the project is expected to have a less-than-significant impact with respect to VMT.

Drainage Improvements

A preliminary Stormwater Management Plan and watershed map have been prepared for the proposed development and submitted to the Public Works Stormwater Management Section of the Community Development and Infrastructure Department (CDI) for review. The project results in approximately 144,000 square feet of impervious area. The increase in impervious area is offset through the construction of a new stormwater management system consisting of six underground storage facilities (five located on the west side of the property, one on the east side of the project site). These detention basins are located under the proposed driveways and adjacent surface parking and landscape strips. Stormwater would be conveyed to the detention basins via new storm drain inlets. Stormwater would be slowly released at the predevelopment run off rate through bioretention areas before conveyance through dissipaters located adjacent to, and outside of, the riparian corridor, which is relatively central to the project site. Upon entering the riparian corridor, stormwater would flow south through the existing drainage channel before leaving the project side via an existing storm drain, which runs under Soquel Drive to the south. As proposed and conditioned, the project complies with the County Design Criteria and meets the requirements of Public Works.

Biotic Resources

A biotic report was prepared by Biotic Resources Group, dated August 13, 2024, to evaluate potential impacts of the proposed development on the riparian corridor that bisects the subject property. The biotic report was reviewed by County staff and conditionally accepted on January 7, 2025. The findings of the report determined that no impacts to biotic resources would result from the project. Conditions contained in both the Sustainability Update Environmental Impact Report (EIR), Biotic Report and Acceptance letter have been incorporated into the project to ensure potential impacts to the riparian corridor are avoided and minimized to the greatest extent practicable. As proposed, the project would result in the removal of 13 trees, five of which are oak trees located outside of the riparian corridor. Tree removal has been conditioned to ensure a replacement ratio of 5:1. The project is also conditioned to require a preconstruction meeting, including Environmental Planning Staff, prior to any site disturbance. This condition ensures the grading and general contractor are adhering to the accepted protection measures of the accepted biotic report. Furthermore, the project is conditioned to complete restoration of the existing degraded riparian area by removal of invasive/non-native vegetation and planting of native species at the building permit stage. Final review and acceptance of replacement species and riparian restoration shall be completed prior to final inspection of the project.

State Density Bonus Law (SDBL) Incentives/Concessions/Waivers

SDBL (Government Code Sections 65915-65918) offers incentives to developers to encourage them to provide affordable housing units within residential developments. In order to comply with state density bonus law, the County adopted SCCC Chapter 17.12. Depending on how many affordable units are provided and the level of affordability of those units, the applicant may obtain approval for projects that exceed the otherwise allowable density on a site by anywhere from 5%

to 100%, and in limited situations, 100% affordable housing projects may apply for an unlimited density bonus.

A project's "base" units are calculated by multiplying the maximum density allowed on the site by the County's General Plan or Zoning (whichever is higher) by the site's gross acreage (6.26 acres x 45 = 282 units). Once the number of base units are determined, the number of bonus units is calculated based on the number and type of affordable units or other contributions (i.e., land donation, childcare facility) offered by the project applicant. This calculation is based on formulas contained in state law, and in limited cases, in County Code, where that is more generous than state law, as noted below. (See Gov. Code § 65915[f].)

The proposed project qualifies as a Housing Development under Government Code Section 65915(i), which defines a project as being five (5) or more units. The proposed project does not include a request for additional residential density (e.g., any bonus units) under the provisions of State law; however, consistent with Government Code section 65915(b)(1)(G), the Applicant proposes 100% of the total units for lower income households, exclusive of two managers units. The project is therefore eligible for an unlimited number of waivers and five incentives or concessions pursuant to SDBL.

As referenced in County Code Section 17.12.050, SDBL allows applicants to request waivers of any development standards that have the effect of physically precluding the construction of a housing development. The Applicant is requesting several waivers for this project, which are outlined below.

It is noted that the project site is constrained due to the presence of a stream channel and riparian corridor that is required to be protected as part of the proposed project, thus eliminating development on approximately 2 acres of the project site. In order to preserve these resources and maximize the housing yield envisioned by the County's adopted Housing Element, the proposed project requests the following waivers:

1) Reduction of minimum density standard from 34 to 28 dwelling units (du)/acre. A reduction to the required provision of 75% of the minimum density prescribed in General Plan Policy HE-1.3;
2) Increase in permitted building height from 40 to 69 feet (SCCC 13.10.323-2, 13.10.333-1);
3) Increase in permitted number of stories from 3 to 4-5 (SCCC 13.10.323-2, 13.10.333-1);
4) Reduction in minimum front yard setback from 10 to 6.5 feet (Soquel Drive) (SCCC 13.10.333-1);
5) Reduction to minimum street side setback from 8 to 2.6 feet (Thurber Lane) (SCCC 13.10.323-1, 13.10.333);
6) Waiver of third story inset/stepbacks requirement (SCCC 13.10.323-2, 13.10.333);
7) Increase allowed percentage of residential floor area from 80% to 98.2% (SCCC 13.10.332.1);
8) Decrease commercial frontage from 50% to 19% on Thurber Lane 50% and 46.2% on Soquel Drive (SCCC 13.10.334(C));

9) Decrease minimum common usable open space from 15% to 5% or 12,759 square feet (SCCC 13.10.323-3);
10) Exception to allow tandem parking (SCCC 13.16.070);
11) Reduction of minimum parking lot shade coverage from 50% to 48% (SCCC 13.16.060);
12) Reduction of minimum parking lot trees from a minimum of one tree per 5 parking spaces (37.8 trees) by 10.8 trees, for a total of 27 trees provided (SCCC 13.16.050);
13) Reduction of minimum pathway width from 10 to 6 feet (SCCC 15.05.060);
14) Exception to driveway alignment on Soquel Drive: proposed driveway alignment is located east of Chanticleer Drive to avoid hazardous turning movement conflicts (County Design Criteria, part 6, section B.1); and
15) Elimination of requirement for planting of street trees along Thurber Lane and Soquel Drive due to conflicts with existing utility lines to remain in the landscape strip (County Design Criteria Figure ST-1b).

The proposed project also requests the following two incentives:

1) Revision of street section standard dimensions along 124± feet of the Soquel Drive frontage as follows: elimination of landscape strip and construction of a 6.5-foot attached sidewalk at riparian crossing to protect existing riparian area (SCCC 16.32.090); and
2) Modify requirement for restoration of existing degraded habitats, including potential salvage/transplanting of oak trees to potential partial restoration of riparian corridor, including no transplantation of oak trees and reduction of replanting ratio from 10:1 for trees larger than 24 inches diameter at breast height (DBH) to replanting all removed oaks at a 5:1 ratio. (Biotic Acceptance letter).

The applicant is proposing the above waivers and requesting the above incentives pursuant to SDBL. The County is required to grant the concessions and/or waivers if they meet the requirements contained in the SDBL. Staff has not identified any findings available in the SDBL that would allow the County to deny any of the requested waivers/concessions. Therefore, the granting of the waivers and exceptions is recommended as outlined in the attached Density Bonus Findings (Exhibit B).

Zoning & General Plan Consistency

The subject property is a 6.26-acre parcel square foot lot, located in the RF (Residential Flex) zone district and the C-2 zone district, designations that allow mixed use. The proposed development is an allowed use within the zone districts, and the zoning is consistent with the site's C-C, R-UHF (Community Commercial, Urban High Flex Residential Density) General Plan designations.

The project is also consistent with several development and housing policies in the General Plan Built Environment Element and Housing Element. The project was identified as a key opportunity site in the Housing Element Sites Inventory, and is critical to assisting in meeting the County's lower income unit allocation in the Regional Housing Needs Allocation.

As indicated, the project does not seek increased density pursuant to SDBL; rather, the project is utilizing density bonus waivers and incentives for relief from several applicable development standards. An eligible housing development project is considered consistent with the General Plan and Zoning, regardless of any granted waivers or concessions.

The proposed residential and commercial use are consistent with the use and density requirements specified for the C-C (Community Commercial) and R-UHF (Urban High Density Flexible Residential) land use designations in the County General Plan. Density Bonus provisions of State Law are incorporated into the General Plan and implemented in SCCC Chapter 17.12.

Design Review

The proposed housing development complies with the requirements of the County Design Review Ordinance, in that the proposed project has incorporated site and architectural design features such comprehensive site landscaping, preservation of riparian/open space, use of natural finish colors, articulation in building façade, parking, which is screened from view, and parking lot design that incorporates trees throughout, and installation of roadside/roadway improvements to enhance pedestrian oriented experience connectivity to an existing commercial corridor and to facilitate multi modal transportation. The project includes construction of a new pedestrian path to an existing County Park (Winkle Park) located to the northeast of the project site. This new connection serves as a means of providing access to open space for future and existing residents.

The project, as discussed above, seeks to incorporate several waivers/incentives for relief from certain site and development standards. The granting of the waivers/incentives would result in compliance with certain design elements for which the project would otherwise be in conflict.

Public Outreach/Public Comment

Pursuant to SCCC 18.10.222, a neighborhood meeting was conducted on April 29, 2024, to provide information about the current proposed development to neighbors in the vicinity of the project. A summary of the meeting along with the materials distributed at the meeting are contained within Exhibit I

During the meeting, members of the public raised concerns about the overall height of the proposed development, concerns about traffic and circulation and parking, expressed a desire for a commercial component to be incorporated into the proposed design, and expressed a desire for preservation of the riparian corridor and or retention of the parcel as open space.

The current project design is reflective of feedback and input from the April 29, 2024, neighborhood meeting as well as review by County staff for compliance with applicable Codes and Policies. In response to input from the community specifically, the overall height of the proposed development was reduced from five stories to four stories along Thurber Lane, further stepping the buildings down closer to adjacent neighboring parcels to the north, and approximately 1,800 square feet of commercial space has been incorporated into the design of Building B located at the corner of Soquel Drive and Thurber Lane. Additionally, the project would encourage use of alternate modes of transportation and reductions to potential traffic impacts through contributions to roadway and roadside improvements such as funding for relocation/design of a bus stop, and enhancements to streetscape and pedestrian circulation in and around the project site (including

construction of the trail on the east side of the riparian area, which is open to the public as well).

Environmental Review

On December 13, 2022, the Santa Cruz County Board of Supervisors adopted the Sustainability Update after certifying an EIR prepared for the Update. The Sustainability Update was a comprehensive update to the County's General Plan/Local Coastal Program (LCP) and consists of amendments to the County's existing General Plan/LCP, including four updated General Plan elements, amendments to sections of the Santa Cruz County Code (SCCC), adoption of County Design Guidelines, and land use and/or zoning map amendments to implement map corrections and identify opportunity sites and vacant and underutilized properties.

Pursuant to Public Resources Code section 21083.3, certain (or potentially all) aspects of a development project that are consistent with a General Plan for which an EIR was certified may be exempt from additional California Environmental Quality Act (CEQA) analyses of issues that were adequately covered in the Sustainability Update EIR.

As detailed in the Environmental Checklist (on file with CDI-Planning), it has been determined that the County's Sustainability Update EIR has adequately addressed potential impacts resulting from the proposed development of the project site including site specific impacts such that the project would result in a less-than-significant environmental impact. No further environmental analysis is required.

Conclusion

The proposed housing development would provide additional affordable and workforce housing opportunities within the county. In particular, the proposed project is within about half mile or less from many existing employment opportunities at local health care facilities, in support of the medical mixed-use envisioned by General Plan Policy BE-3.2.3, and is also within about a mile of multiple employment opportunities at local schools and retail. Employers in both the education and health care sectors have repeatedly expressed the need for more affordable housing for their workforce, which the proposed project can help meet. This proposal is therefore consistent with the following goal of the County Strategic Plan:

> Local Inventory (Increase and diversify housing options though smart growth programs, adaptive reuse and innovation).

Given the existence and required preservation of the approximately two acres of riparian corridor bisecting the project site, the increased height, reduced setbacks, and reductions in the size of the commercial space are appropriate to cluster the housing on portions of the site outside of the riparian area.

Furthermore, the project is an eligible housing project, proposing a 100% affordable, deed restricted, housing development, and pursuant to SDBL the granting of waivers and incentives is consistent with the General Plan and Zoning Ordinance. The project is therefore eligible for unlimited waivers and five incentives or concessions, of which the applicant has requested only two. Staff has not identified any factual findings that would allow the County to deny any of the requested waivers or concessions. Thus, the County must grant the proposed waivers and

concessions, or bear the burden of proof in court of defending its reasons for denying them, as noted in the SDBL.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Determine that the proposal is exempt from further environmental review under the California Environmental Quality Act.

- **APPROVAL** of Application Number **241320,** based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County CDI-Planning Division, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan/LCP, as well as hearing agendas and additional information are available online at: www.sccoplanning.com

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Report Reviewed By: Sheila McDaniel

Sheila McDaniel
Principal Planner
Development Review
Santa Cruz County CDI-Planning

Exhibits

A. Statutory Exemption (CEQA determination)
B. Findings
C. Conditions
D. Project plans
E. Assessor's, Location, Zoning and General Plan Maps
F. Parcel information
G. Will-serve letters
H. Report review letters
I. Comments & Correspondence

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County CDI-Planning Division has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 241320
Assessor Parcel Number: 025-351-19
Project Location: Property located on the northeast corner of the intersection of Soquel Drive and Thurber Lane in the Live Oak Planning Area (no situs).

Project Description: Proposal to construct a 100 percent affordable rental housing development. Project consists of construction of five individual structures with heights ranging from 38 feet to 69 feet containing 173 residential units and service amenities (e.g. fitness room, maintenance room, breakroom, management/resident services/leasing office, club room, and laundry room). Project includes construction of approximately 1,800 square feet of ground floor neighborhood commercial space at the corner of Soquel Drive and Thurber Lane, outdoor common area with tot lot, avoidance and potential restoration of riparian woodland, several parking areas containing a total of 257 parking spaces, drainage improvements, right of way improvements along Soquel Drive and Thurber Lane, removal of 13 trees, and installation of associated site improvements.

Person or Agency Proposing Project: Anton-Thurber LLC, attn Trisha Malone

Contact Email: tmalone@antondev.com

A. _____ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. _____ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. _____ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. __X__ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
E. ____ **Categorical Exemption**

F. Reasons why the project is exempt:

The County's Sustainability Policy and Regulatory Update (comprehensive update to the County's General Plan/Local Coastal Program [LCP]) EIR has adequately addressed potential environmental impacts associated with the development of the project site. Site-specific impacts have been analyzed and determined to be less than significant due to substantial mitigation resulting from General Plan/LCP policies, zoning regulations and/or development standards that are uniformly applied to development projects throughout the County. Pursuant to Public Resources Code section

21083.3 and State CEQA Guidelines section 15183, no further environmental analysis is required. See Environmental Checklist for supportive analysis on file with the Department.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Nathan MacBeth Date: 09/24/25
Nathan MacBeth, Project Planner

Discretionary Permit Findings

(a) Health and Safety. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for mixed use. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity. A geotechnical report has been prepared by Cornerstone Earth Group dated August 14, 2024, for the project and submitted to the County for review. On October 7, 2024, County staff accepted the geotechnical report, which determined that the project site is not encumbered by physical constraints for development. Additionally, the proposed roadway and roadside improvements would enhance the existing streetscape to ensure a safe multi-modal circulation pattern surrounding the project site.

(b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the housing development (including commercial space) and the conditions under which it would be operated or maintained will in substantial conformance with all pertinent County ordinances and the purpose of the RF (Residential Flex) and C-2 (Neighborhood Commercial) zone districts as the primary use of the property will be one housing development (including commercial space) that meets all current site standards for the zone district with exception to the variation to site and development standards for which waivers/incentives pursuant to State Density Bonus Law can be supported.

(c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made, in that the proposed mixed use is in substantial conformance with the use and density requirements specified for the C-C, R-UHF (Community Commercial, Urban High Flex Residential Density) land use designation in the County General Plan.

Development below 75% of the minimum density is appropriate due to the unique site constraints of 2.5 acres of riparian that bisects the project site. The project has been designed to avoid potential impacts and disturbance within the riparian corridor thereby condensing the allowed density to within the five residential structures.

The project is also consistent with several development and housing policies in the General Plan Built Environment Element and Housing Element. The project was identified as a key opportunity site in the Housing Element Sites Inventory, and is critical to assisting in meeting the County's lower income unit allocation in the Regional Housing Needs Allocation.

A specific plan has not been adopted for this portion of the County.

(d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this project.

(e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed housing development will add 173 residential units on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to result in an estimated 221 daily trips generated by the east side (Building C) with 23 trips occurring in the AM peak hour and 21 trips occurring in the peak PM hour. The west side of the proposed project (Buildings A, B, D, & E) would generate an estimated 747 daily trips with 72 trips in the peak AM hour and 74 trips in the peak PM hour. Overall, the project would generate an estimated 968 daily trips, with 95 trips in the peak AM and peak PM hours. In order to offset potential impacts resulting from vehicle trips, the project is required to pay Transportation Improvement Area (TIA) fees based on the number of units proposed. Additionally, the project has been conditioned to require a fair share contribution (9%) of the cost for signalizing the intersection of Soquel Drive and Chanticleer Avenue.

The proposed project includes roadway and roadside improvements, such as installation of new 6-foot-wide separated sidewalk along the entire property fronting Thurber Lane, including a new bike lane, replacement and expansion of existing sidewalk at the corner of Soquel Drive, including new curb ramp, new bike lane striping along Soquel Drive, new crosswalk at the intersection of Soquel Drive and Chanticleer Avenue, payment of TIA fees and fair share contributions to relocation and design of an existing bus stop and future signalization of the intersection of Soquel Drive and Chanticleer Avenue in order to address potential impacts as a result of the traffic generated by the proposed development. Therefore, the expected level of traffic will not adversely impact existing roads or intersections in the surrounding area. In addition, all construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy.

(f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed development is consistent with the land use intensity and density of the neighborhood as designated by the General Plan and implementing ordinances.

The project would result in a density that is consistent with the density range prescribed in the General Plan. In order to accommodate the prescribed density, several waivers and incentives are sought pursuant to State Density Bonus Law. Given the existence and required preservation of the approximately 2-acres of riparian corridor bisecting the project site, increased height, reduced setbacks, and reductions in the size of the commercial space are appropriate. The proposed project proposes pedestrian connectivity from Soquel Drive to Winkle Park located to the northeast. The project as a whole incorporates expansion of a multi-modal transportation opportunity in that the project incorporates bicycle pedestrian and vehicular roadside/roadway improvements, pedestrian connectivity to Winkle Park, and improved access to public transit.

(g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding is not required, in that the project site is not located within the coastal zone.

Site Development Permit Findings

(a) Siting and Neighborhood Context. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed housing development is designed and located on the site in a manner that will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood. Pursuant to State Density Bonus Law (SDBL), waivers and incentives to site and development standards, including increased height, reduced setbacks, reduction in third story insets/setbacks, reduction in tree planting, including replacement ratios, increased in ratio of residential to commercial space, and decreased commercial frontage have been determined to be appropriate. The project is an eligible housing project pursuant to SDBL and the granting of waivers and incentives is consistent with the General Plan and Zoning Ordinance.

(b) Design. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made, in that the proposed housing development is in substantial conformance with the requirements of the County Design Review Ordinance. The granting of waivers and incentives pursuant to SDBL, for relief from certain site and development standards such as increased height and reduced setbacks does not render the project inconsistent with the General Plan or County Code. Therefore, pursuant to SDBL, the proposed project would not be inconsistent with the County Desing Review ordinance or County Design Guidelines.

Residential Density Bonus Findings

1) The housing development is eligible for the density bonus and any incentives, concessions, parking reductions or waivers requested.

This finding can be made, in that the project proposes to construct a 100% affordable (deed restricted) housing development. The project is therefore eligible for unlimited waivers and up to five incentives based on the current SDBL. The project includes a request for 15 waivers and two incentives.

2) Any requested incentive or concession will result in identifiable and actual cost reductions.

This finding can be made, in that the requested incentives to revise the sidewalk design along 124 feet +/- of Soquel Drive and reduction to the number of replacement trees would result in a cost reduction to the project. Local agencies are precluded from requiring density bonus applicants to submit pro formas or other documentation to prove that requested incentives are necessary to make the housing development financially feasible.

3) If the density bonus is based all or in part on donation of land, a finding that all the requirements included in SCCC 17.12.070 have been met.

This finding does not apply to this project, which did not apply for a density bonus based on donation of land offsite for the development of at least 40 affordable units.

4) If the density bonus or incentive is based all or in part on the inclusion of a childcare facility, a finding that all the requirements included in SCCC 17.12.080 have been met.

This finding is not applicable in that the requested incentives are not based on the inclusion of a childcare facility.

5) If the density bonus or incentive is based all or in part on the inclusion of affordable units as part of a condominium conversion, a finding that all the requirements included in Government Code Section 65915.5 have been met.

This finding is not applicable in that the requested incentives are not based on the inclusion of affordable units within a condominium conversion project.

6) If an incentive includes mixed-use development, a finding that nonresidential land uses will reduce the cost of the housing development and that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area.

This finding is not applicable because the portion of the site where the commercial space will be built is already zoned for commercial use (C-2), therefore no incentive was required to allow this commercial use within the project. In fact, a commercial use is required to be included within the project for consistency with the C-2 zoning.

7) If a waiver is requested, a finding that the development standards for which the waiver is requested would have the effect of physically precluding the construction of the housing development with the density bonus and incentives and concessions permitted.

This finding can be made, in that several waivers are being requested which are provided below:

a) Reduction of minimum density standard from 34 to 28 dwelling units (du)/acre. A reduction to the required provision of 75% of the minimum density prescribed in General Plan Policy HE-1.3;

b) Increase in permitted building height from 40 to 69 feet (SCCC 13.10.323-2, 13.10.333-1);

c) Increase in permitted number of stories from 3 to 4-5 (SCCC 13.10.323-2, 13.10.333-1);

d) Reduction in minimum front yard setback from 10 to 6.5 feet (Soquel Drive) (SCCC 13.10.333-1);

e) Reduction to minimum street side setback from 8 to 2.6 feet (Thurber Lane) (SCCC 13.10.323-1, 13.10.333);

f) Waiver of third story inset/stepbacks requirement (SCCC 13.10.323-2, 13.10.333);

g) Increase allowed percentage of residential use from 80 to 98.2% (SCCC 13.10.332.1);

h) Decrease commercial frontage from 50% to 19.4% on Thurber Lane 50% and 46.2% on Soquel Drive (SCCC 13.10.334(C));

i) Decrease minimum common usable open space from 15% to 5% or 12,759 square feet (SCCC 13.10.323-3);

j) Exception to allow tandem parking (SCCC 13.16.070);

k) Reduction of minimum parking lot shade coverage from 50% to 48% (SCCC 13.16.060);

l) Reduction of minimum parking lot trees of a minimum of one tree per 5 parking spaces (37.8 trees) by 10.8 trees for a total of 27 trees (SCCC 13.16.050);

m) Reduction of minimum pathway width from 10 to 6 feet (SCCC 15.05.060);

n) Exception to driveway alignment on Soquel Drive-proposed driveway alignment is located east of Chanticleer Drive to avoid hazardous turning movement conflicts (County Design Criteria, part 6, section B.1); and

o) Elimination of requirement for planting of street trees along Thurber Lane and Soquel Drive due to conflicts with existing utility lines to remain in the landscape strip (County Design Criteria Figure ST-1b).

In order to allow the project at its proposed size of 173 multifamily affordable rental units (including 2 manager units), these waivers are required. Granting these waivers is appropriate given that the parcel is constrained due to the existence of approximately two acres of riparian corridor bisecting the project site, effectively reducing the potential to distribute the proposed number of units and necessary site improvements such as access, parking, and open space. Additionally, the residential units would contain bedrooms of a typical size as is required by the

project's funding sources, and the proposed waivers are reasonable given the constraints of the site. Further, state law prohibits a jurisdiction from applying development standards that would preclude the proposed housing units, unless there are health and safety concerns that can otherwise be mitigated, there is an impact to an historic resource, or the waiver would be inconsistent with state law.

Conditions of Approval

Exhibit D: Project plans consisting of 53 plan sheets;
Architectural Plans prepared by ADC, revised 05/28/25;
Landscape Plans prepared by Fuhrman Leamy Land Group, revised 05/28/25;
Photometric Plan prepared by Candela Engineering, dated 05/27/25;
Civil Plans prepared by BKF Engineers, revised 05/28/25

I. This permit authorizes the construction of a 100% affordable housing development, including two non-restricted manager's units, and associated site improvements as indicated on the approved Exhibit "D" for this permit, based on vesting rights dated January 7, 2025. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

A. Sign, date, and return to Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.

B. Obtain a Building Permit from the Santa Cruz County Building Official.

1. Any outstanding balance due to Santa Cruz County Planning must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

C. Obtain a Grading Permit from the Santa Cruz County Building Official.

1. A separate winter grading approval must be applied for and obtained if grading is proposed between October 15 and April 15.

2. Grading shall include recommended soil remediation prior to grading activities as outlined in the Anton Solana Phase I/II Environmental Site Assessment dated April 25, 2024

D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Fees shall be paid prior to obtaining a building permit, however, if fees are deferred pursuant to Government Code Section 66007(d)(3), the applicant/owner shall enter into a fee deferral agreement with the County, which shall be recorded.

B. Submit final architectural plans for review and approval by Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the

Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

1. A copy of the text of these conditions of approval, including the conditions of approval contained in the Biotic Acceptance letter dated January 7, 2025, shall be incorporated into the full size sheets of the architectural plan set.

2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant/owner shall supply a color and material sheet in 8 1/2" x 11" format for Santa Cruz County Planning review and approval.

3. Grading, drainage, and erosion control plans.

4. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height for each building is as follows: Building A: 58 feet, Building B: 62 feet, Building C: 68 feet, Building D: 40 feet, Building E: 70 feet. Minor adjustments to height required to comply with the California Building Code shall be allowed.

5. Details showing compliance with fire department requirements.

6. Details showing compliance with Accessibility (ADA) requirements.

7. Final plans shall include a lighting plan (consistent with the photometric plan sheet dated May 27, 2025 and meeting the following standards:

    a. All site, building, security, and landscape lighting shall be directed onto the site and away from adjacent properties, so as not to cause annoying glare or illumination. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.

    b. All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards shall not exceed a maximum height of 15 feet.

c. Area lighting shall be consistent with California Green Building Standards Code and California Energy Code for outdoor lighting requirements

C. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. At a minimum, with regards to Stormwater Management review, the following items shall be included with the building permit application:

1. Project Information: Provide an updated project information and threshold form consistent with the final plans as necessary.

2. Final Stormwater Management Plans/Civil Plans:

a. Adequate construction level details including construction scheduling and phasing and consistent with the County of Santa Cruz Design Criteria (CDC), the final stormwater report, architectural and landscape plans,

b. The plan/s shall clearly illustrate how stormwater runoff from all project areas will be conveyed and controlled (provide spot elevations, slopes, grade breaks, cross sections, roof plan, and other information as necessary) and how safe stormwater overflow has been incorporated into the project design,

c. Provide details for the drainage features (rock storage, flow control, biofiltration, roof drain connections, overflow, outfall, level spreaders, bubble up facilities, etc.).

d. Provide surfacing and drainage details for the proposed walking path.

e. The specifications for the rock storage areas shall include minimum void ratio (40%), rock size (at least 3/4”), and the requirement for washed, clean, angular rock, etc.

f. Provide dimensions for each rock storage and biofiltration facility along with critical elevations (finished surface, overflow elevation, top and bottom of rock storage, etc.).

g. Pervious pavement and biofiltration facilities shall include a requirement for surface infiltration testing prior to permit final. The plans shall specify test method and minimum acceptable rate.

h. Locations of gravel storage areas shall be located so that impermeable liners are not required to maximum extent feasible. The general note is insufficient. If there are areas where

liners are required those shall be specifically noted, otherwise the note for liners shall be removed.

i. The detail provided in Appendix C for the outlet control structure with orifice detail shall be updated so that the connection pipe is designed to allow constant release of the 10 year predevelopment release rate at the bottom of the detention storage elevation to be consistent with the detention storage spreadsheets from the CDC. In areas where there are impermeable liners, the perforated drain lines shall be located at the bottom of the gravel layer. The elevation of the weir overflow shall be at the top of the detention storage elevation.

j. Chemical treatment of site soils shall not be used unless BMPs are employed and water quality testing is documented to ensure discharge off site is avoided.

k. Storm drain markings no dumping drains to bay shall be included on the project plans.

l. New and replaced sidewalks within County right-of-way shall be graded to drain to landscaped areas (either on site or within the separated sidewalk landscape strip) that are constructed to meet the biofiltration treatment requirements from Part 3 Section D.3.b.iii, as feasible. Maintenance of these facilities shall be included in the SWM-25B.

3. Final signed and stamped Stormwater Management Report:

   a. Provide analysis consistent with final plans and demonstrating compliance with CDC requirements.

   b. Provide analysis for the self-mitigating areas demonstrating storage and infiltration of the 2 and 10 year storm volumes, or provide a cross section consistent with figure SWM-11 from the CDC.

4. Plans shall also be consistent with Geotechnical Investigation recommendations 6.10 and 6.11. Provide approval from the project geotechnical engineer approving of the final plans. The geotechnical engineer shall approve of the locations and provide design guidance for the proposed underground gravel storage areas, biofiltration facilities, and stormwater system outlets relative to proposed structures, slopes, etc.

5. The Zone 5 Flood Control and Water Conservation District (Zone 5) currently maintains the channel on the project site for flood control purposes. In order to continue this maintenance after the site is developed, the development shall provide vehicular/ maintenance access to Zone 5 via a dedicated easement. Please see the CDC Section E.2 for access easement

requirements. Please provide a 20 foot wide access easement at the proposed driveway on the north portion of the parcel with an access gate at the end with a County lock for 24-hour access. Please contact the review staff for sample language for easement dedication. Provide draft documents for review for the offer of dedication. The easement shall specifically limit Zone 5 liability for damage to any site improvements (pipes, outfalls, fences, etc.) constructed in, on or under the access and maintenance easement.

6. Recorded maintenance agreement(s) SWM 25B for stormwater management and mitigation facilities will be required. Include attachments showing: watershed map with locations unique IDs for of all stormwater facilities, detailed management activities, maintenance requirements, schedule, signs of system failure, and photo documentation (at least annual photos of each outfall and cleaned/intact flow control structure, additional photo documentation is recommended), annual infiltration test results (for biofiltration and pervious pavement areas), and responsible party for maintenance, reporting and for payment of an annual oversight fee for all facilities on the project site. The agreement shall include pollution prevention/source control activities including parking lot cleaning, pet waste collection, maintenance of no dumping signage, etc. Include a statement that no additional impervious or semi-impervious areas will be added on the project site without additional permits and mitigations. A draft agreement is required prior to building permit issuance. The final recorded agreement shall be submitted prior to occupancy of any/all portions of the development.

7. Since the parcel being developed receives existing runoff from an adjacent drainage area, the recordation of a drainage easement, maintenance agreement, deed restriction, or other document recorded on the parcel deed/s will be required. The recorded document shall acknowledge that the parcel does and will continue to receive upstream runoff, that the applicant/property owner is responsible for maintenance of the drainage pathway (natural and/or man-made) through the parcel, and that the County and Flood Control District(s) are not responsible for the upstream runoff or for maintenance of the drainage pathway. This may be combined in the SWM-25B.

8. Zone 5 impervious area impact fees will be assessed based on the net increase in permitted impervious areas. For credit for existing areas to be replaced please provide documentation demonstrating these areas were built with a permit or prior to 1969.

    a. DPW Construction Inspection staff will inspect the construction of the drainage related items. Provide an engineer's estimate for the construction of the drainage items and provide a 3% deposit for an "at-cost" inspection account. A preconstruction meeting is required prior to any site disturbance. Please

contact DPWCMInspection@santacruzcountyca.gov at least 72 hours prior to any site disturbance to schedule the meeting.

D. Meet all requirements of Santa Cruz Metro including payment of fair share contribution for the design and relocation of the existing westbound bus stop at the corner of Soquel Drive and Thurber Lane.

E. Meet all requirements of the Housing Division including:

1. Applicant/Property Owner shall enter into an Affordable Housing Regulatory Agreement in a form provided by the County Housing Division to set forth all required details for development and rental of the affordable units in the project, compliant with SCCC Chapters 17.12 and/or 17.10, as applicable, and the County financing provided to the project, if any. This Agreement shall be recorded against the project site prior to issuance of a Building Permit for the project. The agreement may contain additional requirements associated with the County funding source(s) used to provide County financing for the project.

2. If any funding sources require NEPA review and/or state or federal prevailing wage compliance, provide Housing staff with NEPA consultant and/or prevailing wage monitor contact information as early as possible, for coordination on the NEPA materials that need to be signed and/or published by the County.

F. Meet all requirements of the City of Santa Cruz Water District. Proof of water service availability is required prior to application for a Building Permit.

G. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.

1. The project sewer design and connection of the project to the Santa Cruz County Sanitation District system will be required to conform to the CDC Part 4, Sanitary Sewer Design, latest edition. https://cdi.santacruzcountyca.gov/Portals/35/CDI/PublicWorks/Transportation/2024DesignCriteria.pdf

2. Private sewer collectors serving more than 4 dwelling units shall terminate in a manhole at the public sewer main. Please show new manholes to be installed at all points of connection for new sanitary sewers. Manholes are required at all changes in direction (including end of line manholes) of the private sewer system.

3. Operations and Maintenance Manual conforming with Santa Cruz County Sanitation District Code 7.04.325 must be recorded and submitted.

H. Meet all requirements of the Environmental Planning section of Santa Cruz County

Planning.

1. All future building permit applications shall include a signed and stamped copy of the accepted soils report and update(s).

2. Building permit application plans and improvement plans shall reference the soils report and update(s), include contact information for the geotechnical engineer, and include a statement that the project shall conform to the recommendations of the geotechnical engineer.

3. Building permit application plans shall reference the biotic report and update(s), include contact information for the biologist of record and include a statement that the project shall conform to the recommendations and conditions of the biotic report acceptance letter dated January 7, 2025. With exception of a modification to the requirement for restoration of existing degraded habitats, including potential salvage/transplanting of oak trees to potential partial restoration of riparian corridor, including no transplantation of oak trees and reduction of replanting ratio from 10:1 for trees larger than 24 inches diameter at breast height (DBH) to replanting all removed oaks at a 5:1 ratio oak trees shall be replaced at a minimum of a 5:1 ratio.

    a. If required, obtain necessary environmental permits.

4. The improvement plans shall clearly show the boundaries of the riparian corridor and required setbacks.

5. Prior to finalization of the improvements, a split-rail fence along the riparian buffer shall be installed and inspected by the Resource Planner.

6. The applicant/property owner shall submit a stormwater pollution control plan with the improvement plans that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual.

7. A separate winter grading approval must be applied for and obtained if grading is proposed between October 15 and April 15.

8. Prior to issuance of a building permit, the applicant/property owner shall submit a signed and stamped Consultant Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website.

I. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

1. Plans shall meet the current California Codes and Central Fire District local amendments. All emergency access and available fire flow requirements shall be met.

J. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.

K. Meet all requirements of the Department of Public Works Road Engineering Division and pay the current fees for Roadside and Transportation improvements for 173 dwelling units and 1,800 square feet of commercial space. Additionally, the project shall be responsible for a fair share contribution toward the signalization of the intersection of Soquel Drive and Chanticleer Avenue (not subject to fee credit).

Currently the TIA fees total $769,800 ($726,600 for residential plus $43,200 for commercial) per the calculations below:

1. The TIA fee will be recalculated based on 173 units, at $4,200 per dwelling unit ($2,100 for the Roadside Improvement Fee and $2,100 for the Transportation Improvement Fee) per the Unified Fee Schedule for multi-family units in the Live Oak Planning Area, totaling $726,600.

2. The TIA fees for the commercial area will be calculated as 1,800 square feet of commercial space × 40 trips per 1,000 sq. ft. resulting in 72 trips multiplied by $600 per trip ($300 for the Roadside Improvement Fee and $300 for the Transportation Improvement Fee) per the Unified Fee Schedule for non-residential developments in the Live Oak Planning Area, totaling $43,200.

The project trips would represent 1.3% of the total cumulative traffic at the intersection of Soquel Drive and Chanticleer Avenue or 9% of the future traffic. The full cost of the signal is unknown at this time however, an estimate of $1.5 million for the signal is reasonable based on the County's Soquel Drive at Robertson Road signal project, which is nearing bid and expected to cost a similar amount. At 9%, the project's fair share would be approximately $135,000.

L. Pay the current Affordable Housing Impact Fee. The fees are based on new square footage and the current fee for non-residential construction is $3 per square foot. $1,800 square feet of commercial space at $3 per square feet, totaling $5,400.

M. Provide required off-street parking for 257 cars (minimum 231 spaces pursuant to SDBL). Standard parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan and parking associated with the commercial space shall be clearly identified.

N. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable

developer fees and other requirements lawfully imposed by the school district.

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

A. All site improvements shown on the final approved Building Permit plans shall be installed.

B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations of the approved soils reports.

D. A pre-construction nesting bird survey by a qualified biologist shall be conducted if tree removal and/or construction occur within the bird breeding season (March 1 – July 31) within one week before the scheduled start of the project. The nesting survey shall cover the entire property. In the event active nests are observed, the nest site shall be flagged, and a buffer shall be established to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. Active nests shall be monitored at a frequency determined by the monitoring biologist, but at a minimum of once per week, until the nestlings have fledged. In the event that construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), the buffers shall be enlarged or construction activities postponed, until the young have fledged, as determined by the qualified biologist

E. No earlier than two weeks prior to the anticipated start of construction activities, a bat specialist shall survey the trees in and immediately adjacent to the work areas for roosting bats. If present, implement recommendations of the bat specialist, which could include buffer zones and/or scheduling constraints, depending on whether maternity, bachelor, wintering or night roosts are identified.

F. All diesel-fueled off-road construction equipment greater than 75 horsepower shall be zero-emissions or equipped with California Air Resources Board (CARB) Tier 4 Final or Interim compliant engines. Alternatively, CARB Tier 2 or 3 compliant engines may be used if CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) filters are added to each piece of off-road diesel-fueled equipment.

G. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the applicant/owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

B. Master Use Permit: The following C-2 uses, where allowed in the Use Chart, shall be allowed within the 1,800 square feet of commercial space on the project site:

1. Retail-neighborhood, commercial services, household services, personal services, shopping centers, convenience stores, supermarkets, fast food and cafes with 12 seats or less
2. General Offices;
3. Medical offices

A change of use may be approved with a zoning clearance provided the new use is allowed in the zone district and applicable conditions of approval remain in effect for the new use.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.

D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: 09/24/25

Effective Date: 10/08/25

Expiration Date: 10/08/28

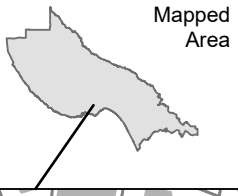
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

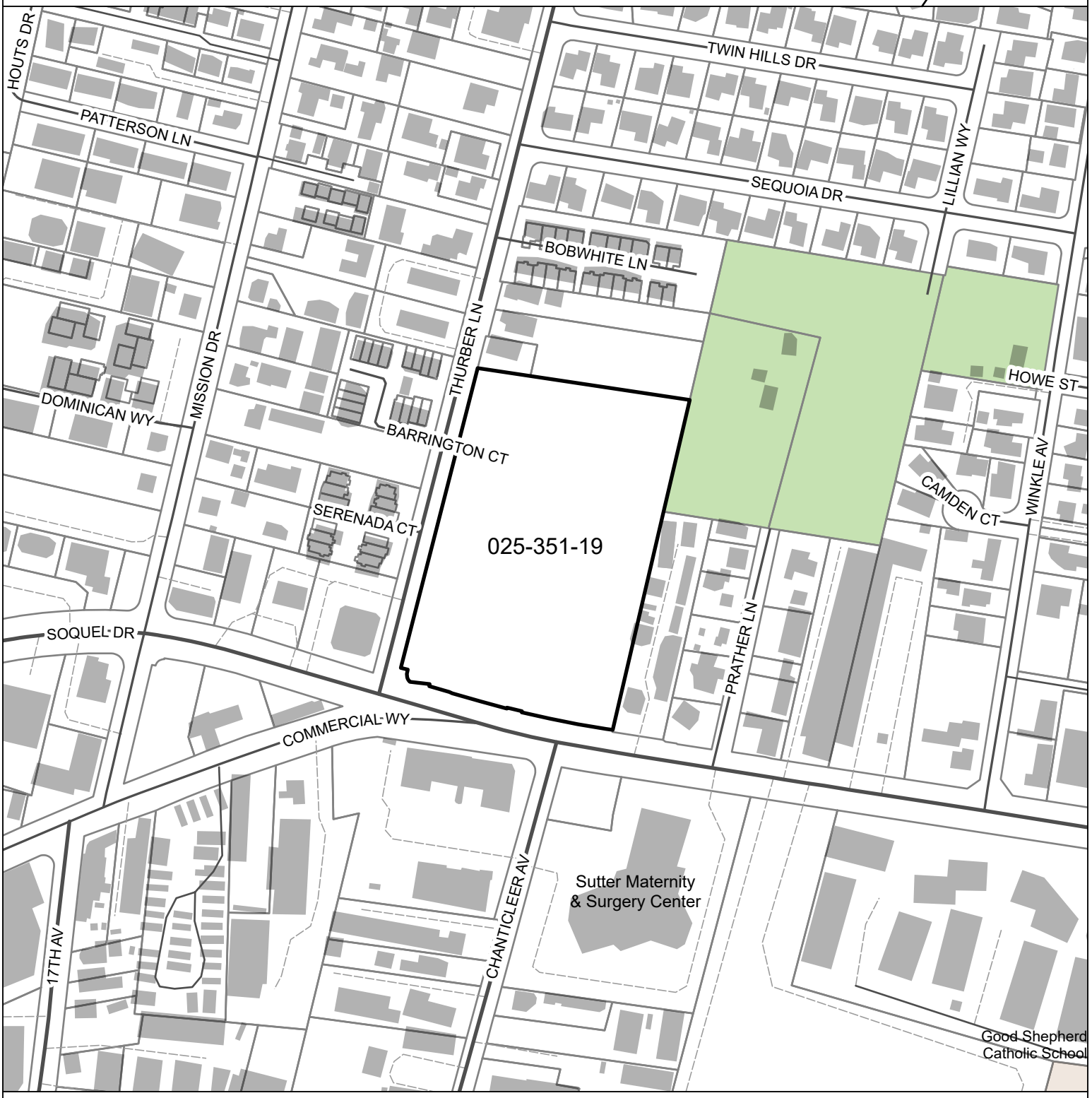
Santa Cruz County Prohousing Designation Application

Santa Cruz County Planning Department

APPENDIX 7

Parcel Location Map





Parcel: 02535119

☐ Subject Parcel

Map printed: 16 Sep. 2025

0 150 300

Feet

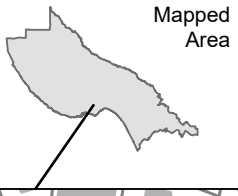
Exhibit E

Santa Cruz County Prohousing Designation Application

Santa Cruz County Planning Department

APPENDIX 7

Parcel General Plan Map





Subject Parcel

0 150 300

Feet

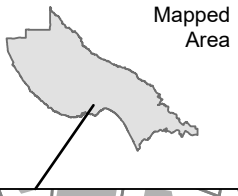
Exhibit E

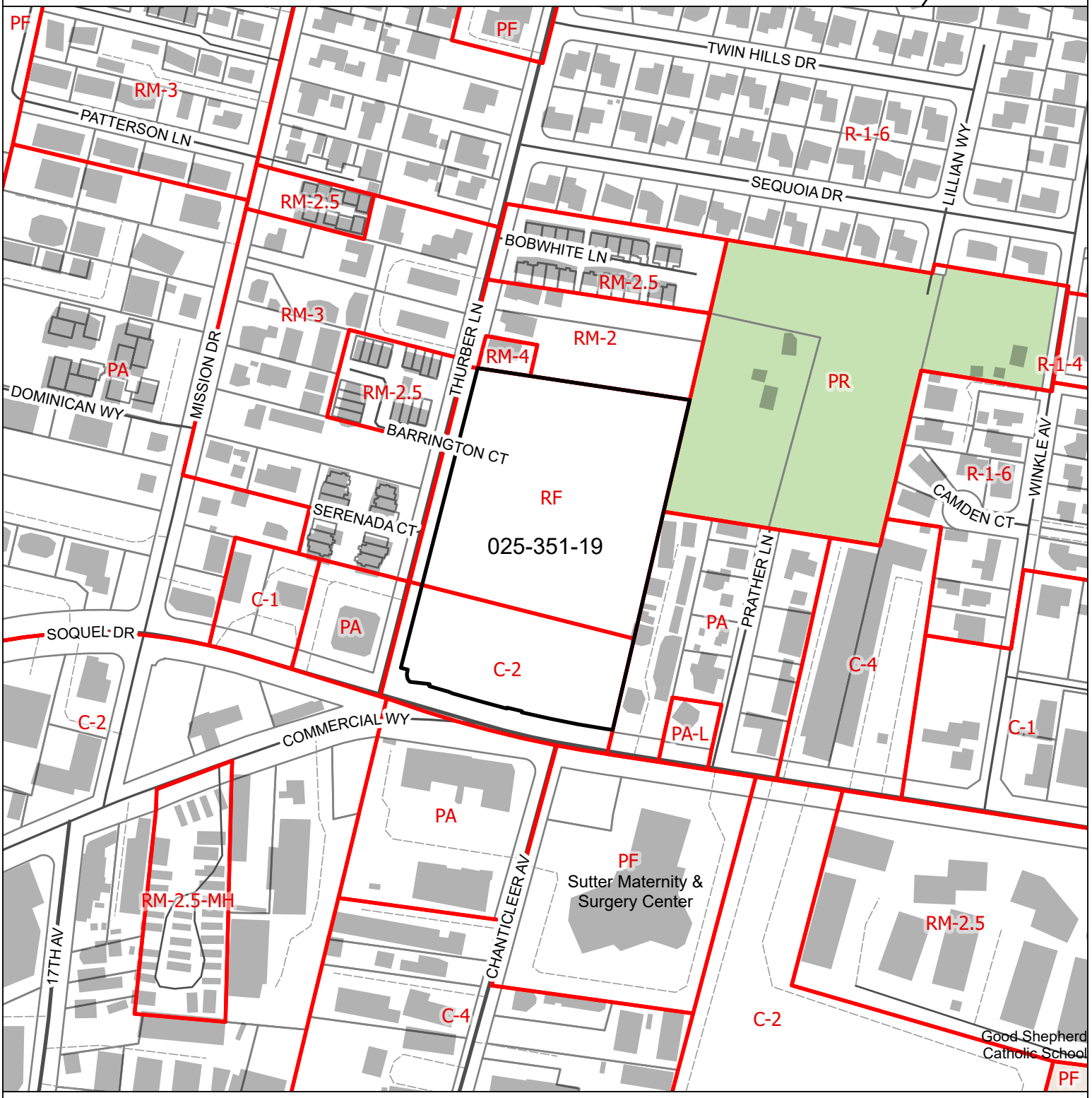
Santa Cruz County Prohousing Designation Application

Santa Cruz County Planning Department

APPENDIX 7

Parcel Zoning Map





Subject Parcel

0 150 300

Feet

Exhibit E

Parcel Information

Services Information

Urban/Rural Services Line:	_X_ Inside __ Outside
Water Supply:	Santa Cruz Water District
Sewage Disposal:	County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Flood Control District 5

Parcel Information

Parcel Size:	6.26 acres
Existing Land Use - Parcel:	Vacant Commercial – Residential
Existing Land Use - Surrounding:	Institutional – Commercial - Residential
Project Access:	Soquel Drive and Thurber Lane
Planning Area:	Soquel
Land Use Designation:	C-C, R-UHF (Community Commercial, Urban High Flex Residential Density)
Zone District:	RF (Residential Flex)
Coastal Zone:	__ Inside _X_ Outside
Appealable to Calif. Coastal Comm.	__ Yes _X_ No

Technical Reviews: Soils Report Review, Biotic Report Review

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	Relatively flat site
Env. Sen. Habitat:	Biotic resources on site
Grading:	Approximately 20,000 cubic yards of grading
Tree Removal:	13 trees proposed to be removed
Scenic:	Mapped resource
Archaeology:	Not mapped

Staff Report & Development Permit
Administrative Site Development Review

Application Number: **241385** APN: **029-043-13**
Applicant: **Swift Consulting Services** Owner: **Shaun Olson**
Site Address: **2100 Chanticleer Avenue, Santa Cruz**

Proposal & Location

Builder's Remedy - Proposal to demolish an existing single family dwelling and detached accessory structure and construct a two story eight-unit multifamily building with detached garage. Requires an Administrative Site Development Permit.

Project located on the northeast corner of the intersection of Chanticleer Ave and Mattison Lane in the Live Oak Planning area (2100 Chanticleer Ave).

Analysis

The subject property is approximately 12,300 square feet in size and zoned Single Family Residential - minimum 6,000 square foot parcel size (R-1-6) which is consistent with the General Plan Designation of Urban Low Residential Density (R-UL). The project site is relatively flat in topography and developed with an existing single family dwelling and detached accessory structure.

The surrounding pattern of development consists primarily of single family residential development on parcels of similar size. The project site is bordered by residential development to the north and east. Located on the corner of Chanticleer Avenue and Mattison Lane, the project has been designed with principal access off Mattison Lane, which is consistent with the County Design Criteria for requiring access (when applicable) from collector streets rather than arterial roads.

An Administrative Site Development Permit is required pursuant to County Code Section 13.11.037-1 because the project provides between 3-10 dwelling units.

SB 330 & Builder's Remedy

This application was submitted pursuant to Government Code Section 65589.5(d), referred to as the "Builder's Remedy." The proposed project qualifies as a Builder's Remedy project because a Senate Bill (SB) 330 Preliminary Application was submitted on April 23, 2024 when the County of Santa Cruz did not have a certified Housing Element.

The SB 330 Preliminary Application provides an optional vesting opportunity for housing development projects. Under SB 330, housing development projects are subject only to the

ordinances, policies, standards, and fees in effect when the SB 330 Preliminary Application is submitted, including development impact fees, capacity or connection fees or charges, permit or processing fees, and any other required payments. After a SB 330 Preliminary Application is filed, an Applicant has 180 days to submit a full discretionary permit application. The Applicant's full submittal was received on October 14, 2024, meeting the 180-day timeline requirement from the SB 330 vesting application submittal date of April 23, 2024 (173 days).

The Builder's Remedy is a provision of the Housing Accountability Act (HAA) that is applicable to qualifying housing development projects while the jurisdiction lacks a certified Housing Element. Pursuant to the HAA, a qualifying housing project shall provide 20 percent of units as affordable to lower-income households and be vested (through submission of an SB 330 preapplication) during the period before the County's Housing Element was certified on April 23, 2024. Although the County adopted its 2023 Housing Element in November 2023, the State Department of Housing and Community Development (HCD) did not certify the Housing Element until April 2024, leaving approximately four months when developers could qualify for the Builder's Remedy.

The HAA limits a local jurisdiction's ability to deny a housing project, except in very specific circumstances. These include:

1. The jurisdiction has met or exceeded its Regional Housing Needs Allocation (RHNA) for the proposed income categories in the development.

2. The housing development or emergency shelter would have a specific adverse impact on public health and safety.

3. The denial or condition is required to meet state or federal law, and there is no feasible method to comply without making the development unaffordable.

4. The project is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agriculture or resource preservation, or there are not adequate water or sewage facilities to serve the project.

5. The project is inconsistent with both the zoning ordinance and the land use designation as specified in the general plan element, and the jurisdiction has adopted a housing element in substantial compliance with State Law.

Under the Builder's Remedy, the "objective, quantifiable, written development standards" in effect at the time the preliminary application was submitted apply to the project. These objective standards relate to the site and development standards established by the Santa Cruz County Code and County public agency regulatory requirements. Additionally, a Builder's Remedy project must comply with State law.

As proposed, the project conforms to all site and development standards for the R-1-6 zone district with the exception of Floor Area Ratio (FAR) and open space requirements. As indicated above, the project is allowed to exceed density prescribed in the General Plan and not required to comply with the use limitation of the Zoning ordinance, specifically attached multi-family housing development which is not allowed in the R-1 zone districts, or the open space standards.

"Builder's Remedy" refers to subsection (5) above and applies when a local jurisdiction's housing element is not substantially compliant with State Law. If an application for a housing project is submitted during this time of non-compliance, the local jurisdiction cannot deny the project on the basis that it does not comply with the County's General Plan and Zoning Ordinance.

Zoning and General Plan Consistency

The subject property is approximately 12,300 square feet in size and zoned Single Family Residential - minimum 6,000 square foot parcel size (R-1-6) which is consistent with the General Plan Designation of Urban Low Residential Density (R-UL).

The residential density range allowed by the Urban Low General Plan Land Use Plan allows for development of four to ten dwelling units per acre or 4,356 to 10,890 square feet per dwelling unit and typically single family construction. Although the proposed density of eight dwelling units proposed on the 12,000 square foot project site exceeds the allowable density in the General Plan, pursuant to the Builder's Remedy provisions of the HAA, the County may not deny the project based on the project's noncompliance with this General Plan density standard.

Site and Development Standards

The following chart contains a list of applicable site and development standards. As proposed, the project complies with all applicable site standards with the exception of FAR.

R-1-6 Development Standards							
	Setbacks				FAR	Lot Coverage	Height
	Front	Street Side	Interior Side	Rear			
Allowed	20 feet	10 feet	5 feet	15 feet	50%	40%	28 feet
Proposed	20 feet	11 feet 2 inches	5 feet	42 feet	55%	33%	25 feet

As a Builder's Remedy project, the County is precluded from relying on inconsistency with Zoning and General Plan standards as a basis for denial provided the project designates 20 percent of the total number of proposed units as deed restricted affordable residential units.

The project proposes to designate two units as affordable; therefore, the proposed density above the density range prescribed by the General Plan Land Use Plan, construction of multifamily development in the R-1 zone district in place of allowed single family residential development, increase in FAR above 50 percent and a decrease in open space area established by the zone district site development standards cannot be denied.

Roadway/Roadside improvements

The project includes establishment of an easement along the property fronting Chanticleer Avenue to accommodate utilities, landscaping, sidewalk and potential future expansion of Chanticleer Avenue. Additionally, seven feet of right of way is proposed as a dedication for expansion of the

travelled roadway and establishment of a 5.4 foot easement for construction of sidewalk and landscaping along the property fronting Mattison Lane. As proposed, the increased roadway and roadside improvements would comply with the adopted design criteria and plan line for Mattison Lane to ensure that a minimum travelled road surface of 28 feet could be achieved.

Parking

The following chart contains the required and proposed parking requirements for the proposed development. As depicted in the chart, the project would provide parking in excess of the standards required in County Code.

Unit Type	Unit Count	Square footage	Bedroom Count	Required Parking	Parking Provided
Studio	2	360 sq ft	1	2	2
Urban Studio	2	430 sq ft	1	2	2
1 -Bedroom	2	639 sq ft	1	2	2
2-Bedroom	2	792 sq ft	2	4	4
Total	8 units			10 spaces	10 spaces
Guest Parking				+ 20%	+ 20%
				12 spaces	**14 spaces**

Open Space

The project includes a total of 955 square feet of common open space in the form of an interior courtyard. No private outdoor space is proposed. Plan sheet L1.0 (Landscape Plan) of the plan set (Exhibit A) illustrates the open space to be provided by the project. As depicted in the plan, common usable open space include landscaping planters and seating areas for passive uses. Landscaping is proposed along the interior side of the sidewalk fronting Chanticleer Ave and Mattison Lane along much of the perimeter of the project site. Plantings include a mix of trees, shrubs, perennials, grasses and trailing plants, and a mix of native and non-native plants.

Though the project is deficient in terms of private open space, the Builder's Remedy provision of the Housing Accountablity Act prohibits the County from relying on inconsistency with Zoning and General Plan standards as a basis for denial of a housing development project for extremely low, very low-, low-, or moderate-income households.

Public Comment

In accordance with SCCC 18.10.116, the established mandatory 21-calendar day public comment period began on July 10, 2025, and concluded on August 1, 2025. During the comment period, several members of the public submitted written comments regarding the proposed development. Primary concerns raised by members of the public related to potential neighborhood impacts from increased traffic, lack of parking, water shortages, and the overall scale of the proposed development.

As indicated above, the Department of Public Works Road Engineering Division has reviewed the proposed development and determined that, with installation of the proposed roadway and roadside improvements, the project would not result in adverse impacts to roadways and intersections in the area or result in noncompliance with established road standards for either Mattison Lane, a local street, or Chanticleer Avenue, a collector street. Additionally, the number of proposed parking spaces is consistent with the required number of parking spaces prescribed in County Code, specifically, SCCC 13.16 which is outlined above.

Conclusion

The project complies with some development standards, achieves General Plan and Housing Element goals by increasing market-rate and affordable housing opportunities in the County, and aids the County meet its RHNA requirements. Where the project is inconsistent with identified standards, such inconsistencies are not a basis for denial of the project due to applicability of the HAA, specifically, Government Code Section 65589.5 "Builder's Remedy".

Findings are on file with Santa Cruz County Planning.

Staff Recommendation

Santa Cruz County Planning has taken administrative action on your application as follows:

___X___ Approved (if not appealed).

_____ Denied (based on the attached findings).

NOTE: This decision is final unless appealed.

See below for information regarding appeals. You may exercise your permit after signing below and meeting any conditions which are required to be met prior to exercising the permit. If you file an appeal of this decision, permit issuance will be stayed and the permit cannot be exercised until the appeal is decided.

Please note: This permit will expire unless exercised prior to the expiration date. (See the Conditions of Approval below for the expiration date of this permit.)

If you have any questions about this project, please contact Nathan MacBeth at:
(831) 454-3118 or nathan.macbeth@santacruzcounty.us

Report Prepared By: Nathan MacBeth

Nathan MacBeth
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060

Report Reviewed By: Sheila McDaniel

Sheila McDaniel
Principal Planner
Santa Cruz County Planning

Mail to: Swift Consulting Services Attn John Swift
500 Chestnut Street, Suite 100
Santa Cruz, Ca 95060

Appeals

In accordance with Section 18.10 et seq of the Santa Cruz County Code, the applicant or any aggrieved party may appeal an action or decision taken on an Administrative (Level 4) review such as this one. All appeals shall be made in writing and shall state the nature of the application, your interest in the matter and the basis on which the decision is to be considered to be in error. Appeals must be made no later than fourteen (14) calendar days following the date of publication of the action from which the appeal is being taken and must be accompanied by the appropriate filing fee.

Conditions of Approval

Exhibit A: Project plans, prepared by Austin Sandy Architects, dated April 4, 2025.

I. This permit authorizes the construction of an eight unit dwelling group and detached garage as indicated on the approved Exhibit "A" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:

A. Sign, date, and return to Santa Cruz County Planning one copy of the approval to indicate acceptance and agreement with the conditions thereof.

B. Obtain a Demolition Permit from the Santa Cruz County Building Official.

C. Obtain a Building Permit from the Santa Cruz County Building Official.

1. Any outstanding balance due to the Santa Cruz County Planning must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.

D. Obtain a Grading Permit from the Santa Cruz County Building Official.

E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

II. Prior to issuance of a Building Permit the applicant/owner shall:

A. Submit final architectural plans for review and approval by Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with Santa Cruz County Planning. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:

1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.

2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2” x 11” format for Santa Cruz County Planning review and approval.

3. Grading, drainage, and erosion control plans.

4. Details showing compliance with fire department requirements.

B. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. For fee credit for existing structures and hardscapes provide documentation that the areas were either constructed prior to 1969 or with permits.

1. Final Stormwater Management/Civil Plans:

a) Update plans to include "No Dumping – Drains to Bay" placards at each proposed inlet. Maintenance of these inlets shall be included in the recorded stormwater maintenance agreement.

b) Provide construction details for proposed vegetated swales, catch basins/inlets, clean outs at storm drain connections/change in grades, and downspout locations and disconnection demonstrating compliance with the County Design Criteria.

2. A recorded maintenance agreement is required for the maintenance of the stormwater facilities. Provide a draft agreement for review with the building permit. The recorded agreement will be required prior to building permit final.

3. Provide review/approval letter from the project geotechnical engineer for the final civil plans.

4. No changes to the improvements shown on the approved civil plans shall be made without prior approval of the Department of Public Works

C. Meet all requirements of the City of Santa Cruz Water District. Proof of water service availability is required prior to application for a Building Permit.

D. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.

E. Meet all requirements of the County of Santa Cruz CDI- Housing Division.

1. Projects shall include 20% of total units in the project as deed-restricted affordable to lower income households (at or below 80% AMI, as further defined by state law and as published annually in the HCD State Income Limits table). Based on the submitted plans, 20% is equal to 2 units. Affordable units shall be distributed evenly throughout the project and shall include a similar unit size mix (percentage of units in each size category, by

bedroom count) as the project as a whole.

2. Developer/Property owner shall sign and record an Affordable Housing Regulatory Agreement in the form provided by the County prior to building permit issuance or recordation of a final map (if applicable), whichever occurs first.

3. Any lower-income tenants occupying the property are eligible for relocation assistance as noted in Compliance Item 4, in addition to any rights they may have under state law.

F. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning.

G. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

H. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.

I. Pay the current fees for Parks mitigation. Currently, these fees are $5.24 per square foot for multi family dwellings.

J. Pay the current fees Child Care mitigation. Currently, these fees are $0.28 per square foot for multi family dwellings.

K. Meet all requirements of the Department of Public Works Road Engineering Division.

1. The development is subject Live Oak Transportation Improvement (TIA) fees at the current rate within the County Unified Fee Schedule, currently $4,200 for each new multi-family dwelling unit created. The fee is calculated as 8 new multi-family dwelling multiplied by $4,200/dwelling for a total of $33,600. The total TIA fee of $33,600 is to be split evenly between transportation improvement fees and roadside improvement fees.

2. Per agreement with the County, applicant is to pay for the estimated cost for the sidewalk installation along the Mattison Lane frontage at the time of the Building Permit. The estimated cost is $32,000.

L. Provide required off-street parking for 14 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.

M. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

A. All site improvements shown on the final approved Building Permit plans shall be installed.

B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

C. The project must comply with all recommendations of the approved soils reports.

D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.

B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

C. Settlement. The applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the COUNTY.

D. Successors Bound. The "applicant/owner" shall include the applicant and/or the owner and the successor'(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: 10/14/25

Effective Date: 10/28/25

Expiration date: 10/28/28

Discretionary Permit Findings

(a) Health and Safety. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity.

(b) Zoning Conformance. The proposed location of the project and the conditions under which it would be developed, operated, or maintained will be in substantial conformance with the intent and requirements of all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that although the project is inconsistent with a number of the development standards in the R-1-6 zone district, pursuant to the Builder's Remedy provisions of the HAA, the County may not disapprove the project based on the project's noncompliance with these standards.

Consistent with its intent to facilitate the approval of housing, the HAA limits the County's ability to deny or condition a housing development project for extremely low, very low-, low-, or moderate-income households in a manner that renders the project infeasible for affordable housing development (Gov. Code § 65589.5(d)). In addition, the Builder's Remedy provision of the HAA prohibits the County from relying on inconsistency with Zoning and General Plan standards as a basis for denial of a housing development project for extremely low, very low-, low-, or moderate-income households.

(c) General Plan Conformance. The proposed project is in substantial conformance with the intent, goals, objectives, and policies of all elements of the County General Plan and any specific plan which has been adopted for the area.

This finding can be made, in that though the proposed multifamily residential use is not in substantial conformance with the use and density requirements specified for the R-ULM (Urban Low Density Residential) land use designation in the County General Plan, pursuant to the Builder's Remedy provisions of the HAA, the County may not disapprove the project based on the project's noncompliance with these standards. Where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project due to applicability of the HAA.

Consistent with its intent to facilitate the approval of housing, the HAA limits the County's ability to deny or condition a housing development project for extremely low, very low-, low-, or moderate-income households in a manner that renders the project infeasible for affordable housing development (Gov. Code § 65589.5(d)). In addition, the Builder's Remedy provision of the HAA

prohibits the County from relying on inconsistency with Zoning and General Plan standards as a basis for denial of a housing development project for extremely low, very low-, low-, or moderate-income households.

A specific plan has not been adopted for this portion of the County.

(d) CEQA Conformance. The proposed project complies with the requirements of the California Environmental Quality Act (CEQA) and any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA.

This finding can be made, in that the project has been determined to be exempt from further review under the California Environmental Quality Act, as indicated in the Notice of Exemption for this project.

(e) Utilities and Traffic Impacts. The proposed use will not overload utilities, result in inefficient or wasteful use of energy, or generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed housing development will add seven residential units on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only 8 peak trip per day (1 peak trip per dwelling unit). Such an increase will not adversely impact existing roads or intersections in the surrounding area. Further, the project incorporates roadway and roadside improvements such as expanded road width along Mattison Lane as well as installation of a new ADA compliant sidewalk to ensure the project meets current road engineering standards of the Department of Public Works. In addition, all construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure that the project will not overload utilities or otherwise result in an inefficient or wasteful use of energy. Will-serve letters from the County Sanitation District and City of Santa Cruz Water Department have been obtained.

(f) Neighborhood Compatibility. The proposed use will be compatible with the existing and proposed land uses, land use intensities, and dwelling unit densities of the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed multifamily residential project utilizes Builder's Remedy per Gov. Code Section 65589.5 and though the proposed multifamily residential use is not in substantial conformance with the use and density requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan, pursuant to the Builder's Remedy provisions of the HAA, the County may not disapprove the project based on the project's noncompliance with these standards in regard to land use, land use intensities, and dwelling unit densities as designated by the General Plan and Local Coastal Program and implementing ordinances.

(g) Local Coastal Program Consistency. For proposed projects located within the coastal zone, the proposed project is consistent with the provisions of the certified Local Coastal Program.

This finding is not required, in that the project site is not located within the coastal zone.

Site Development Permit Findings

(a) Siting and Neighborhood Context. The proposed development is designed and located on the site so that it will complement and harmonize with the physical design aspects of existing and proposed development in the neighborhood, as designated by the General Plan and Local Coastal Program and implementing ordinances.

This finding can be made, in that the proposed multifamily residential project utilizes Builder's Remedy per Gov. Code Section 65589.5 and though the project is not in substantial conformance with the use and density requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan, pursuant to the Builder's Remedy provisions of the HAA, the County may not disapprove the project based on the project's noncompliance with these standards in regard to land use, land use intensities, and dwelling unit densities as designated by the General Plan and Local Coastal Program and implementing ordinances. Additionally, a project that utilizes density bonus is considered consistent with the General Plan and zoning, regardless of any granted waivers or concessions

(b) Design. The proposed development is in substantial conformance with applicable principles in the adopted Countywide Design Guidelines, except as prohibited by site constraints, and any other applicable requirements of SCCC 13.11 (Site Development and Design Review). If located in the Coastal Zone, the site plan and building design are also in substantial conformance with the policies of the Local Coastal Program and coastal regulations of SCCC 13.20.

This finding can be made, in that the proposed multifamily residential project utilizes Builder's Remedy per Government Code Section 65589.5 and though the project is not in substantial conformance with the design requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan, pursuant to the Builder's Remedy provisions of the HAA, the County may not disapprove the project based on the project's noncompliance with these standards in regard to design as designated by the General Plan and Local Coastal Program and implementing ordinances.

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION

The Santa Cruz County Planning Division has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 241385
Assessor Parcel Number: 029-043-13
Project Location: 2100 Chanticleer Avenue, Santa Cruz

Project Description: Demolish an existing single family dwelling and construct a two story eight unit multifamily housing development and associated site improvements.

Person or Agency Proposing Project: Swift Consulting Services, Attn John Swift

Contact Phone Number: 831-459-9992

A. _____ The proposed activity is not a project under CEQA Guidelines Section 15378.

B. _____ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).

C. _____ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.

D. _____ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

E. X Categorical Exemption

Specify type: Class 32 – Infill Development Projects (Section 15332)

F. Reasons why the project is exempt:

Construction of residential development on a site designated for residential uses.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Nathan MacBeth _____ Date: 10/14/25

Nathan MacBeth, Project Planner

County of Santa Cruz
Community Development & Infrastructure - Planning Division

Approval of application **241385** (Shaun Olson)

Your Administrative Site Development Permit has been administratively approved by Santa Cruz County Planning, subject to completion of a 14 day appeal period. This approval is not final and cannot be exercised until the appeal period is completed. This decision is appealable by you, or by any other interested person. Any appeal must be filed in writing and be accompanied by the current appeal filing fee.

Following the local appeal period, Coastal Development Permits may also be subject to appeal through the California Coastal Commission, with a 10 working day appeal period from the date that notice of final local action is received by the California Coastal Commission.

In order to validate this approval, you must sign the permit, affirming that you have reviewed the permit and agree to the conditions imposed by it. Until this occurs, the permit is not active. **This means that no building permit will be issued, nor can the use begin unless and until the permit is signed and returned.** Within this mailing is a separate page which requires your signature to validate this permit. Please sign, detach, and return the separately labeled "Signature Page" for our files. **This approval is for the discretionary review of this project only and any additional permits required as Conditions of Approval of this permit (i.e. Building Permits, Grading Permits, Encroachment Permits, etc.) must be obtained prior to beginning construction**. You should carefully review the attached conditions, as these are the terms under which your project can proceed. If you are the agent for the property owner, you may sign the permit only if you provide proof of service by mail that the signed conditions have been provided to the owner.

Please contact the project planner at (831) 454-3118 or nathan.macbeth@santacruzcounty.us should you have further questions about the processing of your application.

County of Santa Cruz
Community Development & Infrastructure - Planning Division

Signature Page

(To be signed and returned to Santa Cruz County Planning to demonstrate acknowledgement of the issuance of this permit and the acceptance of all permit conditions)

By signing this permit below, the owner(s) agree(s) to accept the terms and conditions of permit number **241385** (APN 029-043-13) and to accept responsibility for payment of the County's cost for inspection and all other action related to noncompliance with the permit conditions. This permit is null and void in the absence of the property owner(s) signature(s) below. All owners of the subject property (APN 029-043-13) must sign this form.

Signature of Owner	Print Name	Date
Signature of Owner	Print Name	Date
Signature of Owner	Print Name	Date
Signature of Owner	Print Name	Date

Please return to:

Nathan MacBeth
Santa Cruz County
Community Development & Infrastructure - Planning Division
701 Ocean Street, 4th Floor
Santa Cruz CA 95060

*(Records room staff: Please file this page with the discretionary application listed above.)

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Adopted ORD-5421 12/13/2022
Board of Supervisors
DOC-2022-1001 25.a

ORDINANCE NO. 5421

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING CHAPTER 13.11 OF THE SANTA CRUZ COUNTY CODE TO IMPLEMENT THE SUSTAINABILITY POLICY AND REGULATORY UPDATE OF 2022

WHEREAS, the Sustainability Policy and Regulatory Update ("Sustainability Update") is a comprehensive review and update to the County of Santa Cruz's ("County") General Plan and Local Coastal Program ("LCP") and a modernization of the Santa Cruz County Code ("County Code" or "SCCC"); and

WHEREAS, the goal of the Sustainability Update is to implement new policies and regulations that support more sustainable communities in Santa Cruz County; and

WHEREAS, the modernization of the County Code within the Sustainability Update consists of amending sections, moving sections, repealing sections, and adding sections to achieve the County's policy goals; and

WHEREAS, this Ordinance implements changes to Chapter 13.11, Site, Architectural and Landscape Design Review, of the County Code, which implement a new site development permit type, incorporate by reference new County of Santa Cruz Design Guidelines, and guide the design of new development to ensure neighborhood compatibility and quality of design of new development;

NOW, THEREFORE, the Board of Supervisors of Santa Cruz County ordains as follows:

SECTION I

Sections 13.11.051 through 13.11.054, 13.11.071 through 13.11.073, 13.11.075, and 13.11.076 of the Santa Cruz County Code are hereby repealed in their entirety.

SECTION II

Sections 13.11.010 through 13.11.030 of the Santa Cruz County Code are hereby amended, to read as follows:

13.11.010 Purpose.

The purpose of this chapter is to:

(A) Implement the Santa Cruz County General Plan/Local Coastal Program by providing design guidelines and specific regulations that:

(1) Promote sustainable development by supporting infill development that reduces dependence on vehicles and encourages alternate modes of transportation to implement climate change reduction strategies.

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(2) Enhance the quality of life in the county with the creation of livable, walkable neighborhoods that balance private spaces with engaging public spaces to create attractive and functional communities.

(3) Encourage high-quality design of built structures that are compatible with the surrounding neighborhood character, introduce transitions between residential and commercial areas, and support the creation of inviting urban and rural neighborhoods.

(4) Support the development of functional and attractive commercial areas that support economic viability of the County's businesses, while reducing impacts on residential neighborhoods.

(B) Ensure that new development is designed to protect environmental resources including scenic resources, provide access to open spaces, conserve the County's unique resources, and support healthy indoor and outdoor environments.

(C) Ensure the safety and well-being of county residents and workers by guiding the design of residential, commercial, industrial, and public facility developments to address safety concerns.

(D) Apply the provisions of this chapter in coordination with the Santa Cruz County Design Guidelines to inform and guide the design of multi-family, mixed use, and commercial developments to encourage urban infill that considers surrounding neighborhoods and fosters livable, attractive, and economically viable communities.

(E) Provide landscaping and site design standards that promote sustainable practices and reduce the impact of new development on adjacent properties.

(F) Establish a site plan, architectural and landscape design review function, and Site Development Permit procedures, and to confer this function upon the Planning Commission, Zoning Administrator, and Planning Department staff. By enactment of this chapter these reviewing bodies shall be responsible for advising and assisting both applicants and the County in applying design standards and guidelines, and in reviewing proposals for future developments.

13.11.020 Scope.

This chapter applies to all development for which a Site Development Permit is required, and other development where identified in the SCCC. This chapter (A) establishes site development permitting requirements and identifies development projects subject to site development permit approval; (B) provides the procedures for design review and identifies development projects subject to design review; (C) references the Santa Cruz County Design Guidelines and identifies development subject to these Guidelines; (D) provides the design standards that apply to the review and approval of projects subject to design review; and (E) provides exceptions.

13.11.025 Applicability.

This chapter shall apply to both private and public activities, including those of the County and such other governmental agencies as are not exempted by State or federal law. All development projects that require a Site Development Permit pursuant to SCCC 13.11.037 are subject to this chapter.

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13.11.030 Definitions.

As used in this chapter certain terms are defined as follows:

(A) "Coastal special community" means an area designated in the General Plan and Local Coastal Program Land Use Maps and SCCC 13.20.040 as a special community in the Coastal Zone due to its unique scenic characteristics and/or visitor destination qualities. Coastal special communities include Davenport, the Yacht Harbor, East Cliff Village tourist area, residentially zoned parcels within the Pleasure Point Combining District, the Rio Del Mar Flats/Esplanade, and the Seacliff Beach Area.

(B) "Landscaped area" means the portion of the development proposed for landscaping, excluding hardscape and nonporous surfaces.

(C) "Landscape maintenance agreement" means a written, signed agreement between the title owner of record or their duly authorized agent and the County, ensuring maintenance of landscaping for a minimum period of two years, pertaining to a development project approved by the Planning Director, Zoning Administrator, Planning Commission, or Board of Supervisors. The agreement shall be accompanied by a landscape maintenance security, a cash deposit or other instruments of credit as described in SCCC 14.01.511 and approved by the County, and shall be signed by duly authorized agents representing the County and the title owner of record for the subject property prior to issuance of a certificate of occupancy or final inspection approval by the Building Official of the County.

(D) "Landscape maintenance security" means a performance security paid by the title owner of record or duly authorized agent acting as applicant for a development project approved by the County, issued to the Planning Department in an amount equal to 100 percent of the estimated two-year maintenance cost of landscaping and irrigation systems for the development project.

(E) "Massing" is the architectural relationship—proportion, profile, and contour—between the various masses or volumes of a building or landscape. The mass of a building is defined by the roof, walls, and floor. It may be a simple box form, but more often it is a composite of various forms. Plant massing can be used to create architectural forms in the landscape such as screens, canopies, barriers, and floors, and can be used to define edges of open spaces and directional movement.

(F) "Protected use areas" means riparian corridors and buffer areas, beaches, floodways, lagoons, wetlands, marshes, fault areas, bluffs, ravines, areas with steep slopes or unstable soil conditions, timberlands, and sensitive wildlife habitat and biotic resource areas as defined in SCCC Title 16.

(G) "Remodel," for the purposes of this chapter, means any alteration of a structure requiring a development permit and/or building permit approval from the County, which effects a change in the original site plan, exterior building elevation, or landscape design.

(H) "Santa Cruz County Design Guidelines" means an adopted guidance document providing architectural and site design principles, concepts, and examples to guide the development of the physical environment to be compatible with community goals and the natural environment.

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(I) "Sensitive site" means any property within a Scenic Area or Coastal Special Scenic Area as identified in the County GIS; located within the Rural Services Line in the La Selva General Plan Area; located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; located on a coastal bluff, or on a ridgeline or ridgetop; on a site that contains unique hydrologic, geologic, or paleontological features as defined by the General Plan/LCP; or is in an area where development may impact public views of the ocean, forests, mountain hillsides, open meadows, or other scenic resource as determined by the Planning Director.

(J) "Village" means one of the communities for which unique design criteria have been or will be established as part of an adopted specific village, town, or area plan. Examples of villages include Aptos Village, Ben Lomond, Boulder Creek, Felton, Seacliff Village, and Soquel Village.

SECTION III

Sections 13.11.035 and 13.11.037 are hereby added to the Santa Cruz County Code, to read as follows:

13.11.035 Site development permits.

(A) Site development permit. A discretionary permit for physical development or improvement of a site is known as a Site Development Permit (SDP). Certain types of development are permitted by right and other types of development require an SDP as indicated in section 13.11.037: Site Development Permit Chart. Some SDPs require design review as indicated in section 13.11.040.

(B) Procedures. All regulations and procedures regarding application, review, findings and conditions of approval, findings for denial, appeal and enforcement and other requirements for an SDP shall be in accordance with the provisions of SCCC 18.10 and 19.01. Pursuant to SCCC 18.10.240, the approving body may apply permit conditions related to the physical development of the site or require off-site improvements commensurate with the scope of the project, to ensure the physical site development complies with all pertinent County policies and ordinances and with the General Plan.

(C) Modifications to existing development. Modification of an existing site or structure with a valid discretionary permit may be processed as an amendment to the existing discretionary permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see SCCC 13.10.260 et seq. Modifications to previously unpermitted structures require a new Site Development Permit approved as provided in SCCC 13.11.037.

(D) Compliance with approved plans, maintenance, and enforcement.

(1) Compliance. All required improvements on approved plans shall be installed or, in some cases, secured, as shown on the plans prior to issuance of a certificate of occupancy.

(2) Maintenance. All required improvements on approved plans shall be permanently maintained as approved and installed.

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(3) Violation. Failure to comply with this chapter is a violation of the County of Santa Cruz Zoning Ordinance.

(4) Enforcement. Any violation of this chapter, including failure to comply with additional approved conditions and/or agreements between the County and the permittee for the development and maintenance of the project improvements, is enforceable under the provisions of SCCC 13.10.280 and SCCC 1.12. Enforcement may include, without limitation, permit review, permit amendment, permit revocation, or enforcement of a landscape maintenance agreement and other actions authorized under SCCC 1.12.

(E) Compliance with adopted plans, policies, and standards.

(1) Compliance with Development Standards. All required site development standards as set forth in SCCC 13.10 shall be met as applicable.

(2) Compliance with Other Applicable Regulations. The project plans shall conform to the provisions of SCCC 13.20 (if located within the Coastal Zone), Title 16, and other ordinances and regulations as applicable.

(3) Compliance with Special Area Plans and Guidelines. In those areas where design standards and guidelines have been adopted for communities, villages, neighborhoods, specific roads, or other areas with specific plans, town plans, or area plans, the project design shall be consistent with those standards and guidelines. Where specific plan design standards or guidelines conflict with requirements contained herein, the specific/area plan design standards and guidelines shall take precedence, unless a finding can be made that a provision in the special area or town plan or guidelines has been made obsolete by overriding policies in the County General Plan, changed on-site conditions, or modernized regulations.

13.11.037 Site Development Permit Chart.

Table 13.11.037-1 below provides SDP requirements for physical site development associated with allowed uses. See use charts in SCCC 13.10 for uses allowed in each zone district. Development not identified below may require an SDP where specified in SCCC 13.10 or in other provisions of the SCCC.

Table 13.11.037-1: Site Development Permit Chart

KEY:
P = Site Development Permitted by Right: No discretionary site development permit required.
MSP = Minor Site Development Permit: Administrative permit, no public notice.
ASP = Administrative Site Development Permit: Administrative permit with public notice.
CSP = Conditional Site Development Permit: Permit subject to public hearing with public notice. Hearing is before the Zoning Administrator except where a different hearing body is specified.

TYPE OF DEVELOPMENT	PERMIT REQUIRED	REFERENCES & NOTES
SUBDIVISIONS		

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TYPE OF DEVELOPMENT	PERMIT REQUIRED	REFERENCES & NOTES
Land divisions	CSP	14.01
RESIDENTIAL SITE DEVELOPMENT[3]		
Residential dwellings (<5,000 sf): 1-2 units 3-10 units 11-15 units More than 15 units	 P/ MSP* ASP CSP CSP-PC	*MSP required on sensitive sites or in CA or TP zone district (see 16.50.090). See 13.10.611 for SDP requirements for accessory structures.
Residential additions > 500 sf on sensitive sites or in Coastal Special Communities	MSP	
Site development accessory to a residential use, including swimming pools and storage tanks	P	
Residential dwelling(s) 5,000 square feet or greater	CSP	13.10.325
Accessory Dwelling Unit (ADU) or Junior ADU	P	13.10.681
NON-RESIDENTIAL DEVELOPMENT, EXCLUDING AGRICULTURE AND TIMBER[3]		
New construction ≤ 5,000 sf >5,000 sf	 ASP CSP	See below for new structures, additions, and remodels related to cannabis.
Storage building <500 sf	MSP	
Additions < 500 sf ≥ 500 sf	 MSP ASP	
Interior remodel or tenant improvement not affecting exterior or adding floor area	P	
Minor exterior remodels consistent with existing design and excluding straight in-kind repair and replacement	MSP/ASP*	*ASP in residential zone districts.
Major exterior remodels changing the design, character, or substantial portion of materials	ASP	
New, modified or expanded parking area or site access	MSP*	13.16 * MSP also required with multi-family development.
New structures, additions, and exterior remodels of structures for cannabis cultivation, manufacturing, or distribution	MSP	13.10.650 See “Agricultural and Timber Production” below for cannabis-related development in agricultural and timber production districts.
Signs	MSP	13.10.580-13.10.587

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TYPE OF DEVELOPMENT	PERMIT REQUIRED	REFERENCES & NOTES
Community facilities: Flood control works and facilities for fish and wildlife enhancement Other community facilities, including public water projects and wireless communication facilities; public facility uses; structures and facilities associated with parks and outdoor recreation uses including public or commercial swimming pools, sports fields, golf courses, and tennis courts	 P CSP	13.10.312(C), 13.10.314, 13.10.642, 13.10.643
AGRICULTURAL AND TIMBER PRODUCTION SITE DEVELOPMENT[1,2,3]		
Agricultural structures and site development including barns, greenhouses (including cannabis), and indoor and outdoor storage of agricultural equipment, and other agricultural development identified under "Agriculture" in the Agriculture Uses Chart: <12,000 sf development area ≥12,000 sf development area**	 P MSP/ASP*	*ASP required outside the CA District, except for greenhouses. A hoop house does not require an SDP. 13.10.312(D), 13.10.313, 13.10.632-13.10.647, 13.10.650, 13.20.073
Farmworker housing: EHA and Small Farmworker Housing projects Streamlined EHA projects** ARFH projects**	 MSP/CSP* MSP/ CSP* CSP	See 13.10.631 for definitions of Farmworker Housing types *CSP required in Coastal Zone and the -P Combining District. ** Allowed outside the Coastal Zone only.
Agricultural support facilities* including agricultural tourism facilities**, offices, agricultural service establishments, agriculture including cannabis inside structures, produce stands and markets, and research and development facilities: <1,000 sf development area 1,000 – 10,000 sf >10,000 sf development area ****	 P/MSP*** MSP CSP	* For wineries, see 13.10.637 ** Agricultural tourism facility buildings limited to a total of 3,500 sf. *** P in agricultural districts only **** On CA, see 13.10.312-1 for development area caps. 13.10.312(D), 13.10.313, 13.10.632-13.10.647, 13.20.073
Structures accessory to timber production (TP only)	P	13.10.372(B)

1. In the TP Zone District, agricultural use and development is allowed on portions of the parcel not in timber production.
2. A Site Development Permit is not required for exterior remodels related to agricultural and timber uses with no increase in square footage.
3. See use charts provided in SCCC 13.10 to determine if a particular use is allowed within a zone district.

SECTION IV

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Sections 13.11.040, 13.11.050, 13.11.060, and 13.11.070 of the Santa Cruz County Code are hereby amended, to read as follows:

13.11.040 Projects requiring design review.

(A) Design review shall be required for the following private and public activities for which a site development, or coastal development permit approval is required by the County of Santa Cruz:

(1) Residential development including:

(a) New residence(s) or additions involving 500 square feet or more within coastal special communities or on sensitive sites.

(b) New single-family residences or remodels of 5,000 square feet or larger as regulated by SCCC 13.10.324.

(c) Residential development of three or more units. (Accessory dwelling units are exempt from Design Review.)

(2) All minor land divisions, as defined in SCCC 14.01, occurring within the urban services line or rural services line, as defined in SCCC 17.02; all minor land divisions located outside of the urban services line and the rural services line, which affect sensitive sites; and all land divisions of five parcels (lots) or more. For all subdivisions where actual construction of homes is not part of the application, design guidelines for development shall be required as part of the application submittal package. For all subdivisions where actual construction of homes is part of the application, both design guidelines and prototypical house and landscape design plans shall be required as part of the application submittal package. Any major revisions to approved construction prototypes or design guidelines shall be processed pursuant to SCCC 18.10.134 and shall be subject to the design review process.

(3) All new commercial, mixed-use, industrial, or public facility construction or remodels involving exterior alterations.

(4) All County projects including public buildings and associated site development.

(5) All agriculturally related uses and structures in the CA, A and RA zone districts are exempt from design review.

(B) Design review requirements may be waived if the Planning Director, or their designee, certifies that the nature of the project is minor or incidental in respect to the purpose of design review as defined in this chapter. Conversely, design review requirements may be imposed on a project if the Planning Director, or their designee, certifies that the nature of the project is significant in respect to the purpose of design review as defined in this chapter.

13.11.050 Procedures for design review.

Where required pursuant to SCCC 13.11.040, design review shall occur during the Site Development Permit review and shall be completed prior to public hearing or approval of a Site Development Permit. Design review shall occur as follows:

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(A) An initial evaluation, to determine consistency of the proposed development project with this chapter, shall occur during the first 30-day completeness review and/or during development review group evaluation, if applicable (see SCCC 18.10). Any redesign required as a result of design review can be coordinated with any redesign that may be required as a result of the completeness review of other departments or agencies.

(B) A second evaluation, to determine consistency of the proposed development project with this chapter, if necessary, shall occur following a submittal of revised plans.

(C) In the event that an Environmental Impact Report is required under the California Environmental Quality Act, a third evaluation, to determine consistency of the proposed development project with this chapter, shall occur following any redesign necessitated by any required development mitigation measures.

13.11.060 Santa Cruz County Design Guidelines.

(A) Purpose. It is the intent of the Santa Cruz County Design Guidelines to foster new and urban infill development that provides for vibrant, safe, and diverse communities, while integrating with existing neighborhoods and protecting natural resources.

(B) Applicability. New multi-family residential development of three or more units and commercial and mixed-use developments within the County's urban and rural services lines, including additions and exterior remodels over 500 square feet, shall be consistent with the development and design concepts within the adopted Santa Cruz County Design Guidelines.

(C) Use. The Santa Cruz County Design Guidelines provide principles and direction for architectural and site development and provide conceptual examples for achieving community design objectives that shall be applied during the design review process.

13.11.070 Design review standards.

The design standards applicable to all projects requiring design review as identified in SCCC 13.11.040 are provided in this section. These standards are in addition to design guidance provided in the Santa Cruz County Design Guidelines, where applicable.

(A) Building design. The Santa Cruz County Design Guidelines provide overarching guidelines for building design, as well as guidance specific to multi-family residential, residential flex, mixed-use, and commercial buildings. Projects that are not subject to the Santa Cruz County Design Guidelines may refer to these guidelines as appropriate in the design of new buildings.

(B) Environmental considerations for building and site design**.** All development for which design review is required shall be designed to be compatible with the natural environment and surroundings, and impacts of new development on the surrounding environment and adjacent properties shall be reduced, in accordance with the following standards:

(1) Coordinated Development.

(a) Coordinated site design (including shared parking and circulation systems, sign facilities, landscaped areas, and recycling and garbage storage and collection areas) shall be encouraged on adjacent parcels with similar uses. In such cases, mutual access easements granted to each property owner are necessary. Site plans which

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allow for future shared use between adjacent parcels are encouraged, where appropriate.

(b) Clustered commercial use areas with shared facilities, rather than linear commercial use with separate facilities for each site, are encouraged.

(c) Physical barriers (e.g., fences, curbs, or walls) between adjacent parcels with similar uses are discouraged unless needed for drainage, security, screening, or noise attenuation purposes.

(2) Clustered Design. Clustered site design is encouraged for residential development in rural areas, and may be required as indicated in the following areas:

(a) Clustered site design in Protected Use Areas and on Sensitive Sites, as defined in SCCC 13.11.030, shall be required as appropriate to protect sensitive habitats, natural or scenic resources, or to avoid geologic hazards.

(b) On sites having natural amenities such as significant groups of trees or other areas of vegetation, wooded arroyos, or other protected use areas, or with views to mountains or the bay, the cluster design concept shall be employed to incorporate these features into the site plan.

(c) On sites where medium- to high-density residential development is permitted by the zoning district, cluster design is encouraged and may be required to increase the potential for useable outdoor amenities.

(d) When the cluster design concept is used, the units should be designed in a manner that incorporates light, air, space, and privacy for the individual units while maintaining quality common open space.

(3) Infill development. Infill development within the County's urban services line is encouraged according to the County General Plan. Considerations for neighborhood context and reducing impacts on existing adjacent development shall be accomplished by providing adequate transitions in building massing and rooflines, setbacks, and landscape buffering at property lines shared with lower density development or between commercial/industrial/public facility development and residential properties.

(4) Natural Site Amenities and Features.

(a) The site plan shall relate to surrounding topography, and significant natural vegetation of long-term quality shall be retained.

(b) Existing mature trees, rock outcroppings, riparian corridors, natural site amenities, and other features shall be retained or enhanced and incorporated into the site design and landscaping to the greatest extent feasible.

(c) Buildings shall be sited and oriented in such a way as to take advantage of, or make connection to, the natural site amenities and features.

(d) Hilltop and hillside development shall be integrated into the silhouette of the existing backdrop such as the terrain, landscaping, and other structures. Ridgeline protection shall be ensured by restricting the height and placement of buildings and providing

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landscape screening in order to prevent any projection above the ridgeline. If there is no other building location on a property except a ridgeline, this circumstance shall be verified by the Planning Department with appropriate findings and mitigation measures to ensure that the proposed structure is low profile and visually screened.

(5) Views.

(a) Development shall protect the public viewshed with appropriate siting of structures and maintenance of viewshed corridors from the public rights-of-way.

(b) Development should minimize the impact on private views from adjacent parcels wherever practicable.

(6) Sustainable Development. Sites shall be designed to encourage sustainable practices that reduce environmental impacts, climate change, and the utilization of resources. Where achievable, measures above and beyond code requirements are encouraged, including:

(a) Energy conservation measures, such as energy-efficient building design, installation of solar panels and electric vehicle charging stations;

(b) Water conservation and reuse, such as low-flow fixtures, graywater irrigation, drought-tolerant landscape species and limited use of green lawns requiring watering;

(c) Stormwater control and surface water features, such as alternative pavements that encourage infiltration, low-impact development, drainage percolation, daylighting of streams and creeks, and rooftop gardens;

(d) Alternative transportation facilities, such as pedestrian and bicycle facilities that connect to existing facilities and transit corridors, limiting parking to minimum needed, prioritizing location of carpool parking;

(e) Interpretive signage that features and explains environmental connectivity; and

(f) LEED or other building and/or site sustainability certification.

(7) Open Space Design.

(a) Activities in “protected use areas” shall be limited to those having minimal impacts, such as paths and benches. Where feasible, a path to and/or along the perimeter of the natural areas shall be provided.

(b) All useable open space requirements for multi-family and mixed-use development shall be satisfied according to SCCC 13.10.323(D) and 13.10.334(A).

(8) Noise.

(a) Reasonable protection for adjacent properties from noise may be achieved through site planning, building siting, building orientation, physical barriers such as masonry walls, landscaped earth berms, or setback/buffer areas.

(9) Solar Design.

(a) Buildings shall be designed so that solar access is reasonably protected for the buildable lot area of adjacent, affected properties. A shadow study (plan) may be

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required when proposed development may impact the solar access of adjacent properties, as determined by the Planning Director.

(b) Wherever lot size and setbacks permit, the building walls with major window areas shall be appropriately oriented for passive solar heating and cooling, and natural lighting. Building layout should encourage energy conservation.

(c) Solar devices are protected from shading due to landscaping in the Solar Shade Control Act (Public Resources Code Sections 25980-25986).

(C) Site Planning Standards.

(1) Utilities and Rooftop Equipment.

(a) New utility and service lines shall be installed underground, unless infeasible due to environmental constraints.

(b) Utility equipment such as electrical and gas meters, electrical panels, and junction boxes on exterior wall elevations facing streets shall be screened from streets and building entries using architectural screens, walls, fences, and/or plant material consistent with the architectural design of the building, unless screening is not allowed for safety purposes.

(c) Pad-mounted transformers (as part of the underground electrical service distribution system) shall not be located in the front setback or area visible from public view, unless they are completely screened by walls and/or dense landscaping, and shall not obstruct views of traffic from tenant spaces or driveways, or views to monument signs. Underground vaults may be located in the front setback area for aesthetic purposes. Exceptions may be allowed where required for safety purposes.

(d) All rooftop mechanical and electrical equipment shall be designed to be an integral part of the building design and shall be screened.

(2) Waste Management and Recycling. All commercial, industrial, public facility, and multi-family developments shall provide for the separate storage and collection of all waste and recyclable materials generated by the on-site uses.

(a) Recycling and Waste Storage Standards. All waste collection and recycling areas shall be designed according to guidance provided by the Department of Public Works and shall meet the following subsections, and criteria in the Santa Cruz County Design Guidelines where applicable.

(i) Commercial, industrial, institutional and multi-family residential uses shall include areas for waste and recycling storage and collection adequate in capacity, number and distribution to serve the development where the project occurs.

(ii) Access into the storage area shall be provided with adequate vertical and horizontal clearances for collection vehicles.

(iii) Provisions shall be made to protect the recyclable materials from weather by covering the storage area or by the use of covered receptacles.

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(iv) Recycling and waste storage areas should be adjacent to or within the same enclosures as the garbage area or at least as convenient as the location for garbage storage. Waste and recycling storage containers shall be of sufficient size to accommodate all waste and recycling generated.

(v) Maximum distance for the storage area shall be no greater than 250 feet from each living unit in a multifamily residential development.

(3) Signage Design.

(a) All requirements relating to signs set forth in SCCC 13.10.580 through 13.10.587 shall be met.

(b) All signage shall be consistent with the design principles and concepts in the adopted Santa Cruz County Design Guidelines, where applicable.

(c) Freestanding signage shall be an integral part of the site or landscape design, or shall be similar to, or consistent with, the design of the proposed building(s).

(4) Lighting.

(a) All site, building, security, and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design, or other physical means. Building and security lighting shall be integrated into the building design.

(b) All lighted parking and circulation areas shall utilize low-rise light poles or light fixtures attached to the building. Light poles to a maximum height of 15 feet are allowed.

(c) Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.

(5) Parking areas shall be subject to the design standards in SCCC 13.16.060.

(D) Landscaping Standards.

(1) It shall be an objective of landscape design to relate to the building and site design, the proposed use, and to site conditions. In addition to the standards in this subsection, landscaping design shall meet the intent of the relevant principles and concepts provided in the Santa Cruz County Design Guidelines where applicable, landscape requirements for parking lots in SCCC 13.16, and the water-efficient landscape standards of SCCC 13.13.

(a) Site Landscaping.

(i) The required yard (setback) adjoining a street shall incorporate appropriate landscape and/or hardscape. Landscaping shall be required where noted below and shall be required in all other setbacks along streets where feasible. Appropriate landscape elements may include trees, shrubs, and groundcover. Appropriate hardscape materials may include brick or other modular pavers;

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stamped or textured concrete; or colored concrete and shall create useable exterior space appropriate to the site and buildings.

(ii) Front yards of each single-family residential parcel in new subdivisions shall contain at least one tree with a minimum canopy diameter of 15' at maturity, where the existing tree canopy covers less than 25% of the required front yard.

(iii) Front yards of all newly created multi-family developments shall contain at least one tree with a minimum canopy diameter of 15 feet at maturity for every 50 feet of linear footage.

(iv) Where a commercial or industrial use is located adjacent to a residential district, the following landscaped buffers shall be applied at the property line:

A. Commercial and industrial buildings under 5,000 square feet shall provide a minimum five-foot net planted landscape strip to screen development and a six-foot-high solid wood fence or masonry wall.

B. Commercial and industrial buildings between 5,000 square feet and 10,000 square feet shall provide a minimum five-foot net planted landscape strip to screen development with a six-foot-high masonry sound wall.

C. Commercial and industrial buildings between 10,000 and 20,000 square feet shall provide a minimum five-foot net planted landscape strip to screen development plus an additional one-foot width for each additional 1,000 square feet of building over 10,000 square feet, up to 20,000 square feet, and a six-foot-high masonry sound wall. Trees are encouraged in landscaped areas with adequate space to allow for healthy tree growth. The landscaping which is required in excess of the minimum five-foot-wide strip may be modulated to provide additional buffer, where appropriate. The balance may not be less than the required total square footage of landscaping.

(v) Landscaping shall be planted in the ground. If this is not feasible, planter boxes of an appropriate size are acceptable.

(b) Existing Trees.

(i) Mature trees over six inches in diameter at five feet above ground level shall be incorporated into the site and landscape design unless other provisions of this subsection allow removal.

(ii) Circumstances where tree removal may be appropriate include: an appreciably better project design not possible without the tree removal; retention of solar access to adjacent properties; dead, dying, or diseased trees; nuisance trees; and trees which threaten adjacent development due to instability. Any proposal to remove more than 50% of the healthy trees on a site may require the submittal of an alternate design to evaluate the feasibility of retaining additional trees while meeting the project objectives. (See also SCCC 16.34, Significant Trees Protection.)

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(iii) An evaluation and recommendation by a landscape architect or a licensed arborist shall be required to substantiate the removal of any mature tree based on a claim that the tree is unhealthy or poses a nuisance or threat to adjacent development.

(iv) The applicant shall be required to replace any mature trees which are permitted to be removed to the greatest extent feasible, as determined through the design review process.

(v) The decision-making body may waive the requirement of removal of invasive species in order to protect visual amenities or where trees provide habitat value.

(c) Street Trees.

(i) Where required pursuant to the County Design Criteria or as a condition of project approval, street trees (or private yard trees providing similar effect) shall match any existing street tree species and spacing; shall implement any proposed street tree program; and complement any existing trees in the area, if a street tree program does not exist for the street. Street trees installed within County rights-of-way shall be chosen from the "Recommended Santa Cruz County Right of Way Trees" list in the Santa Cruz Urban Forestry Master Plan, where applicable. (See also Section H of the County Design Criteria.)

(d) Screening, Fences and Walls.

(i) When landscaping is required to screen views of a site or site uses, the plant material shall be appropriately sized and spaced so that a dense screen grows in a short period of time and views of objects on the opposite side are effectively screened. In narrow planting areas, trellises and vines may be used to screen development.

(ii) All shrubs used for screening purposes shall be a minimum five-gallon size when planted.

(iii) A fence or wall, when required as a screening device, shall be of solid wood or masonry, or other material, modulated and landscaped where appropriate to provide visual relief from continuous wall or fence surfaces. Fencing shall comply with SCCC 13.10.525.

(2) It shall be a landscape design objective to select plant material appropriate to the design and site conditions. Site conditions which affect the selection of appropriate plant material include soil conditions, microclimate, maintenance, and solar access. Factors which affect the landscape design include the growth pattern, color, and texture of the plant material.

(a) Plant Material Type, Size and Growth.

(i) Invasive species such as acacia, pampas grass, broom, acacia, etc., should not be used and should be eliminated if already present.

(ii) Landscaping shall be provided in sufficient size and quantity to adequately screen and soften the effect of new building planes and asphalt within the first year of growth.

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(iii) All trees planted shall be a minimum of 15-gallon size. Larger specimens may be required, e.g., 24-inch box or field specimens, depending upon the scale of the proposed project. The trees shall have been grown to the minimum nursery standards for tree height, caliper and canopy for the container size and tree species specified.

(iv) Landscape plans prepared by a landscape architect or designer shall be required for all projects with new construction square footage of 2,000 square feet or greater. The plans shall specify appropriate plant species, spacings and locations, given the plant types and characteristics, type of soil, availability, watering needs and similar considerations, so that the plantings will achieve their purpose and mature size within a reasonable time.

(b) Landscape Maintenance.

(i) All required vegetation shall be maintained free of physical damage or injury from lack of water, excess chemical fertilizer or other toxic chemical, blight, or disease. Any vegetation which shows signs of such damage or injury at any time shall be replaced by the same, similar, or substitute vegetation of a size, form, and character which will be comparable at full growth.

(ii) Required landscaping shall be kept free from weeds and undesirable grasses. One means of preventing weed growth is to plant dense ground covers; another is by mulching. This subsection does not apply to private yard areas of single-family dwellings other than large dwellings as defined in 13.10.324(C).

(iii)The decision-making body shall, as a condition of approval of a SDP including any landscaping or landscaped area, require the execution of a landscape maintenance agreement and security as defined in SCCC 13.11.030, or other acceptable surety, for the maintenance of any or all landscaping on a building site. A landscape maintenance security shall not be required for commercial, industrial, or residential projects where a property owners' association is established to ensure that landscape maintenance of common areas is satisfactorily accomplished. Proof of the formation of the property owners' association shall be supplied to, and approved by, the Planning Department before the landscape maintenance bond requirement is waived.

(3) It shall be an objective of the landscape design to conserve water and to maximize water use efficiency through plant selection, soil conditioning and irrigation management.

(a) Applicability. The landscape water conservation requirements set forth in this subsection apply only to the common landscape areas of land divisions and of residential developments of three or more units; to commercial, industrial, or institutional construction or remodels 2,000 square feet in size or larger; and to all County projects including, but not limited to, public buildings, parks and open spaces, streets, and streetscapes.

(b) Turf Limitation and Plant Selection.

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(i) The turf area shall be limited to no more than 25 percent of the total landscaped area. This limitation shall not apply to projects such as public parks, cemeteries, and recreation areas where water use efficiency is evaluated on a regular basis through a landscape irrigation audit or to any project that uses reclaimed or recycled water for irrigation purposes.

(ii) Turf shall be of low to moderate water-using varieties, such as tall fescue. Turf shall be used in a practical manner for high use or aesthetically desirable areas. Turf should not be used in median strips, on slopes greater than 33 percent or in areas less than eight feet wide.

(iii) At least 80 percent of the plant materials selected in non-turf areas (equivalent to 60 percent of the total landscaped area) shall be well-suited to the climate of the region and require minimal water once established. Up to 20 percent of the plant materials in non-turf areas (equivalent to 15 percent of the total landscaped area) need not be drought tolerant; provided, that they are grouped together and can be irrigated separately. The use of trees and native plants is encouraged in appropriate locations.

(c) Soil Conditioning.

(i) In new planting areas, soil shall be tilled to a depth of six inches and amended with six cubic yards of organic material per 1,000 square feet to promote infiltration and water retention.

(ii) After planting, a minimum of two inches of mulch shall be applied to all non-turf areas to retain moisture, reduce evaporation, and inhibit weed growth.

(d) Irrigation Management.

(i) All required landscaping shall be provided with an adequate, permanent, and nearby source of water which shall be applied by an installed irrigation or, where feasible, a drip irrigation system.

(ii) Irrigation systems shall be designed to avoid runoff, overspray, low head drainage, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, or structures.

(iii) Appropriate irrigation equipment, including the use of a separate landscape water meter, pressure regulators, automated controllers, low volume sprinkler heads, drip or bubbler irrigation systems, rain shutoff devices, and other equipment shall be utilized to maximize the efficiency of water applied to the landscape.

(iv) Plant materials having similar water requirements shall be grouped together in distinct hydrozones and shall be irrigated separately.

(v) An irrigation plan and an irrigation schedule for the established landscape shall be submitted with the building permit application. The irrigation plan shall show the location, size, and type of components of the irrigation system, the point of connection to the public water supply and designation of hydrozones. The irrigation schedule shall designate the timing and frequency of irrigation for each

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station and list the amount of water, in gallons or hundred cubic feet, recommended on a monthly and annual basis.

(vi) Whenever possible, landscape irrigation should be scheduled between 6:00 p.m. and 11:00 a.m. to reduce evaporative loss.

(4) Site Furniture and Fixtures. Outdoor furniture and fixtures such as lighting, freestanding signs, trellises, raised planters, benches, trash receptacles, newspaper racks, bus stops, and fencing shall be compatible with project architecture, shall be integral elements of the building and landscape design, and shall be included in, and shown on, all site and landscape plans.

SECTION V

Section 13.11.080 is hereby added to the Santa Cruz County Code, to read as follows:

13.11.080 Exceptions to design review standards and Santa Cruz County Design Guidelines.

(A) Flexibility in the application of design standards in SCCC 13.11 and the Santa Cruz County Design Guidelines may be permitted based on the following factors: (1) due to special site circumstances or existing site uses, or (2) the objectives of this chapter are better achieved by allowing flexibility when considering the design standards and guidelines.

(B) Exceptions to the design standards and the principles in the Santa Cruz County Design Guidelines shall be based upon the circumstances of the individual application. Any decision on an exception shall not establish a precedent for future applications.

(C) Any proposed exception to the design standards and the Santa Cruz County Design Guidelines shall be described as part of the design review application and shall be subject to recommendation by the Planning Department and final action by the decision-making body(ies).

SECTION VI

An Environmental Impact Report has been prepared for the County Code amendments set forth above, consistent with the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations, Section 15000, et seq.). A Statement of Overriding Considerations and Findings of Fact has been prepared to address the significant environmental impacts associated with adoption and implementation of the Sustainability Update.

SECTION VII

The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to Chapter 13.11 are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

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SECTION VIII

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid**.**

SECTION IX

This ordinance shall take effect upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 13th day of December 2022, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Supervisors: Caput, Coonerty, Friend, McPherson, and Koenig
NOES: None
ABSENT: None
ABSTAIN: None

DocuSigned by:
Manu Koenig
43369812764640D...

Manu Koenig
Chair of the Board of Supervisors

ATTEST: DocuSigned by:
Jennifer Frechette
BE98AB5396B7441...

Jennifer Frechette
Clerk of the Board

APPROVED AS TO FORM:

DocuSigned by:
Jason M. Heath
AF757CF913B5419...

Jason Heath
Office of the County Counsel 11/9/22 (AMS #13461)

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Adopted ORD-5423 12/13/2022
Board of Supervisors
DOC-2022-1003 27.a

ORDINANCE NO. 5423

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ AMENDING SANTA CRUZ COUNTY CODE CHAPTER 13.10 TO IMPLEMENT THE SUSTAINABILITY POLICY AND REGULATORY UPDATE OF 2022

WHEREAS, the Sustainability Policy and Regulatory Update ("Sustainability Update") is a comprehensive review and update to the County of Santa Cruz's ("County") General Plan and Local Coastal Program ("LCP") and a modernization of the Santa Cruz County Code ("County Code" or "SCCC"); and

WHEREAS, the goal of the Sustainability Update is to implement new policies and regulations that support more sustainable communities in Santa Cruz County; and

WHEREAS, the modernization of the County Code within the Sustainability Update consists of amending sections, moving sections, repealing sections, and adding sections to achieve the County's policy goals; and

WHEREAS, this Ordinance implements changes to Chapter 13.10, Zoning Regulations, of the County Code, which includes major revisions to modernize use and development standards and implement new General Plan policies;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Sections 13.10.110 through 13.10.170 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.110 Title of chapter and definition of Zoning Ordinance.

This chapter shall be known as the "planning and zoning regulations of the County of Santa Cruz," or the "Zoning Ordinance."

13.10.120 Purpose.

The purposes of this chapter and of the Zoning Ordinance are:

(A) To implement the General Plan and Local Coastal Program, and any applicable Town, Village, or Area Plan, by providing specific regulations as to the allowable uses of land and structures;

(B) To promote and protect the public health, safety, peace, morals, comfort, convenience, and general welfare;

(C) To protect the character, stability, and satisfactory interrelationships of residential, commercial, industrial, agricultural, recreational, and open space areas of the County; and

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(D) To protect the natural environment in compliance with the California Environmental Quality Act.

13.10.130 Scope.

Pursuant to California Government Code Section 65850, this chapter contains provisions to:

(A) Regulate the use of buildings, structures, and land as between industry, business, residents, and open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes;

(B) Regulate signs and billboards;

(C) Regulate location, height, bulk, number of stories, and size of buildings and structures; the size and use of lots, yards, courts, and other open spaces; the percentage of a lot which may be occupied by a building or structure; and the intensity of land use;

(D) Establish requirements for off-street parking and loading; and

(E) Establish and maintain building setback lines.

13.10.140 Applicability.

(A) Compliance with Zoning Ordinance. No person shall construct, enlarge, or move a building, and no person shall establish a new use of land or expand or intensify an existing use unless it conforms to the permitted uses provided in the zone district or conforms to a permit and regulations authorizing a discretionary use or discretionary development in the zone district in which the land is located. All construction, alteration, reconstruction, or enlargement of buildings and all uses of buildings and land shall comply with all provisions of this chapter and other applicable chapters of the Zoning Ordinance except as otherwise provided for nonconforming structures and uses.

(B) Conformance by Government Agencies. No government unit whether city, County special district, or State agency, shall be exempt from the provisions of this chapter, and other chapters of the Zoning Ordinance, except for State agencies and cities engaged in a sovereign activity or a local public agency exempted by Sections 53090 et seq. of the California Government Code. Except as specifically exempted from coastal development permit requirements of the Coastal Act and the LCP by State law, all development in the Coastal Zone that is proposed by such government unit shall be subject to the same LCP requirements as any other proposed development.

13.10.150 Amendment.

Any amendment to this chapter or the Zoning Ordinance as defined by SCCC 13.10.110 or to the official zoning map, which changes property from one zone district to another, or imposes any land use development regulation not previously imposed, or removes or modifies any such regulation previously imposed, shall be processed as a legislative matter pursuant to SCCC 18.10 and 18.40.

13.10.160 Environmental protection.

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All approvals pursuant to this chapter shall be processed in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and any local County procedures that may be adopted pursuant to SCCC 16.01.

13.10.170 General Plan and Local Coastal Program, and Village, Town, or Area Plan consistency.

(A) Consistency Requirement. The Zoning Ordinance and the planning and zoning regulations established by this chapter shall be consistent with the General Plan, and any applicable Village, Town, or Area Plan, as provided by SCCC 18.40.040.

(B) Consistent Zone Districts. The following zoning implementation table denotes the basic zone districts that implement and are consistent with the various General Plan land use, resource, and constraint designations, as further provided by SCCC 18.40.040(D).

Table 13.10.170-1: Zoning Implementation Table

General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
All Land Use Designations:	
(Except Agricultural Resource Lands)	SU—Special Use
Agricultural:	
AG—Agriculture	A—Agriculture
	RA—Residential Agriculture
	CA—Commercial Agriculture
	TP—Timber Production
	PR—Parks, Recreation and Open Space
	AP—Agricultural Preserve (for existing AP Districts only)
Commercial:	
C-N—Neighborhood Commercial	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	PA—Professional and Administrative Offices
C-C—Community Commercial	C-1—Neighborhood Commercial
	C-2—Community Commercial
	C-3—Workplace Flex

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General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
	CT—Tourist Commercial
	VA—Visitor Accommodations
	PA—Professional and Administrative Offices
C-V—Visitor Accommodations	VA—Visitor Accommodations
	CT- Tourist-Commercial
C-S—Service Commercial/Light Industry	M-1—Light Industrial
	PA—Professional and Administrative Offices
	C-3—Workplace Flex
	C-4—Commercial Services
C-O—Professional and Administrative Offices	PA—Professional and Administrative Offices
	C-3—Workplace Flex
Public Facility/Institutional:	
P—Public/Institutional Facilities	PF—Public and Community Facilities
Residential:	
R-M—Mountain Residential	RR—Rural Residential
	RA—Residential Agriculture
	TP—Timber Production
	A—Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-R—Rural Residential	RR—Rural Residential
	RA—Residential Agriculture
	A—Agricultural
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-S—Suburban Residential	RR—Rural Residential
	RA—Residential Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-UVL—Urban Very Low Residential	R-1—Single-Family Residential*

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General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
R-UL—Urban Low Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UM—Urban Medium Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UH—Urban High Residential	R-1—Single-Family Residential*
	RM—Multifamily Residential*
	R- Regional Housing Needs Combining District *
R-UFH – Urban Flex High Residential	RF– Residential Flex
All Residential Designations	PR—Parks, Recreation and Open Space
Open Space Uses:	
O-R—Parks, Recreation and Open Space	PR—Parks, Recreation and Open Space
	TP—Timber Production
O-C—Resource Conservation	PR—Parks, Recreation and Open Space
	TP—Timber Production
	A—Agriculture
O-L—Lakes, Reservoir, Lagoon	PR—Parks, Recreation and Open Space
O-U—Urban Open Space	PR—Parks, Recreation and Open Space
Industrial:	
I—Heavy Industry	M-1—Light Industrial
	M-2—Heavy Industrial
Q—Quarry	M-3—Mineral Extraction
General Plan/Local Coastal Program Resource:	
Agricultural Resource Lands	AP—Agricultural Preserve Zone District
	A-P—Agriculture with Agricultural Preserve Zone District
	CA—Commercial Agriculture
	TP—Timber Production

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General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
Timber Resource Lands	TP—Timber Production
General Plan/Local Coastal Program Constraint:	
Coastal Bluffs and Beaches	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Fault Zones	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Liquefaction Areas	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Landslide Areas	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Floodplains and Tsunami Inundation Areas	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Other Designation or Condition:	
Combining Districts listed in SCCC 13.10.400 Combining districts, which are added to zone districts to indicate special limitations or planning control.	

* Zone district designations shall be considered consistent with the General Plan and Local Coastal Program Land Use Plan when in conformance with the residential densities allowed by the General Plan and Local Coastal Program Land Use Plan.

** This zone district is established for the sole purpose of recognizing as conforming parcels those legal parcels of record located outside the urban services line of the County that, prior to the adoption of the 1994 General Plan and Local Coastal Program Land Use Plan, were zoned R-1-5, R-1-6, R-1-7, R-1-8, R-1-9, R-1-10, R-1-12, R-1-15, R-1-20, R-1-32, R-1-40 or R-1-1 acre and developed with or intended for development of a single-family residence and any permitted accessory structures. Such development, including additions or remodels, is subject to the site and development standards of the specified zone district for the parcel. All land divisions must be consistent with the provisions of the Rural Residential Density Determination Ordinance (SCCC 13.14) and with the residential density allowed by Figure 2-2 of the General Plan and Local Coastal Program Land Use Plan.

SECTION II

Sections 13.10.180 and 13.10.185 are hereby added to Chapter 13.10, Part I, of the Santa Cruz County Code, to read as follows:

13.10.180 Zoning map.

A zoning map shall be established pursuant to this chapter containing the designations, locations, and boundaries of the various zone districts for parcels within the unincorporated portion of Santa Cruz County. The zoning map shall be maintained in the County's geographic information system and considered an integral part of this chapter.

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13.10.185 Zoning map amendment.

Amendment Policy. The County zoning map is intended to reflect a comprehensive assessment and projection of the County's present and future needs for various types of land uses and developments, which are shown broadly on the adopted General Plan and Local Coastal Program Land Use Maps. In order to maintain a stable, desirable, well-balanced pattern of development throughout the unincorporated County area, amendments to the zoning map are made only upon adequate justification and subject to required procedures in SCCC 18.10 and 18.40 and findings pursuant to SCCC 18.10.230(C) and 18.40.060.

SECTION III

Sections 13.10.210 and 13.10.215 of the Santa Cruz County Code are hereby repealed in their entirety.

SECTION IV

Sections 13.10.220 and 13.10.225 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.220 Use permits.

(A) Purpose. To regulate discretionary uses to ensure that these uses, and their location and operation, are compatible and appropriately integrated with surrounding land uses; protect health, safety, welfare, and the environment; comply with all pertinent county policies and ordinances; and are consistent with the General Plan.

(B) Definitions. "Use Permit" means a discretionary permit which authorizes uses of land on a site that are not principally permitted or "by right" uses within the zoning district and rules that apply to the site. A "Conditional Use Permit" ("CUP") is considered after public notice and through a required public hearing, and if approval is granted it is usually subject to identified conditions of approval. A "Minor Use Permit" ("MUP") does not require public notice or public hearing. An "Administrative Use Permit" ("AUP") requires public notice but does not require a public hearing. Any type of Use Permit may be granted subject to conditions of approval.

(C) Procedures. All regulations and procedures regarding application, review, findings and conditions of approval, findings on appeal of a denial, enforcement, and other requirements for a use permit shall be in accordance with the provisions of SCCC 18.10 and 19.01. Pursuant to SCCC 18.10.240, the approving body may apply permit conditions related to the operational aspects of a use including but not limited to the following: hours of operation; use of outdoor areas; exterior lighting; safe and adequate site access; use of parking and loading areas; and adequate control of noise, dust, heat, glare, odors, smoke, hazardous materials, pollutants, and other environmental or neighborhood impacts. A proposed use may be conditioned to require the installation of or improvements to landscaping, in conformance with SCCC 13.11.075. Conditions of approval of existing valid discretionary permits relating to a site may also be in effect or applied to a use permit.

13.10.225 Emergency use permit.

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(A) Emergency use permits may be granted at the discretion of the Planning Director to allow the temporary relocation of a use when the use has been displaced from its original location as a result of damage or destruction by a natural disaster for which a local, State or federal emergency has been declared by the Board of Supervisors or as a result of a catastrophic event such as an earthquake, fire, or flood.

(B) Application for review of the occupancy under the provisions of this chapter and SCCC 18.10 shall be made within 90 days of the date of issuance of the emergency permit or the use shall be terminated.

SECTION V

Section 13.10.227 is hereby added to Chapter 13.10, Part II, of the Santa Cruz County Code, to read as follows:

13.10.227 Site development permit.

(A) Purpose. To regulate the physical development of a site to ensure the proposed development, and its design and location, is compatible and appropriately integrated with surrounding land uses; protects health, safety, welfare, and the environment; and complies with the SCCC and all pertinent county policies and ordinances and is consistent with the General Plan.

(B) Definition. "Site Development Permit" ("SP") means a discretionary permit authorizing the physical development or improvement of a site. A "Conditional Site Development Permit" ("CSP") is considered after public notice and through a required public hearing, and if approval is granted it may be subject to identified conditions of approval. A "Minor Site Development Permit" ("MSP") does not require public notice or public hearing. An "Administrative Site Development Permit" ("ASP") requires public notice but does not require a public hearing. Any type of site development permit may be granted subject to conditions of approval. Modification of an existing site or structure with a valid discretionary permit may be processed as an amendment to the existing discretionary permit in accordance with SCCC 18.10.134. Modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, are processed in accordance with SCCC 13.10.260 et seq.

(C) Site Development Chart. For permitting requirements, see SCCC 13.11.037.

SECTION VI

Sections 13.10.230, 13.10.235, 13.10.240, 13.20.250, 13.10.260, 13.10.261 and 13.10.262 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.230 Variance approvals.

(A) Description. A variance approval is a discretionary authorization of exceptions to the zoning district site and development standards for a property including design standards and guidelines and regulations for special uses. The power to grant variance approvals does not allow changes in use which are affected only by use approvals pursuant to SCCC 13.10.220, rezoning of the property pursuant to SCCC 13.10.215, or amendment to

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the regulations of this chapter. Variances to site area requirements may be approved only in the case where no new additional building sites would thereby be created (relief in which case may be provided only through rezoning of the property), or in any of the following instances:

(1) To facilitate certificates of compliance;

(2) To facilitate dedications of rights-of-way or other required improvements for public benefit; or

(3) To allow the consideration of the creation of new lots when the size of the lot is within one percent of the zoning requirement and is consistent with the General Plan.

(B) Procedures. All regulations and procedures regarding application, review, approval, appeal, enforcement, etc., for a variance approval shall be in accordance with the provisions of SCCC 18.10 and 19.01 for a Level V approval and "findings" in subsection (C) of this section except that site area variances which create new building sites under the circumstances described in subsection (A) of this section shall be processed at Level VII.

(C) Findings. The following findings shall be made prior to granting a variance approval in addition to the findings required for the issuance of a development permit pursuant to SCCC 18.10:

(1) That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification;

(2) That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity; and

(3) That the granting of such variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

13.10.235 Minor exceptions.

(A) Purpose. To provide a streamlined discretionary review process to allow consideration of minor variations from the zoning district site standards established for height, setbacks, separation between structures on the same property, lot coverage, and floor area ratio.

(B) Applicability. Minor exceptions to the zoning site standards contained in the site and structural dimensions charts may be considered for the following zone districts: agricultural districts; residential districts; commercial districts; industrial districts; parks, recreation, and open space districts; public and community facilities districts; timber production districts; and special use districts. Minor exceptions do not apply to special site standards contained in combining zone districts, specific plans, or PUDs, unless specifically indicated.

Minor exceptions shall be limited to the following:

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(1) Height. Up to a five percent increase in the allowed height. For example, a 28-foot height limit could be increased by up to 16.8 inches (28 feet times 0.05 = 1.4 feet).

(2) Setbacks. Up to a 15 percent reduction in the required front, side, or rear setback. For example, a five-foot setback may be reduced by up to nine inches (five feet times 0.15 = 0.75 feet).

(3) Separation Between Structures. Up to a 15 percent exception from the 10-foot separation requirement between structures on the same property, allowing a reduction of up to 1.5 feet, or an 8.5-foot separation.

(4) Floor Area Ratio. Up to a 7.5 percent increase in the total allowable 50 percent FAR for lots 4,000 square feet or less, allowing up to 57.5 percent FAR.

(5) Lot Coverage. On parcels with a net site area of 6,000 square feet or greater, up to a 15 percent increase of the total allowable lot coverage; on smaller parcels, up to a 25 percent increase of the total allowable lot coverage, resulting in the following maximum allowable increases:

Table 13.10.235-1 Maximum Additional Lot Coverage

Lot Coverage Allowed by Applicable Zone District	Maximum Additional Lot Coverage Allowed with a 25% Minor Exception on Parcels of Less than 6,000 Square Feet	Maximum Additional Lot Coverage Allowed with a 15% Minor Exception on Parcels of 6,000 Square Feet or Greater
40%	10%	6%
20%	—	3%
10%	—	1.5%

Minor exceptions apply only to the zoning site standards noted above, and do not apply to or supersede limits or building setbacks required in other sections or chapters of the County Code, such as for riparian corridors, geologic hazards, sensitive habitats, or agricultural buffers. If a coastal development permit is required (pursuant to SCCC 13.20), then the minor exception shall be processed as part of and pursuant to the coastal development permit process, including that hearing requirements, noticing, appeal procedures, etc., shall be those required for coastal development permits, and all required coastal development permit findings shall also be required.

(C) Procedures.

(1) Application. The application for the minor exception shall contain such information as required by the Planning Department.

(2) Application Review. The Planning Director or designee shall review and make a determination on the application for a minor exception. At the discretion of the Planning Director, the project may be referred to the Zoning Administrator or Planning Commission for a public hearing.

(3) Noticing. Noticing shall be as provided by SCCC 18.10.222 and 18.10.224.

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(4) Required Findings. Findings shall be in accordance with findings required for variance approvals in SCCC 13.10.230(C), and in accordance with the findings required in SCCC 18.10.230 for discretionary approvals. In addition, the following finding shall be required for minor exceptions allowing an increase in lot coverage:

(a) That there is no increase in stormwater leaving the property as a result of additional impermeable area created by a minor increase in lot coverage. The project as approved incorporates measures or conditions that direct runoff to the landscape, use permeable paving material, reduce existing impermeable area, or incorporate other low impact drainage design practices to control any increase in stormwater runoff.

(5) Project Conditions. The project may be conditioned as needed to ensure compliance with County policies and ordinances, in accordance with SCCC 18.10.240.

(6) Appeal. The procedures for appeals shall be as provided by SCCC 18.10.310 and 18.10.324.

13.10.240 Previous permits.

Any planned unit development approved pursuant to SCCC 18.30, variance, use permit, or other approval or development permit previously issued by the County pursuant to previous regulations of the Zoning Ordinance shall continue to be administered in accordance with existing permits. Actions to amend, review, revoke, or enforce such permits shall be subject to the regulations and procedures of this chapter and SCCC 18.10, except for existing PUD permits that were adopted by ordinance and must be administered in accordance with the ordinance by which the PUD was adopted.

13.10.250 Interpretation.

The Zoning Administrator shall be responsible for the interpretation of the provisions of this chapter for their application to any specific case or situation or interpretation of the boundary location of a zone district, based on the following guidelines, subject to appeal to the Board of Supervisors pursuant to SCCC 18.10:

(A) In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare;

(B) Whenever the district boundary is indicated as being a road or a property line, then, unless otherwise definitely indicated on the zoning plan map, the center line of the road or the property line shall be assumed to be the district boundary; and

(C) Where the location of district boundary lines is not indicated by dimensions, the boundaries shall be located by use of the scale to which the map is drawn.

13.10.260 Nonconforming uses and structures—General provisions.

(A) Purpose. To establish regulations for nonconforming structures and uses that recognize the prevalence of legally established nonconforming uses and structures, the neighborhood benefit of well-maintained buildings, and the need to preserve and improve existing housing stock and commercial space. To allow legal nonconforming uses and

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structures to continue to exist, and to be improved, within appropriate parameters that address potential impacts to public health, safety, and welfare. To establish a threshold for when changes to existing nonconforming uses and structures are subject to discretionary review, and establish findings for approval of discretionary permits to protect public health, safety, welfare, and the environment. To establish provisions whereby nonconforming uses that are determined to be detrimental to public health, safety, or welfare may be terminated by the Board of Supervisors.

(B) Definitions. The following words and phrases, whenever used in this section, or SCCC 13.10.261 or 13.10.262, shall have the following meanings:

(1) "Intensification of Use, Nonresidential" means any change or expansion of a nonresidential use which will result in (a) a greater than 10 percent increase in vehicle trips or more than 110 new daily vehicle trips, whichever is smaller; or (b)10 percent increase in hazardous materials use or storage, water use, and/or sewage generation.

(2) "Intensification of Use, Residential" means any change to a residential use which will result in an increase in the number of bedrooms, as defined in SCCC 13.10.700(B).

(3) "Major structural components" means the foundation, floor framing, exterior wall framing and roof framing of a structure. Exterior siding, doors, window glazing, roofing materials, decks, chimneys, and interior elements including but not limited to interior walls and sheetrock, insulation, fixtures, and mechanical, electrical, and plumbing elements are not considered major structural components. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors.

(4) "Nonconforming structure" means a structure that was lawfully erected prior to the adoption, revision, or amendment of this chapter but that does not conform with standards for lot coverage, setbacks, height, number of stories, distance between structures, or floor area ratio currently prescribed in the regulations for the zoning district in which the structure is located.

(5) "Nonconforming use" means a use of structure or land that was legally established and maintained prior to the adoption, revision, or amendment of this chapter, but does not conform to the current use standards, and density standards where applicable, of both the zone district and/or the General Plan/Local Coastal Program land use designation in which the use is located. A nonconforming structure is not a nonconforming use. A legally established use shall not be deemed nonconforming due to the lack of a use permit.

(6) "Reconstruction" means modification or replacement of 65 percent or more of the major structural components (see subsection (B)(3) of this section) of an existing structure within any consecutive five-year period. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors.

(C) General Requirements.

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(1) Determination of Nonconforming Status. The property owner shall have the burden of proof in establishing the legal status of any nonconforming use or structure, in accordance with any administrative procedures that may be established by the Planning Director.

(2) Compliance with Other Provisions of the County Code. The permits required in this section and SCCC 13.10.261 and 13.10.262 are in addition to all other reviews and permits required by the Santa Cruz County Code, including requirements in SCCC 13.11, 13.20, 18.10, and Title 16. Approvals issued pursuant to this section and SCCC 13.10.261 and 13.10.262 do not alter or supersede the permit and review requirements of other provisions of the Santa Cruz County Code. Work performed on a nonconforming structure or a structure accommodating a nonconforming use shall be pursuant to a building permit as required by SCCC 12.10, and shall meet the requirements of these nonconforming structures and uses regulations (this section, SCCC 13.10.261, and 13.10.262) unless a waiver or exception is granted as provided in these regulations. Except as provided by SCCC 13.10.262(A)(6), Reconstruction of a Nonconforming Structure After a Catastrophic Event, or as specifically authorized by other provisions of the SCCC, relocation of a nonconforming structure that does not result in a conforming structure shall require either variance approval or minor exception in accordance with SCCC 13.10.230 or 13.10.235.

(3) Regulations in Effect at the Time of Construction. Nothing contained in this section shall be deemed to require any change in the plans, construction, or designated use of any structure upon which actual construction or operation was or will be lawfully initiated in accordance with applicable regulations in effect at the time when a planning or building permit was approved.

(4) Nonconforming Parking. In accordance with the limitations of SCCC 13.10.575, no legal existing use of land or structure shall be deemed to be a nonconforming use solely because of the lack of off-street parking or loading facilities.

(5) Exception for Compliance with Accessibility Requirements. Work performed solely to comply with the Americans with Disabilities Act or with Chapter 11 of the State Building Code shall be excluded from calculations of reconstruction or alteration for the purposes of this section, SCCC 13.10.261, and SCCC 13.10.262.

(6) Exception for Properties That Have Been Designated as Historic Resources Pursuant to SCCC 16.42, or for Corrective Work on Dangerous Building Elements. Work performed solely to comply with federal standards for rehabilitation of historic properties or with SCCC 16.42, or solely to comply with a notice or requirement of the County Building Official to correct dangerous building elements, shall be excluded from calculations of reconstruction or structural alteration for the purposes of this section, SCCC 13.10.261, and SCCC 13.10.262.

(7) Other Regulations Pertaining to Nonconformity. The following code sections establish additional regulations for nonconforming uses or structures:

(a) Nonconforming Signs. See SCCC 13.10.585;

(b) Nonconforming Greenhouses. See SCCC 13.10.636(C);

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(c) Nonconforming Farm Worker Housing. See SCCC 13.10.631;

(d) Nonconforming Recycling Collection Facilities. See SCCC 13.10.658(B);

(e) M-1 Zone District Uses Not in Compliance with SCCC 13.10.345(A). Uses in the M-1 Light Industrial Zone District which are not in compliance with the provisions of SCCC 13.10.345(A)(1) through (6) are considered nonconforming uses subject to SCCC 13.10.345(A)(7) and 13.10.345(A)(8);

(f) Lands designated with a P Combining District. Modification or expansion of uses on lands designated with a P Agricultural Preservation Combining District shall be processed as set forth in SCCC 13.10.473; and

(g) Expansion of Organized Camps with Nonconforming Densities. See SCCC 13.10.353(B)(3).

13.10.261 Nonconforming uses.

(A) Applicability. This section applies to nonconforming uses in all zone districts.

(B) General Requirements.

(1) Continuation of Nonconforming Uses and Nonconforming Rights. The lawful use of land existing on the effective date of the adoption, revision, or amendment of the zoning designation or of the zoning regulations that affect a property may be continued, even if the use no longer conforms to the regulations specified by SCCC 13.10 for the district in which the land is located. A nonconforming use that is not in use for at least three out of the past five years loses its status as a legal nonconforming use, and use of the land or site must conform to current uses allowed by the zone district. If cessation of use is caused involuntarily by fire or other catastrophic event, nonconforming rights are retained for three years after the event, by which time a building permit must be obtained and exercised to repair or reconstruct the nonconforming use in order to retain nonconforming rights. If nonconforming rights are lost due to failure of the use to be continued in three of the past five years or due to the failure to obtain and exercise a building permit within three years after a catastrophic event, and a conforming use has not been subsequently established at the site, the property owner may apply for a conditional use permit to reinstate the legal nonconforming use. The conditional use permit for reinstatement shall be subject to the findings required in subsection (F) of this section, as well as to all applicable requirements of the Santa Cruz County Code, and consistent with applicable General Plan and Local Coastal Program policies.

(2) Termination of Use. The Board of Supervisors may order a nonconforming use to be terminated, upon recommendation of the Planning Commission, if such a use represents a threat to public health, safety, welfare, or the environment, or has been determined to be a public nuisance. The Planning Commission shall conduct a public hearing 15 or more days after written notice to the operator of the nonconforming use and the property owner. If the operator and/or property owner has not made a substantial investment in furtherance of the use, or if the investment can be substantially utilized or recovered through a currently permitted use, the order may

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require complete termination of the nonconforming use within a minimum of one year after the date of the order. If the operator and/or property owner has made a substantial investment in furtherance of the use, or if the investment cannot be substantially utilized or recovered through a currently permitted use, the order may require complete termination of the nonconforming use within a longer reasonable amount of time. Nonconforming uses that are determined to be an imminent threat to public health or safety may be terminated immediately, pursuant to SCCC 1.14. In making a recommendation or determination, the Planning Commission and the Board of Supervisors shall consider:

(a) The total cost of land and improvements;

(b) The length of time the use has existed;

(c) Adaptability of the land and improvements to a currently permitted use;

(d) The cost of moving and reestablishing the use elsewhere;

(e) Compatibility with the existing land use patterns and densities of the surrounding neighborhood;

(f) The degree of threat to public health, safety, or welfare; and

(g) Other relevant factors.

Failure to comply with a Board of Supervisors order to terminate a nonconforming use shall constitute a violation of this chapter and shall constitute a determination that the use is a public nuisance subject to abatement in accordance with SCCC 1.14.

(3) Dwelling Groups—Conforming Unit. Where two or more residential dwelling units exist on a parcel of land as nonconforming units because the zoning of the property no longer allows more than one primary dwelling unit, one of the units shall be deemed as conforming to the zone district. The owner may choose, one time only, which unit shall be considered as conforming. Accordingly, that unit may be repaired, structurally altered, enlarged, or reconstructed in accordance with the site and structural dimensions of the zone district in which the parcel is located. The other unit(s) shall be considered nonconforming and subject to the requirements of this section.

(C) Changes to Nonconforming Uses—Permits Required.

(1) Modifications to a Structure Accommodating an Existing Nonconforming Use. The following types of modifications may be allowed to a structure that accommodates a nonconforming use, subject to obtaining the required permit and to the required findings noted in subsection (F) of this section.

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Table 13.10.261-1 Changes to Nonconforming Use

Modifications to a Structure Accommodating a Nonconforming Use	Permit Required
Repairs and improvements to an existing structure, altering up to 65 percent of the major structural components.	Permitted upon issuance of a building permit and any approvals that may be required by other sections of the County Code and General Plan/Local Coastal Program, including a Site Development Permit where indicated in Site Development regulations for the zone district.
Reconstruction (as defined in SCCC 13.10.260(B)(6)) of an existing structure.	Conditional Use Permit (see subsections (E) and (F) of this section).
Conforming additions not exceeding 50 percent of the square footage of the existing building, limited to once within a five-year period.	Administrative Use Permit (see subsections (D) and (F) of this section).
Conforming additions exceeding 50 percent of the square footage of the existing building, limited to once within a five-year period.	Conditional Use Permit (see subsections (E) and (F) of this section).
Reconstruction (as defined in SCCC 13.10.260(B)(6)) of a structure accommodating a nonconforming use after a catastrophic event.	Administrative Use Permit (see subsections (D) and (F) of this section).

(2) Modifications to an Existing Nonconforming Use. The following changes related to an existing legal nonconforming use may be allowed, subject to obtaining the required permit and to the required findings noted in subsection (F) of this section.

Table 13.10.261-2 Changes to Nonconforming Use

Type of Change to a Nonconforming Use	Permits Required
Expansion of an existing nonconforming use throughout an existing structure, with no intensification of the use.	Administrative Use Permit (see subsections (D) and (F) of this section).
Intensification of an existing nonconforming use as defined in SCCC 13.10.260(B)(2) for residential uses and SCCC 13.10.260(B)(1) for nonresidential uses.	Conditional Use Permit (see subsections (E) and (F) of this section).
Change of an existing nonconforming use to another nonconforming use with no intensification.	Administrative Use Permit (see subsections (D) and (F) of this section).

(D) Procedures for Administrative Use Permit. Procedures for an administrative use permit shall be in accordance with those established for administrative approvals in SCCC

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18.10. In addition, the findings in subsection (F) of this section shall be required for approval of an administrative use permit.

(E) Procedures for a Conditional Use Permit. Procedures for a conditional use permit shall be in accordance with those established in SCCC 18.10, including the requirement for a public hearing and required findings.

(F) Additional findings required. Approval of an administrative or conditional use permit pursuant to subsections (D) and (E) of this section is subject to the following additional findings:

(1) That additional parking requirements created by the project can be met in accordance with SCCC 13.10.551;

(2) That the proposed project will not significantly impair economic vitality goals or key land use goals of the General Plan;

(3) For a change of a use to a different nonconforming use of a site, conformance with uses currently allowed for the zone district is not feasible due to conditions on the site and surrounding land uses, or due to economic conditions; and

(4) For a nonconforming commercial, industrial, or residential use on a site adjacent to residential property, the proposed modification to the nonconforming use, or the proposed reestablishment of a legal nonconforming use pursuant to subsection (B)(1) of this section, does not unreasonably infringe on adequate light, air, solar access, privacy, or the quiet enjoyment of adjacent residences, and does not create excessive noise, vibration, illumination, glare, odors, dust, dirt, smoke, or hazards such as noxious fumes to a level that substantially exceeds that of the existing or former legal nonconforming use of the site.

13.10.262 Nonconforming structures.

(A) Changes to Nonconforming Structures—Permits Required. The requirements of this section are in addition to and do not supersede requirements or permit approvals required in other sections of the Santa Cruz County Code, including but not limited to SCCC Titles 12, 13, 16 and 18.

(1) Structural Alterations. Except as noted in subsection (A)(4) of this section, structural alterations to an existing nonconforming structure within a consecutive five-year period that do not constitute reconstruction as defined by SCCC 13.10.260(B)(6) are permitted upon issuance of a building permit and any approvals or permits that may be required by other sections of the SCCC including a Site Development Permit where indicated in Site Development regulations for the zone district.

(2) Conforming Additions. Conforming additions that do not increase the nonconforming dimensions of the structure are permitted upon issuance of a building permit and any approvals that are required by other sections of the SCCC, including a Site Development Permit for sites in the Commercial and Industrial zone districts where indicated in Site Development regulations for the District. Nonconforming additions are not permitted unless a variance or minor exception is granted in accordance with SCCC 13.10.230 or 13.10.235.

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(3) Reconstruction. Reconstruction of a nonconforming structure requires an administrative site development permit (see subsection (B) of this section). Except as provided by subsections (A)(6) and (7) of this section, or as specifically authorized by other provisions of the Santa Cruz County Code, any relocation of a nonconforming structure shall require approval of a variance or minor exception in accordance with SCCC 13.10.230 or 13.10.235.

(4) Structural Alteration or Reconstruction of a Nonconforming Structure Located Over a Property Line, Within a Riparian Corridor, Within Five Feet of a Vehicular Right-of-Way or Within Five Feet of a Planned Vehicular Right-of-Way Improvement. Altering more than 50 percent of the major structural components (up to and including reconstruction) within any consecutive five-year period requires an administrative site development permit. The purpose of this review is to provide adequate opportunity to address potential impacts to the environment or public health, safety, or welfare. For nonconforming structures located within five feet of a vehicular right-of-way or within five feet of a planned vehicular right-of-way improvement, the Planning Director may waive the requirement for an administrative site development permit for altering more than 50 percent of the major structural components if they determine that the proposed project will not adversely affect the environment or public health, safety, or general welfare. If the requirement is waived, then the requirement for an administrative site development permit for reconstruction as specified in subsection (A)(3) of this section shall apply. Nothing in this chapter is intended to allow encroachment without necessary legal authorization, either by easement, quiet title action, or other legal means.

(5) Exceptions. Exceptions to the requirements of subsections (A)(1) through (4) of this section are as follows:

(a) Exception for Structures Designated as Historic Resources. Modifications to a nonconforming structure which has been designated as a historic resource pursuant to SCCC 16.42 are permitted upon issuance of only those building permits and/or development permits that are required by other sections of the County Code, including SCCC 16.42, if one or more of the following criteria are met:

(i) The proposed alteration, reconstruction, or addition conforms to the Secretary of the Interior's Standards for Rehabilitation of Historic Properties, and does not increase the nonconforming dimensions of the structure;

(ii) The proposed alteration, reconstruction, or addition does not conform to the lot coverage, yard setback, floor area ratio, or height regulations of the zoning district in which it occurs, but is within the structural outline of the structure and does not expand the perimeter foundation line of the structure. The structural outline of a structure shall include that space which is enclosed by the structural posts, columns, beams, trusses, and girders of the structure; or

(iii) The proposed modifications are required to provide access for persons with disabilities to the structure.

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(b) Exception for Corrective Work on Dangerous Building Elements. Work performed to comply with a notice or requirement of the County Building Official to correct dangerous building elements shall not count towards overall limits on reconstruction in subsection (A)(3) of this section.

(6) Reconstruction of a Nonconforming Structure After a Catastrophic Event. Except as noted in subsection (A)(7) of this section, reconstruction of a legal nonconforming structure after a catastrophic event is allowed upon issuance of a building permit and any approvals that may be required by other sections of the County Code, including a Site Development Permit where indicated in Site Development regulations for the District, if the reconstructed structure does not increase the nonconforming dimensions of the structure and is located in substantially the same location as the current/prior structure. New locations on the site may be considered without the need for an administrative site development permit if the Planning Director finds that the new location results in greater conformance with code requirements. Relocation that does not result in greater conformance with code requirements requires variance approval in accordance with SCCC 13.10.230 or minor exception pursuant to SCCC 13.10.235. (Note: Additional permits may be required for reconstruction after a catastrophic event by other provisions of the SCCC, including SCCC Title 16 and SCCC 13.20.)

(7) Structural Alteration and Reconstruction After a Catastrophic Event, for a Nonconforming Structure Located Over a Property Line, Within a Riparian Corridor, Within Five Feet of a Vehicular Right-of-Way, or Within Five Feet of a Planned Vehicular Right-of-Way Improvement. Structural alteration after a catastrophic event, altering less than 65 percent of the major structural components, is allowed upon issuance of a building permit and permits that may be required by other sections of the County Code.

Reconstruction after a catastrophic event requires an administrative site development permit. The purpose of this review is to provide adequate opportunity to address potential impacts to the natural environment or public health, safety, or welfare. New locations on the site may be considered as part of the administrative site development permit if it is determined that the new location results in greater conformance with code requirements. Relocation that does not result in greater conformance with code requirements shall require approval of a variance or minor exception in accordance with SCCC 13.10.230 or 13.10.235.

For nonconforming structures located within five feet of a vehicular right-of-way or within five feet of a planned vehicular right-of-way improvement, the Planning Director may waive the requirement for an administrative site development permit for reconstruction if they determine that the proposed project will not adversely affect the natural environment or public health, safety, or general welfare. If the requirement is waived, then reconstruction shall conform to the requirements noted in subsection (A)(6) of this section.

(Note: Additional permits may be required for reconstruction after a catastrophic event by other provisions of the Santa Cruz County Code, including SCCC Title 16 and SCCC 13.20. Nothing in this chapter is intended to allow encroachment

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without necessary legal authorization, either by easement, quiet title action, or other legal means.)

(B) Procedures for a Nonconforming Structure Administrative Site Development Permit. Procedures for an administrative site development permit as required pursuant to this section shall be in accordance with those established in SCCC 18.10, subject to the additional findings in subsection (C) of this section.

(C) Findings. The following findings apply to site development permits for nonconforming structures as required under subsection (A) of this section:

(1) Any additional parking requirements created by the project can be met in accordance with SCCC 13.10.551;

(2) The proposed project will not significantly impair economic development goals or key land use goals of the General Plan;

(3) For nonconforming commercial, industrial, or residential structures adjacent to residential property, the nonconforming structure does not unreasonably infringe on adequate light, air, solar access, privacy, or the quiet enjoyment of adjacent residences;

(4) For nonconforming structures over a property line, within a riparian corridor, or within five feet of an existing or planned right-of-way, the proposed project has been conditioned to require greater conformance to current site development standards, or has been required to eliminate the nonconformity where feasible, considering economic factors and site conditions including size, shape, topography, existing development or improvements, and environmental constraints; and

(5) For projects within a riparian corridor, a condition of approval of the site development permit has been imposed to require riparian protection, preservation, and/or enhancement on the site, as reasonably related to the project and in accordance with General Plan/Local Coastal Program Policy ARC-3.3.2.

SECTION VII

Section 13.10.276 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.276 Violations of conditions of approval.

(A) It shall be unlawful for any person to exercise any development permit which authorizes uses under this chapter without complying with all of the conditions of such permit.

(B) It shall be unlawful for any person to exercise any development permit which authorizes a variance under this chapter without complying with all of the conditions of such permit.

SECTION VIII

Sections 13.10.311 through 13.10.315 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.311 Purposes of agricultural districts.

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(A) CA Commercial Agriculture. The purposes of the CA Commercial Agriculture Zone District are to preserve the commercial agricultural lands within Santa Cruz County which are a limited and irreplaceable natural resource, to maintain the economic integrity of the economic farm units comprising the commercial agricultural areas of the County, to implement the agricultural preservation policy of SCCC 16.50.010, and to maintain and enhance the general welfare of the County as a whole by preserving and protecting agriculture, one of the County's major economic sectors. Within the CA Commercial Agriculture Zone District, commercial agriculture and associated activities related to the viability of the commercial agricultural sector such as produce stands and agri-tourism/education shall be encouraged, and development of non-agricultural uses which may conflict with commercial agriculture shall be excluded.

(B) A Agriculture. The purposes of the A Agriculture Zone District are to support a diversity of farm operations on agricultural land in the County which is not designated Type 1, Type 2, or Type 3, but which contributes to open space and/or rural character and may constitute a productive natural resource; to encourage noncommercial agricultural uses such as family farming, gardening, and animal raising; to allow limited appropriately scaled commercial agricultural activities on the small amounts of agricultural land remaining in the County which are not designated as commercially suitable, but which still constitute a productive natural resource; to provide for agricultural uses of a higher intensity in rural areas than those allowed in the RA Residential Agricultural Zone District where such use is compatible with the surrounding land uses and the environmental constraints of the land; to provide for agricultural support uses such as agricultural service establishments, agricultural processing facilities, and produce markets, and agriculturally related uses such as tree service and kennels as scaled, sited, and designed to protect agricultural production, minimize land use conflicts and to maintain the public health and general welfare; to maintain options for a diversity of farm operations; to implement the agricultural preservation policy of SCCC 16.50; and to maintain productive open space and rural character in the County.

(C) Agricultural Preserve and Farmland Security (-P) Combining District. Lands enrolled in the Williamson Act Program under the California Land Conservation Act of 1965 are subject to the requirements in Government Code Section 51200 et seq. and SCCC 13.10.471 through 13.10.473, and are designated as falling within an Agricultural Preserve and Farmland Security (P) Combining District, to denote lands that are restricted by Williamson Act contracts, and to regulate permitting on lands so restricted.

(D) Interpretation of Provisions. The provisions of this chapter shall be liberally interpreted insofar as they apply to accommodating agricultural pursuits and services and shall not be deemed or construed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of the County to retain commercially viable agricultural areas for commercial agricultural production, and to encourage the commercial agricultural use of lands designated by the Board of Supervisors as Type 1, Type 2, or Type 3 agricultural lands as identified in the County GIS System; to provide maximum protection to existing and future agricultural enterprises from restrictions which may be instituted later at the request of future residents; to restrict incompatible development on or adjacent to agricultural land; and to maintain the existing parcel sizes for parcels zoned CA, except where it is clearly demonstrated that any division of such parcels shall not diminish the productivity or in any

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way hamper or discourage the long-term commercial viability of agricultural operations on said parcels or adjoining or nearby parcels.

13.10.312 Uses in agricultural districts.

(A) Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the agricultural uses chart in subsection (D) of this section. Certain disallowed uses that are preexisting on a parcel and were legally established may be considered legal nonconforming uses. See SCCC 13.10.260 and 13.10.261 for regulations regarding legal nonconforming uses.

(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 agricultural uses chart. The processing procedures and findings for use permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures. All Conditional Use Permits in the CA Zone District are also subject to the special findings required by SCCC 13.10.314.

(C) Other discretionary permits. Physical site development may require a site development permit pursuant to SCCC 13.11.037, a Coastal Development Permit pursuant to SCCC 13.20.050, or other discretionary review.

(D) Agricultural Uses Chart. Allowed uses and permit requirements for agricultural zone districts 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.

Table 13.10.312-1: Agricultural Uses Chart

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.
A	Use must be ancillary to the main agricultural use of the subject parcel; or where so indicated in SCCC 13.10.631 - .639, ancillary to a farming operation on another parcel or parcels in the County owned or leased by the same entity.
NA	Use not allowed in this zone district.

"Development area" refers to the area of a parcel or site associated with an allowed use or development that is covered with structures, paving, or other impermeable or semi-permeable surface material such as baserock or gravel which may affect the long-term agricultural viability of the underlying soil.

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Agriculture			
Apiculture	P	P	Chapter 7.32
Aquaculture (fish, shellfish, or other animals)	CUP	CUP	
Biomedical livestock operations	CUP	CUP	13.10.647
Container crops, including horticulture and food production, outdoor			13.10.639
1 acre or less	ZC	ZC	
Area larger than 1 acre	MUP	MUP	
Crop production	P	P	13.10.700-C
Dairy	MUP	CUP	16.22.060 Chapter 7.08
Farmworker Housing: EHA (Employee Housing Act) project as defined in SCCC 13.10.631, providing permanent, temporary, or seasonal housing for five or more farmworkers (agricultural employees). Includes Employer-Provided Farmworker Housing, Rural Farmworker Housing, Streamlined EHA Project*, and EHA Small Farmworker Housing Project.	P	P	13.10.631 16.50.095(F) 13.11.037 *Streamlined project allowed outside Coastal Zone only.
Small Farmworker Housing project not subject to EHA, consisting of 1 to 4 dwelling units housing no more than 4 farmworkers total: Inside Coastal Zone:	CUP[A]	CUP	13.10.631 16.50.095(F) 13.11.037
Outside Coastal Zone:	P[A]	P	
Affordable Rental Farmworker Housing project pursuant to Development Reserve, outside the Coastal Zone only (see 13.10.631 for map of eligible areas)	CUP-BOS	CUP-BOS	13.10.631 16.50.095(F) 13.11.037
Greenhouse, hoop house	P/ ZC	P/ ZC	13.10.636 13.20.073 13.11.037 ZC required for greenhouses >500 sf.
Hatchery facility, poultry	P	P	13.10.700-H

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	**A**	
Hydroponic farm	MUP	AUP	
Livestock production and grazing			
Large animals (horses, cows, llamas) up to 8 per acre; hogs up to 2 per acre; medium animals (sheep, goats, alpacas) up to 16 per acre; small animals (rabbits, mink, poultry) up to 100 animals per acre, in any combination.	P	P	13.10.645 13.10.646 16.22.060 13.10.313
Animals at a greater density	P	AUP	
Timber harvesting and associated operations (allowed outside the Coastal Zone only)	P	NA	
Water pollution control facility, agricultural, to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board	MUP	MUP	16.20, 16.22 16.30
Agricultural Support			
Agri-tourism and education			13.10.633; 13.10.700-A 13.11.037 Agri-tourism facility buildings limited to a total of 3,500 sf. *CUP for events located within 200 feet of a residentially zoned parcel or within 200 feet of a residence.
School visits, preschool – 12th grade, no limit on number of events per year or number of students	P[A]	P	
Other agri-tourism and education events, not exceeding 12 per year: 50 or fewer guests per event	P[A]	P	
Other agri-tourism and education events, not exceeding 12 per year: 51-100 guests per event; Parcel less than 15 acres	P[A]	AUP	
Other agri-tourism and education events, not exceeding 12 per year: 51-100 guests per event; Parcel 15 acres or larger	P[A]	P	
Other agri-tourism and education events, exceeding 12 per year or number of guests provided above	MUP[A]	AUP/CUP*	
Any agri-tourism and education event(s) with outdoor amplified music	AUP[A]	AUP/CUP*	*CUP for event(s) located within 200 feet of a residentially zoned parcel or within 200 feet of a residence.
Administrative offices, agricultural	P[A]	P[A]	13.11.037
Agricultural processing facility			13.11.037

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Up to 5,000 sq. ft. development area	MUP	AUP	13.10.632 13.10.700-A 13.11.037 *CUP inside Coastal Zone.
>5,000 sq. ft. up to 60,000 sq. ft. development area	AUP/CUP*	AUP	
>60,000 sq. ft. development area	NA	CUP	
Agricultural service establishment			13.10.638 13.10.700-A 13.11.037
<1,000 sq. ft. development area	MUP[A]	MUP	* On CA, limited to a total development area of 10,000 sf.
1,000 to 7,500 sq. ft. development area	CUP[A]	AUP	
>7,500 sq. ft. development area*	CUP[A]-PC	CUP	
Consumer harvesting	P	P	
Farmstay / homestay	MUP[A]	MUP/A	13.10.641, 13.10.700-F
Fuel storage tanks and pumps	ZC	ZC	
Home occupation	P[A]/CUP[A]	P[A]/CUP[A]	See 13.10.613 to determine when a CUP is required.
Indoor growing facility for mushrooms or other crops, excluding greenhouses			13.10.634 13.11.037
Up to 1,000 sq. ft.	P	P	
>1,000 sq. ft.-20,000 sq. ft total indoor structure area on the parcel	P	CUP	
Kennel	MUP[A]	AUP	13.10.642, 13.10.644 13.11.037
Lumber mill	NA	CUP	
Museum, agriculture or natural history	CUP[A*]-PC	CUP-PC	* On CA, limited to a total development area of 12,000 sf.
Produce sales area, temporary; produce stand			13.10.640 13.11.037
< 800 sq. ft.	P[A]	P[A]	
800 sq. ft. to 1,600 sq. ft.	MUP[A]	MUP[A]	
Produce market			13.10.640 13.11.037
Up to 1,800 sq. ft.	NA	MUP[A]	
1,800 to 3,600 sq. ft.	NA	CUP[A]	
Research and development establishment, agricultural	P[A]	P	13.10.644 13.11.037

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
			On CA, limit of 35,000 sf development area, excluding areas for container crops.
Storage of agricultural equipment and supplies, indoor or outdoor			13.10.635 13.11.037 *ZC required for storage buildings, and for storage areas larger than 1,000 sf 13.10.313(E).
Up to 12,000 sq. ft. development area	P[A]/ZC*	P/ZC*	
>12,000 sq. ft. development area, located off Type 1-3 soils	MUP[A]	AUP	
>12,000 sq. ft. development area on Type 1-3 soils	CUP/PC[A]	CUP	
Stable, commercial riding or boarding; riding academy	P/CUP[A]	P/CUP	See 13.10.644 for permit requirements.
Tree service	NA	AUP	
Veterinary office, animal hospital	CUP[A]	CUP	13.10.644 13.11.037 On CA, limited to a total development area of 15,000 sf.
Water wells, storage tanks and distribution lines, well covers, and small pump houses utilized for agriculturally related activities	ZC	ZC	13.20.073
Winery, brewery, or distillery			See 13.10.637 for features that may increase permit requirements. On CA, limited to a total development area of 35,000 sf.
Production only, less than 1,000 gallons	P[A]	P[A]	
Small: up to 10,000 gallons wine or spirits, or 3,000 barrels beer, per year	MUP[A]	MUP[A]	
Medium: >10,000 - 30,000 gallons wine or spirits, or 3,000 - 6,000 barrels beer, per year	AUP[A]	AUP[A]	
Large: >30,000 gallons wine or spirits, or >6,000 barrels beer, per year	CUP[A]	CUP[A]	
Winery signs			13.10.637
Up to 12 sq. ft., non-illuminated	P[A]	P[A]	
Greater than 12 sq. ft. or illuminated	MUP[A]	MUP[A]	

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	**A**	
Zoo	NA	CUP	13.10.644 13.10.700-Z 13.11.037
Zoo, petting	P[A]	P[A]	13.10.644 13.11.037
Commercial Cannabis Cultivation, Manufacturing, and Distribution *All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to SCCC 7.128.*			
Indoor cultivation: existing legal structure (including greenhouses)	P	AUP[X]	[X]: CUP for non-Class CG licensed cultivation activities, and greenhouses over 20,000 square feet.
Greenhouse replacement, reconstruction, or structural alteration	P	CUP	Subject to SCCC 13.10.636(B) and (C).
Indoor cultivation: new non-greenhouse structure ≤2,000 sf >2,000 sf	MUP CUP	AUP[X] CUP	New structures not permitted in the coastal zone and 1-mile buffer. [X]: CUP for non-Class CG licensed cultivation activities.
Indoor cultivation: new greenhouse <2,000 sf 2,000-20,000 sf >20,000 sf	MUP MUP[N] AUP	AUP[X] NA NA	New structures not permitted in the coastal zone and 1-mile buffer. [X]: CUP for non-Class CG licensed cultivation activities. [N]: AUP if adjacent parcel is developed with a residential structure in the PR, A, TP, SU, or any residential zone district.
Outdoor cultivation (including hoop house)	P	AUP[X]	New hoop houses not permitted in the coastal zone and 1-mile buffer. [X]: CUP for non-Class CG licensed cultivation activities.
Water tank	P[A]	MUP[A]	[A]: Accessory to cannabis cultivation
Manufacturing, Class 1 and 2 Outside the coastal zone and 1-mile buffer: ≤2,000 sf >2,000 sf	MUP AUP	MUP[A*±] AUP[A*±]	New structures not permitted in the coastal zone and 1-mile buffer.

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
Inside the coastal zone and 1-mile buffer: ≤2,000 sf >2,000 sf	MUP CUP	MUP[±] CUP	[A]: Cannabis manufacturing uses must be ancillary to on-site commercial cannabis cultivation in the A district. [±]: CUP if manufacturing activity involves cannabis imported from offsite or employees (not including the owner). *CUP on parcels < 5 acres.
Manufacturing, Class 3	AUP*	NA	New structures not permitted in the coastal zone and 1-mile buffer. *CUP for existing structures > 2,000 sf in the coastal zone.
Distribution, Class 1: existing legal structure ≤ 2,000 sf > 2,000 sf	P P	MUP[A] CUP[A]	[A]: Cannabis distribution uses must be ancillary to on-site commercial cannabis cultivation in the A district.
Distribution, Class 1: new structure ≤ 2,000 sf > 2,000 sf	MUP AUP	MUP[A] CUP[A]	New structures not permitted in the coastal zone and 1-mile buffer. [A]: Cannabis distribution uses must be ancillary to on-site commercial cannabis cultivation in the A district.
Distribution, Class 2: existing legal structure	P	NA	Class 2 distribution is not permitted in new structures in agricultural zone districts.
Distribution, transport only	P	P	
Community and Public Facilities			
Energy Facilities, Cogeneration	MUP[A]	MUP	13.10.700-C; 13.11.037 On CA land, limited to a total development area of 5,000 sf.
Energy Facilities, Microgrid	CUP[A]	AUP	13.10.700-M; 13.11.037 On CA land, limited to a total development area of 5,000 sf.
Facilities for fish and wildlife enhancement and preservation	P	P	
Fire protection facilities	NA	AUP	13.11.037

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	**A**	
Flood control works, including channel rectification and alteration, for agricultural use	ZC	ZC	
Flood control projects, other than for agricultural use 1 acre or less More than 1 acre	 CUP CUP-BOS	 CUP CUP-BOS	
Dams, canals, and aqueducts of public water projects	CUP-PC	CUP-PC	13.11.037
Public or private recreational uses (such as playfields) that do not include permanent structures or paving	CUP	CUP	13.11.037
Reservoirs 25 acre feet or less >25 acre feet	 CUP CUP-BOS	 CUP CUP-BOS	13.11.037
Sanitary landfill, publicly owned or contracted, as an interim public use	CUP-PC	CUP-PC	13.10.639; 13.11.037
Septic tank sludge disposal sites approved by County Health Officer, outside the Coastal Zone	NA	CUP-PC	7.42
Wastewater treatment plant for the production of recycled water for agricultural irrigation use	CUP-PC	CUP-PC	13.10.643; 13.11.037
Wireless communication facility	*	*	*Refer to 13.10.660 et seq. for permitting requirements.
Other public facility and public/quasi-public community facilities as defined in 13.10.700-P, where determined to be of significant benefit to public health, safety, and welfare, with any loss of agricultural land mitigated	NA	CUP-PC	13.10.314; 13.10.635(D) 13.10.700-M (microgrid) 13.10.700-P; 13.11.037
Housing and Accessory Uses			
Single family dwelling, <5,000 sf Inside Coastal Zone	CUP[A]	P	13.10.313(F); 13.10.314(B); 13.10.324(C); 13.11.037; 16.50.095 13.10.313(E)
Outside Coastal Zone	P		
Single family dwelling, >5,000 sf	CUP	CUP	On CA, limit of one single-family dwelling per parcel.
Dwelling groups (other than agricultural employee housing and caretaker units or			13.10.313 16.50.095

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USE	PERMIT REQUIRED BY ZONE		REFERENCES AND NOTES
	CA	A	
accessory dwelling units), subject to dwelling group density standards			
2-4 units	NA	AUP	
5 or more units	NA	CUP-PC	
Accessory dwelling unit (ADU) or junior ADU located within 100 feet of the primary dwelling	P[A]	P	13.10.313; 13.10.681 13.11.037; 13.20.107-108 16.50.095
Residential accessory structure, habitable* or non-habitable	P[A]	P	*Limit of one habitable accessory structure in CA, located within 100 feet of the primary dwelling. 13.10.313; 13.10.611; 13.11.037; 16.50.095
Foster homes for seven or fewer children, not including those of the proprietary family	P	P	On CA, allowed only within the main dwelling. 13.10.700-F; 16.50.095
Foster homes for eight or more children, not including those of the proprietary family	CUP	AUP	
Residential care home serving 6 or fewer residents	P	P	In CA, allowed only within the main dwelling. 13.10.700-R; 16.50.095
Family (child) day care home (must be in conjunction with residential use)	P[A]	P[A]	Serving up to 14 children. 13.10.613; 13.10.700-D 16.50.095
Home Occupations	P[A]/CUP[A]	P[A]/CUP[A]	13.10.616
Visitor Accommodations			
Bed and breakfast inn	CUP[A]-PC	CUP	13.10.691; 13.11.037 Not allowed on sites with a farmstay use. In CA, allowed only in the main dwelling.
Hosted rental	ZC[A]	ZC[A]	13.10.690
Vacation rentals, new, with 3 or fewer bedrooms and all vacation rental renewals	AUP[A]	AUP[A]	In CA, allowed only within the main dwelling. 13.10.694
Vacation rentals, new, with 4 or more bedrooms	CUP[A]	CUP[A]	

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13.10.313 Development standards in agricultural districts.

(A) Site and Structural Dimensions. The following site area per dwelling unit, site width, frontage, yard dimensions, and building height limits shall apply to all agricultural zone districts except that maximum height limits and exceptions therefrom for residential structures in all agricultural districts shall be determined in accordance with the provisions of SCCC 13.10.323 applicable to parcels in the residential zone districts. On legal lots of record less than two and one-half acres in size, all site and structural dimensions of the residential districts as indicated in SCCC 13.10.323 shall apply, based on the pre-existing parcel size.

Table 13.10.313-1: Agricultural Site and Structural Dimensions

Designation	Parcel Size	Width	Frontage	Front Yard
A	Less than 5 acres	100’	60’	20’
A	5 acres or more	300’	100’	20’
CA	(All)	300’	100’	20’

Designation	Setbacks*:			Maximum Height **:	
	Front	Side	Rear	Agricultural Structures	Residential Structures
A	20’	20’	20’	40’	28’
CA	20’	20’	20’	40’	28’

* For soil-dependent greenhouses, including hoop houses that meet the definition of an agricultural shade structure (SCCC 12.10.315(A)(11)) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment; the setback from all property lines abutting, on, or across a street or road from another agriculturally zoned parcel is 10 feet. Where an abutting agriculturally zoned parcel is under common ownership or leasehold, hoop houses may be constructed with a zero (0) foot setback from the side and rear property lines.
**Agricultural windmills and wind machines for crop production are exempt from the height provisions of this chapter.

(B) Distance Between Structures. Incidental and accessory structures may be attached to and have a common wall with a main structure on a site or may be connected with a main structure by a breezeway; provided, that a structure housing livestock shall not be attached to a structure used for human habitation. Where there is more than one structure on a site, the minimum distance between a structure used for human habitation and another structure shall be 10 feet. The minimum distance between dwelling units shall be 10 feet. The minimum distance between a structure used for human habitation and a structure housing livestock shall be 50 feet. Exceptions to the minimum distance between structures require approval of a minor exception or variance.

(C) Buffer Requirements. Habitable structures, and uses involving intensive human activity, including residential development, and commercial or industrial establishments, that are adjacent to parcels zoned Commercial Agriculture (CA) and/or on lands designated as Type 1-3 Agricultural Resource Land shall provide a buffer setback in accordance with the

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provisions of SCCC 16.50.095. Where required to comply with agricultural buffer setback requirements, an ADU may be located more than 100 feet from the main dwelling, with the additional distance from the main dwelling limited to the minimum distance required to meet the buffer setback requirements. Agricultural buffers shall not be required between nonagricultural and commercial agricultural uses on the same parcel unless otherwise specified by the SCCC. For buffer requirements for Farmworker Housing, see SCCC 13.10.631.

(D) Dwelling Group Densities.

Dwelling groups within the A Agriculture Zone District may be allowed at a density per dwelling unit pursuant to SCCC 13.14 pertaining to rural residential density determinations. Agricultural employee housing in accordance with SCCC 13.10.631 is considered an agricultural use for the purpose of calculating density for zoning purposes.

(E) Total development area on CA.

(1) Residential and Agricultural Support Uses.

(a) The total combined development area on Type I-III agricultural soils for residential and agricultural support uses as identified in the Agricultural Uses Chart (excluding access roads) shall not exceed 60,000 square feet or 10% of the gross site area, whichever is larger.

(b) For proposed residential or agricultural support uses that would result in a combined development area for residential and agricultural support uses on Type 1-3 soils greater than 35,000 square feet, a Conditional Use Permit and master plan shall be required, and the following findings shall apply:

(i) An alternative sites analysis provided by the applicant and supported by technical studies demonstrates that there are no feasible sites available on the subject parcel or on other parcels owned or leased by the applicant that are located off Type 1-3 agricultural land and viable agricultural soils that could accommodate the proposed use;

(ii) There are no feasible alternatives for site design, surfacing materials, or other measures available to accommodate the proposed use that would reduce the total development area on Type 1-3 soils below 35,000 sq. ft. and substantially reduce impacts to viable agricultural land; and

(iii)Farmable portions on the subject parcel, or farmable areas on other sites owned by the agricultural operator equal or greater in size than the total development area of the subject parcel, have been placed in a permanent agricultural easement to protect the land for future farming use.

(2) Discretionary Community and Public Facility Structures on CA land. For discretionary Community and Public Facility structures allowed in the CA zone district (excluding wastewater treatment plants for the production of recycled water for agricultural irrigation use which are subject to findings provided in SCCC 13.10.643), the following findings shall apply to development areas that exceed 35,000 square feet, in addition to findings required pursuant to SCCC 13.10.314(A)(2)-(3):

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(a) There are no feasible alternatives for site design, surfacing materials, or other measures available to accommodate the proposed use that would reduce the total development area on Type 1-3 soils below 35,000 sq. ft. and substantially reduce impacts to viable agricultural land; and

(b) Farmable portions on the subject parcel, or farmable areas on other commercial agricultural sites equal or greater in size than the total development area of the subject parcel, have been placed in a permanent agricultural easement to protect the land for future farming use.*

* The Pajaro River Flood Risk Management Project and other flood control projects for which environmental documentation compliant with CEQA has been prepared are exempt from this finding.

13.10.314 Required special findings for CA uses.

(A) Nonresidential Conditional Uses. For parcels within the CA Commercial Agriculture and the Agricultural Preserve (-P) Combining Zone Districts, the following special findings must be made in addition to the findings required by SCCC 18.10 in order to approve any non-residential project listed under SCCC 13.10.312 that requires a Conditional Use Permit, except agricultural uses and agricultural buffer determinations:

(1) That the establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel (excepting public/quasi-public community facilities of significant benefit to public health, safety, and welfare) and will not reduce, restrict, or adversely affect agricultural activities or resources, or the economic viability of commercial agricultural operations, in the area;

(2) The use is sited on the property to avoid removing land from production and to preserve agricultural resource soils. If avoidance and preservation is not possible, remove as little land as possible from agricultural production and future production. Technical reports may be required to demonstrate conservation of farmland to the maximum extent feasible; and

(3) That the use or structure is ancillary to the principal agricultural use of the parcel, or to parcels owned or leased by the operator where so indicated in SCCC 13.10.312(D), Agricultural Uses Chart, or:

(a) That no other agricultural use is feasible for the parcel;

(b) That the use consists of an interim public use which does not impair long-term agricultural viability;

(c) The use consists of a permanent public use that will result in the production of recycled wastewater facility solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of SCCC 13.10.635 and 13.10.643; or

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(d) The use consists of a permanent discretionary community or public facility use as allowed in the Agricultural Uses Chart that the County has determined to be of significant benefit to the public health, safety, and welfare, subject to the following additional findings:

(i) Loss of commercial agricultural land is mitigated, which may include a permanent agricultural conservation easement on land of at least equal quality and size, as partial compensation for the direct loss of agricultural land, mitigations consistent with 13.10.643(D), or other feasible mitigations;*

(ii) For public facility uses with a development area greater than 12,000 square feet, an analysis is provided of two alternate sites located off agricultural resource land, identifying why development on these sites is not feasible;

(iii) The public facility use does not significantly degrade air and water quality;

(iv) If located in the Coastal Zone, the public facility use is consistent with the California Coastal Act; and

(v) If located on Type 3 agricultural land in the Coastal Zone, the public facility use does not impair agricultural viability through increased assessment costs to other agricultural parcels in the area.*

* The Pajaro River Flood Risk Management Project and other flood control projects for which environmental documentation compliant with CEQA has been prepared are exempt from findings (i) and (v).

(B) Discretionary Residential Uses in the Commercial Agriculture (CA) and Agricultural Preserve (-P) Combining Zone Districts. In the CA or -P zone districts, to establish a residential use requiring a Use Permit or Site Development Permit pursuant to SCCC 13.10.312(D) and 13.11.037, including a single-family dwelling, the following special findings shall be made in addition to those required by SCCC 18.10. These findings shall be based upon a review and determination by the decision-maker. These special findings do not apply to the establishment of agricultural employee housing or a caretaker's unit, which are considered agricultural uses (see SCCC 13.10.631 for applicable standards).

(1) That the use will be sited to minimize conflicts with commercial agricultural activities on-site, where applicable, or in the area;

(2) That the use is sited on the property to avoid removing land from production and to preserve agricultural resource soils. If avoidance and preservation is not possible, remove as little land as possible from agricultural production and future production;

(a) Conditions of approval related to the above finding may include one or more of the following: siting the proposed use on the perimeter of good agricultural soils, locating on the least agriculturally viable area of the parcel clustering near existing buildings and/or other site development, utilizing existing site access or locating the development on the site to minimize the total area required for new site access, and minimizing the use of paving materials or other impervious surfacing to that necessary to accommodate the proposed use;

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(3) That the owners of the parcel have executed binding hold harmless covenants with the owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to issuance of the use permit; and

(4) For the establishment of a single-family dwelling or ADU on a CA parcel in the Coastal Zone, the following additional finding applies: That the parcel is less than one acre in size; or that the parcel has physical constraints (such as adverse topographic, geologic, hydrologic, or vegetative conditions) other than size that preclude commercial agricultural use; or that the residential use will be ancillary to commercial agricultural use of the parcel based on the fact that either:

(a) The farmable portion of the parcel, exclusive of the building site, is large enough in itself to constitute a minimum economic farm unit for three crops, other than greenhouses, suited to the soils, topography and climate of the area; or

(b) The owners of the subject parcel have a long-term binding arrangement for commercial agricultural use of the remainder of the parcel, such as an agricultural easement.

(C) Recreational Playfields.

(1) For parcels within the CA Commercial Agricultural Zone District, the following special findings must be made in addition to the findings required by SCCC 18.10 in order to approve recreational playfields:

(a) That the use will not impair the long-term use of the parcel for commercial agricultural purposes;

(b) That the use does not involve permanent structures or paving and does not require the extension of urban infrastructure such as water or sewer lines or conflict with LAFCO or Coastal Commission policies. Surfacing of a pedestrian access to meet the requirements of the Americans with Disabilities Act shall not be prohibited by this provision;

(c) That the use will not conflict with commercial agricultural activities on-site, where applicable, or in the area; and

(d) That the use will be sited to remove as little land as possible from production.

13.10.315 CA land division criteria.

(A) All Parcels in the CA Zone District.

(1) All land divisions of fewer than 20 lots in the CA Zone District shall require a public hearing before the Planning Commission, and land divisions of 20 or more lots require a public hearing before the Board of Supervisors, pursuant to SCCC 18.10.110 and SCCC 14.01, Subdivision Regulations.

(2) All proposed land divisions within the CA Zone District shall be reviewed by the Agricultural Policy Advisory Commission for a recommendation for approval or denial of the proposed division, and for a determination of the ability to make the special

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findings required by this section, the potential for conflicts from the proposed division, and where appropriate, the minimum parcel size necessary to allow for economic farming of the parcels.

(3) No land divisions shall be permitted in the CA Zone District for the purpose of using the new parcel(s) for nonagricultural uses. Dividing off land which is not usable for agriculture from viable commercial agricultural land is permitted only where the division is for a public purpose, and will not adversely impact commercial agriculture in the area.

(4) Divisions of land not zoned CA from land zoned CA are governed by SCCC 16.50.085.

(B) Type 1 Parcels. The following findings shall be made prior to the approval of any land division in the CA Zone District for land designated as Type 1 land pursuant to SCCC 16.50:

(1) That the resulting parcels are not less than 10 arable acres in size, except for the following:
   (a) The creation of a new parcel no less than one acre in size for an Affordable Rental Farmworker Housing (ARFH) project pursuant to SCCC 13.10.681 may be allowed on Type 1 or 2 agricultural land when necessary to obtain financing for construction of the project. Such a parcel is not required to be of sufficient size to allow for economic farming, and shall not include a condominium map;

(2) That the division is for exclusive agricultural purposes, which includes the creation of a new parcel for an ARFH project;

(3) That the proposed parcel sizes will not be detrimental to the economic viability of commercial agricultural operations on said parcels, or on adjoining or nearby parcels;

(4) That the division is necessary for continued commercial agricultural use of the subject parcels. In the event a recorded agricultural preserve (Williamson Act contract), or conservation easement exists on a parcel proposed to be divided under this section, said contract or easement shall constitute evidence of a long-term commitment to continued agricultural use and shall satisfy the requirement for this finding;

(5) That all parcels shall be of sufficient size to allow for economic farming of the parcels for crop types suited to the particular soils in question, except for parcels created solely for the purpose of an ARFH project pursuant to SCCC 13.10.681, which are not subject to this requirement. Technical reports may be required to confirm the crop types that are suited to a particular soil. With respect to parcels restricted by a Williamson Act contract the finding shall be made either that (a) all parcels created shall be of sufficient size to allow for economic farming of the parcels for crop types suited to the particular soils in question, or that (b) the owners of all parcels created have recorded an agreement with the County that guarantees the original owner the right to continue to use the newly created parcel for exclusive commercial agricultural uses. Land subject to a Williamson Act contract that is approved for division shall continue to be restricted in the aggregate to the permitted and discretionary uses which would have been available to the original parcel under the Williamson Act contract had the original parcel remained undivided; and

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(6) That no conflicts with adjacent agricultural operations shall result from the division.

(C) Type 2 Parcels. The following findings shall be made prior to the approval of any land division in the CA Zone District for land designated as Type 2 land pursuant to SCCC 16.50:

(1) That the resulting parcels are not less than 20 arable acres in size, except for the following:

(a) The creation of a new parcel no less than one acre in size for an ARFH project pursuant to 13.10.681 may be allowed on Type 1 or 2 agricultural land when necessary to obtain financing for construction of the project. Such a parcel is not required to be of sufficient size to allow for economic farming, and shall not include a condominium map;

(2) That the division is for exclusive agricultural purposes, including the creation of a new parcel for an ARFH project;

(3) That the division will result in agriculturally viable parcels; and

(4) That no conflicts with adjacent or nearby commercial agricultural uses will result from the division.

(D) Type 3 Parcels. The following findings shall be made prior to the approval of any parcel division in the CA Zone Districts for land designated as Type 3 land pursuant to SCCC 16.50:

(1) That the resulting parcel sizes are not less than 20 arable acres;

(2) That the division is necessary for continued commercial agricultural use of the subject parcels;

(3) That the proposed parcel sizes will not be detrimental to the economic viability of commercial agricultural operations on said parcels, adjoining, or nearby parcels;

(4) That the division is exclusively for agricultural purposes;

(5) That all parcels are of sufficient size to constitute a minimum economic farm unit for three crop types, other than greenhouse agriculture, suited to the soils, topography, and climate of the area;

(6) That no conflicts with adjacent agricultural operations shall result from the division;

(7) That such division will not create the potential for residential use other than that determined to be ancillary to commercial agriculture pursuant to SCCC 13.10.314(A) and (B); and

(8) That such division will not hamper or discourage long-term commercial agricultural operations.

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SECTION IX

Sections 13.10.316 through 13.10.319 are hereby added to Santa Cruz County Code Chapter 13.10, Part III, Districts, Article I, Agricultural Districts, to read as follows:

13.10.316 Land division criteria in the Agriculture (A) Zone District.

The minimum average parcel size in net developable acres for new parcels created in the A Zone District outside the urban services line (USL) shall be within the range of 2½ to 20 or 10 to 40 acres per dwelling unit and shall be consistent with the requirements of the General Plan/Local Coastal Program Land Use Plan, SCCC 16.50, pertaining to protection of noncommercial agricultural land, and SCCC 13.14 pertaining to rural residential density determinations.

13.10.317 Minimum parcel sizes for lot line adjustments.

The required minimum parcel sizes for lot line adjustments in the CA and A zoning districts shall be as follows, based on net site area except as noted:

(A) A District. For parcels with a General Plan designation of Agriculture (AG), parcels shall not be reduced in size below the minimum size in net developable acres provided by SCCC 13.14, Rural Residential Density Determinations. For parcels with a General Plan designation of R-M, the minimum parcel size shall be 10 acres. For parcels with a General Plan designation of R-R, the minimum parcel size shall be 2.5 acres.

(B) CA District

(1) No parcel designated as Type 1-3 agricultural resource land shall be reduced in size by a lot line adjustment, unless it can be demonstrated that the proposed adjustment will not adversely affect the agricultural viability of agricultural land which is located on the subject parcels or on adjacent parcels. The Planning Director may refer the determination of agricultural viability to the Agricultural Policy Advisory Commission.

(2) Except as provided in subsections (C) and (D) below, in no case shall parcels with both a General Plan designation as Agriculture, and designated, all or in part, as Type 1 Agricultural Resource, be reduced to a net site area of less than 10 arable acres; parcels designated, all or in part, as Type 2 or Type 3 Agricultural Resource, shall not be reduced to a net site area of less than 20 arable acres.

(C) In the A or CA zoning districts, a parcel no less than one acre in size for an Affordable Rental Farmworker Housing (ARFH) project pursuant to SCCC 13.10.631 may be allowed when necessary to obtain financing for construction of the project. Such a parcel shall not include a condominium map.

(D) Exceptions. Minimum parcel sizes for lot line adjustments in the A and CA zoning districts shall not apply, where:

(1) The sole purpose and effect of the lot line adjustment is to remedy a driveway encroachment, or a structural encroachment otherwise lawfully developed where the resulting property line meets the required minimum setback or any approved variance therefrom, in which case APAC review is not required; or,

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(2) The lot line adjustment results in an equal exchange of land and each resulting parcel and arable land area are the same size after the lot line adjustment as before; APAC review is still required if the area of arable land is reduced on a parcel, in which case APAC review is not required.

13.10.318 Agricultural Policy Advisory Commission review.

Agricultural Policy Advisory Commission (APAC) review, and approval where indicated, shall be required for all of the following development projects having the potential to affect agricultural lands, as designated on the County's Agricultural Resources Map:

(A) Approval of Agricultural Buffer Setback Reduction Permits pursuant to SCCC 16.50.095;

(B) Lot line adjustments to reduce the size or arable area of a CA zoned parcel, as provided by SCCC 13.10.317;

(C) Applications for residential uses requiring a Use or Site Development Permit on parcels zoned CA in the Coastal Zone pursuant to SCCC 13.10.314(B);

(D) Land Divisions on lands designated as Agricultural Resources in the County General Plan;

(E) Amendments to Agricultural Resource Designations;

(F) Actions to establish, amend, or cancel Williamson Act Contracts;

(G) Determinations of agricultural viability associated with the conversion of Commercial Agricultural lands (Agricultural Resource Lands) to non-commercial lands, such as a proposal to rezone lands out of the Commercial Agricultural Zone District, or findings of non-viability;

(H) Any use on Commercial Agricultural Land which requires review by the Planning Commission or Board of Supervisors per SCCC 13.10.312(D);

(I) Any other project for which APAC review is required pursuant to the Santa Cruz County Code, General Plan, or other applicable regulations; and

(J) Matters referred to the APAC by the Board of Supervisors.

13.10.319 Other standards and conditions for agricultural districts.

Other use and development standards applicable to agricultural zone districts include but are not limited to the following provisions of the SCCC:

Table 13.10.319-1:
Other Development Standards Applicable in Agricultural Zone Districts

Development Standards	SCCC
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Accessory structures, home occupations, weddings and community events, and temporary uses	13.10.611-13.10.616

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Table 13.10.319-1:
Other Development Standards Applicable in Agricultural Zone Districts

Development Standards	SCCC
Use of nondevelopable land	13.10.671
Accessory dwelling units	13.10.681
Design Review and Site Development	13.11
Parking	13.16
Coastal Zone Regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16
Agricultural buffers/setbacks	16.50.095

SECTION X

Section 13.10.324.1 of the Santa Cruz County Code is hereby repealed in its entirety.

SECTION XI

Sections 13.10.321 through 13.10.326 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.321 Purposes of residential districts.

(A) General Purposes. In addition to the general objectives of this chapter the residential districts are included in the Zoning Ordinance in order to achieve the following purposes:

(1) To provide areas of residential use in locations and at densities consistent with the County General Plan;

(2) To preserve areas for primarily residential uses in locations protected from incompatible effects of nonresidential land uses;

(3) To establish a variety of residential land use categories and dwelling unit densities which provide a choice of diversified housing opportunities to meet the housing needs of the community consistent with public health and safety;

(4) To achieve patterns of residential settlement that are compatible with the physical limitations of the land and the natural resources of the County and that do not impair the natural environment;

(5) To ensure adequate light, air, privacy, and open space for each dwelling unit;

(6) To maximize efficient energy use and energy conservation in residential districts, and to encourage the use of locally available renewable energy resources;

(7) To provide adequate space for off-street parking of automobiles;

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(8) To provide areas of residential use consistent with the capacity of public services, the urban services line and rural services line and the reserve capacity policy of the Local Coastal Program Land Use Plan for tourist services. To minimize traffic congestion and avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them; and

(9) To protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes.

(B) Specific RA Residential Agricultural District Purposes. To provide areas of residential use where development is limited to a range of non-urban densities of single-family dwellings in areas outside the urban services line and rural services line; on lands suitable for development with adequate water, septic system suitability, vehicular access, and fire protection; with adequate protection of natural resources; with adequate protection from natural hazards; and where small-scale commercial agriculture, such as animal-keeping, truck farming, and specialty crops, can take place in conjunction with the primary use of the property as residential.

(C) Specific RR Rural Residential District Purposes. To provide areas of residential use where development is limited to a range of non-urban densities of single-family dwellings in areas having services similar to RA areas, but which are residential in character rather than agricultural due to the pattern of development and use in the area and/or the presence of constraints which would preclude the use of the property for agriculture.

(D) Specific R-1 Single-Family Residential District Purposes. To provide for areas of predominantly single-family residential development in areas which are currently developed to an urban density or which are inside the urban services line or rural services line and have a full range of urban services, or are planned for a full range of urban services.

(E) Specific RB Single-Family Ocean Beach Residential District Purposes. To accommodate single-family dwellings on existing lots of record in the vicinity of the cliffs and the ocean beach; where lots abut on and obtain access from a street which is generally parallel to both the beach and the cliff, and which has an elevation of not more than 20 feet above sea level; and where either the seaward right-of-way line of the street or the seaward boundary line of the lots on the ocean side of the street abut open beachlands which are unobstructed to the mean high tide line.

(F) Specific RM Multifamily Residential District Purposes. To provide for areas of residential uses with a variety of types of dwellings in areas which are currently developed to an urban density or which are inside the urban services line or rural services line and have a full range of urban services.

(G) Specific RF Residential Flexible District Purposes. To accommodate a greater intensity of residences along and near public transportation corridors within the County's urban services line, creating opportunities for infill housing available to residents at various income levels and household sizes, including workers, students, singles, and seniors,

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specifically by encouraging compact attached housing units. Parcels within the RF Zone District shall be located in areas with a full range of urban services and in close proximity to commercial services, schools/colleges, major employment centers, and/or Multimodal Corridors as mapped in the Santa Cruz County General Plan/Local Land Use Plan. Ground-floor commercial uses may be appropriate in the RF district if compatible with adjacent land uses.

13.10.322 Uses in residential districts.

(A) Allowed Uses. The uses allowed in residential districts shall be as provided in the Residential Uses Chart. Certain disallowed uses that 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.

(B) Use permits. A discretionary approval 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 Residential Uses Chart. The processing procedures and findings for use permits are detailed in SCCC 18.10, 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) Residential Uses Chart. Allowed uses and permit requirements for residential zone districts 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.

Table 13.10.322-1: Residential Uses Chart

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.
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.
NA	Use not allowed in this zone district.

LAND USE	**PERMIT REQUIRED BY ZONE**						**REFERENCES AND NOTES**
	RA/ SU	**RR**	**R-1**	**RB**	**RM**	**RF**	
Housing - Residential Units							

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Dwelling unit, single-family detached	P	P	P	P	NA*	NA*	*Exception per 13.10.324(F) (AB 803). CUP for units >5,000 sf per 13.10.324(C). 13.10.700-D
Dwelling unit, single-family attached	P	P	P	P	P	P	
Dwelling units, single-family dwelling groups	ZC	ZC	ZC	ZC	NA	NA	
Dwelling units, multifamily	NA*	NA*	NA*	NA*	P	P	*Exception for duplexes where allowed per CA Gov Code 65852.1 (SB 9). 13.10.700-D
Senior rental housing	NA	NA	NA	NA	CUP	CUP	13.10.700-S
Foster home: 7 or fewer children	P	P	P	P	P	P	13.10.700-F
Foster home: 8 or more children	CUP	CUP	CUP	CUP	CUP	CUP	13.10.700-F
Mobile home park	NA	NA	NA	NA	CUP	NA	13.10.684
Permanent Room Housing	CUP-PC	CUP-PC	CUP-PC	NA	CUP-PC	NA	13.10.425-428
Accessory Dwelling Unit (ADU)	P[A]	P[A]	P[A]	P[A]	P[A]	P[A]	13.10.681
Junior ADU	P[A]	P[A]	P[A]	P[A]	P[A]	NA	JADU must be associated with a single-family dwelling unit. 13.10.681
Residential accessory structure, habitable and non-habitable	P*	P*	P*	P*	P*	P*	*See 13.10.611 for when a discretionary permit is required.
Housing - Institutional and Care Facilities							
Residential care home (six or fewer residents)	P	P	P	P	P	P	Residential care homes are considered a residential use if less than 7 residents. Larger facilities are commercial. 13.10.700-R
Residential care home, (seven or more residents)	CUP	CUP	CUP	CUP	CUP	CUP	
Skilled nursing facility, residential care facility for the elderly, continuing care retirement community with fewer than 100 occupants, group quarters	CUP	CUP	CUP	NA	CUP	CUP	These are all considered non-residential uses. 13.10.700-C,-G,-R,-S

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Continuing care retirement community with over 100 occupants	CUP-PC	CUP-PC	CUP-PC	NA	CUP-PC	CUP-PC	
Residential Units – Commercial Uses (ancillary to residential use)							
Tract offices	CUP	CUP	CUP	CUP	CUP	CUP	
Family day care home	P[A]	P[A]	P[A]	P[A]	P[A]	P[A]	Serving up to 14 children (see SCCC 13.10.700-D). Subject to SCCC 13.10.613.
Home occupations	P[A]/ CUP[A]	P[A]/ CUP[A]	P[A]/ CUP[A]	P[A]/ CUP[A]	P[A]/ CUP[A]	P[A]/ CUP[A]	See 13.10.613 to determine when a CUP is required.
Hosted rentals	ZC[A]	ZC[A]	ZC[A]	ZC[A]	ZC[A]	ZC[A]	Hosted rental permit required per 13.10.690.
Vacation rentals	AUP[A] / CUP[A]	AUP[A] / CUP[A]	AUP[A] / CUP[A]	AUP[A] / CUP[A]	AUP[A] / CUP[A]	AUP[A] / CUP[A]	MUP for new rentals with ≤3 bedrooms. AUP for renewals. CUP for new rentals with >3 bedrooms. Vacation rental permit required per 13.10.694.
Visitor Accommodations							
Bed and breakfast inns, 12 or fewer rooms	CUP	CUP	CUP	NA	CUP	NA	13.10.689, 13.10.691
Commercial visitor accommodations, small scale, coastal special community New construction Conversion of existing structure	NA CUP	NA CUP	CUP CUP	NA NA	CUP CUP	NA NA	13.20 13.10.689 13.10.692
Organized camps	CUP-PC	CUP-PC	CUP-PC	NA	CUP-PC	NA	13.10.689
Commercial Uses							
Active commercial uses (businesses open to the general public) ≤ 10,000 sf > 10,000 sf	NA NA	NA NA	NA NA	NA NA	NA NA	CUP CUP-PC	Active commercial uses allowed on the ground floor only. Uses may include the following commercial use categories per SCCC 13.10.332(D): eating and drinking; entertainment,

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							fitness, and recreation; and neighborhood/ community sales and services.
Recreation, Events and Community Facilities							
Clubs, lodges, private meeting halls, and recreational facilities such as golf courses, tennis clubs ≤ 10,000 sf > 10,000 sf	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	NA NA	CUP CUP-PC	CUP[A] CUP-PC[A]	In the RF district, must be ancillary to residential use.
Commercial weddings and similar celebrations	CUP	CUP	NA	NA	NA	NA	Subject to 13.10.615.
Community centers ≤10,000 sf >10,000 sf	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	NA NA	CUP CUP-PC	CUP CUP-PC	
Open space uses, non-commercial, not involving structures, such as ecological preserves, playgrounds, and unpaved sports fields	P	P	P	P	P	P	
Parks: local, public, and associated facilities	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	
Public structures and facilities ≤ 10,000 sf > 10,000 sf	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	
Religious facilities ≤ 10,000 sf > 10,000 sf	CUP CUP-PC	CUP CUP-PC	CUP CUP-PC	NA NA	CUP CUP-PC	CUP CUP-PC	
Recycling collection facilities, small	MUP[A]	MUP[A]	MUP[A]	MUP[A]	MUP[A]	MUP[A]	Must be associated with a community or public facility, subject to 13.10.658. No use permit required for reverse vending machines.
Day care centers ≤ 10,000 sf	CUP	CUP	CUP	NA	CUP	NA	13.10.700-D

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> 10,000 sf	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	NA	
Schools	CUP	CUP	CUP	NA	CUP	NA	
Animal Keeping							
Dogs and cats	P	P	P	P	P	P	Maximum 4 cats or dogs.
Kennels (5 or more dogs or cats over 4 months old)	CUP	NA	NA	NA	NA	NA	13.10.646
Small animal keeping	P*	P*	P*	NA	NA	NA	*CUP required to exceed density limits specified in 13.10.645. 13.10.700-A
Large animal keeping	P*	CUP	NA	NA	NA	NA	
Public stables and riding	CUP	NA	NA	NA	NA	NA	13.10.645
Bee Keeping	P/ CUP	P/ CUP	NA	NA	NA	NA	P in RA and RR for 2 hives. 13.10.645
Fish Hatcheries	CUP	CUP	CUP	NA	NA	NA	
Agriculture							
Gardening, family; community garden	P	P	P	P	P	P	13.10.700-G
Agriculture, small scale commercial	P[A]	CUP[A]	CUP[A]	NA	NA	NA	On-site retail such as Christmas tree farms allowed on RA with MUP. 13.10.327
Greenhouse ≤1,000 sf >1,000 sf	 P MUP	 P MUP	 P NA	 P NA	 P NA	 P NA	Subject to development standards in 13.10.323(C).
Nurseries, commercial	CUP	NA	NA	NA	NA	NA	
Wineries (<1,000 gallons annual production: home occupation)	P	P	P	P	P	P	13.10.613
Wineries, small	CUP	CUP	NA	NA	NA	NA	13.10.637
Wineries, medium	CUP-PC	CUP-PC	NA	NA	NA	NA	
Commercial Cannabis Cultivation, Manufacturing, and Distribution *All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to SCCC 7.128*							

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Indoor cultivation (including greenhouses): outside coastal zone and 1-mile buffer ≤ 2,000 sf > 2,000 sf	AUP[X] AUP*	NA NA	NA NA	NA NA	NA NA	NA NA	Commercial cannabis cultivation not permitted within the coastal zone and 1-mile buffer. [X]: CUP for non-Class CG licensed cultivation activities. *: CUP for new structures over 2,000 sf.
Greenhouse replacement, reconstruction, or structural alteration	AUP[X]	NA	NA	NA	NA	NA	[X]: CUP for non-Class CG licensed cultivation activities.
Outdoor cultivation (including hoop houses): outside coastal zone and 1-mile buffer	AUP[X]*	NA	NA	NA	NA	NA	Commercial cannabis cultivation not permitted within the coastal zone and 1-mile buffer. [X]: CUP for non-Class CG licensed cultivation activities. *: CUP for cultivation area >500 sf.
Water tank	MUP[A]	NA	NA	NA	NA	NA	[A]: Accessory to cannabis cultivation.
Manufacturing, Class 1 or 2 (outside coastal zone and 1-mile buffer)	CUP[A]*	NA	NA	NA	NA	NA	Class 1 or 2 manufacturing not permitted within the coastal zone and 1-mile buffer. Class 3 manufacturing not permitted anywhere in residential districts. [A]: Cannabis manufacturing uses must be ancillary to on-site commercial cannabis cultivation. *: MUP if 0 employees (not including owner), and structure <2000 sf, and cannabis is not imported from offsite.

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Distribution, Class 1 (outside coastal zone and 1-mile buffer) < 2,000 sf ≥2,000 sf	MUP [A] CUP [A]	NA NA	NA NA	NA NA	NA NA	NA NA	Class 1 distribution not permitted within the coastal zone and 1-mile buffer. Class 2 distribution not permitted anywhere in residential districts. [A]: Cannabis distribution uses must be ancillary to on-site commercial cannabis cultivation.
Distribution, transport only	P	P	P	P	P	P	
Infrastructure and Utilities							
Air Strips	CUP-PC	CUP-PC	NA	NA	NA	NA	13.10.700-A
Energy Cogeneration	MUP	MUP	MUP	MUP	MUP	MUP	13.10.700-C
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	Includes private and public utilities, and microgrids (see SCCC 13.10.700-M).
Wireless Communication Facilities	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	Certain types of wireless facilities are permitted by right with a ZC. See 13.10.660 et seq.

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

(E) Use conditions.

(1) Signage. Signage is allowed, subject to SCCC 13.10.580, with a MSP for non-residential signage per 13.11.037.

(2) Temporary/seasonal use is allowed pursuant to a temporary use permit (TUP), subject to SCCC 13.10.616.

(3) Additional conditions for specific uses are found in other code sections as referenced in the Residential Uses Chart.

13.10.323 Development standards in residential districts.

(A) Site development permit. A discretionary permit for physical site development such as an addition, exterior remodel, or new construction associated with an allowed use is known as a "Site Development Permit." SCCC 13.11.035 identifies the types of site development projects which require a Site Development Permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Permit Application Processing Procedures.

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(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site Area for the Creation of New Sites.

(1) Calculation of land area. Inside the urban services line or rural services line, land area is based on gross site area, minus any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay. Outside the urban and rural services lines, land area is based on net developable site area. See SCCC 13.10.700 for definitions of "site area, gross" and "site area, net developable".

(2) Maximum land area per dwelling unit (minimum density). Maximum land area allowed for each dwelling unit on a new site shall be determined by the density range provided by the General Plan designation for the parcel.

(3) Minimum land area per dwelling unit (maximum density).

(a) RA and RR Residential Districts. Minimum land area required for each dwelling unit on each site shall be established by the rural residential density determination matrix (SCCC 13.14) outside the urban services line and rural services line or shall be one acre inside the rural services line.

(b) R-1 and RM Residential Districts. Zone district names shall be combined with a number which shall indicate the minimum land area required for each dwelling unit on each site in the district. For example: "R-1-6" means a minimum land area of 6,000 square feet per dwelling unit. The R-1 Single-Family Residential District located outside the urban services line recognizes as conforming those parcels that are generally less than one acre in size, are legal lots of record, and were developed with or intended for development of a single-family residence. Newly created parcels outside the urban services line shall not be zoned R-1.

(c) RB Ocean Beach Residential District. Minimum land area per dwelling unit is 4,000 square feet.

(d) RF Residential Flex District. Maximum density is 45 dwelling units per acre (968 square feet per dwelling unit).

(4) Parcel size shall be consistent with the General Plan, Local Coastal Program Land Use Plan, the Geological Hazards Ordinance (SCCC 16.10), and the minimum parcel size standards in SCCC 13.10.510(G).

(5) In the zone districts listed in subsections (B)(3)(a) through (d) of this section, one single-family dwelling is permitted on existing parcels regardless of the site area standards if other infrastructure requirements can be met, such as water and sewer, and if all other applicable LCP requirements are met.

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(C) Site and Structural Dimensions Chart. The following single-family and multifamily charts show development standards for residential zone districts. These standards shall apply within all residential R zone districts, except as noted elsewhere in this section, and in the general exceptions as noted in SCCC 13.10.510 et seq.

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Table 13.10.323-1: Single-Family Residential Site and Structural Dimensions Chart

Development Standards	Standards by Zone[1,2]						
	RB	R-1-2.5 to R-1-4	R-1-5	R-1-6 to R-1-9	R-1-10 to R-1-15	R-1-16 to R-1<1 acre	RR, RA, R-1>1 acre
Parcel Dimensions (new parcels)							
Minimum site width (feet)	40	35	35	60	60	90	1-5 acres: 100 > 5 acres: 150
Minimum parcel frontage (feet)	40	35	35	60	60	60	1-5 acres: 60 > 5 acres: 100
Building Massing[1]							
Maximum building height	25 (17 for beach lots)	28	28	28	28	28	28
Maximum number of stories	2 (1 for beach lots)	2	2	2	2	2	3
Maximum floor area ratio (FAR)[3]	0.5	R-1-2.5: 0.7 R-1-3: 0.6 R-1-4: 0.6	0.5	0.5	0.5	NA	NA
Maximum parcel coverage (“lot coverage”)	40%	45%	40%	40%	40%	20%	10%
Building Setback Distance from Property line[1,4,5]							
Front yard setback (feet)	10	15	15	20	20	20	20
Side yard setbacks - interior (feet)	0&5	5&5	5&8	5&8	10&10	15&15	20&20
Side yard setback – street-facing (feet)	10	8	10	10	10	15	20
Rear yard setback (feet)	10 (0 for beach lots)	15	15	15	15	15	20

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Table 13.10.323-1: Single-Family Residential Site and Structural Dimensions Chart

Development Standards	Standards by Zone[1,2]						
	RB	R-1-2.5 to R-1-4	R-1-5	R-1-6 to R-1-9	R-1-10 to R-1-15	R-1-16 to R-1<1 acre	RR, RA, R-1>1 acre
Front, side, or rear yard setback – garage/carport entrance (feet)	20	18	20	20	20	20	20

1. Building massing and setback standards are provided for primary dwellings. See SCCC 13.10.611 for development standards for accessory structures, including detached garages. See SCCC 13.10.681 for development standards for accessory dwelling units (ADUs).

2. Exceptions to site development standards apply per subsection (E) – (G) of this section.

3. To calculate FAR, see SCCC 13.10.510 and 13.10.700 for "Floor Area Ratio" and related definitions.

4. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and County Design Criteria.

5. See SCCC 13.16.093 Sight Distance for areas in which no structure, fence, or retaining wall shall exceed 3 feet in height. In some cases sight distance requirements may require a structure to be set back farther than the zone district requirements.

Table 13.10.323-2: Multifamily Residential Site and Structural Dimensions Chart

Development Standards	Standards by Zone[1,2]					
	RF	RM-1.5 to RM-2.5	RM-3 to RM-4	RM-4.5	RM-5 to RM-6	RM-6.5 to RM-9
Parcel Dimensions (new parcels)						
Minimum site width (feet)	50	35	35	35	50	60
Minimum parcel frontage (feet)	50	35	35	35	50	60
Building Massing[1]						
Maximum building height	40	28 (outside USL) 35 (within USL)	28 (outside USL) 35 (within USL)	28	28	28
Maximum number of stories	3	3	3	2	2	2

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Table 13.10.323-2: Multifamily Residential Site and Structural Dimensions Chart

Development Standards	Standards by Zone[1,2]					
	RF	RM-1.5 to RM-2.5	RM-3 to RM-4	RM-4.5	RM-5 to RM-6	RM-6.5 to RM-9
Maximum floor area ratio (FAR)[3]	1.1 (<30 du/acre) 1.5 (≥30 du/acre)	0.7	0.6	0.5	0.5	0.5
Maximum parcel coverage ("lot coverage")	NA	45%	45%	45%	45%	45%
Building Setback Distance from Property line[1,4,5]						
Front yard setback (feet)	10	15	15	15	20	20
Side yard setbacks – interior (feet)	5&5	5&5	5&5	5&5	5&8	5&8
Side yard setback – street (feet)	8	8	8	8	8	8
Rear yard setback (feet)	15	15	15	15	15	15
Front, side, or rear yard setback – garage/carport entrance (feet)	18	18	18	20	20	20
Third story setback (feet)	Minimum of 50% of exterior walls of the third story set back at least 10 feet from property setback lines			NA	NA	NA

1. Building massing and setback standards are provided for primary dwellings. See SCCC 13.10.611 for development standards for accessory structures, including detached garages. See SCCC 13.10.681 for development standards for accessory dwelling units (ADUs).

2. Exceptions to site development standards apply per subsections (E) – (G) of this section.

3. To calculate FAR, see SCCC 13.10.510 and 13.10.700 for definition of "Floor Area Ratio" and related definitions. See SCCC 13.10.323(F)(8) for FAR exemption.

4. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and County Design Criteria.

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5. See SCCC 13.16.093, Sight Distance for areas in which no structure, fence, or retaining wall shall exceed 3 feet in height. In some cases sight distance requirements may require a structure to be set back farther than the zone district requirements.

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(D) Usable Open Space. In RM and RF Districts, common and private usable open space shall be provided according to the following table:

Table 13.10.323-3: Usable Open Space Requirements

Type of Open Space	RM Districts	RF District
Common open space	Minimum of 200 sf per unit. Minimum dimension of 15' for sites up to ½ acre, and 20' for sites larger than ½ acre.	Minimum 15% of gross site area (common and/or private space). If group open space provided, apply a minimum dimension of 15' for sites up to ½ acre, and 20' for sites larger than ½ acre.
Private open space (must be directly accessible from the dwelling unit served)	Minimum of 60 sf per unit, with a minimum dimension of 6'.	Minimum of 60 sf per unit for 50% or more of units included in project, with a minimum dimension of 6'.

All Required Usable Open Space:

(1) Shall be planted with lawn or ground cover, or surfaced with dust-free material;

(2) Shall be screened from streets and adjacent sites;

(3) If above ground, shall be open on at least one side;

(4) Shall not be located in a parking area, driveway, or service area;

(5) Shall not have a slope of more than 10 percent; and

(6) Shall not be obstructed except by improvements that enhance its usability, such as swimming pools, fountains, sunshades, and plantings.

(E) Site and Structural Dimensions Exceptions Relating to Parcels.

(1) Parcels Created from New Land Divisions. Within any new land division project, all development standards on all lots or parcels which abut the periphery of the project site are subject to all the restrictions stated in this section unless a variance is obtained. On individual lots or parcels within any land division project not abutting the periphery of the project site, site and structural dimensions may vary from the general requirements for the zone district; provided, that the approved standards and dimensions for each new lot or parcel are specifically indicated on the approved tentative map.

(2) Nonconforming Parcels. On a lot which contains less than 80 percent of the minimum site area required in the applicable zone district, or has less than 80 percent of the minimum width, or frontage, the building setbacks required shall be equal to those in the zone district having a minimum site area or dimensions which most closely correspond to those of the substandard lot.

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(3) Parcels Reduced Due to Right-of-Way Dedications.

(a) A site area variance approval shall not be required for a new single-family dwelling or additions to an existing single-family dwelling on an existing lot of record which is reduced in size to less than the minimum site area required in the applicable zone district due to requirements for a public dedication of right-of-way.

(b) For a new or existing single-family dwelling on an existing lot of record which becomes nonconforming due to a public dedication of right-of-way, variances to building setback and structural dimension requirements shall not be required; provided, that the front yard setback is not less than 15 feet and the street side yard setback is not less than six feet.

(4) Parcels with Agricultural, Geological or Environmental Resources and/or Constraints. For setbacks from fault zones, floodplains/floodways, and coastal bluffs and beaches, see SCCC 16.10.070. For setbacks from riparian corridors see SCCC 16.30.040. For setbacks from sensitive habitats see SCCC 16.32.090. For setback/buffer requirements for parcels abutting commercial agricultural, CA zoned parcels, see SCCC 16.50.095.

(5) Parcels with Steep Slopes.

(a) In all residential zone districts, if the elevation of the lot at a point 50 feet from the center line of the traveled roadway is seven feet or more above or below the elevation of said center line, an attached or detached carport which (in the interest of public safety) is unenclosed on all sides may be built to within five feet of the front property line or edge of right-of-way of the lot. Open safety railings no more than 42 inches in height may be constructed to the property line without a development permit, except that in the Coastal Zone a coastal development permit will be required for all such development unless it is exempt from coastal development permit requirements pursuant to SCCC 13.20.060 or 13.20.070.

(b) In the RB District, where the site abuts an existing street, road, or easement for road purposes recorded in the County Recorder's Office before March 25, 1969, and where the front 30 feet of the site exceeds a slope of 25 percent, no front yard is required.

(6) Parcels with Double Frontage. When both the front and rear property lines of a parcel abut on a right-of-way to which it has legal access, the required front yards shall be measured from both rights-of-way. Only one of the front yards shall be required to meet the off-street parking criteria described in SCCC 13.16.

(7) Parcels with Narrow Width. Non-corner parcels with parcel width less than 60 feet may apply side yard setbacks of 5 feet, if a greater side yard setback is usually required for the zone district where the parcel is located.

(8) For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and SCCC

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16.42, the maximum parcel coverage shall be 1.25 times that of the applicable zone district and the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance and with SCCC 16.42.

(9) Fire safe setbacks in State Responsibility Areas. Greater setbacks may apply for parcels in State Responsibility Areas (SRAs). See the County GIS system to determine if a parcel is in a SRA, and the State Fire Code and Title 14, Chapter 7, section 1270.00 et seq. of the California Code of Regulations for State SRA Fire Safe Regulations.

(F) Site and Structural Dimension Exceptions Relating to Structures.

(1) Structural Encroachments. Eaves, chimneys, bay windows (less than 60 inches in height), uncovered, unenclosed porches, decks, stairways, and landings may extend into required front and rear yard by six feet; provided, that balconies or decks must be cantilevered in order to encroach. Eaves, chimneys and uncovered, unenclosed stairways and landings may extend into required side yard three feet. Decks less than 18 inches high may be constructed to property lines. Second story rooftop decks and landings are not permitted. Structural encroachments associated with Accessory Dwelling Units must preserve minimum two-foot interior side and rear setbacks.

(2) Affordable Housing. Variations from maximum structural height, maximum number of stories and maximum floor area as defined by FAR may be approved with a residential development permit by the appropriate approving body for affordable housing unit developments built on-site or off-site in accordance with SCCC 17.10, 13.10.681 and 13.10.685.

(3) Missing middle housing.

(a) Per California Government Code section 65913.11 (SB 478), certain small housing projects shall have no maximum density and a maximum FAR as follows:

(i) Three to seven housing units: maximum FAR 1.0.

(ii) Eight to ten housing units: maximum FAR 1.25.

(b) Eligible housing projects for subsection (a) must be located within a Census designated urban area, in the RM or RF zone district, and not within the “L” combining zone district.

(c) On sites with multiple parcels, attached single-family homes may be constructed with their attached wall along the property line.

(4) Structures Designed for Solar Access.

(a) Criteria for New Construction. In cases where it is not possible to orient a new building southward within the applicable yard requirements for the purpose of incorporating an active or passive solar energy system, a reduction in such yard requirements may be authorized with a MSP issued pursuant to SCCC 18.10; provided, that:

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(i) The purpose of the reduction is to incorporate an active or passive solar energy system into the new building;

(ii) The building envelope would comply with all zoning provisions if oriented parallel to the lot lines;

(iii) The reduced yard requirement will not restrict emergency access or present a fire hazard; and

(iv) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks.

(b) Criteria for Structural Additions. In cases where it is not possible to make additions to an existing structure within the applicable yard requirements for the purpose of attaching an active or passive solar energy system, reduction in such yard requirements may be authorized with an MSP issued pursuant to SCCC 18.10; provided, that:

(i) The reduced yard requirement will not restrict emergency access, or present a fire hazard;

(ii) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks; and

(iii) The portion of the addition within the required setback is designed for the primary purpose of collecting solar energy.

(5) Structures Larger Than 5,000 Square Feet. No residential structure shall be constructed which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures, unless a CUP is obtained pursuant to the provisions of SCCC 13.10.324(C).

(6) Structures Exceeding Zoning District Height Limit.

(a) With Increased Yards. An additional height allowance is allowed if all required yards are increased five feet for each foot over the permitted building height, and planning approvals are obtained according to the following table:

Parcel Size (Net Site Area)	Maximum Height Above Existing Grade	Planning Approvals Required
Less than 2-1/2 acres	Over zoning district height limit	AUP
2-1/2 acres or larger	Over zoning district height, up to 7 additional feet	MUP

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Parcel Size (Net Site Area)	Maximum Height Above Existing Grade	Planning Approvals Required
	Over zoning district height, over 7 additional feet	AUP

(b) With Design Review. An additional height allowance of up to 5 feet may be allowed without increased yards or variance approval, subject to design review and CUP approval.

(7) Front Yard Averaging.

(a) On a site situated between sites improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average depth of the front yards on the improved sites adjoining the side lines of the site but in no case shall be less than 10 feet.

(b) Where a site is not situated between sites improved with buildings and where sites comprising 40 percent of the frontage on a block are improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average of the existing front yard depths on the block but in no case shall be less than 10 feet.

(c) In computing average front yard depths, the figure 30 feet shall be used in lieu of any front yard depth greater than 30 feet.

(d) Proposed garages or carports shall meet the minimum front yard setbacks shown in this section, site and structural dimensions charts, or as allowed by subsection (D)(5) of this section, Parcels with Steep Slopes. The required front yard setback for other accessory structures may be reduced as allowed by SCCC 13.10.611(D).

(8) FAR parking exemption. Within the USL, Residential Flex, RM-1.5 to RM-2.5 and RM-3 to RM-4 projects that incorporate at least 75% of parking spaces with underground garages, multi-story above-ground garages, or podium parking located on or off site are not subject to a maximum FAR.

(G) Additional exceptions to development standards. Applicants may apply to exceed development standards with a minor exception (SCCC 13.10.235), variance (SCCC 13.10.230), or planned unit development (SCCC 18.30.183).

13.10.324 Special standards and conditions for residential districts.

(A) Design and operating criteria for senior rental housing. All provisions of SCCC 13.11 and SCCC 13.10.323 shall be met. The design and operation of senior rental housing shall comply with State law.

(B) Within the Pleasure Point Commercial Corridor Area (Portola Drive between 26th Ave. and 41st Ave., and 41st Ave. between Portola Drive and the Capitola city limit), any parcels rezoned from a commercial to a residential zone district shall continue to be subject to the special standards applicable to properties in the Commercial Corridor

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provided in SCCC 13.10.334(D) and follow the guidance provided in Appendix B of the Santa Cruz County Design Guidelines: Design Principles for the Pleasure Point Commercial Corridor.

(C) Large dwelling permit requirements and design guidelines.

(1) Approvals. No single-family dwelling unit shall be constructed which will result in 5,000 square feet or more of "net floor area," exclusive of accessory structures associated with the residential use, unless a CUP is obtained pursuant to the provisions of this section.

(2) Findings. All applications subject to this section shall be approved only if at least one of the following findings can be made:

(a) The proposed structure is compatible with its surroundings given the neighborhood, locational or environmental context and its design is consistent with the large dwelling design guidelines in subsection (4) of this section; or

(b) The proposed structure, due to site conditions, or mitigation measures approved as part of the application, will be adequately screened from public view and will not adversely impact public viewsheds, neighboring property privacy or solar access, and its design is consistent with the large dwelling design guidelines set forth in subsection (4) of this section. (For structures within the Coastal Zone requiring a coastal development permit, additional findings shall be made pursuant to SCCC 13.20.)

(3) Conditions. Conditions of project approvals made pursuant to this section may include mitigation measures necessary to preserve the neighborhood character in which the proposed structure(s) will be located, to preserve neighboring property privacy or solar access, and/or to screen the structure(s) from the road. Such measures may include, but are not limited to: house and accessory structure re-siting, additional landscape screening and house redesign, including possible reduction in floor area.

(4) Large Dwelling Design Guidelines. New large dwellings and related accessory structures regulated by this section are subject to the following design guidelines. The intent of these guidelines is to assist the applicant in meeting the requirements of the large dwelling regulations, and to assist the Planning Director and Zoning Administrator in reviewing applications.

Large dwellings and their related accessory structure should be designed so that:

(a) Changes in the natural topography of the building site are minimized;

(b) Grading cuts and fills are minimized, and when allowed, are balanced;

(c) House design and accessory structure horizontal elements follow hillside contours, where applicable;

(d) Colors and material are used to reduce the appearance of building bulk. Use of earthtone colors is encouraged;

(e) Building height appearance is minimized by varying the height of roof elements and setting back higher portions of the structure from prominent viewpoints;

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(f) Ridgeline silhouettes remain unbroken by building elements. Building envelopes should be allocated to the lower portions of hillside lots, where feasible;

(g) The structure(s) is compatible in terms of proportion, size, mass, and height with homes within the surrounding neighborhood;

(h) Architectural features break up massing. This can be accomplished by varying roof lines, puncturing large wall expanses with bay windows or recessed wall planes, or using a combination of vertical and horizontal architectural elements;

(i) Landscaping helps blend the structure(s) with the natural environmental setting of the site. This can be done by preserving existing vegetation as much as possible, siting the structure(s) to take advantage of existing trees and land forms, and by planting fast-growing, native landscaping to screen elements visible from viewpoints located off the parcel on which the structure is located;

(j) The view to adjacent properties is controlled. This can be done by minimizing second-story windows facing close neighboring properties, orienting upper floor balconies and decks toward large yard areas, locating the structure on the site as far from property lines as possible, and using landscaping to enhance privacy; and

(k) The location of the structure(s) on the site minimizes view blockage within public viewsheds.

(D) Residential density bonus for affordable housing. Within the Coastal Zone, the approving body (or the Coastal Commission on appeal) may approve additional units under density bonus provisions if the following criteria are met:

(1) The additional units are consistent with Coastal Act Section 30604(f), Government Code Section 65915, and SCCC 17.12; and

(2) The project is found to be in conformity with the Local Coastal Program provisions that ensure no impact on Coastal resources (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access, and open space protections).

(E) Small-scale commercial agriculture in RA, RR, and R-1 Zone Districts. Small-scale commercial agriculture such as crop raising is an allowed use in the RA Zone District, and may be allowed a Conditional Use Permit in the RR and R-1 Zone Districts, when conducted at a scale and in a manner appropriate and secondary to the primary residential use of the parcel and where compatible with nearby residential land uses. Small-scale commercial agriculture is allowed only on sites with an existing residence. Agricultural uses which create hazardous fumes, odors, unsightliness, dust, or noise levels inappropriate to a residential area are not considered small-scale agriculture and are not allowed within residential zone districts. Small scale commercial agriculture shall be compatible with residential land uses in terms of hours of operation, use of machinery and mechanical equipment, and pesticide usage. Small-scale commercial agriculture with on-site retail sale of products grown or produced on site such as Christmas tree farms or produce stands selling produce grown on site may be considered in the RA zone district only, subject to the approval of a Conditional Use Permit, where the use is found to be compatible with nearby residential uses and other required findings and standards. In the RR and R-1 districts, small scale commercial

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agriculture is also considered a home occupation and is therefore subject to SCCC 13.10.613, Home occupations as secondary uses.

(F) Small lot single-family development in RM and RF zone districts. Single-family detached development is only allowed in RM and RF zone districts per the provisions of California Government Code Section 66499.40 (AB 803).

13.10.325 Public facilities requirements for residential districts.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district, or requirements for on-site sanitation and water systems if applicable to the site location, shall be met.

(C) All improvement requirements and impact fees for community facilities shall be met where required by district or ordinance regulations (SCCC Title 15).

(D) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For industrial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications.

(E) Project features located in the right-of-way, such as street lighting, street trees, and utility poles, shall be designed and constructed per the Santa Cruz County Design Criteria.

13.10.326 Other standards and conditions for residential districts.

Other use and development standards applicable to residential districts include but are not limited to the following provisions of the SCCC:

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Table 13.10.326-1:
Other use and development standards applicable to residential districts

Topic	SCCC Section
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Accessory structures, home occupations, weddings and community events, and temporary uses	13.10.611-13.10.616
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672
Accessory Dwelling Units	13.10.681
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16

SECTION XII

Sections 13.10.331 through 13.10.335 of the Santa Cruz County Code are hereby amended, and Section 13.10.336 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.331 Purposes of commercial districts.

In addition to the general objectives of this chapter, the commercial districts are included in the Zoning Ordinance to achieve the following purposes:

(A) General Purposes.

(1) To provide for retail stores, offices, service establishments, recreational establishments, and wholesale businesses offering a range of commodities and services adequate to meet the needs of County residents and visitors.

(2) To contain commercial facilities in appropriately located areas, enhancing multimodal corridors and activity centers, and providing opportunities for commercial uses to concentrate for the convenience of the public and in mutually beneficial relationships to each other.

(3) To ensure that commercial facilities and uses are compatible with the level of available public facilities and services, minimizing traffic congestion and preventing the overloading of utilities and public services.

(4) To ensure that commercial development is compatible with natural resource protection, environmental quality, and the scenic setting of the County.

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(5) To ensure that commercial facilities are constructed and operated such that they are compatible with adjacent development, and that high standards of urban design are maintained, minimizing impacts on residential areas and providing for adequate site layout, protection of solar access to adjacent property, landscaping, sign and building design and size, and on-site parking, loading, and circulation.

(6) To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses, and from fire, explosion, noxious fumes, and other hazards.

(7) To provide for residential and public facility uses on commercial properties where these uses contribute to establishing vibrant activity centers, complete neighborhoods, and/or attainable housing, while including an appropriate and viable level of commercial land uses.

(8) To maximize efficient energy use and energy conservation in commercial uses, and to encourage the use of locally available renewable energy resources.

(B) Specific C-1 Neighborhood Commercial District Purposes. To provide compact and conveniently located shopping and service uses within walking distance of individual urban neighborhoods or centrally located to serve rural communities. Neighborhood commercial uses and facilities should be small scale, appropriate to a neighborhood service area, with minimal adverse traffic, noise, or aesthetic impacts on the adjacent residential areas. Mixed-use residential and commercial uses are allowed, with design considerations to ensure compatibility between land uses on site and with adjacent sites. The C-1 District is intended for parcels with a General Plan designation of neighborhood commercial (C-N) or community commercial (C-C).

(C) Specific C-2 Community Commercial District Purposes. To provide centers of concentrated commercial uses accommodating a broad range and mixture of commercial activities, serving the general shopping, entertainment, service, visitor, and office needs of community or region-wide service areas. Mixed-use residential and commercial uses are allowed, with design considerations to ensure compatibility between land uses on site and with adjacent sites. The C-2 District is intended for parcels with a General Plan designation of community commercial (C-C).

(D) Specific VA Visitor Accommodations District Purposes. To provide areas specifically reserved for visitor accommodations and limited appurtenant uses. To allow a broad range of short-term (less than 30 days) lodging options for visitors and to recognize these as commercial uses. The VA District is intended for parcels with a General Plan designation of visitor accommodation (C-V) or community commercial (C-C).

(E) Specific CT Tourist Commercial District Purposes. To recognize visitor serving uses such as food services, auto fueling, and visitor accommodations along major transportation corridors or in commercial activity centers. The CT District is intended for parcels with a General Plan designation of neighborhood commercial (C-N), community commercial (C-C), or visitor accommodation (C-V).

(F) Specific PA Professional-Administrative Office District Purposes. To provide for professional service uses in buffer areas between residential neighborhoods and more

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intensive commercial or industrial activities, as well as in locations where a demonstrated need for professional services exists, such as medical and employment activity centers. Mixed-use residential and office uses are allowed, with design considerations to ensure compatibility between land uses on site and with adjacent sites. Limited sales and customer service uses are appropriate as ancillary to an office or mixed-use development, to meet the daily needs of residents and workers. The PA District is intended for parcels with a General Plan designation of community commercial (C-C), professional and administrative office (C-O), or service commercial and light industrial (C-S).

(G) Specific C-3 Workplace Flex District Purposes. To provide centers of employment with a flexible mixture of office, retail, research, and light industrial land uses as well as ancillary sales, customer service, and public facilities uses to meet the daily needs of workers. C-3 District parcels should make efficient use of urban infrastructure and should accommodate flexibly-built spaces for multiple business types and changing business needs over time. The C-3 District is intended for parcels located along major corridors and in activity centers within the Urban Services Line, with a General Plan designation of community commercial (C-C), professional and administrative office (C-O), or service commercial and light industrial (C-S).

(H) Specific C-4 Commercial Services District Purposes. To provide for a broad range of commercial services that require large sites and convenient access to highways and other freight corridors. Appropriate C-4 land uses include auto repair; contractors' yards; warehousing and storage; freight terminals; cannabis production, manufacture, and distribution; and outdoor sales facilities, such as nurseries, lumber yards, and boat and auto sales. Commercial recreational uses such as drive-in theaters and indoor arenas are also appropriate. The C-4 District is intended for parcels with a General Plan designation of service commercial and light industrial (C-S), in areas where impacts of noise, traffic, and other nuisances and hazards associated with such uses will not adversely affect other land uses.

13.10.332 Uses in commercial districts.

(A) Allowed Uses. The uses allowed in commercial districts shall be as provided in the Commercial Uses Chart. Certain disallowed uses that 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.

(B) Use permits. A discretionary approval 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 Commercial Uses Chart. The processing procedures and findings for use permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Master Use permits. When requested by a property owner, a master use permit may be approved by the Zoning Administrator or Planning Commission, subject to the use permit findings provided in SCCC 18.10.230.

(a) Master use permit elements. The master use permit shall establish all allowed uses and shall include provisions for adequate site improvements for each use type. Uses that are allowed by a master use permit shall not require individual use permits unless specified by the conditions of the master use permit.

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(b) Environmental review. The adoption or amendment of a master use permit is a "project" within the meaning of CEQA and the County Environmental Review Guidelines and is subject to environmental review.

(2) Change of use in an existing legal structure in a commercial zone district.

(a) A change of use in an existing legal structure may be approved with a zoning clearance if all the following criteria are met:

(i) The new use is allowed in the zone district;

(ii) The new use will not result in an intensification of use;

(iii) There is a use permit or master use permit for the existing use, and/or the new use is specified for the parcel in a town, village, or specific plan; and

(iv) The new use would have required an equal or lower level of public notice or hearing than the existing use.

Applicable existing discretionary permits and conditions of approval shall remain in effect for the new use.

(b) Subsection (a) shall not apply in the C-4 district, except for cannabis uses in the Rodeo Gulch Overlay. All other C-4 uses shall require MUP approval for a change of use.

(c) In all other circumstances, a new use permit is required as provided in the commercial uses chart, or an amendment to an existing use permit is required as provided in SCCC 18.10.134.

(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) Commercial Uses Chart. Allowed uses and permit requirements for commercial zone districts 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.

Table 13.10.332-1: Commercial Uses Chart

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.

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[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.
NA	Use not allowed in this zone district.

USE	USE PERMIT REQUIRED BY ZONE							REFERENCES AND NOTES
	C-1	C-2	VA	CT	PA	C-3	C-4	
Automobile Fuel and Service Stations								
Automobile fueling /service station	CUP	AUP	NA	AUP	NA	NA	AUP	Fuel stations with integrated car washes or auto service repair shops are not allowed in C-1 district. 13.10.657 13.10.700-A
Car wash	NA	AUP	NA	CUP	NA	NA	AUP	
Electrical vehicle charging station	P	P	P[A]	P	P[A]	P[A]	P	
Animal Services								
Pet shops and grooming services	AUP	MUP	NA	NA	AUP[A]	MUP[A]	AUP	Chapter 6.08 13.10.646 Pet supply shops that do not keep or sell pets are a neighborhood retail use (see "sales and services – neighborhood/ commercial" in this chart).
Kennel or animal hospital	NA	CUP	NA	NA	NA	NA	CUP	
Animal shelter	NA	CUP-PC	NA	NA	NA	NA	CUP-PC	
Veterinary office	CUP	AUP	NA	NA	NA	NA	AUP	
Commercial Cannabis Cultivation, Manufacturing, and Distribution *All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to SCCC 7.128.*								
Indoor cultivation: existing legal structure	NA	NA	NA	NA	NA	NA	MUP[N,RG]	[N]: AUP if adjacent parcel is developed with a residential structure in the PR, A, TP, SU, or any residential zone district. [RG]: ZC for cultivation in existing non-greenhouse structures in the

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								Rodeo Gulch overlay when in conjunction with distribution/ manufacturing.
Indoor cultivation: new structure <5,000 sf 5,000-20,000 sf >20,000 sf	NA NA NA	NA NA NA	NA NA NA	NA NA NA	NA NA NA	NA NA NA	AUP CUP CUP-PC	New structures not allowed in the coastal zone and 1-mile buffer. Outdoor or hoop house cultivation not allowed in any commercial district.
Water tank	NA	NA	NA	NA	NA	NA	MUP[A]	Accessory to cannabis cultivation.
Manufacturing, Class 1 or 2: <2,000 sf 2,000-20,000 sf >20,000 sf	NA NA NA	AUP* CUP* CUP-PC*	NA NA NA	NA NA NA	NA NA NA	NA NA NA	AUP[RG] CUP[RG] CUP-PC[RG]	New structures not permitted in the coastal zone and 1-mile buffer. *: Manufacturing is only allowed in conjunction with a licensed dispensary on the parcel, unless exception is granted pursuant to SCCC 13.10.650(D)(2)(g). [RG]: ZC for manufacturing in existing structures in the Rodeo Gulch zoning overlay area.
Manufacturing, Class 3: <2,000 sf 2,000-20,000 sf >20,000 sf	NA NA NA	NA NA NA	NA NA NA	NA NA NA	NA NA NA	NA NA NA	AUP CUP CUP-PC	New structures not permitted in the coastal zone and 1-mile buffer.
Distribution, Class 1 or 2: existing legal structure	NA	P*	NA	NA	NA	NA	P	*: Distribution is only allowed in the C-2 district in

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								conjunction with a licensed dispensary on the parcel.
Distribution, Class 1: new structure <2,000 sf ≥2,000 sf	NA NA	NA NA	NA NA	NA NA	NA NA	NA NA	MUP CUP	New structures not permitted in the coastal zone and 1-mile buffer.
Distribution, Class 2: new structure <5,000 sf 5,000-20,000 sf >20,000 sf	NA NA NA	AUP* CUP* CUP-PC*	NA NA NA	NA NA NA	NA NA NA	NA NA NA	AUP CUP CUP-PC	New structures not permitted in the coastal zone and 1-mile buffer. *: Distribution is only allowed in the C-2 district in conjunction with a licensed dispensary on the parcel.
Distribution, transport only	NA	P	NA	NA	P	NA	P	
Eating and Drinking								
Bar/nightclub	CUP	AUP	AUP[A]	AUP	NA	AUP[A]	NA	13.10.332(E)(3) 13.10.654 13.10.700-B, -D, -W. Alcohol production in C-1 and CT zone districts limited to <30,000 gallons wine/ spirits or <6,000 barrels beer.
Brewery/brewpub/ winery/distillery Tasting room	CUP AUP	AUP AUP	CUP[A] AUP[A]	CUP AUP	NA CUP[A]	AUP MUP[A]	AUP MUP	
Food truck	P	P	P	P	P	P	P	See Environmental Health Services Mobile Food Facility Health Permit requirements.
Dining establishment - indoor (restaurant, coffee shop, café, food kiosk, fast food, specialty food such								Walk-up windows for take-out orders are allowed. MUP/AUP required to add outdoor dining per

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as bakery, deli, ice cream shop) ≤ 12 seats > 12 seats	ZC AUP	ZC AUP	ZC[A] AUP[A]	ZC AUP	MUP[A] AUP[A]	MUP[A] AUP[A]	MUP[A] AUP[A]	SCCC 13.10.332(E)(4). Within 200 feet of school site or residential district, AUP required to add beer and wine service to a dining establishment (CUP required to add a full bar). 13.10.652; 13.10.654
Entertainment, Fitness and Recreation								
Entertainment - indoor (theater, billiard hall, games establishment) ≤ 10,000 sf > 10,000 sf	CUP CUP-PC	MUP CUP-PC	AUP[A] CUP-PC	AUP[A] CUP-PC	NA NA	NA NA	AUP CUP-PC	Chapter 5.16 Chapter 8.20 13.10.654 13.10.700-G
Fitness – Indoor (gym, club, exercise studio) ≤ 10,000 sf > 10,000 sf	AUP CUP-PC	MUP CUP-PC	AUP[A] CUP-PC	AUP[A] CUP-PC	AUP[A] CUP-PC	AUP[A] CUP-PC	AUP CUP-PC	MUP for businesses <2,000 sf. See SCCC 13.10.623(G) regarding massage/bath.
Recreational facility - outdoor (fairgrounds, sports courts and fields, golf course, flea market, mini-golf, amusement park, public pool)	NA	CUP-PC	NA	NA	NA	NA	CUP/CUP-PC	Pools are permitted by right as an ancillary use to visitor accommodations. 13.10.652 13.10.654 CUP-PC required for structures over 10,000 square feet
Instructional studio (art, dance, music) ≤ 10,000 sf > 10,000 sf	AUP CUP-PC	MUP CUP-PC	NA NA	NA NA	MUP[A] CUP-PC	MUP[A] CUP-PC	AUP CUP-PC	Permitted by right for businesses <2,000 sf in C-1, C-2, PA, or C-3 zone districts.

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Open space uses (picnic facilities, playgrounds, trails, open space)	AUP	AUP	P[A]	P	P[A]	NA	NA	No permanent structures allowed for open space uses.
Private club or lodge ≤ 10,000 sf > 10,000 sf	AUP CUP-PC	MUP CUP-PC	AUP[A] CUP-PC	AUP[A] CUP-PC	AUP CUP-PC	AUP CUP-PC	NA NA	
Spa/Massage (bath, sauna, non-medical massage establishment) ≤ 10,000 sf > 10,000 sf	CUP CUP-PC	AUP CUP-PC	AUP[A] CUP-PC	AUP[A] CUP-PC	CUP[A] CUP-PC	AUP CUP-PC	AUP CUP-PC	Chapter 5.08 13.10.623
Tourist services (information, tickets)	MUP	MUP	MUP	MUP	NA	NA	NA	13.10.700-T
Offices and Laboratories								
General office (finance, real estate, insurance, and other professional services)	P	P	P[A]	NA	P	P	AUP[A]	Includes standard offices as well as creative office types such as co-working spaces, business incubators, and broadcast stations.
Medical office - individual practitioner	P	P	NA	NA	P	P	NA	Includes physicians and alternative medicine practitioners (excluding massage parlors but including massage for physical therapy).
Medical office/clinic (no ambulance service or overnight stay)	AUP	MUP	NA	NA	MUP	MUP	NA	CUP-PC for ambulance service or overnight stay. Full-service hospitals are appropriate in the PF zone district

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								(see SCCC 13.10.361 et seq.).
Medical mixed-use	NA	CUP-PC	NA	NA	CUP-PC	NA	NA	13.10.334(B), 13.10.365(B)
Research and Development Laboratory - Dry	AUP[A]	P[A]	NA	NA	MUP	MUP	MUP	13.10.700-L
Research and Development Laboratory - Wet	NA	AUP[A]	NA	NA	MUP	P	AUP	13.10.700-L
Sales and Services – Neighborhood/Community								
Adult uses	NA	CUP	NA	NA	NA	NA	CUP	13.10.621, .622, .623 13.10.652 13.10.654
ATM (outdoor)	MUP	MUP	MUP	MUP	MUP	MUP	MUP	No use permit required for indoor ATM. 13.10.652
Bank or credit union	MUP	MUP	NA	NA	MUP	MUP[A]	NA	13.10.652
Cannabis dispensaries	NA	NA	NA	NA	NA	NA	NA	New dispensaries are not allowed. Existing dispensary licenses may be renewed. 7.130; 13.10.652
Household services (repair shop, tech support, copy/print shop, tailor, dry cleaner, laundromat)	MUP	P	NA	NA	P[A]	P[A]	MUP[A]	Permitted by right for businesses < 2,000 sf in C-1 zone district.
Liquor store	CUP	AUP	NA	NA	NA	AUP[A]	AUP	An AUP is required to add a tasting area to a liquor store. 13.10.65; 13.10.654
Personal services (barber shop, beauty salon, tattoo parlor, nail salon)	MUP	P	MUP[A]	MUP[A]	P[A]	P[A]	P[A]	Permitted by right for businesses <2,000 sf in C-1 zone district.

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Recycling collection facility, small	MUP[A]	MUP[A]	MUP[A]	MUP[A]	MUP[A]	MUP[A]	MUP[A]	Reverse vending machines do not require use permits. 13.10.658; 13.10.700-R
Retail - community (department/big box store, home and garden, nursery, auto supplies, office/ technology products) ≤ 50,000 sf > 50,000 sf	AUP CUP-PC	MUP CUP-PC	NA NA	NA NA	NA NA	NA NA	AUP CUP-PC	Permitted by right for businesses <2,000 sf in C-1 zone district. Outdoor sales/services not allowed in C-1. 13.10.652
Retail - neighborhood (convenience store, grocery/supermarket, hardware store, pharmacy, shop, boutique, gallery) ≤ 50,000 sf > 50,000 sf	MUP CUP-PC	P CUP-PC	MUP[A] CUP-PC	AUP CUP-PC	MUP[A] CUP-PC	P[A] CUP-PC	NA NA	Permitted by right for businesses <2,000 sf in C-1 zone district. Supermarket size limited to 20,000 sf in the C-1 zone district. 13.10.652
Retail - recreational sales and rentals (bikes, surf gear, etc.) ≤ 50,000 sf > 50,000 sf	AUP CUP-PC	MUP CUP-PC	AUP[A] CUP-PC	AUP CUP-PC	AUP[A] CUP-PC	MUP CUP-PC	MUP CUP-PC	
Sales and Services – Requiring Large Sites, Truck Traffic, Vehicle Storage								
Automobile sales or rental	NA	CUP-PC	NA	NA	NA	NA	CUP	Includes cars, motorcycles, light trucks, trailers/RVs. 13.10.652
Automobile repair or specialty shop	NA	CUP-PC	NA	NA	NA	CUP	AUP	13.10.652 13.10.700-A
Agricultural service establishment	NA	NA	NA	NA	NA	NA	AUP	13.10.700-A
Boat services	NA	NA	NA	NA	NA	NA	CUP	For recreational watercraft rentals

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(boat sales, rentals, repair, building, launching and storage; commercial fishing)								such as kayaks, see "retail - recreational sales and rentals."
General commercial services (auction houses, catering, industrial printing, industrial dry cleaners, machine shops, wholesale distributors, online merchandise show-rooms and pick-up)	NA	CUP	NA	NA	NA	MUP	MUP	For general services less than 10,000 sf with minimal truck traffic or vehicle storage, see "household services." See 13.10.652, .653
Hand-made product fabrication and sale (textiles, clothing, furniture, welding)	AUP	MUP	NA	NA	NA	MUP	MUP	Includes cooperative "maker" spaces. Maximum size 5,000 square feet in C-1.
Light industrial uses (not otherwise listed in commercial uses chart)	NA	NA	NA	NA	NA	See M-1 Use Chart	See M-1 Use Chart	See SCCC 13.10.342 for M-1 use chart. Uses are subject to 13.10.345.
Recycling collection facility, large	NA	NA	NA	NA	NA	NA	CUP	13.10.658 13.10.700-R
Storage - Indoor (self-storage, warehousing)	NA	NA	NA	NA	NA	NA	MUP	
Storage - Outdoor (RV/auto storage, salvage yards, contractor yards, machinery storage)	NA	NA	NA	NA	NA	NA	AUP	For outdoor storage associated with other types of businesses, see SCCC 13.10.332(C)(2).
Taxi company	AUP	AUP	NA	NA	NA	AUP[A]	AUP	Includes rideshare and self-driving vehicles. Five-vehicle maximum in C-1 zone district.
Visitor Accommodation								

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Time shares	NA	NA	NA	NA	NA	NA	NA	13.10.693
Type A visitor accommodation (hotels, motels, bed and breakfast inns)	CUP	CUP	AUP	CUP	NA	NA	NA	13.10.689 13.10.691
Type B visitor accommodation (hostels; RV camping parks; tent-camping parks)	NA	NA	AUP	CUP	NA	NA	NA	13.10.689 13.10.692
(organized camps and conference centers)	NA	NA	CUP-PC	CUP-PC	NA	NA	NA	

PUBLIC AND QUASI-PUBLIC USES

Community Services and Facilities								
Community center or service organization (spaces and programs open to the public)								
≤ 10,000 sf	CUP	AUP	NA	NA	CUP	CUP	NA	
> 10,000 sf	CUP-PC	CUP-PC	NA	NA	CUP-PC	CUP-PC	NA	
Community garden/ urban agriculture	AUP	MUP	NA	NA	AUP[A]	NA	MUP	Allowed as a temporary use in any commercial zone district. Does not include cannabis cultivation (see "Cannabis" section of this chart).
Conference facility/ auditorium/ event hall								13.10.689
≤ 10,000 sf	NA	AUP	AUP [A]	AUP [A]	CUP	AUP	NA	
> 10,000 sf	NA	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	NA	
Day care center ≤ 10,000 sf	AUP	MUP	NA	NA	AUP	AUP[A]	CUP	Does not include family day care

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> 10,000 sf	CUP-PC	CUP-PC	NA	NA	CUP-PC	CUP-PC	CUP-PC	homes (see "Commercial Uses within Dwelling Units"). 13.10.700-D
Employment training/ services, day worker center								
≤ 10,000 sf	NA	MUP	NA	NA	AUP	MUP	MUP	
> 10,000 sf	NA	CUP-PC	NA	NA	CUP-PC	CUP-PC	CUP-PC	
Farmer's market or other regular community event	AUP	AUP	AUP	AUP	AUP	AUP	AUP	
Fire or police station, ambulance service	CUP	CUP	NA	NA	NA	CUP	CUP	
Funeral/burial services (funeral home, columbarium, crematory, cemetery)	CUP	CUP	NA	NA	NA	NA	AUP	
Library								
≤ 10,000 sf	AUP	P	NA	NA	MUP	MUP	NA	
> 10,000 sf	CUP-PC	CUP-PC	NA	NA	CUP-PC	CUP-PC	NA	
Museum	CUP-PC	CUP-PC	NA	NA	CUP-PC	CUP-PC	NA	
Religious institution								
≤ 10,000 sf	AUP	AUP	NA	NA	AUP	AUP	NA	
> 10,000 sf	CUP-PC	CUP-PC	NA	NA	CUP-PC	CUP-PC	NA	
Public restrooms	P	P	P	P	P	P	P	
School	AUP	AUP	NA	NA	AUP	AUP	CUP	For instructional studios, see "Entertainment, Fitness, and Recreation" section.
Infrastructure and Utilities								

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Energy Cogeneration	MUP	MUP	MUP	MUP	MUP	MUP	MUP	13.10.700-C
Parking for offsite uses	MUP	MUP	MUP[A]	MUP	MUP	MUP	MUP	Stand-alone parking lots in the C-1 district limited to a footprint of 10,000 square feet.
Transit station	CUP-PC	CUP	CUP	CUP	CUP	AUP	AUP	
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	AUP	Includes private and public utilities and microgrids (see 13.10.700-M).
Wireless communication facility	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	ZC/ CUP	Certain types of wireless facilities are permitted by right with a ZC. See 13.10.660 et seq.
HOUSING								
Housing – Institutional and Care Facilities								
Skilled nursing facility, residential care facility for the elderly, continuing care retirement community with less than 100 occupants, health care facility	CUP	CUP	NA	NA	CUP	NA	NA	13.10.700-C, -R, -S
Continuing care retirement community with over 100 occupants	CUP-PC	CUP-PC	NA	NA	CUP-PC	NA	NA	
Residential care home serving 6 or fewer residents	P	P	P	P	P	P	P	13.10.700-R
Housing - Residential Units								
Accessory dwelling units (ADUs) and Junior ADUs	P[A]	P[A]	NA	NA	P[A]	NA	NA	13.10.681
Dwellings (single or multifamily)								Residential use may be up to 80%

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1-14 units 15+ units	CUP CUP-PC	CUP CUP-PC	NA NA	NA NA	CUP CUP-PC	NA NA	NA NA	of building square footage at a base density of up to 45 units/acre. Exception for parcels that meet the requirements of CA Gov. Code § 65852.24. 13.10.334(A)
Senior Rental Housing	CUP-PC	CUP-PC	NA	NA	CUP-PC	NA	NA	13.10.700-S
Employee housing	NA	NA	P[A]	P[A]	NA	NA	NA	Allowed with Type B visitor accommodation only, subject to SCCC 13.10.689.
Manager's unit	NA	NA	P[A]	P[A]	NA	AUP[A]	AUP[A]	Limit of one, ancillary to commercial use. On-site manager must be under a contract describing compensation and duties. No other live/work use allowed.
Permanent Room Housing	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	CUP-PC	Coastal zone VA- and CT-zoned parcels are not eligible for PRH. 13.10.425-428
Residential Units – Commercial Uses (ancillary to residential use)								
Family day care home	P[A]	P[A]	NA	NA	P[A]	NA	NA	Serving up to 14 children (see SCCC 13.10.700-D). 13.10.613
Home occupations	P[A]/ CUP[A]	P[A]/ CUP[A]	NA	NA	P[A]/ CUP[A]	NA	NA	May include cottage industry. See 13.10.613 to determine when a CUP is required. 13.10.700-C

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Hosted rentals	ZC[A]	ZC[A]	NA	NA	ZC[A]	NA	NA	Hosted rental permit required per 13.10.690. Vacation rentals (13.10.694) are not allowed.

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 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8 a.m., except pursuant to a MUP.

(a) 24-hour outdoor ATMs attached to banks, credit unions, or grocery stores shall not be subject to a CUP if the following criteria are met:

(i) Safety lighting is screened so as not to cast direct light on any dwelling unit; and

(ii) Physical maintenance of the ATM is limited to the hours of 8 a.m. to 5 p.m., Monday through Saturday.

(3) Outdoor dining/seating. Permanent (long-term) outdoor seating is allowed subject to an MUP to add 12 or fewer seats or an AUP to add more than 12 seats. Outdoor seating includes outdoor dining as well as other uses such as seating in common plaza areas, or outdoor exercise equipment for a fitness facility. Conditions of approval for outdoor seating must ensure public health and safety, including but not limited to: standards from the Americans with Disabilities Act; adequate alternate parking arrangements if parking spaces will be lost to outdoor seating; and permit requirements from other agencies as needed, such as: the County Department of Public Works; County Health Services Agency; County Department of Parks, Open Space and Cultural Services; Sheriff's Office; County Fire Districts; California Department of Alcoholic Beverage Control; or California Department of Motor Vehicles. Temporary outdoor seating may be approved with a temporary use permit, subject to SCCC 13.10.616.

(4) Outdoor storage. Outdoor storage of stock-in-trade outside the C-4 zone district is allowed subject to an AUP; provided, that the storage area is adequately screened from view from adjacent parcels.

(5) Signage. Signage may be required or allowed per SCCC 13.10.581. New signage associated with a master use permit is allowed by right. New signage not associated with a master use permit requires a MSP per 13.11.037.

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(6) Temporary/seasonal use, including temporary outdoor seating, may be allowed pursuant to a temporary use permit (TUP), subject to SCCC 13.10.616.

(7) Additional conditions for specific commercial uses are found in SCCC 13.10.600 et seq., and other sections of the County Code as referenced in the Commercial Uses Chart.

13.10.333 Development standards in commercial districts.

(A) Site development permit. A discretionary permit for physical site development such as an addition, exterior remodel, or new construction associated with an allowed use is known as a "Site Development Permit." SCCC 13.11.035 identifies the types of site development projects which require a Site Development Permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site and Structural Dimensions Chart. The following development standards shall apply within all commercial zone districts, except as noted elsewhere in this section and in the general exceptions as noted in SCCC 13.10.510 et seq.

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Table 13.10.333-1: Commercial Site and Structural Dimensions Chart

DEVELOPMENT STANDARDS	STANDARDS BY ZONE[1]						
	C-1	C-2	VA	CT	PA	C-3	C-4
PARCEL SIZE AND SHAPE (NEW PARCELS)							
Minimum gross site area per parcel (square feet)	5,000[2]	10,000	10,000	10,000	7,500	10,000	10,000
Minimum parcel frontage (feet)	40	50	50	50	50	60	60
BULDING MASSING							
Maximum building height	3 stories (40 feet)	3 stories (40 feet)	3 stories (40 feet)	3 stories (40 feet)	3 stories (40 feet)	3 stories (50 feet)	3 stories (40 feet)
Minimum first story floor-to-ceiling height (feet)						15	
Maximum FAR[5]	1.5	1.5	1.5	1.5	1.5	1.5	1.0
BUILDING SETBACK DISTANCE FROM PROPERTY LINE[1,3,4]							
Front yard setback (feet)	10	10	10	10	10	10	10
Side yard setback (feet)	0	0	10	0	0	5	0
Side yard setback, corner lot street side (feet)	0	0	10	0	10	10	0
Rear yard setback (feet)	0	0	10	0	5	5	0

1. Special setbacks may apply per subsection (C) of this section, and exceptions to site development standards may be considered per subsection (D) of this section. Certain land uses may have special development standards per SCCC 13.10.334 and 13.10.600 et seq.

2. In the C-1 district, parcels smaller than 5,000 square feet are allowed if it can be demonstrated that parking requirements can be met with off-street parking located on or off-site.

3. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and Department of Public Works Design Criteria.

4. See SCCC 13.16.093, Sight Distance for areas in which no structure, fence, or retaining wall shall exceed 3 feet in height. In some cases sight distance requirements may require a structure to be set back farther than the zone district requirements.

5. See SCCC 13.10.334(E) for FAR parking exemption.

(C) Setbacks in sensitive locations.

(1) Parcels abutting agricultural uses: see SCCC 16.50 regarding setback/buffer requirements.

(2) Parcels abutting residential or non-commercial agricultural zone districts:

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(a) Abutting an RM or RF district. The minimum side or rear yard abutting an RM or RF district shall be 10 feet, except in the C-4 district where this setback shall be 30 feet.

(b) Abutting an R-1 or A district. The minimum side or rear yard abutting an R-1 or A district shall be 15 feet, except in the C-4 district where this setback shall be 30 feet.

(c) Third floor setbacks. Minimum 50% of third floor exterior walls must be set back an additional 10 feet from the front, side, and rear yard setback lines.

(3) Fire safe setbacks in State Responsibility Areas. Greater setbacks may apply for parcels in State Responsibility Areas (SRAs). See the County GIS system to determine if a parcel is in a SRA, and the State Fire Code and Title 14, Chapter 7, section 1270.00 et seq. of the California Code of Regulations for State SRA Fire Safe Regulations.

(D) Exceptions to development standards. Applicants may apply to exceed development standards with a minor exception (SCCC 13.10.235), variance (SCCC 13.10.230), or planned unit development (SCCC 18.30.183).

13.10.334 Special standards and conditions for commercial districts.

(A) Mixed use residential and commercial developments.

(1) Density. Base residential density shall not exceed 45 dwelling units per acre, calculated using gross site area.

(a) Residential density bonus. Projects incorporating affordable housing units may be allowed additional density per SCCC 17.12.

(b) Within the Coastal Zone, the approving body (or the Coastal Commission on appeal) may approve additional units under density bonus provisions if the following criteria are met:

(i) The additional units are consistent with Coastal Act Section 30604(f), Government Code Section 65915, and SCCC 17.12; and

(ii) The project is found to be in conformity with the Local Coastal Program provisions that ensure no impact on Coastal resources (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access, and open space protections).

(2) Open space. Minimum 50 square feet open space per dwelling. Open space may be provided through any combination of private and common open space. A minimum of 50% of the units included in the project must provide private open space accessed through unit. Minimum private open space dimensions 6x6 feet. Minimum usable/active common open space dimensions 15x10 feet.

(3) Setbacks. Side and rear setbacks shall be five feet, unless larger setbacks are otherwise required.

(B) Hospitals and mixed-use medical developments. Within the urban services line, hospital and mixed-use medical developments may be eligible for special use and development standards

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as provided in SCCC 13.10.365(B). Commercial FAR limitations shall not apply to eligible projects.

(C) Active commercial corridors. On parcels in the C-1 and C-2 zone districts, at least 50 percent of first floor building frontage along Main Streets, Active Connector Streets, or Multimodal Corridors (as mapped in the Santa Cruz County General Plan) shall be active commercial uses (businesses open to the general public).

(D) Pleasure Point commercial corridor. On commercially zoned parcels located along the mapped Pleasure Point commercial corridor (Portola Drive between 26th Ave. and 41st Ave., and 41st Ave. between Portola Drive and the Capitola city limit), development shall follow the guidance provided in the *Santa Cruz County Design Guidelines Appendix B: Pleasure Point Commercial Corridor Design Guidelines*. The following special development standards shall apply:

(1) Maximum 20,000 square feet for individual tenant spaces;

(2) Third stories must be located toward the middle of a parcel or site, with one- and two-story street-facing building facades;

(3) Height exceptions or variances are not allowed; and

(4) Setbacks.

(a) Minimum street-facing setbacks: Where there is not a conflict with other development standards, buildings must allow for minimum 10-foot sidewalks facing the commercial corridor, and minimum 6-foot sidewalks along side streets, taken from private property area if necessary;

(b) Maximum street-facing setbacks: 20 feet from edge of sidewalk for ground floor sales, service, restaurant, or office uses. 30 feet from edge of sidewalk for ground floor residential uses or outdoor dining; and

(c) Parcels abutting residential zone districts: minimum setback of 30 feet for commercial buildings, 20 feet for residential buildings, with third stories set back an additional 5 feet.

(E) FAR parking exemption. Commercial and mixed-use projects that incorporate at least 75% of parking spaces with underground garages, multi-story above-ground garages, or podium parking located on or off site are not subject to a maximum FAR.

(F) Accessory Dwelling Units. ADUs shall be subject to the use and development standards in SCCC 13.10.681. Where there are conflicts between this section and SCCC 13.10.681, SCCC 13.10.681 shall take precedence.

13.10.335 Public facilities requirements for commercial districts.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district shall be met, or requirements for on-site sanitation and water systems if applicable to the site location.

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(C) All improvement requirements and impact fees for community facilities shall be met where required by district or ordinance regulations (SCCC Title 15).

(D) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For industrial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications.

13.10.336 Other standards and conditions for commercial districts.

Other use and development standards applicable to commercial zone districts include but are not limited to the following provisions of the SCCC:

Table 13.10.336-1:
Other use and development standards applicable to commercial districts

Topic	SCCC Section
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Regulations for special commercial uses	13.10.600-700
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16

SECTION XIII

Sections 13.10.341 through 13.10.345 of the Santa Cruz County Code are hereby amended, and Section 13.10.346 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.341 Purposes of industrial districts.

In addition to the general objectives of this chapter, the M Industrial Districts are included in the Zoning Ordinance to achieve the following purposes:

(A) General Purposes.

(1) To reserve appropriately located areas for mineral extraction and for industrial land uses and related activities, so as to encourage the productive utilization of the County's natural resources, efficient freight and goods movement, and industrial employment for County residents.

(2) To protect areas appropriate for industrial use from intrusion by dwellings and other inharmonious uses.

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(3) To minimize the impact of industrial land uses on nearby residential, agricultural, and commercial properties by encouraging nuisance-free, nonhazardous industrial uses through the control of noise, odor, dust, dirt, smoke, vibration, heat, glare, truck and rail traffic, and other objectionable influences and from fire, explosion, noxious fumes, radiation, and other hazards associated with certain industrial uses.

(4) To provide locations for certain types of industrial land uses to concentrate in mutually beneficial relationships.

(5) To provide adequate space to meet the needs of modern industrial development, including areas for off-street parking, truck and rail loading, and landscaping.

(6) To minimize traffic congestion and to avoid the overloading of utilities by preventing the development of excessively intense industrial uses or the construction of buildings of excessive size in relation to available public facilities.

(7) To maximize efficient energy use and energy conservation in industrial districts, and to encourage the use of locally available renewable energy resources.

(B) Specific M-1 Light Industrial District Purposes. To provide areas for light industrial facilities such as assembly and other types of manufacturing which have no potential for major pollution, adverse visual impacts, or nuisance or hazard factors.

(C) Specific M-2 Heavy Industrial District Purposes. To provide areas for heavy industrial facilities such as lumber mills and major manufacturing or processing plants; to provide standards for their establishment and operation; and to ensure their compatibility with the environment, supporting public services, and adjacent land uses.

(D) Specific M-3 Mineral Extraction Industrial District Purposes.

(1) To identify the location of rock, sand, gravel, and other mineral resources within the County of Santa Cruz which are valuable to the orderly and economic development of the County and region.

(2) To conserve mineral resources for future use and to ensure that the recovery of these resources is not preempted by other uses of the land on which they are located, or by the introduction of noncompatible uses on other lands in the immediate vicinity.

(3) To give public notice of the intent to preserve and plan for the continued or ultimate use of mineral resources and proposed access thereto.

(4) To allow the orderly economic extraction of minerals by designating the sites of existing and potential mines and allowing for the establishment, operation, expansion, and reclamation of mineral extraction facilities and sites with minimum adverse impacts on aquifers, streams, scenic values, and surrounding land uses.

13.10.342 Uses in industrial districts.

(A) Allowed Uses. The uses allowed in industrial districts shall be as provided in the Industrial Uses Chart. Certain disallowed uses that are preexisting on a parcel may be

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considered legal nonconforming uses. See SCCC 13.10.260 and 13.10.261 for regulations regarding legal nonconforming uses.

(B) Use permits. A discretionary approval 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 Industrial Uses Chart. The processing procedures and findings for use permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures. For the purposes of this chapter, a mining permit is a use permit.

(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) Industrial Uses Chart. Allowed uses and permit requirements for industrial zone districts 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.

Table 13.10.342-1: Industrial Uses Chart

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 SCCC 16.54, 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.
NA	Use not allowed in this zone district.

USE	PERMIT REQUIRED BY ZONE[1]			REFERENCES AND NOTES
	M-1	M-2	M-3	
Agricultural Uses				
Agricultural service establishment	AUP	CUP	NA	13.10.700-A
Mushroom growing in structures	AUP	CUP	NA	13.10.634
Automobile Fuel and Service Stations				

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Automobile fuel/service stations	CUP	CUP	NA	Car washes allowed
Electrical vehicle charging station	P	P	P	
Commercial Cannabis Cultivation, Manufacturing, and Distribution *All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to SCCC 7.128.*				
Indoor cultivation: existing legal structure	MUP[RG,N]	MUP[N]	MUP[N]	[RG]: ZC for cultivation in existing non-greenhouse structures in the Rodeo Gulch overlay. [N]: AUP if adjacent parcel is developed with a residential structure in the PR, A, TP, SU, or any residential zone district.
Indoor cultivation: new structure <2,000 sf 2,000-20,000 sf >20,000 sf	 AUP CUP CUP-PC	 CUP CUP CUP-PC	 CUP CUP CUP-PC	New structures not permitted in the coastal zone and 1-mile buffer.
Water tank	MUP[A]	MUP[A]	MUP[A]	Accessory to cannabis cultivation.
Outdoor cultivation (including hoop houses)	NA	NA	CUP*	*: Outdoor cultivation permitted only in conjunction with adoption or amendment of a reclamation plan.
Manufacturing, Class 1 or 2: existing legal structure	AUP[RG]	AUP	AUP	[RG]: ZC for manufacturing in existing legal structures in the Rodeo Gulch overlay.
Manufacturing, Class 3: existing legal structure Outside coastal zone + 1-mile buffer Inside coastal zone + 1-mile buffer <2,000 sf 2,000-20,000 sf >20,000 sf	 AUP AUP CUP CUP-PC	 CUP CUP CUP CUP-PC	 MUP AUP AUP CUP	
Manufacturing, Class 1, 2 or 3: new structure <2,000 sf	 AUP	 AUP	 MUP	New structures not permitted in the coastal zone and 1-mile buffer.

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2,000-20,000 sf >20,000 sf	CUP CUP-PC	CUP CUP-PC	MUP MUP	
Distribution, Class 1: existing legal structure	ZC	ZC	ZC	
Distribution, Class 2: existing legal structure	ZC	ZC	ZC	
Distribution, Class 1 or 2: new structure <2,000 sf 2,000-20,000 sf >20,000 sf	AUP CUP CUP-PC	AUP CUP CUP-PC	AUP CUP CUP-PC	New structures not permitted in the coastal zone and 1-mile buffer.
Distribution, transport only	P	P	P	
Commercial Uses				
Offices or retail sales incidental to an allowed use	AUP[A]	AUP[A]	AUP[A]	
Retail - recreational sales and rentals (bikes, surf gear, etc.)	MUP	NA	NA	
Sales and Services – Requiring Large Sites, Truck Traffic, Vehicle Storage (Not otherwise listed in the industrial uses chart)	See C-4 Use Chart	See C-4 Use Chart	NA	See SCCC 13.10.332 for C-4 use chart.
Industry, light				
Assembly, including compounding, packaging, or processing of medical appliances, small electric appliances, ceramic products, small scale consumer goods (not including large appliances or durable goods), cosmetics and soaps (not including rendering of fats or oils), electrical equipment, supplies, or components, scientific, medical, or drafting instruments	AUP	CUP	NA	
Food processing and packaging, foods and food products, manufacturing, including bottling works, breweries, distilleries and wineries, cold storage, dairy products, plants, canning and packing, or including fruits and vegetables	CUP	AUP	NA	
Hand-made product fabrication and sale (glass blowing, metal working, pottery kilns, textiles, etc.)	AUP	CUP	CUP	Includes industrial art studios and cooperative “maker” spaces.

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Machine shops (involving the use of drop hammers, automatic screw machines, or punch presses with a rated capacity of over 20 tons)	CUP	AUP	NA	
Manufacture of low-impact materials such as ice, mattresses, musical instruments, optical goods, dental products, electric and neon signs	AUP	CUP	NA	
Manufacturing and processing fabrication and assembly of the following products provided that no environmental hazard is created: products of cement, nonhazardous chemicals, clay, graphite, leather, metal, paper, rubber, stone, wood	CUP	AUP	NA	Products include but are not limited to aircraft, automobiles, building materials, candles, carpets, animal feed, glass, machinery, metal alloys, motors and generators, large appliances, textiles, cutlery, hardware, and hand tools; die and pattern making; and extrusion of small products such as jewelry.
Manufacturing involving chemicals, such as drugs and pharmaceuticals, photographic developing and printing plants, textile bleaching and dyeing, semiconductors or other electronic components involving hazardous substances	CUP	AUP	NA	
Metal casting, painting, sandblasting, finishing, and plating	CUP	AUP	NA	
Metal Welding shops	CUP	AUP	NA	
Research and Development Laboratory - Dry	MUP	MUP	NA	13.10.700-L
Research and Development Laboratory - Wet	AUP	AUP	NA	13.10.700-L
Sheet metal products, light, including heating and ventilating ducts, cornices, and eaves	AUP	CUP	NA	
Warehouses (except for the storage of flammable liquids), storage and baling of metal, paper, or rags within an enclosed structure	AUP	MUP	MUP	
Woodworking, such as cabinet-making shops, furniture manufacture, sash and door manufacturing, including only	CUP	AUP	NA	

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incidental mill work, operated within a completely enclosed structure				
Industry, heavy				
Foundries, metal smelting, reduction refining, alloying, rolling, drop forges	CUP	CUP	NA	
Incinerators	CUP	CUP	NA	
Industrial operations involving hazardous chemicals (including manufacturing of hazardous chemical products, asphalt, cement, fertilizer, fish products, paint products, paper, plaster, soap, etc.)	CUP	CUP	NA	
Recycling of petroleum-based products	CUP	CUP	NA	
Storage of potentially hazardous materials (explosives, fireworks, flammable liquids, gas, junk yards, manure, petroleum products, slag piles, rawhides, used building materials)	CUP	CUP	NA	
Wood processing (planing mills, sawmills, and treatment plants, wood pulp reduction and distillation)	CUP	CUP	NA	
Infrastructure and Utilities				
Energy Cogeneration	MUP	MUP	MUP	13.10.700-C
Transit station	CUP	CUP	CUP	Includes repair or servicing of transit vehicles. Freight service only (no commuter or recreational transit stations) in M-2 or M-3.
Utility facility	CUP	CUP	CUP	Includes private and public utilities, energy facilities, microgrids, and cogeneration. 13.10.700-C, -E, -M
Wireless communications facilities	P/CUP	P/CUP	P/CUP	Subject to SCCC 13.10.660 through 13.10.664, inclusive.
Mining Uses (SCCC 16.54)				
Mining, quarrying, and commercial extraction of rock, sand, gravel, earth,	NA	NA	MP	

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clay and similar materials, and the storage, stockpiling, processing, distribution, and sale thereof; including the installation and operation of facilities and apparatus to process, store, and ship rock, sand, gravel, and other mineral products; shops and garages for the repair and maintenance of equipment and storage warehouses as are necessary to conduct the uses permitted				
Mine reclamation or reuse, such as backfilling with inert materials, or other productive non-residential reuse including agricultural uses subject to the regulations of the A District, timber harvesting, light or heavy industry, etc.	NA	NA	MP	
Concrete batching plants; Manufacture of cement	NA	NA	MP[A]	Industrial uses related to processing or fabrication of a finished product from quarried or mined materials, where associated with the principal use of the property for quarry purposes, located on the same site, and included in the provisions of a mining permit.
Manufacture of concrete products and pressed structural units in conjunction and concurrent with excavation on the site	NA	NA	MP[A]	
Mixing plants for asphaltic concrete	NA	NA	MP[A]	
Other similar uses relating to the extraction or processing of rock, sand, gravel, or minerals	NA	NA	MP[A]	
Mine-related concurrent uses, such as: sanitary landfills; septage disposal; retail sales of mine-related products; offices; public utility facilities; fire protection facilities	NA	NA	MP[A]	
Mine site interim uses, such as agricultural uses subject to the regulations of the A District or timber harvesting	Allowed at approval levels required by SCCC 13.10.312.			
Housing and Accessory Uses				
Manager's unit	AUP[A]	AUP[A]	AUP[A]	Limit of one, ancillary to industrial use. On-site manager must be under a contract describing compensation and duties. No other live/work use allowed.

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Family day care home	P[A]	P[A]	P[A]	Serving up to 14 children. Must be associated with existing nonconforming dwelling unit. 13.10.700-D; 13.10.613

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

(E) Use conditions.

(1) 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 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8 a.m., except pursuant to a MUP.

(2) Outdoor storage. Outdoor storage is allowed subject to a MUP; provided, that the storage area is adequately screened from view from adjacent parcels.

(3) Signage. Signage may be required or allowed per SCCC 13.10.581, subject to a MSP per 13.11.037.

(4) Temporary/seasonal use, including temporary outdoor seating: allowed pursuant to a temporary use permit (TUP), subject to SCCC 13.10.616.

(5) Additional conditions for specific uses are found in other code sections as referenced in the Industrial Uses Chart.

13.10.343 Development standards in industrial districts.

(A) Site development permit. A discretionary permit for physical site development such as an addition, exterior remodel, or new construction associated with an allowed use is known as a "Site Development Permit." SCCC 13.11.035 identifies the types of site development projects which require a Site Development Permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site and Structural Dimensions Chart. The following development standards shall apply within all industrial zone districts, except as noted elsewhere in this section and in the general exceptions as noted in SCCC 13.10.510 et seq.

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Table 13.10.343-1: Industrial Site and Structural Dimensions Chart

Development Standards	Standards by Zone		
	M-1	M-2	M-3
Parcel Size and Shape (new parcels)			
Minimum gross site area per parcel (square feet)	10,000[2]	1 acre	Minimum economic unit for mineral extraction
Minimum parcel frontage	60	60	60
Building Massing			
Maximum building height	3 stories (40 feet)	3 stories (40 feet)	3 stories (40 feet)
Maximum floor area ratio (FAR)	1.0	1.0	1.0
Building Setback Distance from Property line[1,2,3]			
Front yard setback (feet)	15	25	20[4]
Side yard setback (feet)	10	20	20[4]
Rear yard setback (feet)	10	20	20[4]
Side or rear yard setback, abutting a street (feet)	15	25	25[4]

1. Special setbacks apply for certain parcel locations, per subsection (C) of this section, and exceptions to site development standards may be considered per subsection (D) of this section.

2. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and County Design Criteria.

3. See SCCC 13.16.093, Sight Distance for areas in which no structure, fence, or retaining wall shall exceed 3 feet in height. In some cases sight distance requirements may require a structure to be set back farther than the zone district requirements.

4. Except when pursuant to a mining permit.

(C) Setbacks in sensitive locations.

(1) Parcels abutting residential or non-commercial agricultural zone districts.

(a) The minimum front yards are as follows:

District:	M-1	M-2	M-3
Feet:	30	50	50, except as pursuant to a mining permit

(b) The minimum side and rear yards are as follows:

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District:	M-1	M-2	M-3
Feet:	50	100	100, except as pursuant to a mining permit

(2) Fire safe setbacks in State Responsibility Areas. Greater setbacks may apply for parcels in State Responsibility Areas (SRAs). See the County GIS system to determine if a parcel is in a SRA, and the State Fire Code and Title 14, Chapter 7, section 1270.00 et seq. of the California Code of Regulations for State SRA Fire Safe Regulations.

(D) Exceptions to development standards. Applicants may apply to exceed development standards with a minor exception (SCCC 13.10.235), variance (SCCC 13.10.230), or planned unit development (SCCC 18.30.183).

13.10.344 Special standards and conditions for industrial districts.

(A) M-1 and M-2 Districts—Required Conditions.

(1) Air Pollution. In an M-1 or M-2 District no use shall be permitted which emits any air pollution beyond the boundaries of the site which is detectable by the human senses without the aid of instruments. The provisions of this section relating to air pollution shall not apply to any use maintained in compliance with the conditions of a use permit issued after January 1, 1964, and prior to May 18, 1965.

(2) Smoke. In an M-1 District no use shall be permitted which emits smoke. In an M-2 District no use shall emit visible gray smoke of a shade equal to or darker than No. 2 on a standard Ringlemann Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on a Ringlemann Chart, or smoke of an equivalent opacity, may be emitted for four minutes in any 30-minute period. The provisions of this section relating to smoke shall not apply to any use maintained in compliance with the conditions of a use permit issued after January 1, 1964, and prior to May 18, 1965.

(3) Solid and Liquid Wastes. No solid or liquid wastes shall be discharged into a public or private sewerage system except in compliance with the regulations prescribed by the Board of Supervisors or by the governing boards of other governmental agencies or in compliance with the regulations of the owner of the system.

(4) Odor. In an M-1 District no use except a temporary construction operation shall be permitted which creates odor beyond the boundaries of the site which is detectable by the human senses without the aid of instruments. In an M-2 District no use except a temporary construction operation or a seasonal fruit or vegetable dehydrating or processing plant shall be permitted which creates odor beyond the boundaries of the site which is found by the Planning Commission to be offensive or which is detectable beyond the boundaries of the M-2 District without the aid of instruments.

(5) Noise. In an M-1 or M-2 District no use except a temporary construction operation shall be permitted which creates noise which is found by the Planning Commission not to

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conform to the noise parameters established by the Santa Cruz County General Plan beyond the boundaries of the M-1 or M-2 District at standard atmospheric pressure.

(6) Vibration, Heat and Cold, Glare, Electrical Disturbance. No use except a temporary construction operation shall be permitted which creates vibration, changes in temperature, direct or sky-reflected glare, or electrical disturbance which is detectable by the human senses without the aid of instruments beyond the boundaries of the site in an M-1 District or beyond the boundaries of the district in an M-2 District.

(7) Nonconformance with Provisions of Subsection (A) of This Section. Any use listed in the industrial uses chart which is located in an M-1 District which is found by the Planning Commission not to comply with the requirements of subsections (1) through (6) of this section shall constitute a nonconforming use. The Planning Commission's determination that such use is nonconforming shall be made after public hearing is held more than 15 days after written notice to the user.

(8) Actions Necessary to Make a Nonconforming Use Conform. In order for a nonconforming use to be made conforming, a use permit processed at the appropriate level as indicated in the use chart shall be obtained. Application for the use permit must be made within three months of the date the Planning Commission determines the use to be nonconforming. If an application for a use permit has not been filed within the three-month period, the nonconforming use shall thereafter be subject to the abatement proceedings set forth in SCCC 1.14; provided, that no additional public hearing shall be required by the Planning Commission prior to making its recommendation to the Board of Supervisors.

(B) Special Findings for High Impact Uses in the M-1 District. Any uses listed as allowed in the M-2 District may be allowed as discretionary uses in the M-1 District; provided, that the approving body makes the following findings in addition to the findings required for a use permit pursuant to SCCC 18.10:

(1) That consideration of all the determinable characteristics of the use which is the subject of the application indicates that the use has the same essential characteristics as the permitted uses in an M-1 District with respect to method of operation, type of process, materials, equipment, structures, storage, and appearance;

(2) That the use will not create significantly more vehicular or rail traffic than the volumes normally created by the permitted uses in an M-1 District; and

(3) That the use will not generate odor, fumes, dust, smoke, particles, dirt, refuse, water-carried wastes, noise, vibration, glare, heat, or any other objectionable factor beyond the boundaries of the site, or be unsightly or create a hazard of fire or explosion.

(C) M-3 Districts—Required Findings for Uses Other Than Mineral Extraction. In addition to findings required for a development permit, the approving body shall find that the proposed use is located, or will be conducted in a manner, so as to not preempt the ultimate extraction or use of any rock, sand, gravel, or mineral resource. Special use requirements and standards for mining and related uses in the M-3 Zone District are found in SCCC 16.54, Mining Regulations.

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(D) Prohibitions. The following uses and activities are prohibited in industrial districts:

(1) Asbestos. In an M-1, M-2, or M-3 District, no use shall be permitted which produces or uses asbestos in any manufacturing process.

13.10.345 Public facilities requirements for industrial districts.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district shall be met. Letters indicating adequate sewer and water service to the project shall be submitted with the project application.

(C) All improvement requirements and impact fees for community facilities shall be met where required by district or ordinance regulations (SCCC Title 15).

(D) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For industrial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications.

13.10.346 Other standards and conditions for industrial districts.

Other use and development standards applicable to industrial districts include but are not limited to the following provisions of the SCCC:

Table 13.10.346-1:
Other use and development standards applicable to industrial districts

Topic	SCCC Section
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16

SECTION XIV

Sections 13.10.352 through 13.10.355 of the Santa Cruz County Code are hereby amended, and Section 13.10.356 is hereby added to the Santa Cruz County Code, to read as follows:

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13.10.352 Uses in the Parks, Recreation and Open Space (PR) District.

(A) Allowed Uses. The uses allowed in the Parks, Recreation and Open Space District shall be as provided in the Parks, Recreation, and Open Space 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 Parks, Recreation and Open Space uses chart. The processing procedures for use permits are detailed in SCCC 18.10, 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) Parks, Recreation and Open Space Uses Chart. Allowed uses and permit requirements in the PR 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.

Table 13.10.352-1: Parks, Recreation and Open Space PR Uses Chart

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.
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.

Use	Permit Required[1]	References & Notes
Parks, Recreation and Open Space		
Open Space Uses, Not Involving Permanent Structures, such as: Beach uses	P	

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Ecological preserves; wildlife and biotic habitat reserves Hiking and horseback riding trails Open space Parks, State, local and private Picnicking facilities Playgrounds, nonpaved Sports fields, nonpaved Watershed management		
Recreational Support Facilities, such as: Group meeting facilities, including educational and religious facilities Maintenance facilities Management offices Recreational facilities, including swimming pools and appurtenant facilities, picnic shelters, indoor sports facilities, gymnasiums, spas, dressing rooms, club houses, tennis courts, and other paved sports areas	CUP-PC	Pursuant to approved master site plan (13.10.355).
Recreational Uses, Public and Private, such as: Country clubs Golf courses Golf driving ranges Low intensity commercial recreation facilities primarily involving open space uses, including historic theme parks Organized camps; group camps; and conference centers pursuant to SCCC 13.10.692 Stables, boarding, and riding	CUP-PC	Pursuant to approved master site plan (13.10.355).
Agriculture and Timber		
All CA Zone District uses not otherwise provided in this chart, excluding the following uses which are not allowed in the PR District: agricultural processing, agricultural employee housing, or agricultural service establishment	Same approval as CA Zone District	13.10.312
Timber growing	P	
Timber harvesting	P	Outside the Coastal Zone only.
Commercial Sales and Services		
Commercial retail and service uses, such as: Art galleries Boat sales, rentals, and services		Pursuant to approved master site plan (13.10.355).

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Day-care centers Food stores; convenience stores Gift shops Laundries, self-service Marine services Recreational equipment sales, rentals, and services Restaurants; sandwich shops; snack bars; cafes Commercial structures over 10,000 square feet	CUP[A] CUP-PC	
Outdoor ATM	AUP[A]	
Community Facilities		
Community centers 10,000 square feet or less Community centers over 10,000 square feet	CUP CUP-PC	
Museums	CUP-PC	
Restrooms, Public	AUP	
Infrastructure and Utilities		
Energy Cogeneration	MUP	SCCC 13.10.700-C
Utilities, such as: Drainage and flood-control facilities Microgrids Radio, television and communications antennas, transmission towers, and related equipment	CUP	13.10.700-M
Wireless Communication Facilities	P/CUP	Subject to SCCC 13.10.660 through 13.10.664, inclusive.
Research		
Research facilities for biotic and wildlife observation, research, and education	AUP/CUP	AUP for structure up to 5,000 sf.; CUP for structure >5,000 sf. Pursuant to approved master site plan (13.10.355).
Residential Units		
One single-family dwelling	AUP	Chapter 15.01
One single-family dwelling on property designated urban open space	CUP	13.10.672; Ch. 15.01
Accessory dwelling unit (ADU)	P/MUP	P outside coastal zone; MUP inside coastal zone. 13.10.681
Junior ADU	P	13.10.681
Accessory structures (habitable and non-habitable) incidental to a residential use	MUP[A]	13.10.611
Dwelling units, associated with an open space or private recreational facility for the owner or lessee of	AUP[A]	13.10.353(B)

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the land or for staff, a caretaker, watchman, or manager of the property		
Expansion of dwelling units in organized camps and recreational support facilities up to a cumulative total of an additional 500 square feet per unit	MUP	13.10.692
Residential Units – Commercial Uses (ancillary to residential use)		
Family (child) 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 13.10.613 to determine when a CUP is required.
Hosted rentals	ZC[A]	Hosted rental permit required per 13.10.690.
Vacation rentals	MUP[A]/ CUP[A]	MUP 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 13.10.694.
Visitor Accommodation		
Type A, such as: hotels, inns, motels, "bed and breakfast inns"	CUP	13.10.689 (density requirements) 13.10.691
Type B, such as: group quarters, tent camping, recreational vehicle camping	CUP	13.10.689 (density requirements) 13.10.692

[1] Table indicates use permits only. Other discretionary permits may be required. For uses on land acquired by the State Department of Parks and Recreation for state park system purposes, see Public Resources Code Section 5003.17(a).

(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 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8 a.m., except pursuant to a MUP.

(a) 24-hour outdoor ATMs attached to banks, credit unions or grocery stores shall not be subject to a CUP if the following criteria are met:

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(i) Safety lighting is screened so as not to cast direct light on any dwelling unit; and

(ii) Physical maintenance of the ATM is limited to the hours of 8 a.m. to 5 p.m., Monday through Saturday.

(3) Outdoor dining/seating. Permanent (long-term) outdoor seating is allowed subject to an MUP to add 12 or fewer seats or an AUP to add more than 12 seats. Outdoor seating includes outdoor dining as well as other uses such as seating in common plaza areas, or outdoor exercise equipment for a fitness facility. Conditions of approval for outdoor seating must ensure public health and safety, including but not limited to: standards from the Americans with Disabilities Act; adequate alternate parking arrangements if parking spaces will be lost to outdoor seating; and permit requirements from other agencies as needed, such as: the County Department of Public Works; County Health Services Agency; County Department of Parks, Open Space and Cultural Services; Sheriff's Office; County Fire Districts; California Department of Alcoholic Beverage Control; or California Department of Motor Vehicles. Temporary outdoor seating may be approved with a temporary use permit, subject to SCCC 13.10.616.

(4) Outdoor storage. Outdoor storage of stock-in-trade is allowed subject to an AUP; provided, that the storage area is adequately screened from view from adjacent parcels.

(5) Signage. Signage may be allowed per SCCC 13.10.582, subject to a MSP per 13.11.037.

(6) Temporary/seasonal use, including temporary outdoor seating, may be allowed pursuant to a temporary use permit (TUP), subject to SCCC 13.10.616.

(7) Additional conditions for specific uses are found in other sections of the County Code as referenced in the Parks, Recreation and Open Space Uses Chart.

13.10.353 Development standards in the Parks, Recreation and Open Space PR District.

(A) Site development permit. A discretionary permit for physical site development such as an addition, exterior remodel, or new construction associated with an allowed use is known as a "Site Development Permit." SCCC 13.11.035 identifies the types of site development projects which require a Site Development Permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site and structural dimensions chart. The following development standards shall apply within the PR District.

Table 13.10.353-1: PR Site and Structural Dimensions Chart[1,2]

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Minimum Site Area (net developable acres)	Minimum Site Width (feet)	Minimum Site Frontage (feet)	Minimum Building Setback Distance From Property Line[3] (feet)	Maximum Building Height (feet)
20	100	60	30 (Front, Side, Rear Yards)	28

1. For single-family dwellings and accessory structures, the district development standards shall be the same as those contained in SCCC 13.10.323 pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying SCCC 13.10.323(B). Accessory Dwelling Units shall be subject to the site and structural dimensions in SCCC 13.10.681.
2. Certain land uses may have special development standards per SCCC 13.10.355.
3. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. See SCCC 15.10.050 County Design Criteria.

(C) Retention of Open Space.

(1) The purpose of the PR District to preserve open space in the County shall be strictly adhered to.

(2) Except as provided in SCCC 13.10.353(A), Footnote (1), development in the PR District shall be allowed as follows:

(a) 10 percent of the net developable acreage of the property may be disturbed by improvements of a structural nature, including all habitable buildings and accessory structures.

(b) 20 percent of the gross acreage of the property may be disturbed by improvements of a nonstructural nature involving impervious surfaces, including roads, paved play areas, tennis courts, patios, and swimming pools.

(c) 80 percent of the gross acreage of the property shall be retained in open space, which may include nonpaved RV sites, paddocks, nonpaved play fields, picnic areas, and hiking and horseback riding trails.

(D) Minimum Site Area for Commercial Recreation. The minimum area for the development of new commercial recreation uses shall not be less than 20 acres. For the purposes of this section commercial recreation includes such uses as: organized and group camps, conference centers, amusement parks such as Roaring Camp, golf courses, commercial stables, commercial beaches, and visitor accommodations such as RV parks.

13.10.354 Special standards and conditions for the Parks, Recreation and Open Space PR District.

(A) Master Site Plan Requirements.

(1) Master Site Plans. Prior to or concurrently with the approval of any new or expanded use for which a Conditional Use Permit approval is required in the Parks, Recreation and Open Space PR District, a development permit for a master site plan shall be approved by the Zoning Administrator or Planning Commission. Master site plans for public agency facilities shall be subject to approval by the Planning Commission. Such approval shall be accompanied by a finding of General Plan consistency pursuant to Section 65402 of the California Government Code.

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(2) Master Site Plan Elements. The master site plan shall include:

(a) A description of all proposed uses;

(b) Proposed immediate and future phases of construction;

(c) Anticipated future boundary expansions, if any;

(d) Provisions for adequate access and public services; and

(e) A management plan for the conservation and use of the open space resource.

(3) Environmental Review. The adoption or amendment of a master site plan is a "project" within the meaning of CEQA and is subject to environmental review.

(4) Development Permit Approval. Site and facility development permits, when applied for pursuant to an approved master site plan, may be processed as an Administrative Site Development Permit approval or according to an over-the-counter staff review specified by the conditions of the master site plan planned development permit approval.

(B) Agricultural Land Conservation. The following conditions shall apply to all development plans and projects within the PR District in the Coastal Zone:

(1) The maximum amount of prime agricultural land shall be retained in agricultural production;

(2) A site-specific justification with regard to maximum public benefit shall be required for removing agricultural lands from production or for not offering lands capable of farm production for lease; and

(3) The regulations and requirements of SCCC 16.50, Agricultural Land Preservation and Protection, and the General Plan and Local Coastal Program Land Use Plan policies pertaining to agricultural resource lands, shall apply to all agricultural resource lands within the PR District.

(C) Visitor Accommodations Permit Review.

(1) Permits for Type A facilities and tent and RV camping sites shall be reviewed and conditioned as provided in SCCC 13.10.689.

(2) Permit conditions for hostels and group quarters shall be as follows:

(a) The permit shall run with the property owner and shall not be transferred without a permit amendment;

(b) A management plan shall be submitted to the Planning Director for review and approval prior to the issuance of a building permit or occupancy of an existing structure for this use;

(c) An annual report shall be prepared and submitted by the owner or their agent to the Planning Director to substantiate the occupancy and other conditions of this permit; and

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(d) The site is subject to an annual inspection for which a fee, set by the Board of Supervisors, may be charged.

13.10.355 Public facilities requirements for Parks, Recreation and Open Space PR District.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district shall be met, or requirements for on-site sanitation and water systems if applicable to the site location.

(C) All improvement requirements and impact fees for community facilities shall be met where required by district or section regulations (SCCC Title 15).

13.10.356 Other standards and conditions for the Parks, Recreation and Open Space PR District.

Other use and development standards applicable to the Parks, Recreation and Open Space District include but are not limited to the following provisions of the SCCC:

Table 13.10.356-1:
Other use and development standards applicable to the PR District

Topic	SCCC Section
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Use of non-developable land	13.10.671
Use of urban open space land	13.10.672
Commercial visitor accommodation	13.10.689
Organized camps and conference centers	13.10.692
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16

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SECTION XV

Sections 13.10.361 through Section 13.10.365 of the Santa Cruz County Code are hereby amended, and Section 13.10.366 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.361 Purposes of the Public and Community Facilities PF District.

In addition to the general objectives of this chapter, the Public and Community Facilities PF District is included in the Zoning Ordinance to achieve the following purposes:

(A) To provide areas for public and quasi-public community facilities, including public and private institutions providing an essential public service or facility; and

(B) To regulate the use of land for public and community facilities with regard to their locations, design, service areas, and range of uses, so that they will be compatible with adjacent development, will maintain high standards of urban design, and will be compatible with and will protect the natural resources and environmental quality of the County.

13.10.362 Uses in the Public and Community Facilities PF District.

(A) Allowed Uses. The uses allowed in the Public and Community Facilities District shall be as provided in the Public and Community Facilities Uses Chart. Certain disallowed uses that 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.

(B) Use permits. A discretionary approval 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 Public and Community Facilities Uses Chart. The processing procedures and findings for use permits are detailed in SCCC 18.10, 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) Public and Community Facilities Uses Chart. Allowed uses and permit requirements in the PF 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.

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Table 13.10.362-1: Public and Community Facilities Uses Chart

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.

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.

Use	Permit Required[1]	References & Notes
Animal Services		
Animal Shelter	CUP-PC	13.10.641-643
Animal keeping and animal enclosures such as stables	AUP[A]	13.10.643
Community Services and Facilities		
ATM (outdoor)	AUP	No use permit required for indoor ATM.
Community center or service organization (spaces and programs open to the public)	AUP/CUP-PC	CUP-PC required for structures over 10,000 square feet.
Community garden/urban agriculture	P	Does not include cannabis cultivation.
Conference facility/auditorium/event hall	CUP/CUP-PC	No overnight accommodation. CUP-PC required for structures over 10,000 square feet.
Day care center (not including family day care)	AUP/CUP-PC	See SCCC 13.10.700-D. See "Dwellings – Commercial Uses" section of this chart for family day care use. CUP-PC required for structures over 10,000 square feet.
Employment training and services, day worker center	AUP/CUP-PC	CUP-PC required for structures over 10,000 square feet.

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Emergency shelter	P	See SCCC 13.10.364(A), 13.10.700-E.
Farmer's market or other regular community event	AUP	
Fire or police station, ambulance service	AUP	
Funeral/burial services (funeral home, columbarium, crematory, cemetery)	CUP	
Hospital, medical clinic, or medical laboratory	CUP-PC	AUP for medical clinics and dry laboratories with no ambulance service or overnight stay. See SCCC 13.10.365(B), 13.10.700-L.
Medical mixed-use	CUP-PC	See SCCC 13.10.365(B).
Library or Museum	AUP/CUP-PC	CUP-PC required for structures over 10,000 square feet.
Religious Institution	AUP/CUP-PC	CUP-PC required for structures over 10,000 square feet.
Park	CUP/CUP-PC	CUP-PC required for park over 10,000 square feet.
Public administration office (County government and other public agencies)	MUP	
Public restrooms	MUP	
School	AUP	
Entertainment, Fitness and Recreation		
Fitness center (gym, club, exercise studio)	CUP[A]/CUP-PC	For bath, sauna, non-medical massage, see SCCC 5.08 and 13.10.623. CUP-PC required for structures over 10,000 square feet.
Open space uses (picnic facilities, playgrounds, trails, open space)	AUP	No permanent structures allowed for open space uses.
Private club or lodge	AUP/CUP-PC	CUP-PC required for structures over 10,000 square feet.
Recreational facility – outdoor (structures are allowed; use occurs primarily outdoors. Example: fairgrounds, sports courts and fields, golf course, flea market, mini-golf, amusement park, pool)	CUP/CUP-PC	See SCCC 13.10.652; 13.10.654. Bath, sauna, non-medical massage allowed as accessory uses. See Chapter 5.08 and section 13.10.623.

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		CUP-PC required for facilities over 10,000 square feet.
Tourist services (information, tickets)	MUP	13.10.700-T
Infrastructure and Utilities		
Energy Cogeneration	MUP	13.10.700-C
Parking for offsite uses	AUP	13.10.550 et seq.
Transit station	CUP	
Utility facility	AUP	Includes private and public utilities and microgrids (see 13.10.700-M).
Waste disposal facility, including refuse processing, recycling, transfer, and disposal	CUP-PC	
Wireless communication facility	P/CUP	Subject to SCCC 13.10.660 through 13.10.664, inclusive.
HOUSING		
Institutional Housing and Care Facilities		
Skilled nursing facility, residential care facility for the elderly, continuing care retirement community with less than 100 occupants, health care facility Continuing care retirement community with over 100 occupants	AUP CUP-PC	13.10.700-C, -R, -S
Residential care home serving 6 or fewer residents	P	13.10.700-R
Group quarters	CUP	Does not include emergency shelters.
Residential Units		
Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)	P[A]	See SCCC 13.10.681. Must be ancillary to primary dwelling(s). JADUs only allowed with single-family dwellings.
Affordable rental housing	CUP-PC	See SCCC 13.10.364(D). CUP for fewer than 5 units.
School employee housing	CUP-PC	See SCCC 13.10.364(D), 13.10.700. CUP for fewer than 5 units.

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Manager's unit (caretaker unit, parsonage)	MUP[A]	Limit of two units.
Medical mixed-use housing	CUP	See SCCC 13.10.364(B).
Other residential uses	MUP[A]/CUP[A]	Must be ancillary to public facilities uses. MUP for one single-family home, CUP for more than one unit. Maximum residential density Inside the USL/RSL: Urban Medium General Plan designation Outside the USL/RSL: 2.5-20 acres/unit (per SCCC 13.14)
Residential Units – Commercial Uses (ancillary to residential use)		
Family (child) day care home	P[A]	Serving up to 14 children 13.10.700-D, 13.10.613.
Home occupations	P[A]/CUP[A]	See 13.10.613 to determine when a CUP is required.
Hosted Rentals	ZC[A]	Hosted rental permit required per 13.10.690. Vacation rentals (13.10.694) are not allowed.

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, subject to noise regulations as specified in SCCC 8.30 and 13.15.

(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 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8 a.m., except pursuant to a MUP.

(a) 24-hour outdoor ATMs attached to banks, credit unions, or grocery stores shall not be subject to a CUP if the following criteria are met:

(i) Safety lighting is screened so as not to cast direct light on any dwelling unit; and

(ii) Physical maintenance of the ATM is limited to the hours of 8 a.m. to 5 p.m., Monday through Saturday.

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(3) Signage. Signage may be required or allowed per SCCC 13.10.581, subject to a MSP per 13.11.037.

(4) Temporary/seasonal use, including temporary outdoor seating, may be allowed pursuant to a temporary use permit (TUP), subject to SCCC 13.10.616.

(5) Additional conditions for specific uses are found in other code sections as referenced in the Public and Community Facilities District uses chart.

13.10.363 Development standards in the Public and Community Facilities PF District.

(A) Site development permit. A discretionary permit for physical site development such as an addition, exterior remodel or new construction associated with an allowed use is known as a "Site Development Permit." SCCC 13.11.035 identifies the types of site development projects which require a Site Development Permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site and Structural Dimensions Chart. The following development standards shall apply within the Public and Community Facilities PF Zone District, except as noted elsewhere in this section and in the general exceptions as noted in SCCC 13.10.510, et seq.

Table 13.10.363-1: PF Site and Structural Dimensions Chart

Parcel Size and Shape (new parcels)	
Minimum gross site area per parcel	As necessary to accommodate use
Minimum parcel frontage	60 feet
Building Massing	
Maximum building height	3 stories (40 feet)
Lot coverage	40 – 95% of gross parcel area
Building Setback Distance from Property line[1,2,3]	
Front yard setback (feet)	10 feet
Side yard setback (feet)	5 feet
Side yard setback, corner lot street side (feet)	10 feet
Rear yard setback (feet)	5 feet
Residential Open Space	

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Minimum 50 square feet open space per dwelling, including any combination of private/common open space.	Private: Minimum dimensions 6 feet x 6 feet Common: Minimum dimensions 15 feet x 10 feet

1. Special setbacks apply for certain parcel locations, per subsection (C) and (D) of this section, and exceptions to site development standards may be considered per subsection (E) of this section. Certain land uses may have special development standards per SCCC 13.10.364.

2. Sidewalks and other amenities for pedestrians, bicyclists, and transit riders are required based on street typology and roadway classification. Space for these amenities may lead to larger front and street side setback requirements. See SCCC 15.10.050 and Department of Public Works Design Criteria.

3. See SCCC 13.16.093, Sight Distance for areas in which no structure, fence, or retaining wall shall exceed 3 feet in height. In some cases sight distance requirements may require a structure to be set back farther than the zone district requirements.

(C) Setbacks abutting residential and agricultural parcels.

(1) Parcels abutting agricultural uses: see SCCC 16.50 regarding setback/buffer requirements.

(2) Parcels abutting or across the street from residential or non-commercial agricultural zone districts.

(a) The minimum side or rear yard abutting or across the street from an RM or RF district shall be 10 feet.

(b) The minimum side or rear yard abutting an R-1 or A district shall be 15 feet.

(c) Third floor setbacks. Minimum 50% of third floor exterior walls must be set back an additional 10 feet from the front, side, and rear yard setback lines.

(D) Fire safe setbacks in State Responsibility Areas. Greater setbacks may apply for parcels in State Responsibility Areas (SRAs). See the County GIS system to determine if a parcel is in a SRA, and the State Fire Code and Title 14, Chapter 7, section 1270.00 et seq. of the California Code of Regulations for State SRA Fire Safe Regulations.

(E) Exceptions to development standards. Applicants may apply to exceed development standards with a minor exception (SCCC 13.10.235) or variance (SCCC 13.10.230).

13.10.364 Special standards and conditions for the Public and Community Facilities PF District.

(A) Emergency Shelters. Emergency shelters shall be permitted without additional discretionary review, subject to the following conditions:

(1) The maximum number of clients that may be served on a nightly basis shall be that number which can be accommodated in the facility while meeting the requirements of the California Fire Code, and in no case shall this number exceed 75.

(2) No individual or household may be denied emergency shelter because of an inability to pay for accommodation.

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(3) Parking shall be provided at a rate of one space per seven beds, plus one space for each awake overnight staff person.

(a) A lower parking requirement may be approved under the provisions of SCCC 13.16.

(4) The client intake area must provide a minimum of two square feet of space per client based on the number of clients expected on a nightly basis. Intake areas shall be oriented toward the interior of the site whenever possible, so as to minimize spillover of waiting clients to neighboring properties or the public street, and may include a combination of both indoor and outdoor space.

(5) On-site management shall be provided during all hours of operation as described below, and all operators must ensure that an operations manual that includes, at a minimum, the following components is available to staff at all times:

(a) Awake overnight supervision procedures and practices. A minimum of one awake overnight staff person for every 45 clients shall remain on site during operation hours. If shelters serve fewer than 45 clients on a given night, a minimum of one awake overnight staff person shall be required. Additionally, all supervision staff shall be trained in first aid and CPR;

(b) Emergency evacuation procedures;

(c) Client intake procedures;

(d) Process for providing referrals to other agencies or organizations serving the client population including drug treatment, mental health, hygiene, and healthcare services not otherwise provided on site; and

(e) Facility maintenance and site management.

(6) Interior and exterior lighting shall provide for the safety of staff and clients, while minimizing impacts on neighboring properties.

(a) All exterior lighting shall include cut-offs that prevent light from extending beyond the boundaries of the property.

(b) Interior lighting shall include exit-path lighting in sleeping and living areas, and full lighting of all bathroom and washroom areas.

(7) Emergency shelter facilities shall maintain a safe and secure environment, ensuring the safety of all staff and clients, as well as a secure location for valuables, such as a locker for each client or a locked room for storing valuables and medication during sleeping hours, including a location for medications that must be refrigerated.

(8) New emergency shelters with proposed building envelopes within 50 feet of a mapped scenic resource or a slope exceeding 30 percent will require a CUP approval. Existing structures converted to use as emergency shelters will not be subject to this requirement.

(9) Exceptions to the above standards for emergency shelters may be considered with a CUP approval.

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(B) Hospitals, medical office buildings, and mixed-use medical developments. Within the urban services line on properties greater than or equal to 5 acres, hospitals, medical office buildings, and mixed-use medical developments shall be subject to the following special development standards:

(1) Lot coverage 50 – 95%; and

(2) Maximum building height of 60 feet (not to exceed 4 stories).

Mixed-use medical developments must have a medical facility as the primary use, constituting at least 50 percent of gross building square footage. The remaining square footage may be commercial and/or residential land use. Commercial uses may include offices, neighborhood/community sales and services, and eating and drinking establishments listed in SCCC 13.10.332(D), Commercial Uses Chart. Maximum residential density shall be per the Urban High Flex General Plan designation.

(C) Accessory Dwelling Units (ADUs). ADUs shall be subject to the use and development standards in SCCC 13.10.681. Where there are conflicts between this section and SCCC 13.10.681, SCCC 13.10.681 shall take precedence.

(D) School Employee Housing and Affordable Rental Housing.

(1) Definitions. As used in this Article VI, Public and Community Facilities PF District, the following phrases are defined as follows:

(a) "Affordable rental housing" means a multi-family rental housing project in which all the units, except for a manager's unit, are affordable to and restricted to occupancy by lower-income households as defined in Title 25 of the California Code of Regulations, § 6928. Affordable rental housing projects may be located on a site in the PF District within the USL or RSL. The housing shall be developed and operated by a qualified 501(c)(3) non-profit organization and restricted for lower-income housing use for a term of at least 55 years, pursuant to a recorded rent regulatory agreement with the County. The project may not be subdivided into individual condominium units for sale.

(b) "School employee housing" means multi-family rental housing for employees of the school district or private school ("school entity") that owns the housing project. The rental units may be designed for occupancy by an individual employee of the school entity, or by an employee and their family or household, or a combination of unit types. School employee housing shall be located on sites that are owned by a school entity; and located in the PF District. The project may not be subdivided into individual condominium units for sale.

(2) Residential Density. The density allowed for school employee housing and affordable rental housing shall be to the density range for the Urban High General Plan land use designation. The appropriate number of units shall be determined for each project, based upon an analysis of the adequacy of services and infrastructure that exists or that will be provided concurrent with development to support the proposed number of residential units and protection of environmental resources pursuant to SCCC Title 16. As a public/quasi-public use, school employee housing proposed on PF District sites located

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outside the URL and RSL is not subject to residential density determinations in SCCC 13.14, Rural Residential Density Determinations.

(a) If necessary, in order to finance the development of school employee rental housing, allow the creation of a new parcel boundary encompassing the development envelope of the proposed school employee rental housing to create a new legal parcel separate from the larger school property. A condominium map or subdivision map proposed to create a separate condominium or single-family parcel for each school employee housing unit will be subject to the Rural Density Matrix, where applicable, and to minimum parcel size requirements in the General Plan.

(3) Application Requirements. Applications for school employee housing and affordable rental housing require discretionary approval as provided in the PF Uses Chart and are subject to environmental review under State law. As required pursuant to the General Plan, SCCC 7.38, 7.70, 7.71, 7.73, SCCC Title 16, and other applicable laws and regulations, applications shall include information to demonstrate that adequate services and infrastructure, such as water supply, sewage disposal, fire protection, and roads, are available or will be provided concurrently with development. The County or applicable special district may require additional supplemental material and reports such as traffic studies, environmental reports, evaluation of potential impacts to water systems, and certification by the Environmental Health Services Division of the County Health Services Agency and the fire protection agency as needed to demonstrate compliance with laws and regulations requiring protection of public health and safety and environmental resources including riparian areas and other sensitive habitats, water quality, and provision of appropriate drainage and erosion control.

13.10.365 Public facilities requirements for the Public and Community Facilities PF District.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district shall be met, or requirements for on-site sanitation and water systems if applicable to the site location.

(C) All improvement requirements and impact fees for community facilities shall be met where required by district or section regulations (SCCC Title 15).

13.10.366 Other standards and conditions for the Public and Community Facilities PF District.

Other use and development standards applicable to the Public and Community Facilities Zone District include but are not limited to the following provisions of the SCCC:

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Table 13.10.366-1: Other use and development standards applicable to the PF District

Topic	SCCC Section
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16

SECTION XVI

Sections 13.10.372 through Section 13.10.376 of the Santa Cruz County Code are hereby amended, and Section 13.10.377 is hereby added to the Santa Cruz County Code, to read as follows:

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 SCCC 18.10, 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).

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Table 13.10.372-1: Timber Production TP Uses Chart

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 SCCC 16.54, 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.

Use	Permit Required[1]	References & 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
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

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Use	Permit Required[1]	References & Notes
Conversion of timberland to agricultural uses not exceeding 10 percent of the total timber area on the parcel	CUP	13.10.312
Commercial Cannabis Cultivation, Manufacturing, and Distribution *All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to SCCC 7.128.*		
Indoor cultivation (including greenhouses): outside the coastal zone and 1-mile buffer	AUP/ CUP	AUP for Class CG licensed cultivation activities. CUP for other indoor cultivation. Pre-existing legal commercial use must exist on site. Commercial cannabis cultivation not permitted in the coastal zone and 1-mile buffer.
Outdoor cultivation (or new or existing hoop houses): outside the coastal zone and 1-mile buffer	AUP/ CUP	AUP for Class CG licensed cultivation activities <500 sf. CUP for other outdoor cultivation. Pre-existing legal commercial use must exist on site. Commercial cannabis cultivation not permitted in the coastal zone and 1-mile buffer.
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	MUP if manufacturing involves cannabis cultivated onsite. Otherwise, CUP required. Pre-existing legal commercial use must exist on site. 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.
Distribution, Class 1 (outside the coastal zone and 1-mile buffer)	MUP/ CUP	CUP for cannabis distribution in new structures, MUP for existing structures. 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.

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Use	Permit Required[1]	References & Notes
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 13.10.373 for density requirements.
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 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).

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Use	Permit Required[1]	References & Notes
		13.10.613
Home occupations	P[A]/CUP[A]	See 13.10.613 to determine when a CUP is required.
Hosted rentals	ZC[A]	Hosted rental permit required per 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 13.10.694.
Recreation and Visitor Accommodation		
State parks	CUP	13.10.351 et seq.
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 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8 a.m., except pursuant to a 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.

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13.10.373 Development standards for the Timber Production TP District.

(A) Site development permit. A discretionary permit for physical site development such as an addition, exterior remodel, or new construction associated with an allowed use is known as a "Site Development Permit." SCCC 13.11.035 identifies the types of site development projects which require a Site Development Permit. The processing procedures and findings for site development permits are detailed in SCCC 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site and structural dimensions chart. The following development standards shall apply within the TP District, except as noted elsewhere in this section or in the general exceptions as noted in SCCC 13.10.510, et seq.

Table 13.10.373-1: TP Site and Structural Dimensions Chart[1]

Minimum Site Width (feet)	Minimum Parcel Frontage (feet)	Minimum Building Setback Distance from Property Line (feet)			Maximum Lot Coverage	Maximum Building Height (feet)
		Front Yard	Side Yard	Rear Yard		
100	60	40	20	20	10%	28

1. Exceptions to these standards for single-family residential development may be found in SCCC 13.10.323.

(C) Minimum Parcel Size.

(1) Parcels zoned as timber production under this chapter may not be subdivided into parcels containing less than 160 acres unless the owner submits a joint timber management plan prepared or approved as to content by a registered professional forester. The individual designated as possessor of timber rights on the property shall enter into a binding contract with the Board of Supervisors to manage and harvest timber on the timberland and to abide by the provisions of the timber management plan. Any such division shall require approval by a four-fifths vote of the Board of Supervisors. (See Table 13.10.373-2).

(2) Outside the Coastal Zone, no land division shall create parcels smaller than 40 acres, and inside the Coastal Zone smaller than 160 acres, except pursuant to an approval by the Board of Supervisors at a noticed public hearing that conforms to the conditional densities and special findings required by this section and SCCC 13.10.375. (See Table 13.10.373-2.)

(3) Other regulations regarding minimum parcel sizes are found in SCCC 13.10.510(G).

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(D) Maximum Residential Density. Residential density shall not exceed: 1 dwelling unit per 10 acres outside the Coastal Zone, and 1 dwelling unit per 40 acres inside the Coastal Zone. In addition, the maximum residential density shall conform to the General Plan and SCCC 13.14, rural residential density determination matrix. (See Table 13.10.373-2.)

Table 13.10.373-2: Summary Parcel Size and Density Chart

	Outside Coastal Zone	Inside Coastal Zone
Timber management plan required if parcels will be smaller than	160 acres	160 acres
Smallest parcels allowed without clustering and approval by the Board of Supervisors	40 acres	160 acres
Highest density allowed with clustering and approval by the Board of Supervisors	10 ac/du	40 ac/du

(E) Clustering. Dwellings built as part of a dwelling group shall be clustered within 200 to 300 feet of each other, where feasible, to facilitate timber harvesting and to preserve the rural character of the land.

(F) Timber Rights. In a clustered development, that portion of the property not included within the area of clustered parcels shall be held in common ownership and timber rights shall be held by a designated property owner or individual.

(G) Fire safe setbacks in State Responsibility Areas. Greater setbacks may apply for parcels in State Responsibility Areas (SRAs). See the County GIS system to determine if a parcel is in a SRA, and the State Fire Code and Title 14, Chapter 7, section 1270.00 et seq. of the California Code of Regulations for State SRA Fire Safe Regulations.

13.10.374 Special standards and conditions for the Timber Production TP District.

(A) Required special findings for Nontimber Growing and Harvesting Uses. The following special findings shall be made for any non-timber growing and harvesting use or development for which any type of use permit or site development permit is required pursuant to the Timber Production Use Chart and/or SCCC 13.11.035 in addition to the findings required by SCCC 18.10:

(1) The proposed uses will be physically compatible with the growing and harvesting of timber pursuant to the Timber Productivity Act of 1982 and the purposes of SCCC 13.10.371; and

(2) The proposed use is supported by a compatibility analysis, as defined in SCCC 13.10.700-C, submitted as a part of the application for such proposed use, and which compatibility analysis has been approved as submitted, or as amended by the County, as a condition upon any permit granted.

(B) Agricultural Resource Protection. The regulations and requirements of SCCC 16.50, Agricultural Land Preservation and Protection, and the General Plan and Local Coastal Program Land Use Plan policies pertaining to agricultural resource lands shall apply to

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all agricultural resource lands designated pursuant to SCCC 16.50 and located within the TP District.

(C) Location of Development. Development shall be located on the non-timbered portion of the property, except where conversion of timber production land to agricultural use is permitted pursuant to SCCC 13.10.372-1, TP Uses Chart.

(D) Zoning to the TP District. An owner may petition to rezone land to the Timber Production District. The Board of Supervisors shall, by ordinance, upon the advice of the Planning Commission pursuant to Government Code Section 51110.2, and after public hearings, zone as Timber Production parcels submitted to it by petition pursuant to Government Code Section 51113, which meet all of the following criteria:

(1) Submittal of a map with the legal description or assessor's parcel number of the property to be zoned;

(2) Submittal of a timber management plan for the property that has been prepared, or approved as to content, by a registered professional forester. Such plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan;

(3) The parcel must either currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules adopted by the Board of Forestry for the Southern Subdistrict of the Coast Forest District, or the owner must enter into an agreement with the Board of Supervisors that the parcel shall meet such stocking standards and Forest Practice Rules by the fifth anniversary of the signing of the agreement. Failure to meet such stocking standards and Forest Practice Rules within this time period shall constitute grounds for rezoning the parcel;

(4) Upon the fifth anniversary of the signing of the agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the General Plan/Local Coastal Program Land Use Plan and the primary use of which is other than timberland;

(5) The parcel is timberland as defined in subdivision (f) of Government Code Section 51104;

(6) Use of the parcel complies with the Timber Production Zone uses set forth in SCCC 13.10.372; and

(7) The land area to be rezoned shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels consisting of at least 40 acres in area.

(E) Rezoning to Another District. Rezoning of the land from Timber Production (TP) to another zone district shall conform to the requirements of the Forest Taxation Reform Act of 1976, in addition to any other applicable rezoning requirements.

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(F) Timber harvest related helicopter operations. Staging and loading activities, and service areas, for timber operations involving the use of helicopters shall be prohibited unless the staging, loading or service area:

(1) Is on the parcel or on a parcel which is contiguous to the parcel from which the timber is being harvested;

(2) Is within a parcel that is either zoned TP or is zoned in another zone district where timber harvesting is permitted; and

(3) Is within the boundaries of the timber harvest plan (THP) or the nonindustrial timber management plan (NTMP), and the THP or NTMP is approved by the California Department of Forestry and Fire Protection.

13.10.375 Public notification requirements.

(A) A seller of real property which is located adjacent to land included in the Timber Production (TP) Zone as shown on the County Assessor's parcel maps shall disclose to the prospective purchaser that:

Santa Cruz County has established the Timber Production Zone to protect and maintain timberland for growing and harvesting timber, and for compatible uses. This property adjoins land included in the Timber Production Zone as designated on the County Assessor parcel maps. Residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to the growing and harvesting of timber or other uses permitted within the Timber Production Zone.

(B) The following statement shall be included in the seller's disclosure statement in the form set forth in subdivision (b) of Section 1102.6a of the California Civil Code for the transfer of real property adjacent to land included in a Timber Production Zone as designated on the County Assessor parcel maps and shall be recorded as part of any deed conveying the property:

> The property described herein is adjacent to land included in the Timber Production Zone as designated on the County Assessor Parcel Maps. Santa Cruz County has established the Timber Production Zone to protect and maintain timberland for growing and harvesting timber, and for compatible uses. Residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to growing and harvesting of timber or other uses permitted within the Timber Production Zone.

(C) The County Building Official shall require, prior to issuance of building permits on parcel(s) adjacent to a Timber Production Zone, either:

(1) Recordation of the following statement of acknowledgment by the owners of the property on a form approved by the Building Official:

> The undersigned _____ do hereby certify to be the owner(s) of the hereinafter legally described real property located in the County of Santa Cruz, State of California, and do hereby acknowledge that the property described herein is adjacent to land included in the Timber Production Zone as designated

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on the County Assessor Parcel Maps. Santa Cruz County has established the Timber Production Zone to protect and maintain timberland for growing and harvesting timber, and for compatible uses. Residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to growing and harvesting of timber or other uses permitted within the Timber Production Zone.

This statement of acknowledgment shall be recorded and shall be binding upon the undersigned, and future owners, encumbrances, their successors, heirs, or assignees. The information contained in this statement of acknowledgement is required to be disclosed to prospective purchasers of the property described herein, and is required to be included in the seller's disclosure statement for the purchase of the property, and in any deed conveying the property.

Or

(2) Evidence that the above statement or a disclosure statement in compliance with subsection (B) of this section has been recorded in the official records of Santa Cruz County as part of the deed of the parcel.

13.10.376 Public facilities requirements for Timber Production TP district.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district shall be met, or requirements for on-site sanitation and water systems if applicable to the site location.

13.10.377 Other standards and conditions for the Timber Production TP district.

Other use and development standards applicable to the timber production district include but are not limited to the following provisions of the SCCC:

Table 13.10.377-1:
Other use and development standards applicable to the TP District

Topic	SCCC Section
Nonconforming uses and structures	13.10.260, et seq.
General site standards	13.10.500-600
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Roadway and roadside improvements	15.10
Environmental and resource protection restrictions	Title 16

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SECTION XVII

Section 13.10.378 of the Santa Cruz County Code is hereby repealed in its entirety.

SECTION XVIII

Sections 13.10.382 through 13.10.385 of the Santa Cruz County Code are hereby amended, and Section 13.10.386 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.382 Uses in the Special Use SU District.

(A) Allowed Uses.

(1) All uses allowed in the RA and R-1 Zone Districts shall be allowed on parcels in the Special Use SU District where the RA and R-1 zone districts are consistent with the General Plan and Local Coastal Program land use designation for the parcel and when authorized at the highest approval levels specified in the uses chart in SCCC 13.10.322(B) for those districts. Certain disallowed uses that are preexisting on a parcel and were legally established 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.

(2) All uses allowed in zone districts other than RA and R-1 shall be allowed on parcels in the Special Use SU District when the applicable zone district is consistent with the General Plan and Local Coastal Program land use designation for the parcel and when authorized at the highest approval level required by all such districts but no lower than a Conditional Use Permit, with the exception of permanent room housing, which shall be allowed with a Conditional Use or Site Development Permit processed with public notice and a Planning Commission public hearing, subject to SCCC 13.10.424 through 13.10.429.

(3) Timber harvesting and associated operations, requiring approval of a timber harvesting plan by the California Department of Forestry, are not allowed uses in the Special Use SU Zone District.

(4) Vacation rentals are allowed in the Special Use SU District where the underlying General Plan land use designation allows residential uses with no requirement to have any other use. The applicable General Plan land use designations that allow residential uses with no requirement to have any other use are the Agricultural (AG) land use designation, the Existing Park, Recreation and Open Space (O-R) land use designation, the Urban Open Space Lands (O-U) land use designation, and the following residential land use designations: R-M, R-R, R-S, R-UVL, R-UL, R-UM, and R-UH.

(5) Non-Retail Commercial Cannabis Uses.

(a) Commercial cannabis cultivation uses may be permitted within the Special Use (SU) District, subject to all applicable requirements of SCCC 13.10.650 and SCCC 7.128, where the General Plan designation is “R-R” (Rural Residential), “R-M” (Mountain

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Residential), "AG" (Agriculture) or "I" (Heavy Industry). Where the General Plan designation is R-R, R-M, or AG, cultivation uses may be permitted subject to the limitations applicable under SCCC 13.10.312(B) and 13.10.650 in the RA Zone District. Where the General Plan designation is I, cultivation uses may be permitted subject to the limitations applicable under SCCC 13.10.342(B) and 13.10.650 in the M-3 Zoning District.

(b) Commercial cannabis manufacturing uses may be permitted within the Special Use (SU) District, subject to all applicable requirements of SCCC 13.10.650 and SCCC 7.128, where the General Plan designation of the parcel is "R-R" (Rural Residential), "R-M" (Mountain Residential), "AG" (Agriculture) or "I" (Heavy Industry). Where the General Plan designation is R-R, R-M or AG, manufacturing uses may be permitted subject to the limitations applicable under SCCC 13.10.312(B) and 13.10.650 in the RA Zone District. Where the General Plan designation is I, manufacturing uses may be permitted subject to the limitations applicable under SCCC 13.10.342(B) and 13.10.650 in the M-3 Zoning District.

(c) Class 1 cannabis distribution may be permitted within the Special Use (SU) District, subject to all applicable requirements of SCCC 13.10.650 and SCCC 7.128, where the General Plan designation of the parcel is "R-R" (Rural Residential), "R-M" (Mountain Residential), "AG" (Agriculture) or "I" (Heavy Industry). Where the General Plan designation is R-R, R-M or AG, Class 1 distribution uses may be permitted subject to the limitations applicable under SCCC 13.10.312(B) and 13.10.650 in the RA Zone District. Where the parcel has a General Plan designation of I, Class 1 distribution uses may be permitted subject to the limitations of SCCC 13.10.342(B) and 13.10.650 for the M-3 zoning district. Class 2 cannabis distribution may be permitted within the Special Use (SU) District, subject to all applicable requirements of SCCC 13.10.650 and SCCC 7.128, where the General Plan designation is Service Commercial/Light Industry (C-S) or I. Class 2 distribution uses on these parcels may be permitted subject to the limitations of SCCC 13.10.342(B) and 13.10.650 for the M-3 Zoning District.

(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 subsection (A). The processing procedures and findings for use permits are detailed in SCCC 18.10, 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) Densities.

(1) Residential densities allowed in the Special Use Zone District shall be consistent with those specified in the General Plan and Local Coastal Program Land Use Plan, and in SCCC 13.14, Rural Residential Density Determinations.

(2) Visitor accommodations densities shall be consistent with SCCC 13.10.689.

13.10.383 Development standards for the Special Use SU District.

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(A) Site development permit. A discretionary permit for physical site development associated with an allowed use is known as a site development permit. The "Site Development Chart" in SCCC 13.11.035 provides permit requirements for physical site development. The processing procedures and general requirements for site development permits are detailed in SCCC 13.11 and 18.10, Discretionary Permit Approval Procedures.

(1) Design review is required for some site development permits pursuant to SCCC 13.11.040-080.

(2) Modification of a site or structure with a valid site development permit may be processed as an amendment to the existing site development permit in accordance with SCCC 18.10.134. For modifications to a legal nonconforming structure, or modifications to a structure accommodating a legal nonconforming use, see 13.10.260 et seq.

(B) Site and Structural Dimensions. For single-family dwellings and accessory structures, the SU district development standards shall be the same as those contained in SCCC 13.10.323 pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying SCCC 13.10.323(B). For structures other than single-family dwellings and accessory structures, the development standards for any permitted use shall be in keeping with the requirements, restrictions or regulations provided in this chapter for the most restrictive district within which the use is allowed.

13.10.384 Special standards and conditions for the Special Use SU District.

Division of any parcel in the Special Use SU District shall be allowed only pursuant to the following approvals: two to 19 lots or five to 19 units as a Conditional Use Permit; and 20 or more lots or units as a Conditional Use Permit with approval by the Planning Commission.

13.10.385 Public facilities requirements for the Special Use SU district.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection.

(B) All requirements of the local sanitation district and water district shall be met, or requirements for on-site sanitation and water systems if applicable to the site location.

(C) All improvement requirements and impact fees for community facilities shall be met where required by district or section regulations (SCCC Title 15).

13.10.386 Other standards and conditions for the Special Use SU district.

Other Regulations. Other development standards applicable to the Special Use Zone District include but are not limited to the following provisions of the SCCC:

Table 13.10.386-1: Site Standards for the SU District

Topic	SCCC Section
General site standards	13.10.510, et seq.
Nonconforming uses and structures	13.10.260, et seq.

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Table 13.10.386-1: Site Standards for the SU District

Topic	SCCC Section
General site standards	13.10.500-600
Use of nondevelopable land	13.10.671
Use of urban open space land	13.10.672
Design review and site development	13.11
Parking and circulation	13.16
Coastal zone regulations	13.20
Environmental and resource protection restrictions	Title 16

SECTION XIX

Section 13.10.400 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.400 Combining districts.

The following combining designations may be applied to basic zone districts in order to impose particular limitations or exercise some type of planning control. A combining district shall be denoted by the use of a dash and the letter(s) listed below under "Designation," following the basic zoning designation:

Table 13.10.400-1: Combining Districts

SCCC	Designation	Summary of Limitations Imposed
13.10.416 through 13.10.418	D (Designated Park Site)	Denotes parcels designated in the General Plan and Local Coastal Program Land Use Plan in whole or part as proposed park sites.
13.10.421 through 13.10.423	GH (Geologic Hazards)	Denotes the presence of a particular physical hazard on the property; use and development is subject to the Geologic Hazard Ordinance (SCCC 16.10) regulations.
13.10.424 through 13.10.429	PRH (Permanent Room Housing Combining District)	Denotes parcels with structures originally in use as Type A visitor accommodations, nursing homes, residential care facilities, or other transient accommodations or care facilities, which may be used as permanent multifamily rental housing in multifamily structures or dwelling groups, with specific use and development standards.[1]
13.10.431 through 13.10.433	H (Assisted Housing)	General Plan and Local Coastal Program Land Use Plan policies regarding affordable housing priority sites apply.
13.10.434 through 13.10.436	SBE (Seascape Beach Estates)	Denotes parcels in the Seascape Beach Estates neighborhood with special residential development

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SCCC	Designation	Summary of Limitations Imposed
	Combining Zone District)	standards intended to maintain characteristics of the existing built environment and ensure protection of the public viewshed.
13.10.437 through 13.10.439, 13.12	AIA (Airport Influence Area Combining District)	Denotes parcels within two miles of the boundary of the Watsonville Municipal Airport; use and development is subject to the Airport Combining Zone District Ordinance (SCCC 13.12) regulations.
13.10.441 through 13.10.443	I (Statement of Intention)	Board of Supervisors has agreed not to rezone the property in the foreseeable future.
13.10.444 through 13.10.448	PP (Pleasure Point Community Design)	Denotes parcels subject to special residential design standards and guidelines specific to the Pleasure Point neighborhood, to be applied in addition to the residential site standards found in SCCC 13.10.323(B).
13.10.451 through 13.10.453	L (Historic Landmark)	Property/structure has been designated a historic landmark and is subject to the regulations of the Historic Resources Ordinance (SCCC 16.42).
13.10.456 through 13.10.458	MH (Mobile Home Park)	Denoted property upon which a mobile home park has been established pursuant to an approved development permit or legally established prior to the requirement for a development permit; mobile home park development, operation, rental, sale and conversion are subject to all provisions of federal, State and County regulations.
13.10.461 through 13.10.463	O (Open Space Easement)	Owner has executed an open space easement contract with the County to maintain the land in its natural state for a period of 10 years. The 10-year period is renewed every year.
13.10.471 through 13.10.473	P (Agricultural Preserve and Farmland Security)	Owner has executed an agricultural preserve contract with the County to maintain the land in agricultural and open space use for a period of 10 years. The 10-year period is renewed every year.
13.10.475 through 13.10.478	R (Regional Housing Need)	Special use and development standards for development of housing at density of 20 units per acre with any RM-2 zoned parcel, or in C-1, C-2, or PA commercial zones, or public facility zones[2]
13.10.481 through 13.10.483	SP (Salamander Protection)	The regulations of the Sensitive Habitat Protection Ordinance (SCCC 16.32) apply and require special site development standards to protect the endangered species.

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SCCC	Designation	Summary of Limitations Imposed
13.10.491 through 13.10.493	W (Watsonville Utility Prohibition)	Prevention of urban services to undeveloped/rural areas west of the City of Watsonville to protect farmlands and environmentally sensitive areas in the Coastal Zone west of Watsonville.

1 PRH Zoning Map Amendments in the Coastal Zone are Local Coastal Plan Amendments. Coastal Zone properties are subject to Local Coastal Program policies related to conversion of priority uses.
2 Property that is proposed for rezoning into the Regional Housing Need R Combining District shall include a proposed PUD, and an LCPA if located within the Coastal Zone pursuant to SCCC 18.30.184(C) and (D).

SECTION XX

Sections 13.10.471 through 13.10.473 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.471 Purposes of the Agricultural Preserve and Farmland Security P Combining District.

The Agricultural Preserve Combining District is established to denote those lands which are restricted to agricultural, open space, and compatible uses by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 51240) or Article 7 (commencing with Government Code Section 51296) of the California Land Conservation Act (Williamson Act) of 1965 and amendments thereto.

13.10.472 Designation of the Agricultural Preserve and Farmland Security P Combining District.

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 51240) or Article 7 (commencing with Government Code Section 51296) of the California Land Conservation Act (Williamson Act) of 1965, shall be designated with a P Combining District. The designation shall remain on the property until the contract expires or is canceled.

13.10.473 Use and development standards in the Agricultural Preserve and Farmland Security P Combining District.

Lands designated as P Combining District shall be subject to the regulations of the CA zone district where consistent with the contractual agreement. The modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the CA zone district (see SCCC 13.10.312) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Conditional Use Permit.

SECTION XXI

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Part V, General Site Standards, is hereby added to Chapter 13.10 of the Santa Cruz County Code, and Sections 13.10.510, 13.10.520, 13.10.525, 13.10.556, and 13.10.580 through 13.10.587 are hereby moved from Part IV to Part V and amended, to read as follows:

PART V. GENERAL SITE STANDARDS

13.10.510 Application of site standards.

(A) Subsequent Divisions. No parcel shall be divided so as to reduce the building site area, width, depth, or frontage below those required by this chapter, except as indicated in SCCC 13.10.323(E)(1).

(B) No yard or other open space provided around any building on one site shall be considered as providing a yard or open space for a building on any other site.

(C) Exceptions to Site Standards. Site area, width, depth, and frontage requirements of this chapter shall not apply to sites used for tract offices, public utility structures and uses, power stations, radio and television transmission towers, drainageways, and similar structures which require a use approval, but appropriate requirements shall be determined by conditions of each use approval granted for each use. Flat plate solar collectors on existing structures shall be exempt from lot coverage and setback provisions.

(D) Height Limit. The allowable height of a structure is determined by a plane which parallels the topography of the site at the height limit established for each zone district, subject to exceptions for increased setbacks, discretionary design review, and certain exempt architectural elements. Excavations within the building perimeter do not lower the allowable height plane.

(1) A topographic map must be a part of each project submittal, unless determined to be unnecessary by the Planning Director, or their designee. The map must be prepared by a civil engineer, licensed surveyor, or architect. The plans must show the finish floor elevation at each floor and must show spot elevations at the high and low exterior grade elevations and the highest point of the building elevations.

(2) Prior to foundation inspection approval, the required spot elevations shown on the approved plans must be verified by a civil engineer, licensed surveyor, or architect, unless determined by the Building Official to be unnecessary.

(3) Height Exceptions. Chimneys, church spires and steeples, water tanks, cooling towers, elevators, flagpoles, monuments, noncommercial radio and television antennas, fire towers, and similar structures not used for human habitation and not covering more than 10 percent of the ground area covered by the structure may be erected to a height of not more than 25 feet above the height limit allowed in any district. Parapets (a low screen or barrier wall) for nonresidential buildings located at least five feet from the edge of any exterior wall that are constructed for the purpose of screening mechanical equipment or other building features may exceed the height limit by up to 3.5 feet. Firewall parapets for non-residential buildings that are upward extensions of an exterior wall and are required by the building code for fire safety purposes may exceed the height limit by up to three feet. Utility and commercial

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poles and towers may not be subject to the height limits prescribed in the district regulations. Height limits on wind-powered generators shall be as established in SCCC 12.24. Noncommercial radio and television towers or freestanding antennas may exceed the height limit allowed in any zone district by 25 feet with the approval of a Level IV use approval. Flat plate solar collectors on existing structures shall be permitted to exceed height restrictions by four feet.

(E) Maximum Allowed Floor Area. For zone districts subject to a maximum Floor Area Ratio (FAR), calculate maximum allowable floor area (square feet) as follows: multiply maximum allowed FAR (percentage) by gross site area (square feet), excluding any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay. See definition of "Floor Area Ratio" and related definitions in SCCC 13.10.700.

(F) Maximum Allowed Lot Coverage. For zone districts subject to a maximum lot coverage percentage, calculate maximum lot coverage (square feet) as follows: multiply maximum allowed lot coverage (percentage) by gross site area (square feet), excluding any coastal bluffs, beaches, and land seaward of the mean high tide line of Monterey Bay.

(G) Plan Lines. Where a plan line has been adopted, the required yards on the street side shall be measured from the plan line. In no case shall the provisions of this chapter be construed as permitting any structure to extend beyond such plan line. However, where a plan line or street widening has reduced the depth or the width of a site to less than the minimum required depth or width, the front yard may be reduced by the amount that the site depth was reduced, but in no case to less than 10 feet. The side yard adjoining the street may be reduced by the amount that the site width was reduced, but in no case to less than five feet.

(H) Minimum Parcel Sizes and Maximum Density. Minimum parcel size and maximum density requirements of the General Plan and Local Coastal Program Land Use Plan shall be met based on the land use designation, Appendix G of the General Plan and Local Coastal Program Land Use Plan, and SCCC 13.14.

(I) Reductions in the Front Setback to Protect the Environment or Public Safety.

(1) Up to a 25 percent reduction in the required setback established by the zone district for front yards or other yards fronting on a street or vehicular right-of-way may be allowed, subject to review and approval by the Planning Director with a Minor Site Development Permit, for any of the following purposes:

(a) To minimize grading on steep lots;

(b) To protect environmentally sensitive resources such as significant trees or sensitive habitats such as riparian corridors; or

(c) To facilitate conformance with regulations for geologic hazards (SCCC 16.10).

(2) In addition to the findings required in SCCC 18.10.230 for discretionary approvals, the following additional findings shall be required:

(a) The reduced setback would result in an environmentally superior outcome or improved public safety, either by minimizing grading, affording better protection

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to an environmentally sensitive habitat or resource, or resulting in greater conformance with geologic hazard regulations; and

(b) The proposed project shall not unreasonably infringe on adequate light, air, or privacy of adjacent residential property.

13.10.520 Site frontage.

(A) Minimum Frontage on a Cul-De-Sac. On a cul-de-sac or a curved street with a radius of curvature of 200 feet or less, a site may have a frontage of not less than 40 feet in any zone district, unless a lesser frontage is allowed in the zone district.

(B) Corridor Access Lots. A corridor access lot shall be permitted in any district. The corridor shall have a frontage and width of not less than 20 feet, and a length not to exceed 150 feet; the area of the access corridor shall not be included in the determination of site area.

13.10.525 Regulations for fences and retaining walls within required yards.

(A) The purposes of fence and/or retaining wall regulations are:

(1) To provide for privacy screening of yard areas.

(2) To ensure adequate light and air for the street area and abutting properties.

(3) To preserve a harmonious and compatible street front appearance.

(4) To ensure adequate visibility of vehicles entering the street from driveways, adequate sight distance from such vehicles, and adequate sight distance at street corners.

(B) The height of fences and/or retaining walls is determined as follows:

(1) By measuring the exposed face of the fence and/or wall at its tallest point, from finished grade at the base, to the top of the fence and/or wall.

(2) Where a parcel slopes down from a public or private right-of-way, the height of a fence or retaining wall shall be measured from the curb or edge of shoulder nearest the fence or retaining wall to the top of the fence and/or wall.

(C) Maximum Fence and Retaining Wall Heights.

(1) Fence Location and Height Table. Except as provided in SCCC 13.10.525(D), the following table provides maximum fence height within front, side, and rear yard setback areas.

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Table 13.10.525-1: Fence Location and Height

Property and Fence Location	Maximum Height without Permit [1,2]	Required Distance from Edge of Vehicle Lane or Shoulder	Maximum Height with Over-Height Fence Certification [1,2]	Required Distance from Edge of Vehicle Lane or Shoulder with Over-Height Fence Certification
Front Yard inside Urban Services Line (USL) and Rural Services Line (RSL)	3 feet*	3 feet	6 feet	See SCCC 13.16.093, Sight distance.
Front Yard outside USL and RSL	3 feet*	3 feet	8 feet	See SCCC 13.16.093, Sight distance.
Side/Rear Yard Abutting on a Street	6 feet	See SCCC 13.16.093, Sight distance.	8 feet if fence is set at least 5 feet back from property line	See SCCC 13.16.093, Sight distance.
Side/Rear Yard Not Abutting on a Street	8 feet	See SCCC 13.16.093, Sight distance.	N/A	N/A

1. See SCCC 13.10.525(D) for exceptions to maximum fence and retaining walls, including over-height fence certification requirements.
2. In the coastal zone, a coastal development permit will be required for all fence and retaining wall development unless it is exempt or excluded from coastal development permit requirements pursuant to SCCC 13.20.060 or 13.20.070.

(D) Exceptions to maximum fence height requirements.

(1) Within sight distance triangles, maximum structure height is three feet (see SCCC 13.16.093).

(2) On steep slopes, open safety railings up to 42 inches in height are allowed as provided in SCCC 13.10.323(E)(5)(a).

(3) Walkway fence openings, with or without gates, may have associated archways/trellises/pergolas up to a maximum height of eight feet without a discretionary approval, except in corner sight clearance triangles, where no fence or retaining wall shall exceed three feet in height. Archways/trellises/pergolas may not make up more than 25 percent of the length of the fence along a given property line without an Administrative Site Development Permit. Notwithstanding the above exceptions for discretionary approval and development permits, in the coastal zone all such archways/trellises/pergolas shall require a coastal development permit unless exempt from coastal development permit requirements pursuant to SCCC 13.20.060 or 13.20.070.

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(3) Open architectural, decorative, and ornamental features such as lattice may exceed the given maximum fence heights by no more than six inches without a discretionary approval, except in corner sight clearance triangles, where no fence or retaining wall shall exceed three feet in height. Open means that no more than 50 percent of the feature may be opaque. Notwithstanding the above exceptions for discretionary approval and development permits, in the coastal zone all such archways/trellises/pergolas shall require a coastal development permit unless exempt from coastal development permit requirements pursuant to SCCC 13.20.060 or 13.20.070.

(4) Fencing for agricultural uses in agricultural zone districts.

(a) Permanent fencing. In agricultural zone districts, fencing for agricultural purposes may have heights up to six feet in all yards; provided, that such fencing is: (i) six feet or less in height; and (ii) made of wire that is spaced a minimum of one inch apart, supported with wood or metal posts, or made of wooden members which are spaced a minimum of eight inches apart. Fencing meeting these criteria shall be exempt from requiring a discretionary permit unless such fencing is located on property adjacent to Highway 1, in which case a Minor Site Development Permit is required. Agricultural fencing located within a corner sight clearance triangle shall be a maximum of three feet in height. Hedgerows or other living fences are allowed in agricultural zone districts and are not subject to fencing regulations. Vegetative screening of fences is encouraged where feasible.

Agricultural fencing exceeding six feet in height requires an over-height fence certification pursuant to Section 13.10.525(E), and is limited to a maximum height of eight feet. Agricultural fencing exceeding eight feet requires an Administrative Site Development Permit, pursuant to SCCC 18.10.

In addition to the requirements of this section, agricultural fencing within or adjacent to sensitive habitats is subject to regulations in Title 16, Environmental and Resource Protection. In the Coastal Zone, a coastal development permit will be required for all such fencing unless it is excluded from coastal development permit requirements pursuant to SCCC 13.20.060 or 13.20.070.

(b) Temporary fencing. Where permanent agricultural fencing is not feasible but temporary fencing is necessary for an agricultural use, for purposes such as dust control, animal control, food safety, windbreaks, farmworker protection, and trespass prevention, temporary fencing consistent with the criteria below is allowed without discretionary permit approval:

(i) Height. Temporary fence heights shall not exceed four feet in required yards abutting a street and six feet in other required yards, and shall meet the site distance requirements in SCCC 13.16.093.

(ii) Materials and construction. Temporary fencing may be solid in appearance, consisting either of woven material or other fabric installed at the interior of an existing permanent fence, or as a separate temporary fence structure

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consisting of woven material or other fabric supported by wood or metal stakes.

(iii) Duration. Temporary fencing is allowed for time periods not to exceed nine months in one year, and for no more than two years within any five-year period.

(iv) Maintenance. Temporary fencing shall be repaired, replaced, or removed when torn or degraded; and shall be maintained free of graffiti and litter.

(c) Extended temporary fencing in agricultural zone districts. When there is a demonstrated need for dust and contamination control, fencing exceeding the height or time limits provided above for temporary fencing, a Minor Site Development Permit is required. The permit application review process may require submittal of the fence design, sample materials, photographs of the surrounding properties, documentation supporting the need for the proposed fence, and the proposed extended duration for the temporary fence. Any approved extended temporary fencing shall be maintained in accordance with subsection (b)(iv) above. The fence height shall be limited to the minimum necessary to support the agricultural use and shall meet site distance height requirements in SCCC 13.16.093. The permit may specify fence materials and design, require vegetative screening, or include other conditions as needed to comply with the following findings for approval of the agricultural fence permit for an extended temporary fence:

(i) The applicant has a demonstrated need for fencing related to an agricultural use that cannot be accommodated by permanent agricultural fencing or temporary fencing as described in subsections (a) and (b) above;

(ii) The fence height, materials, colors, and any proposed vegetative screening are visually compatible with the agricultural character of the community, minimize impacts on significant public vistas, and preserve public ocean vistas to the greatest extent feasible; and

(iii) The fence material is of woven or fabric construction, or other suitable material.

(E) Over-Height Fence Certification. An over-height fence certification for fence height up to eight feet may be issued with a Minor Site Development Permit with findings as provided by SCCC 18.10.230(A) and, if in the Coastal Zone, the finding that the subject development will not adversely impact public views and scenic character. Fence height greater than eight feet requires an Administrative Site Development Permit.

13.10.556 Outdoor storage of personal property and materials.

(A) No portion of any undeveloped or vacant site and, for any developed residential parcel, no portion of any front yard or any required side yard setback, or any required rear yard of corner or double frontage lots shall be used for the storage of any of the following:

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(1) Building or construction materials, except those materials, bins, and dumpsters reasonably required for work under construction on the premises pursuant to a valid and effective building permit.

(2) Storage of construction or commercial equipment, machinery, chemicals, or materials.

(3) Inoperative vehicles or parts thereof.

(4) Household appliances, equipment, machinery, furniture, salvage materials, or boxes.

(B) Items and materials identified in subsection (A) of this section may be stored in rear yards provided such is screened from public view or stored within an approved storage structure constructed in accordance with applicable building and zoning regulations.

(C) Outdoor storage of firewood on residential parcels shall comply with locational standards provided in subsections (A) and (B) above, excepting the initial delivery of firewood prior to storage. Firewood may be stored on residential parcels solely for use on the premises, shall be limited to no more than five cords of wood at any one time, and shall be stacked no higher than 6 feet. One cord is 128 cubic feet of firewood, equivalent to a stack that is 4 feet in height, 4 feet in width, and 8 feet in length. A commercial firewood operation, where wood is cut, processed and/or stored for sale to the public, is not permitted on residential parcels.

(D) Operative vehicles in excess of those allowed in the front yard pursuant to SCCC 13.16.060(H) must be parked in side or rear yards; provided, that the vehicle is screened from public view or stored within an approved structure constructed with the required building and zoning permits. Only one recreational vehicle or travel trailer may be stored on a property, pursuant to SCCC 13.10.683(I).

13.10.580 Signs in Residential and Agricultural Zone Districts.

No signs or outdoor advertising structure or display of any kind shall be permitted in the R-1, RB, RR, RA, RM, RF, A, AP, or CA Districts except the following:

(A) One nonilluminated sign or nameplate not larger than one square foot in area pertaining to a home occupation.

(B) One nonilluminated sign not larger than six square feet in area pertaining to the sale, lease, rental, or display of a structure or land.

(C) One identification or informational sign, not directly illuminated, not larger than 12 square feet in area. If located on the site of a new discretionary use, such sign shall be included in the development permit for said use. No such sign shall be established on the site of a non-discretionary use without a zoning clearance. All identification or information signs, whether discretionary or permitted, shall be consistent with SCCC 13.10.581(D-J).

(D) One or two nonilluminated signs, single- or double-faced, with a total area not larger than 50 square feet, pertaining to the sale of subdivision lots and included in the permit for said subdivision.

13.10.581 Signs in C, CT, VA, PA, PF and M Districts.

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(A) No sign, outdoor advertising structure or display of any kind shall be permitted except the following:

(1) One business or identification sign and one small pedestrian-oriented sign per site as provided below.

(2) Signs pertaining to a use conducted on the site, with aggregate areas according to the following table.

Table 13.10.581-1: Total Sign Area Allowed
(Includes All Signs Displayed)

Basis for Calculation	Total Sign Area[1] Allowed
Front width of building on an interior lot; or Front width plus street side width of building on a corner lot	1/2 square feet (72 square inches) of sign area per foot of building width
Width of site along the street (interior or corner lot)	1/4 square feet (36 square inches) of sign area per foot of site width
Maximum allowable area on an interior lot less than 40 feet wide at the street	20 square feet
Maximum allowable area on other lots	50 square feet

1. "Sign area" is defined as: The area within a well-defined border; or the area of one side of a double-sided sign; or, on a sign with no defined border, the area within the perimeter which encloses the letters, symbols, or logo.

(3) Direction signs for off-street parking and loading facilities not exceeding four square feet.

(4) One sign pertaining to the sale, lease, rental, or display of a structure or land, not exceeding six square feet.

(5) Up to two gas station price displays, limited to numerals, business logo, and discount information required by California Business and Professions Code Sections 13530 through 13540.

(B) Permanent and temporary window signs are each limited to a maximum of 20 percent of the window area of the building. Temporary window signs not displayed for more than two weeks are not included in the total sign size limitation.

(C) Signs directly across the street from a residential zone district shall be limited to 30 square feet in area and shall not be directly illuminated or flashing.

(D) A freestanding sign detached from a building shall be of a design consistent with the architectural character of the building and shall be designed as an integral part of the landscaped area. Freestanding signs shall not exceed seven feet in height, measured from the existing grade at the edge of the road. Where on-street parking limits the visibility of freestanding signs, such signs may be erected to a maximum height of 12 feet, measured from the existing grade at the edge of the road.

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(E) Signs located on a wall or on a roof fascia shall be designed as an integral part of the building design. Building signs shall be located on or below the upper line of the roof fascia.

(F) Signs and supports shall be set back a minimum of five feet from the edge of the right-of-way or roadway, whichever is greater, and shall not obstruct vehicular sight distance or pedestrian/bicycle circulation.

(G) No sign other than a directional sign shall project more than 12 inches into a required rear yard or required interior side yard.

(H) Visibility of signs within a scenic corridor shall be minimized by the use of appropriate material, size, location, and orientation. No illuminated signs shall be permitted within a scenic corridor.

(I) Where sign lighting is permitted, only indirect illumination or low-intensity interior illumination shall be used. It is preferred that lighted signs be designed with light-colored translucent letters and logos, on a semi-opaque dark background. Any permitted sign lighting shall be unobtrusive to adjacent properties and any glare shall be directed onto the site.

(J) Moving signs, flags, banners, sandwich board signs or flashing signs shall not be permitted.

(K) Shopping Centers.

(1) A sign program shall be developed for any shopping center or any group of business uses with shared sign facilities. The program shall include a name sign containing the name of the center, a directory sign either separate or combined with the name sign, and one small pedestrian-oriented sign for each shop. The sign program shall specify sign designs, dimensions, materials, colors, lighting, if any, and placement.

(2) The total area of the center's name sign(s) and directory sign shall not exceed 50 square feet. The area of each individual shop sign shall not exceed one-half square foot per foot of building width measured across the front of the building, and shall not exceed a maximum of 18 square feet, whichever is smaller.

13.10.582 Signs in the PR District.

(A) No signs or outdoor advertising structure or display of any kind shall be permitted in the PR District except the following:

(1) One identification sign, not directly illuminated, not larger than 12 square feet in area, located on the site of the use and included in the permit for said use.

(2) Direction signs for off-street parking or other facilities not exceeding four square feet.

(B) Sign design in the PR District shall follow SCCC 13.10.581(D) through (F), commercial signs.

13.10.583 Temporary signs in all districts.

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(A) Temporary signs, not including political signs, that are to be used in conjunction with a special event or an approved temporary use are permitted subject to the following restrictions.

(1) Maximum sign area permitted shall be six square feet in a residential zone district and 18 square feet in all other zone districts.

(2) Temporary signs shall not be placed so as to constitute a traffic hazard.

(3) Temporary signs shall be removed not more than 10 days after the special event or temporary use to which they refer.

(B) Political signs are allowed without restriction; provided, that they shall not be placed so as to constitute a traffic hazard and that they shall be removed not more than 10 days after the election to which they refer.

13.10.584 Directional signs.

(A) Regardless of any other provision of this chapter to the contrary, directional and informational signs of a public or quasi-public nature, including signs identifying specific village areas and signs giving directions to properties not situated adjacent to the street from which such signs are visible, are allowed with a use permit; provided, that no individual sign shall be larger than 12 inches by 42 inches and no individual village directional sign shall be larger than 12 square feet. Such signs shall contain only the name of the use with an appropriate arrow indicating the direction.

(B) No sign established under the provisions of this section shall be illuminated by artificial light which is not maintained stationary and constant in intensity and color at all times when in use.

(C) It is the intent of these regulations to discourage indiscriminate placing of signs along the public highways and streets of this County and to encourage the joint use of single structures upon which signs may be displayed. Multiple use of a single structure to display signs is allowed with one use permit; provided, that where one structure is used to display multiple signs, the outside dimensions of the structure shall not exceed 10 feet by 10 feet and shall be designed so as not to obstruct traffic visibility.

(D) Temporary off-site directional signs of a larger size shall be permitted for seasonal produce sales, subject to securing a use permit. The signs shall only be permitted for direct sale to the public of produce grown on the same site. The information on the signs shall be limited to the type of produce, the farm name, and the directions to the farm site. Individual signs shall not exceed 16 square feet in area.

13.10.585 Nonconforming signs.

Owners of nonconforming signs, except those signs which have been designated as historic resources pursuant to SCCC 16.42, shall have the following times within which to remove, alter, or otherwise make such signs conform to this chapter:

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(A) Except as otherwise provided, all signs shall be removed, altered, or otherwise made to comply with this chapter on or before January 1, 1981, except that any sign, other than a portable sign, which was installed or maintained pursuant to a use permit or planned development permit issued since September 20, 1974, shall be removed, altered, or otherwise made to conform to this chapter by December 31, 1985, unless a variance is obtained under the provisions of SCCC 13.10.230.

(B) Portable signs, sandwich boards, movable freestanding signs, tire stacks, window signs, wind signs, signs painted on buildings, walls, or fences, rotating or flashing signs, and all signs of less than $100.00 in replacement value shall be removed, altered, or otherwise made to comply with this chapter within 30 days after the effective date of the ordinance codified in this section. “Portable sign” includes, but is not limited to, any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric or plastic, cardboard, wallboard, or other light material, with or without a frame.

(C) Signs appurtenant to any use shall be removed within 30 days of the discontinuance of said use.

(D) Failure to remove, alter, or otherwise make a nonconforming sign conform to the requirements of this chapter within the time allowed shall be deemed a violation of this chapter and a public nuisance subject to abatement in accordance with SCCC 1.14. The owner of the land on which a sign is displayed shall be held responsible for rendering such a sign conforming.

13.10.586 Historic identification plaques.

Regardless of any other provision of this chapter to the contrary, nonilluminated historic identification plaques as approved by the Historic Resources Commission not exceeding two square feet in size are permitted to be installed on structures designated as historic resources pursuant to SCCC 16.42.

13.10.587 Sign exceptions.

(A) In any district, exceptions to any applicable ordinance standards for a sign, sign program, temporary sign, or directional sign may be considered for approval where warranted by site-specific circumstances such as restricted visibility, distance from thoroughfare, location on a corner, unusually large structure, or historic preservation concerns.

(B) Sign exceptions shall meet the following criteria:

(1) The exception shall vary from sign standards in the Santa Cruz County Code only to the extent necessary and appropriate to address site-specific circumstances.

(2) The signage is architecturally and aesthetically compatible with the surrounding neighborhood, environmental setting, and associated buildings; does not create or contribute to visual clutter, does not adversely impact coastal visual resources, is consistent with the Local Coastal Program, and, if lighted, avoids undue incidental illumination away from the signage.

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(3) If the exception proposes illumination of a sign visible from a scenic road, the sign shall be only for State and County directional and information signs or for a sign situated within a commercial or visitor serving area.

(C) Processing of Sign Exceptions.

(1) A sign exception shall be processed as an administrative permit with public notice, in accordance with noticing and appeal procedures set forth in SCCC Title 18, except that the following proposals shall require a public hearing by the Zoning Administrator:

(a) Any proposed exception to establish more than three business/identification signs, or more than three small pedestrian-oriented business/identification signs, or any combination of general and pedestrian-oriented business/identification signs exceeding four.

(b) Any proposed exception that would exceed by more than 50 square feet either the maximum aggregate sign area established by SCCC 13.10.581(A) or the maximum area for directory signs established by SCCC 13.10.581(K)(2).

SECTION XXII

Section 13.10.611 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.611 Accessory structures in residential zone districts.

(A) Purpose. It is the purpose of this section to provide for the orderly regulation of accessory structures to ensure that accessory structures are subordinate and incidental to the main structure or main use of the land and to provide notice to future and current property owners that illegal conversion of any accessory structure is subject to civil penalties. This section does not address accessory dwelling units (ADUs), nor is an accessory structure in a residential zone district considered an ADU.

(B) Application Requirements.

(1) The proposed use of the structure shall be specified.

(2) Applications for habitable accessory structures and non-habitable accessory structures shall be processed as specified in Tables 13.10.611-1 and 13.10.611-2.

(3) The regulations of this section are intended to complement and be implemented consistent with the allowed uses in residential zone districts listed in SCCC 13.10.322(A).

(C) Restriction on Accessory Structures.

(1) Any accessory structure shall be clearly appurtenant, subordinate, and incidental to the main structure or main use of the land as specified in the purposes of the appropriate zone district.

(2) Regulations on amenities for accessory structures on parcels with a main residence are as indicated in Table 13.10.611-1:

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Table 13.10.611-1:
Amenities Regulations for Accessory Structures in Residential Zone Districts

Note: In the Coastal Zone, a Coastal Development Permit may be required per SCCC 13.20. For regulations governing tiny homes, see SCCC 13.10.680 and for ADUs, see SCCC 13.10.681.

Amenity	Non-habitable	Habitable
Utility sink: outdoor non-enclosed shower	Allowed	Allowed
Toilet, lavatory sink[1]	Allowed[1]	Allowed[1]
Shower and/or bathtub	Pool cabanas: Shower allowed[1] All other uses: Not allowed	Allowed[1]
Washer/dryer and water heater	Allowed	Allowed
Insulation/sheet rock or other finished wall covering	Both allowed	Both required
Built-in heating/cooling	Not allowed	Heating: Required Cooling: Allowed
Kitchen facilities, excluding sink, as defined in SCCC 13.10.700-K	Not allowed	Not allowed, unless approved as an ADU under SCCC 13.10.681.
Electrical service maximum	100A/220V/single phase maximum unless an administrative use permit is obtained	100A/220V/single phase maximum unless an administrative use permit is obtained.
Separate electric meter	Not allowed unless an administrative use permit is obtained	Not allowed unless an administrative use permit is obtained.
Use for sleeping purposes	Not allowed	Allowed
Rent or lease as an independent ADU	Not allowed	Not allowed, unless approved as an ADU under SCCC 13.10.681 with standard kitchen.

1. On parcels less than 10 acres, a maximum of one habitable or non-habitable accessory structure with any combination of toilet, lavatory sink, shower and/or bathtub is permitted if consistent with Tables 13.10.611-1 and 13.10.611-2. On parcels 10 acres or larger, a maximum of two accessory structures with any combination of toilet, lavatory sink, shower, and/or bathtub are permitted if consistent with Tables 13.10.611-1 and 13.10.611-2. When two or more habitable accessory structures exist on a parcel, the second habitable accessory structure and any additional habitable accessory structures shall be considered bedrooms for the purpose of calculating fees and determining parking requirements.

(3) Regulations for permit requirements, size, height, stories, total number of, and locational restrictions for accessory structures in residential zone districts are as indicated in Table 13.10.611-2:

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Table 13.10.611-2: Permit Requirements, Size, Height, Stories, Total Number of, and Locational Regulations for Accessory Structures in Residential Zone Districts

Note: In the Coastal Zone, a Coastal Development Permit may be required per SCCC 13.20. For regulations governing tiny homes, see SCCC 13.10.680 and for ADUs, see SCCC 13.10.681.

	Non-habitable	Habitable
Height limit	Within the urban and rural services lines (USL/RSL): Detached garages: 16 feet All other accessory structures: 13 feet[1] Attached garages: see zone district height limit Outside the USL/RSL: see zone district height limit	Within the USL/RSL: 13 feet Outside the USL/RSL: see zone district height limit In any area: tiny homes subject to SCCC 13.10.680 and ADUs subject to SCCC 13.10.681
Size limit	Within the USL/RSL: 640 square feet Outside the USL/RSL: 1,000 square feet	Within the USL/RSL: 640 square feet Outside the USL/RSL: 1,000 square feet
Permit required	Within the USL/RSL: building permit only for structures meeting height and size limits[1] Outside the USL/RSL: building permit only for up to 1,000-square-foot size, in compliance with zone district site development standards[1]	Within the USL/RSL: building permit only for structures meeting height and size limits[1] Outside the USL/RSL: building permit only for up to 1,000-square-foot size, in compliance with zone district site development standards[1] In any area: tiny homes subject to SCCC 13.10.680 and ADUs subject to SCCC 13.10.681
Permit required if exceeds size limits	Administrative site development permit	Administrative site development permit
Permit required if exceeds maximum height or story limits	Variance (public hearing required)	Variance (public hearing required)
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district; however, limits based on parcel size if accessory structure contains plumbing fixtures[2]	One with building permit only; two with conditional use and site development permit; more than two with Planning Commission public hearing and approval, with limits on plumbing fixtures[2]

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	Non-habitable	Habitable
Locational restrictions related to the distance from the main residence and access to accessory structures	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless an administrative site development permit is obtained, or as otherwise permitted by County Code/Public Works Director

1. Non-habitable structures that do not exceed 120 square feet in size and a height of 10 feet above grade (as defined by the Zoning Ordinance) do not require a building permit. However, a plumbing or electrical permit is required for any plumbing fixtures and electricity, and a zoning permit may be required pursuant to Tables 13.10.611-1 and 13.10.611-2.

2. On parcels less than 10 acres, a maximum of one habitable or non-habitable accessory structure with any combination of toilet, lavatory sink, shower, and/or bathtub may be permitted consistent with Tables 13.10.611-1 and 13.10.611-2. On parcels 10 acres or larger, a maximum of two accessory structures with any combination of toilet, lavatory sink, shower, and/or bathtub may be permitted consistent with Tables 13.10.611-1 and 13.10.611-2. When two or more habitable accessory structures exist on a parcel, the second habitable accessory structure and any additional habitable accessory structures shall be considered bedrooms for the purpose of calculating fees and determining parking requirements. ADUs are regulated by SCCC 13.10.681.

(4) Absent an established residential use, accessory structures are prohibited.

(5) No habitable accessory structure shall be mechanically heated, cooled, humidified, or dehumidified unless the structure or the conditioned portion thereof meets the energy conservation standards of the California Energy Code, Title 24, as adopted by SCCC 12.10.

(6) No non-habitable accessory structure (other than a pool cabana) shall have a shower or bathtub installed, and no pool cabana shall have a bathtub installed. The Planning Director may grant an exception to allow a bathtub in a pool cabana as a reasonable accommodation pursuant to the Americans with Disabilities Act.

(D) Development Standards for Residential Accessory Structures. Accessory structures shall be required to meet the same development standards as primary dwellings, with the following exceptions.

(1) Water Tanks and Propane Tanks. Water tanks that are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Services. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(2) Detached sheds. A detached accessory structure that is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines.

(3) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps, and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not

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required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.

(4) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks, and uncovered, unenclosed stairways and landings may encroach three feet into required setbacks.

(5) ADUs. See SCCC 13.10.681 for development standards governing ADUs. Buildings with first story garages and second story ADUs over them may apply ADU development standards.

(6) Garages in Rear or Side Yards.

(a) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage as defined under SCCC 13.10.700-G (but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

(i) There shall be no windows, doors, or other openings on garage walls that are less than five feet from the side or rear property lines.

(ii) The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

(iii) Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Code (CRC).

(iv) The garage shall have a maximum depth of 30 feet.

(b) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage as defined under SCCC 13.10.700-G (but excluding carports) may be located up to zero feet from the rear or interior side property line if an administrative site development permit is obtained pursuant to the provisions of SCCC 18.10, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air, or privacy of adjacent residences.

(c) On residentially zoned parcels 10,000 square feet or larger in size, an attached or detached garage as defined under SCCC 13.10.700-G (but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (7)(a)(i) through (iv) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(d) A garage located within a required rear or side setback area shall not exceed 13 feet in height or one story, unless a variance is obtained pursuant to Table 13.10.611-2 and the provisions of SCCC 18.10, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air, or privacy of adjacent residences.

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(7) Separation. The minimum separation between an accessory structure and any other structure on a parcel, including encroachments included in subsection (a) above, shall be no less than three feet, or as provided by the California Building Code, whichever is greater, with the following exceptions:

(a) No separation is required between water tanks located on the same parcel.

(b) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

(8) Corner Lots. On corner lots, accessory structures shall be located not closer to the rear property line than the required side yard setback on the adjoining lot, and not closer to the side property line adjoining the street than the required front yard setback of the adjoining lot.

(9) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

(E) Any building or development permit issued for the construction or renovation of a non-habitable accessory structure shall include a restriction or condition requiring an agreement not to convert the structure into a dwelling unit, ADU, or any structure for human habitation in violation of this code. Any building or development permit issued for the construction, conversion to, or renovation of a habitable accessory structure, other than an attached or detached ADU, permitted as such, shall include a condition requiring an agreement not to convert the structure or space into a dwelling unit or into any other independent habitable structure in violation of this code. Each agreement required by this subsection shall provide for the recovery by the County of reasonable attorney's fees and costs in bringing any legal action to enforce the agreement together with recovery of any rents collected for the illegal structure or, in the alternative, for the recovery of the reasonable rental value of an illegally converted structure from the date of conversion. The amount of any recovery of rents or of the reasonable rental value of an illegally converted structure shall be deposited into a fund designated by the Board of Supervisors to be used by the County for code compliance and abatement activities. The agreement shall provide for periodic condition compliance inspections by Planning Department staff. Nothing in this section or the agreement shall be deemed to be a waiver of any property owner's rights to due process or to avoid unreasonable searches. The agreement shall be written to bind future owners of the property and include a reference to the deed under which the property was acquired by the present owner, and the agreement shall be filed with the County Recorder. Proof that the agreement has been recorded shall be furnished to the County prior to the granting of any building permit permitting construction on the property.

(F) The Planning Director may charge a fee, as stated in the unified fee schedule, for the cost of periodic condition compliance inspections.

SECTION XXIII

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Sections 13.10.613 and 13.10.616 of the Santa Cruz County Code are hereby amended, and Sections 13.10.614 and 13.10.615 are hereby added to the Santa Cruz County Code, to read as follows:

13.10.613 Home occupations as secondary uses.

(A) Purposes. The purposes of regulations for home occupations are:

(1) To allow persons to carry on income-producing activities on their property where they reside, secondary to a residential use; and

(2) To protect nearby residential properties from potential adverse effects of the allowed activity by not allowing home occupations that would create excessive noise, traffic, public expense, or any nuisance.

(B) Restrictions on Home Occupations.

(1) The home occupation shall be carried on entirely within the dwelling, or in an accessory structure normally allowed in the zone district in which the site is located, unless a conditional home occupation use permit is obtained to authorize outdoor unenclosed activities.

(2) There shall be no visible or external evidence of the home occupation other than one unlighted sign not exceeding one square foot in area, which shall be affixed to the dwelling or building in which the home occupation is conducted. If both the dwelling and the building are set back more than 40 feet from the front property line, the sign may be affixed to the mailbox. No larger sign, and no outdoor storage, operations, or activity is allowed unless a conditional home occupation use permit is obtained, in which case the allowed outdoor use shall be reasonably screened from the street and adjoining properties.

(3) The home occupation shall be carried out primarily by one or more full-time inhabitants of the dwelling, with one or two employees who are not inhabitants also allowed to work at the home occupation site. A maximum of five additional regular employees may also work at the home occupation site if a conditional home occupation use permit is obtained.

(4) The home occupation shall not involve the use of floor area exceeding 35 percent of the total floor area of the dwelling, unless a conditional home occupation use permit is obtained.

(5) A home occupation involving personal services (e.g., hairdresser, barber shop, personal fitness trainer) or training (e.g., swimming lessons, musical instrument lessons, yoga classes, cooking classes, art lessons) may involve no more than two persons at a time, unless a conditional home occupation use permit is obtained.

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(6) Sales of goods are allowed only if the goods to be sold are produced or assembled entirely on the premises, or if sales are by mail order, unless a conditional home occupation use permit is obtained.

(7) Only one vehicle, which is no larger than a three-quarter-ton pickup truck, in addition to other vehicles equal to the standard number of required parking spaces for the subject home, may be used for the home occupation unless a conditional home occupation use permit is obtained. An off-street parking space shall be provided for any three-quarter-ton pickup truck vehicle used for the home occupation. Additional off-street parking may be required for employees or customers in excess of standard levels through approval of a conditional home occupation use permit.

(8) The home occupation shall not generate unacceptable levels of noise, as defined by the General Plan Noise Element, SCCC 8.30, Noise, and SCCC 13.15, Noise Planning.

(9) Home occupations involving the handling of hazardous materials, as defined by SCCC 7.100.020, or of any amount of an acutely hazardous substance, as defined by State or federal law, shall require a conditional home occupation use permit and approval of other applicable permits such as those issued by the County's Environmental Health Services Division. "Hazardous materials" refer to materials defined in SCCC 7.100.

(10) Cottage industries, including cottage food businesses, are allowed as home occupations if consistent with State law governing such operations and compliant with applicable requirements of the County's Environmental Health Services Division.

(11) Commercial weddings and similar celebrations, community events, and fundraisers are not eligible to be permitted as home occupations.

(12) A commercial firewood operation, where wood is cut, processed, and/or stored for sale to the public, is prohibited as a home occupation.

13.10.614 Community events and fundraisers on private residential or agricultural property.

(A) Purpose. Recognizing that not-for profit community events of a civic, political, public, or educational nature, such as community dinners, festivals, and other public gatherings, enrich public life, and that fundraisers provide support to schools and local organizations that contribute to community well-being, this section establishes permit requirements and standards to allow for the use of private parcels in the residential and agricultural zone districts for community events and fundraisers where secondary to the primary use of the parcel, while ensuring that the size, frequency, location, and operation of such events are compatible with the primary use on the parcel and with adjacent land uses, and that the health, safety, convenience, and general welfare of participants and neighboring uses are protected.

(B) Applicability. Community events and fundraisers are allowed on private property in residential and agricultural zone districts countywide (CA, A, RA, RR, R-1, RB, RM, and

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RF) subject to the approval procedures and standards provided in subsections (C) and (D) below. In the CA and A zone districts, the agricultural zoning district use chart and use permit provisions for agri-tourism activities may govern in lieu of this section 13.10.614.

(C) Approval Procedures.

(1) One event without amplified music on a property may be allowed subject to a Zoning Clearance review in accordance with SCCC 18.10.015, to verify compliance with required standards provided in subsection (E)(1) below.

(2) The use of a property for two community events or fundraisers in a year, or one or two events with amplified music, requires approval of a Conditional Use Permit in accordance with SCCC 18.10, and subject to conditions to ensure compliance with standards provided in subsections (E)(1) and (E)(2). The Conditional Use Permit shall expire five years after the date of initial issuance and may be renewed as provided in subsection (D) below.

(D) Permit renewal. A Conditional Use Permit for Community Events or Fundraisers may be renewed subject to required findings as provided in SCCC 18.10, and a determination that events were held in substantial compliance with conditions of approval associated with the earlier permit, which would support a presumption that an application for renewal of the use permit will be approved. No public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit, pursuant to SCCC 18.10.116, Public Notice Requirements for Administrative Permits and Projects. Each use permit that is renewed shall expire five years after issuance and may again be renewed in accordance with this section.

(E) Standards.

(1) Standards for all community events and fundraisers.

(a) Neighborhood Notice. For each event, a notice is required to be mailed to all property owners and occupants within 500 feet of the subject property at least 10 days in advance of the event. If there are fewer than 10 separate parcels within 500 feet of the exterior boundaries of the subject property, the 500-foot distance shall be extended in increments of 50 feet until owners of at least 10 properties have been notified by mail. The notice shall include the date, location, and hours for the event, and contact information for the designated contact person.

(b) Contact person. The Zoning Clearance or Use Permit shall designate a contact person who shall remain on site during events to respond to County or public questions or concerns. The name, address, and telephone number(s) of the local contact person shall be submitted to the Planning Department and mailed to the property owners and occupants of properties located within a 500-foot radius of the boundaries of the parcel on which the use is located. If there are fewer than 10 separate parcels within 500 feet of the exterior boundaries of the subject property, the 500-foot distance shall be extended in increments of 50 feet until owners of at least 10 properties have been notified by mail.

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(c) Noise. Activities and events are subject to the Noise Element of the General Plan/LCP, SCCC 8.30, Noise, and SCCC 13.15, Noise Planning, except as otherwise exempted in those chapters.

(d) Hours. All amplified music shall be limited to the hours of 11:00 a.m. to 9:00 p.m. and may be further limited by the use permit. Activities and events for which no discretionary permit is required shall end no later than 10 p.m. Hours of operation for activities and events requiring a use permit shall be established by the permit, based on venue, site, and neighborhood attributes.

(e) Sanitation. Activities and events shall conform with Environmental Health Services (EHS) standards and permit requirements. EHS policy allows for approval of portable facilities for a limited number of events per year; sites exceeding the limit must provide adequately sized, permanent, onsite sanitation. Hand-washing facilities must also be available.

(f) Litter, debris, and erosion. Sites shall provide adequate covered trash receptacles and collection and shall meet County standards for controlling erosion and litter.

(g) Arrangements shall be made for sufficient parking to serve guests, either on site or at an offsite location served by shuttle, with consideration to the typical level of on-street parking available and an objective of not creating parking impacts.

(2) Additional standards for community events and fundraisers requiring discretionary approval. The use of a property for two community events or fundraisers in a year, or for one or two events with amplified music, requires a Conditional Use Permit in accordance with subsection (C) above and shall be subject to the following additional standards. The use permit may include conditions as appropriate to ensure compliance with required standards. Where there is a separate use permit that authorizes other events on a property, such as a use permit authorizing a winery, the use permit application for community events and fundraisers will be evaluated considering the previous authorization to ensure that the cumulative impact of all events is taken into account.

(a) Guests per event. The maximum number of guests per event shall be established by the use permit, based on use and site characteristics including parcel size, road access and circulation, proximity to adjacent land uses, sanitary capacity consistent with EHS policy, available parking, building capacity as applicable, potential noise impacts, and considering other permitted or allowed uses occurring on the parcel.

(b) Number of events per year. The maximum number of events permitted per year shall not exceed two, and shall be established by the use permit, considering use and site characteristics, including proximity to adjacent land uses, other permitted or allowed uses occurring on the parcel, road access and circulation, traffic impacts, and potential noise impacts.

(c) Parking. Parking shall be provided consistent with SCCC 13.16.050 requirements for entertainment venues. Parking may be met through any combination of on-site parking and documented off-site parking served by shuttle.

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(d) Noise. A noise analysis may be required to ensure compliance with General Plan and County Code noise standards, and compatibility with nearby land uses. Permit conditions may include but are not limited to the following: placement of structures; restrictions on the location of activities relative to adjacent property lines; vegetative buffers; spatial separation; and limitations on amplified music such as limited hours, volume, or allowing indoor music only.

(e) Food service. Compliance with applicable local and State standards and permit requirements for food service is required, as enforced by EHS.

(f) Emergency vehicle access. Fire agency review will be required for discretionary applications to ensure that the site provides adequate emergency vehicle access and complies with the Fire Code.

13.10.615 Secondary Commercial Weddings in the RA, RR, CA, and A Zone Districts.

(A) Purpose.

(1) This section establishes permit requirements, standards, and limitations for the use of parcels in the Residential Agriculture (RA), Rural Residential (RR), Commercial Agriculture (CA), and Agriculture (A) zone districts located outside the urban and rural service lines for commercial weddings or similar celebrations secondary to the primary use of the parcel, to ensure that the size, frequency, location, and operation of such activities are compatible with the primary use on the parcel and with adjacent land uses, and provide for the health, safety, convenience, and general welfare of participants and neighboring uses.

(2) This section shall not affect the use of a permitted vacation rental for weddings or similar celebrations that do not exceed the maximum number of people allowed for celebrations and gatherings at the vacation rental, as provided by SCCC 13.10.694(D)(1)(g) and 13.10.694(D)(2)(d).

(B) Applicability. In the Residential Agriculture (RA) and Rural Residential (RR) zone districts on parcels located outside the urban and rural service lines, commercial weddings and similar events such as family reunions and Bat Mitzvahs, where the property owner receives payment for hosting the event, may be allowed where secondary to a residential use, winery, or brewery, subject to approval procedures and standards provided in subsections (C) and (D) below. In the Commercial Agriculture (CA) and Agriculture (A) zone districts on parcels located outside the urban and rural service lines, commercial weddings may be allowed where secondary to a winery, brewery, or vineyard, subject to approval procedures as provided in subsections (C) and (D) below. A minimum parcel size of eight acres is required in all zone districts. Family events and celebrations such as family weddings or graduation parties that are not held for commercial purposes are considered a normal use of property and are not subject to this section.

(C) Permit and Approval Procedures. The use of a property for one or more commercial weddings or similar celebrations requires approval of a Conditional Use Permit and a pre-application neighborhood meeting, pursuant to SCCC 18.10. The Conditional Use Permit shall expire three years after the date of initial issuance and may be renewed as provided in subsection (D) below.

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(D) Permit renewal. The Conditional Use Permit for secondary commercial weddings may be renewed subject to required findings as provided in SCCC 18.10.230, and a determination that weddings or celebrations were held in substantial compliance with conditions of approval, which would support a presumption that an application for renewal of the use permit will be approved. No public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit renewal, pursuant to SCCC 18.10.116. Each use permit that is renewed shall expire three years after issuance, and may again be renewed in accordance with this section.

(E) Standards. Secondary commercial weddings and similar celebrations shall be subject to the following standards applicable to community events and fundraisers: SCCC 13.10.614(E)(1)(b) through 13.10.614(E)(1)(g), and 13.10.614(E)(2)(a) through 13.10.614(E)(2)(f), with the exception that commercial weddings shall not be limited to two events per year. In addition, the following standards apply:

(1) Residential sites with a commercial wedding use are subject to the Water Efficient Landscape Ordinance (SCCC 13.13) including existing landscapes over one acre in size pursuant to SCCC 13.13.090.

(2) Road capacity. Use permits for weddings exceeding 50 guests will be reviewed by the County Department of Public Works as necessary to assess road capacity and infrastructure and address safety issues.

(3) Signage. Signs associated with weddings occurring two to six times per year shall be subject to SCCC 13.10.583, Temporary Signs in All Districts, and those occurring seven or more times per year shall not be considered temporary signs and shall comply with regulations for permanent signage within SCCC 13.10.580-13.10.585 as applicable.

(4) In addition to measures identified in SCCC 13.10.614(E)(2) to address noise impacts, more permanent strategies such as sound walls may be required for sites with seven or more events per year.

13.10.616 Temporary permits, uses, and structures.

(A) Purpose. The purposes of this section are as follows:

(1) To ensure that temporary uses and structures are developed in an orderly fashion consistent with the purpose of the applicable zone district;

(2) To ensure that temporary uses and structures remain secondary to primary uses that exist, are allowed on the site, and are compatible with neighboring land uses, and to limit temporary uses and structures on vacant properties;

(3) To promote and protect the public health, safety, peace, convenience, and general welfare;

(4) To protect the character, visual and environmental resources, and quality of residential, commercial, industrial, agricultural, recreational, and open space areas of the County;

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(5) To allow and establish regulations for temporary uses and structures that are not otherwise subject to regulations pertaining to permanent accessory or ancillary uses and structures, such as those governing home occupations (SCCC 13.10.613);

(6) To accommodate temporary uses, structures, and activities that contribute to the quality of life, economic vitality, or public interest of Santa Cruz County; and

(7) To allow for temporary uses and structures that may not be generally consistent with the purposes of the applicable zone district, but which may be allowed for a defined temporary period due to emergency or other urgent public needs in the interest of public health, safety, and welfare.

(B) Temporary Permits. A temporary permit is required for any temporary use or structure that is not otherwise exempt or considered and processed as a special event or other similar short-term use.

(1) Temporary permits shall be processed in accordance with procedures in SCCC 18.10 for minor use permits unless a Coastal Development Permit is required per SCCC 13.20. In the instance where a temporary use involves amplified music, a temporary permit shall be processed in accordance with procedures in SCCC 18.10 for noticed administrative permits, which may be elevated to a conditional use permit process involving a noticed public hearing for proposals involving longer timeframes or multiple and repeated activities.

(2) Temporary permits are subject to the following provisions:

(a) Term. The term of a temporary permit shall be for a period of time determined by the Planning Director or designee not to exceed three years and shall be in accordance with subsections (C) and (E) of this section.

(b) Extension. A temporary permit may be extended for one additional term of up to three years, for a maximum of six total years, based upon findings of special circumstances related to public benefit and/or unusual economic conditions, as appropriate to site circumstances, and subject to conditions of approval.

(c) Conditions of Approval. A temporary permit may require conditions of approval to ensure public health and safety, including but not limited to:

(i) Standards from the Americans with Disabilities Act;

(ii) Site-specific evidence to support that the temporary use will not impact parking for other on-site uses, which may include letters of support for those uses;

(iii) Requirements for alternate parking arrangements and/or alternate modes of access by customers; and

(iv) Documented compliance with any special event or permit requirements from other State or local agencies, such as: the County Department of Public Works; County Health Services Agency; County Department of Parks, Open Space and Cultural Services; Sheriff's Office; County Fire Districts; California Department of Alcoholic Beverage Control; or California Department of Motor Vehicles.

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Permitted temporary uses and/or structures may be exempted from some or all permanent site improvement standards normally required for permanent uses and structures, such as site frontage improvements or parking lot landscaping standards.

(d) Expiration. Upon expiration of a temporary permit, all temporary uses shall cease and all associated temporary structures shall be removed from the parcel no more than 21 days following expiration, unless a site development and/or use permit allows for permanent use, subject to the provisions of the applicable zone district.

(C) Temporary Uses. Unless exempted by subsection (D) of this section, temporary uses shall require a temporary permit and shall comply with the following standards:

(1) A temporary use may be approved in any zone district, unless specifically prohibited in this section or elsewhere in the SCCC; a commercial, for-profit event, where fees or other forms of remuneration are collected, is not permitted as a temporary use in any residential zone district.

(2) A temporary use and any associated structures may remain on a site for up to a total of 180 days. A temporary use and any associated structures may remain on a site for more than 180 days and up to three years with a permit, where appropriate for the use based upon findings for approval and subject to conditions of approval.

(3) A temporary use on developed property shall be secondary to the primary use of the parcel.

(4) Other than temporary storage uses associated with an active building permit, temporary uses are prohibited on vacant properties in residential zone districts, but they may be allowed on vacant properties in non-residential zone districts, subject to approval of a temporary permit.

(5) No temporary use shall, for any length of time, displace more than 35 percent of the parking spaces required by SCCC 13.16, unless:

(a) A County-approved street closure prevents access to such required parking during the period that the closure is in effect;

(b) An applicant for a temporary use permit provides site-specific evidence to demonstrate that the average peak parking used on the site is less than 65 percent of the available parking during the same hours and in the same season of the year proposed for the temporary use, and the decisionmaker makes this finding in conjunction with approval;

(c) Alternate parking or shuttle arrangements are approved to meet parking space requirements in conjunction with issuance of a temporary permit; or

(d) By order of the County Health Officer, outdoor operations are encouraged and the limited number of parking spaces remaining as a result of outdoor operations is appropriate.

(6) Signs for temporary uses shall comply with SCCC 13.10.583.

(7) Premises of a temporary use site shall be kept clean, sanitary, and free of litter.

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(8) After the temporary use has ceased, all visible signs of the temporary use and temporary structures shall be removed, and the site shall be free of trash. Any damage to the site or existing structures caused by the temporary use shall be repaired.

(9) In addition to obtaining a temporary permit, temporary uses that extend onto the public right-of-way or other publicly owned property shall obtain an encroachment permit from the County Department of Public Works, as well as any special event approval, concession licenses, and licensing agreements from the County Department of Parks, Open Space and Cultural Services, the State of California, or other entity as required.

(D) Exemptions for Temporary Uses. The following temporary uses are exempt from subsection (B) of this section and shall not require a temporary permit:

(1) Special events and uses.

(a) Special events and uses conducted entirely within public property or public rights-of-way that are not associated with an adjacent or nearby private use on private property, where special event, concession licenses, licensing agreements, and/or encroachment permits or the like are obtained from the County Department of Public Works, Department of Parks, Open Space and Cultural Services, the State of California, or other entity as required.

(b) Special events associated with commercial uses with a valid use permit on a commercially zoned property limited to: one event per year, six hours or less per day during the hours of 8 a.m. to 5 p.m. over a consecutive two-day period, where approvals from Environmental Health Services and/or other agencies have been obtained as required.

(2) Temporary uses conducted entirely within a building, such as a temporary sales area, for which all necessary County permits have been obtained and which allow the particular use.

(3) Temporary uses for which a use permit has already been issued that allows the temporary use.

(4) Garage or yard sales not exceeding four weekends per year on the site of a legal residential use.

(5) Seasonal Sales. Seasonal sales of Halloween pumpkins, Christmas trees, and similar products in all zone districts except residential. Seasonal sales in the RA zone district may be permitted as small-scale commercial agriculture with minor use permit. Seasonal sales shall comply with the following standards:

(a) A zoning clearance shall be obtained prior to the establishment of a seasonal sales use.

(b) All activities associated with seasonal sales shall be conducted with a 10-foot setback from any property line with an existing residential use.

(c) All activities associated with seasonal sales shall be conducted within the hours of 8:00 a.m. to 9:00 p.m., unless a temporary permit is approved to allow different hours of operation.

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(d) Sales that occur in areas designated for such seasonal sales as set forth in a previously issued development permit shall meet the conditions of that permit and do not require a separate zoning clearance.

(e) Temporary structures associated with seasonal sales are allowed without a separate temporary permit if they meet setback requirements for the zone district and comply with any applicable building code standards pursuant to SCCC 12.10. Temporary structures larger than 120 square feet and 10 feet in height, measured in accordance with the Zoning Ordinance, may require a building permit and inspections prior to use, unless otherwise exempted by SCCC 12.10.

(f) Recreational vehicles are allowed in conjunction with seasonal sales and must comply with setbacks equivalent to the structural setback requirements for the zone district. Recreational vehicles utilized in conjunction with seasonal sales shall be removed from the parcel within 15 days following October 31st for pumpkin sales or following December 25th for Christmas tree sales.

(g) Site ingress and egress shall not create a traffic or pedestrian safety hazard.

(h) Any temporary fencing shall be placed outside the corner sight clearance triangle provided by SCCC 13.16.093 and shall not exceed eight feet in height.

(i) Signage shall comply with SCCC 13.10.583.

(j) Vendor shall maintain on-site a multi-purpose certified fire extinguisher (Type A, B, and C, minimum five-pound size) appropriate for Class A (non-metallic solids), B (flammable gases), and C (electrical fires). Temporary membrane type structures shall be fire resistive and be NFPA-701 certified.

SECTION XXIV

Sections 13.10.631 through 13.10.639 of the Santa Cruz County Code are hereby amended, and Section 13.10.640 is hereby added to the Santa Cruz County Code, to read as follows:

13.10.631 Farmworker (agricultural employee) housing.

(A) Purposes. The purposes of regulations for farmworker housing are:

(1) To recognize farmworker housing as an agricultural land use necessary for commercial agricultural operations;

(2) To permit and encourage a sufficient supply of housing for agricultural employees ("Farmworker Housing") to meet the needs of local growers and farmworkers and to address County goals related to farmworker housing;

(3) To comply with the California Employee Housing Act ("the Act" or "EHA"), as defined below, related to local regulation and permitting of employee housing, as defined in the Act, for farmworkers;

(4) To provide clear development standards and permitting procedures for the development of farmworker housing projects of up to 12 dwelling units, mobile homes, or recreational

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vehicle spaces, or five to 36 beds in group quarters, including permanent, temporary, or seasonal farmworker housing projects, consistent with Section 17021.6 of the Act, and for streamlined affordable farmworker projects of up to 36 units, consistent with Section 17021.8 of the Act ("EHA Projects");

(5) To clarify development standards and permitting procedures for the development of small agricultural employee housing projects of one to four dwelling units or mobile home/trailer spaces ("Small Farmworker Housing Projects"), including permanent, temporary, or seasonal farmworker housing projects as defined in the Act;

(6) To codify review procedures and development standards for utilization of the Development Reserve ("DR") established in the General Plan to allow development of up to 200 units of affordable rental housing for farmworker households ("Affordable Farmworker Housing Projects") on qualifying sites within unincorporated South County, as defined herein;

(7) To provide clear provisions for monitoring and enforcement of applicable occupancy standards, licensing requirements, and health and safety codes for farmworker housing projects, to ensure the housing is occupied by farmworker households, and that the housing and associated infrastructure meets health and safety codes; and

(8) To prevent the conversion of agricultural land to non-agricultural uses, while allowing development of farmworker housing needed for farming operations to thrive.

(B) Applicability. This section applies to farmworker housing projects proposed in the Commercial Agriculture (CA) and Agriculture (A) zone districts. In the event of any conflicts between SCCC 13.10 and the Act with respect to Employee Housing, as defined below, the Act, as it may be amended, shall prevail. This is declaratory of existing law. Notwithstanding other provisions of this code, nothing in this section shall be deemed to eliminate already existing farmworker housing currently allowed by law, nor to prohibit rehabilitation of such existing farmworker housing so long as such rehabilitation complies with all applicable State and County health, safety, fire, housing, and construction codes.

(C) Definitions. For the purposes of this section, the following words and phrases shall be defined as set forth in this section and as further defined in the Act, where indicated. In the event of any conflict between the definitions in this section and definitions of the same or similar terms in SCCC 13.10.700, the definitions herein shall prevail.

(1) "Affordable Rental Farmworker Housing Project" ("ARFH Project") or "Affordable Project" means a subsidized, rent-restricted, multi-family rental housing development of more than 12 units developed by a non-profit housing provider for lower-income farmworker households, pursuant to the Development Reserve established in the General Plan, and subsection (G) of this section.

(2) "Agricultural Employee" means an employee engaged in agriculture, which includes farming in all its branches, including but not limited to the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, furbearing animals, or poultry, and any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or

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to market or to carriers for transportation to market, as further defined in California Labor Code Section 1140.4(b). "Agricultural Employee" also means farm worker, farmworker, or farm laborer. "Agricultural Employee" does not include persons engaged in household domestic service, or certain employees of religious or charitable entities listed in Section 17005(b) and (c) of the Act. Agricultural Employees earn their primary income through permanent or seasonal agricultural labor.

(3) "Agricultural Employer" means one engaged in agriculture who employs employees, as further defined in Labor Code Section 1140.4(c).

(4) "EHA Project" means a proposal to develop a project to provide housing for at least five farmworkers, pursuant to Section 17021.6 of the Act, including any of the following project types defined below: an Employer-Provided Farmworker Housing Project or Rural Farmworker Housing Project consisting of no more than 12 dwelling units or other housing accommodations designed for occupancy by a household, or up to 36 beds if the project consists of group quarters; or a Small Farmworker Housing Project.

(5) "Employee Housing" as used in this section means housing for at least five employees as further defined in Section 17008 et seq. of the Act, and means the same as "labor camp" as that term may be used in various State laws.

(6) "Employee Housing Act" or "EHA" or "Act" means California Health and Safety Code Section 17000-17062.5, as may be amended by the State of California from time to time.

(7) "Employer-Provided Farmworker Housing" means housing accommodations described in Section 17008(a) of the Act for five or more farmworkers by their employer and maintained in connection with any work or place where work is being performed, whether or not rent is involved.

(8) "Enforcement Agency" or "Local Enforcement Agency" means the Environmental Health Services Division of the Health Services Agency of the County of Santa Cruz ("EHS"), which is authorized to enforce the Act within Santa Cruz County. In the event the County ceases to be the local enforcement agency, the California Department of Housing and Community Development (HCD) would be the Enforcement Agency.

(9) "Farmworker" means an Agricultural Employee, as defined above.

(10) "Farmworker Housing" means Employee Housing for agricultural employees, or any other type of farmworker housing project authorized by this section.

(11) "HCD" means the California Department of Housing and Community Development, or its successor agency.

(12) "Housing accommodations" as used in reference to EHA Projects, means any living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations, maintained in one or more buildings or one or more sites, and the premises upon which they are situated or the area set aside and provided for parking of mobile homes or camping of five or more employees by the employer.

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(13) "License" means a permit to operate Employee Housing issued by the Enforcement Agency pursuant to Section 17030-17039 of the Act.

(14) "Rural Farmworker Housing" means housing accommodations as described in Section 17008(b) of the Act which are: located in an agricultural zone, and in a rural area as defined in California Health and Safety Code Section 50101; provided by someone other than an agricultural employer; and provided for five or more farmworkers of any agricultural employer(s) for any of the following purposes:

(a) Temporary or seasonal occupancy, as defined herein;

(b) Permanent occupancy, if the housing accommodation is a mobile home, manufactured home, travel trailer, or recreational vehicle; or

(c) Permanent occupancy, if the housing accommodation consists of one or more existing, conventionally built (i.e., subject to State Housing Code—Health and Safety Code Sections 17910-17998.3, also known as "stick-built") structure(s) on the site that are at least 30 years old, and at least 51 percent of the dwelling units or 51 percent of the beds in group quarters in the existing structure(s), are occupied by farmworkers.

(15) "Seasonal Occupancy" or "seasonal employee housing" means farmworker housing which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year, as further defined in Section 17010(b) of the Act.

(16) "Single-Family Farmworker Housing" means any housing accommodations occupied by no more than six farmworkers for which the owner/operator has obtained or seeks a License pursuant to Section 17021.5 of the Act, which allows such projects to be deemed a single-family dwelling and a residential use of the property.

(17) "Small Farmworker Housing Project" or "Small Project" means a farmworker housing project of one to four dwelling units, each to be occupied exclusively by farmworker(s) or a farmworker family, including any existing or proposed caretaker's unit. The four-unit limit for this project type does not include any existing or proposed primary residence and/or accessory dwelling unit on the same parcel.

(18) "Streamlined EHA Project" or "Streamlined Project" means an affordable farmworker housing project of no more than 36 dwelling units, manufactured homes, or spaces for manufactured or mobile homes or recreational vehicles, subject to a 35-year affordability restriction, which may not include dormitory-style units or housing for H-2A visa-holders, and as further defined in the Act and in subsection (H) of this section, which is eligible for streamlined, ministerial processing pursuant to Section 17021.8 of the Act.

(19) "Temporary Occupancy" or "Temporary employee housing" means farmworker housing which is not operated on the same site annually, and which is established for one operation and then removed, as further defined in Section 17010(a) of the Act.

(D) EHA Projects. This section applies to farmworker housing projects that provide housing for at least five farmworkers and are proposed pursuant to Section 17021.6 of the Act ("EHA Projects"). Eligible project types include Employer-Provided Farmworker Housing or Rural Farmworker Housing projects, as defined above, of up to 12 dwelling units or up to 36 beds

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in group quarters (dormitory-style housing); or a Small Project, as defined above, that provides housing for at least five farmworkers. EHA Projects may be for Seasonal or Temporary Residency, as defined above. EHA Projects shall not include any proposed land division (e.g., parcel map, subdivision map, or condominium map) for the purposes of creating a separate parcel for the EHA Project and/or for one or more EHA unit(s).

(1) Required Permits and Approvals.

(a) Site Development Permit. In the CA and A zone districts, EHA Projects proposed pursuant to this subsection (D) are considered an agricultural use and require an Administrative Site Development Permit (Level III or V, as shown on use chart) from the Planning Department. Conditions of approval may be imposed by the Director to ensure compliance with the performance standards of this section and with the Act.

(b) Water and Sanitation Permits. EHA Projects not connected to community sewer or water shall obtain required County permits for proposed well water and/or septic systems pursuant to SCCC 7.38, 7.70, 7.71 and 7.73 as applicable. EHA Projects on well water that meet the definition of a Public Drinking Water System shall comply with State Water Resources Control Board standards.

(c) Building Permits. EHA Projects shall obtain building permits or other required permits, depending on type of housing accommodations proposed for the project. For EHA Projects consisting of two to four mobile or manufactured homes (not on a permanent foundation system) or recreational vehicles, or spaces for two to four mobile homes or recreational vehicles (a “trailer park”), HCD is the permitting agency. For EHA Projects of five to 12 spaces, mobile homes, or recreational vehicles, the County is the permitting agency.

(d) Recorded Covenant. The site development permit shall include a condition of approval for the property owner to record a farmworker housing covenant with the County to provide constructive notice of and ensure owner’s compliance with the requirements of this section, the Act, and their License.

(e) License. EHA Projects shall obtain and maintain a License to operate the proposed farmworker housing from the Enforcement Agency pursuant to Section 17030-17039 of the Act. The Enforcement Agency in the County is the Environmental Health Services Division of the County Health Services Agency.

(i) Applicants shall apply for the License at least 45 days before initial occupancy, after the Site Development Permit and any required building or other ministerial permits have been obtained for the project. The application form is available from the Enforcement Agency and requires applicant to provide all information listed in Section 17032 of the Act.

(ii) Applicant shall submit a letter requesting a modification to the License whenever there is a change in any of the information provided on the License application form, such as a reduction or increase in the number of units or beds occupied by farmworkers, or any other information on the form.

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(iii) Licenses are issued for a one-year period and subject to annual monitoring by the Enforcement Agency. Applicant shall submit a letter each year requesting an annual renewal of the License for as long as the housing continues to be operated as employee housing.

(iv) Any operator of an EHA Project that fails to obtain or maintain the required License for the project shall be subject to the penalties of Section 17037 of the Act, including in some cases a requirement to pay double or 10 times the applicable licensing fees.

(f) Certificate of Non-operation. If the EHA Project ceases to be occupied by farmworkers, the operator shall submit a letter certifying non-operation to the Enforcement Agency within 30 days, noting the date on which the housing ceased to be occupied, consistent with Section 17037.5 of the Act. The Certification of Non-Operation shall be submitted to the Enforcement Agency annually for two years following discontinuation of the use of any area or structure on the property identified in operator's License as farmworker housing. The Certification shall attest under penalty of perjury that the farmworker housing has been destroyed, or is no longer owned and operated, or has not been and shall not be occupied by five or more employees during the calendar year. Operator shall send a copy of the Certification of Non-operation to the County Planning Department concurrently with delivery to the Enforcement Agency.

(i) If a Certification of Non-Operation is filed within 10 years of issuance of the initial certificate of occupancy for the EHA Project, the provisions of Section 17021.6(f) may be invoked by County for recovery of any waivers of impact fees, taxes, or costs that may have been associated with the initial permitting of the EHA Project.

(ii) Filing of a Certification of Non-Operation shall be considered a conversion to another use. The EHA Project shall not be converted to any other use unless the conversion is approved in advance by the County through the Planning Department. Any conversion shall be subject to all applicable County codes (zoning, building, fire, etc.) and permitting requirements at the time of the conversion. Development initially permitted as an EHA Project and then converted without prior County approval will not be "grandfathered in" or considered legal non-conforming structures for uses other than farmworker housing.

(g) Environmental Review. EHA Projects are subject to environmental review ("CEQA"). The Public Resources Code provides some exemptions to CEQA that may apply to certain types of farmworker housing defined herein.

(2) Development Standards and Criteria. EHA Projects shall comply with development standards of the CA and A zone districts applicable to agricultural uses as provided in SCCC 13.10.313, as well as the additional standards and criteria provided below. In the event of any conflict between SCCC 13.10.313 and the standards and criteria provided in this section, those in this section shall prevail.

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(a) Density Limitations. EHA Projects proposed in agricultural zones are considered an agricultural use pursuant to the Act and as such are not subject to the residential density limitations set forth in the General Plan or SCCC, including SCCC 13.14.

(b) Unit Size. The maximum habitable floor area for a dwelling unit intended for occupancy by a single farmworker household (individual farmworker or farmworker family) in an EHA Project shall not exceed the following, measured in square feet (SF):

Table 13.10.631-1: Maximum Habitable Floor Area for EHA Projects

Unit Size	Maximum Habitable Floor Area*
Studio or 1 bedroom	640 SF
2 bedrooms	800 SF
3 bedrooms	1,200 SF
4 or more bedrooms	1,400 SF

* Defined in SCCC 13.10.700-H.

(c) Group Quarters. Structures designed as group quarters or dormitories shall provide at least 50 square feet of habitable area per bed (per occupant) within the dormitory structure.

(d) Height. Structures shall be limited to a height of 28 feet.

(e) Parking. EHA Projects shall comply with the parking standards in SCCC 13.16, except that the minimum number of spaces per unit or per bed in an EHA Project shall be as set forth below:

Table 13.10.631-2: Minimum Parking Spaces for EHA Projects

Unit Size	Minimum Parking Spaces required
Studio or 1-bedroom	1
2 or 3 bedrooms	2
4 or more bedrooms	2.5
Group Quarters	.5 per bed

(i) Parking Exceptions. The Director may approve a reduction in required parking spaces without a variance, if the applicant provides evidence to the Director's satisfaction that fewer parking spaces than otherwise required by this section will be adequate for the EHA Project, such as where transit service or alternative transportation is available or is provided by the operator.

(ii) Alternate surfacing materials (e.g., base rock or gravel) may be allowed for parking areas and/or accessways to the EHA, if the Director finds that the alternate surfacing materials will help to preserve agricultural land, and the surfacing will be installed and maintained in a manner that will prevent erosion

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and will provide adequate drainage, and such alternate is acceptable to other involved reviewing agencies (e.g., fire district, Public Works).

(f) Siting. EHA Projects shall be sited on the parcel, to the extent feasible, to avoid placing units or structures on prime agricultural land or other productive soils, and to avoid or minimize exposure of occupants to hazards associated with agricultural operations on the site or adjacent properties. As an agricultural use, EHA projects are not subject to SCCC 16.50.095, Agricultural buffer setbacks.

(i) Minimize disturbance. To the extent feasible, EHA Projects shall be sited on the least agriculturally viable portion of the parcel or in such a way as to disturb the least amount of productive farmland. Depending on site conditions, this may be achieved by siting the EHA Project near existing development on the site, using existing site access, and minimizing the use of paving materials or other impervious surfacing to the minimum necessary to accommodate the EHA Project.

(ii) Buffers. To the extent feasible, housing accommodations shall be sited at least 50 feet from any active agricultural operations on the subject parcel, including areas subject to machine cultivation or pesticide application. If such distances are not feasible, buffering techniques, such as fencing, screening with vegetation, or other techniques may be used to provide a buffer between farmworker housing and farming operations, subject to Department approval. Housing accommodations shall not be located within 75 feet of any livestock barns, pens, or similar quarters of livestock or poultry, consistent with State regulations.

(3) Enforcement.

(a) Violation of any conditions of approval of a License, the Act, or any County permit or approval of an EHA Project shall be considered a violation of the Santa Cruz County Code, subject to enforcement in accordance with SCCC 19.01, which may include fines, civil penalties, abatement of the use, conversion of the housing units to non-habitable structures, or removal of the structures. Any operator found to be leasing EHA units or beds in a licensed EHA Project to occupants other than farmworkers or farmworker families shall be deemed in violation of the County Code pursuant to this section.

(b) EHA Projects are subject to the enforcement provisions of the Act (Section 17050-17062.5). Violations of the relevant use, occupancy, or maintenance requirements, or conditions of the License, are considered a public nuisance under the Act, and subject to abatement if not made to conform. The Enforcement Agency may pursue all enforcement actions authorized under the Act to investigate and/or abate violations.

(E) Single-Family Farmworker Housing. Single-Family Farmworker Housing projects as defined in subsection (C) of this section may, at the applicant's option, be proposed pursuant to Section 17021.5 of the Act, in which case they are deemed a residential use and subject to the same permitting requirements and development standards that apply to a single-family dwelling proposed in the applicable zone, rather than being deemed an agricultural use pursuant to subsection (D) of this section. All Single-Family Farmworker

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Housing Projects that provide housing for at least five farmworkers shall obtain a License from the Enforcement Agency pursuant to the Act.

(F) Small Farmworker Housing Projects. A Small Farmworker Housing Project of one to four farmworker dwelling units per parcel, in addition to any primary residence and accessory dwelling unit that may exist on the site, shall be processed as follows:

(1) Applicability of the Act.

(a) Small Farmworker Housing Projects proposed to provide housing for at least five individual farmworkers (i.e., one to four dwelling units, with each unit housing at least one farmworker and at least one unit housing more than one farmworker) are considered an EHA project and may be approved pursuant to subsection (D) of this section on a parcel in an agricultural zoning district, subject to all provisions of subsection (D) of this section and the Act, including the requirement to obtain a License.

(b) Small Farmworker Projects proposed to provide housing for four or fewer individual farmworkers (at least one farmworker per proposed unit, not to exceed four farmworkers total in the project) are not EHA Projects and are not subject to the Act. Such projects may be approved in agricultural zones outside the Coastal Zone with an Administrative Site Development Permit (Level III), and inside the Coastal Zone with a Level V Site Development Permit, pursuant to all requirements of subsection (D) of this section, except for the requirement to obtain or maintain a License. In lieu of a License, such projects shall be subject to annual monitoring by the Planning Department to verify the owner's compliance with the recorded farmworker housing covenant and project conditions of approval. If, upon monitoring or in response to a complaint, any dwelling unit in such project is determined to be non-compliant with the occupancy requirements set forth in the farmworker housing covenant, after reasonable notice and opportunity to correct the violation as set forth in County Code, the project permit may be revoked and the unit(s) subject to enforcement pursuant to SCCC 19.01, possibly including abatement of the structures.

(G) Affordable Rental Farmworker Housing. This subsection provides a discretionary land use approval process for Affordable Rental Farmworker Housing projects as defined above (AFH Project or ARFH Project) which exceed the maximum size of an EHA Project and are not subject to the requirements of the Act.

(1) Development Reserve. A Development Reserve for affordable farmworker housing (ARFH Projects) has been established by the County General Plan. This Reserve allows the County to approve development of up to 200 units of affordable farmworker housing within qualifying unincorporated areas of the Pajaro Valley, outside of the Coastal Zone, as a conditional use in CA and A agricultural zones. The units authorized by this Reserve shall be made available on a first-come, first-served basis to qualified affordable housing providers as set forth below.

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(2) Qualified Affordable Housing Developers. In order to apply for a conditional use permit and a development permit pursuant to this section, project applicants shall meet the following criteria:

(a) Project sponsor (developer) and/or site owner is a 501(c)(3) nonprofit housing development organization and/or public agency;

(b) Project will be funded in full or part by public subsidies and/or low-income housing tax credits, or is being developed on land provided by the County or other public or non-profit agency for development of affordable rental farmworker housing; and

(c) All rental units in the project, except any property manager's units, will be subject to an affordability restriction of at least 55 years and a requirement that the units be occupied only by farmworkers and/or farmworker families, as defined above or as may be defined by the project financing source(s). In the case of any conflict, the stricter definition shall prevail.

(3) Site Location Criteria. Sites proposed for an ARFH Project shall meet the following site location criteria ("qualifying areas"):

(a) The land is located within the unincorporated areas of the Pajaro Valley within Santa Cruz County (see Figure 13.10.631-1, below), and is in the CA, AP, or A zoning district.

(b) The development site, defined as the proposed development envelope of the project, not the entire agricultural parcel on which it is proposed, is not within any of the following zones or areas:

(i) A coastal zone, as defined in Division 20 (commencing with Section 30000) of the Public Resources Code.

(ii) Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993).

(iii) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178 of the Government Code, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This subsection does not apply to sites excluded from the specified hazard zones by a local agency, pursuant to subdivision (b) of Section 51179 of the Government Code, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or State fire mitigation measures applicable to the development.

(iv) A hazardous waste site that is listed pursuant to Section 65962.5 of the Government Code or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

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(v) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2 of the Government Code.

(vi) Within a flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations and SCCC 16.13, Floodplain Regulations.

(vii) Within a floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.

(viii) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.

(ix) Habitat for protected species identified as candidate, sensitive, or species of special status by State or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).

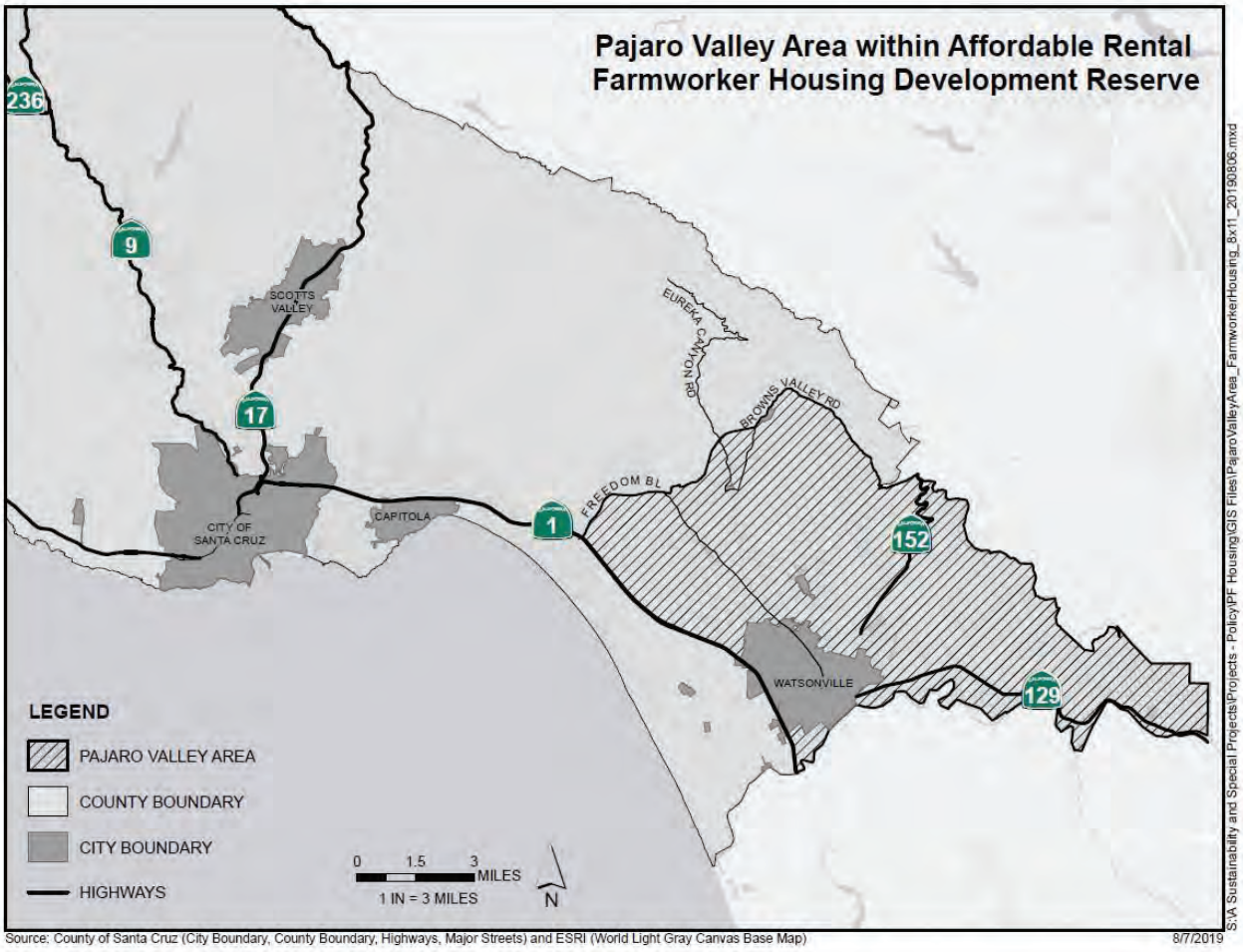
(x) Lands under conservation easement, unless the easement allows or can be amended to allow farmworker housing; each easement contains its applicable restrictions. For the purposes of this section, “conservation easement” does not include Williamson Act contracts.

(c) The development shall not be allowed if it would require the demolition of a historic structure that is listed on a national, State, or local historic register.

(d) The site meets the siting criteria of the proposed financing source(s) for the project, including proximity to community amenities such as schools, shopping, and transit service.

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Figure 13.10.631-1
Map of Unincorporated Area of Pajaro Valley within Development Reserve
(See subsection (G)(3)(a) of this section)



A higher resolution map is available upon request from the Planning Department.

(4) Discretionary Approval. Projects proposed pursuant to this section are not subject to the Act and not required to obtain a License, but are required to obtain a discretionary conditional use permit and a site development permit (Level VII) from the County, with review by the Agricultural Policy Advisory Committee, Planning Commission, and approval by the Board of Supervisors.

(a) Application Procedures:

(i) Reservation for Units pursuant to Development Reserve. In order to provide for orderly review and consideration of applications and to avoid duplication of effort for the same remaining unit capacity in the reserve, Project sponsor (developer) shall submit a written request for a reservation of the desired number of ARFH units to the Planning Department (Department) with evidence of sponsor's qualifications as an Affordable Rental Housing Developer pursuant to this subsection (G) and evidence of property ownership, or if sponsor is not the property owner, evidence of site control such as a ground lease, or a letter of

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interest from the current owner of the proposed project site, and designation of developer as an agent of the owner. Upon review by the Department to determine that the sponsor is eligible and the site is eligible for an ARFH Project pursuant to this subsection, the Department will issue the Sponsor a reservation letter for the requested number of units, or for the number of units remaining in the Development Reserve, whichever is less. This reservation will preclude any other sponsor from reserving these same units for a period of up to nine months, to allow the sponsor adequate time to submit a complete application for the required land use approvals for the proposed project. Once the sponsor's application has been deemed complete by the Department, the reservation shall be extended by three years, or until any earlier date on which sponsor's ARFH project has been either approved or denied by the County, including applicable appeal periods. At the end of this reservation period, if the project was not approved, or if a lesser number of units was approved than the number reserved, the reservation for any unused units shall expire and become null and void, and other sponsors may request a reservation for those units. The Department Director shall be authorized to extend the three-year expiration date for good cause.

(ii) All applications for permit approval of an ARFH project shall include the Department's reservation letter for at least the number of units proposed in the ARFH Project as evidence that sufficient capacity remains in the Development Reserve for the proposed project, in order to be deemed complete. The ARFH Project application shall otherwise meet all application requirements and follow all required Level VII procedures as set forth in the Zoning Code.

(iii) Site Plan. Applications for an ARFH Project shall include a site plan to define the proposed Site Area, interior circulation patterns within the ARFH Project's site area, exterior site access through the remaining portion of the agricultural parcel to the first public road, fire access, infrastructure improvements, common area location and amenities, and location of other existing development on the parcel(s) on which the Project is proposed.

(5) ARFH Projects are deemed an agricultural land use and are not subject to the residential density limitations of the General Plan or SCCC, including SCCC 13.14.

(6) ARFH Projects are subject to CEQA review and may be considered for any exemptions available in the Public Resources Code that are applicable to the proposed project.

(7) Water and Sanitation Permits. ARFH Projects not connected to community sewer or water shall obtain required County permits for proposed well water and/or septic systems pursuant to SCCC 7.38, 7.70, 7.71 and 7.73 as applicable. EHA Projects on well water that meet the definition of a Public Drinking Water System shall comply with State Water Resources Control Board standards.

(8) Development Standards. ARFH Projects shall comply with the development standards below. For the purposes of this section, "site area" shall be defined as that portion of the property designated on the proposed site plan to be the development envelope for the ARFH Project and to be controlled by the sponsor upon completion of the project, and not the entire agricultural parcel(s) on which the project is proposed to be located. The

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site area of an ARFH Project shall be at least one acre and not more than five acres, unless an exception to this requirement is granted as part of the development permit for reasons such as unusual topography or the need for a lengthy access road across the parcel. ARFH Projects shall comply with development standards of the CA and A zone districts applicable to agricultural uses as provided in SCCC 13.10.313, as well as the additional standards and criteria provided below.

(a) Density limitations. ARFH Projects proposed in agricultural zones may be developed at a density of up to 30 units per acre contained within the proposed site area.

(b) Unit Size. The maximum habitable floor area for a dwelling unit in an ARFH Project shall not exceed the following, measured in square feet (SF), unless the guidelines of a proposed public funding source of the project require a slightly larger unit size, in which case the requirements of that funding source shall prevail:

Table 13.10.631-3:
Maximum Habitable Floor Area for ARFH Projects

Unit Size	Maximum Floor Area
Studio or 1 bedroom	640 SF
2 bedrooms	800 SF
3 bedrooms	1,200 SF
4 or more bedrooms	1,400 SF

(c) Height. Structures shall be limited to a height of 35 feet measured from the preconstruction natural grade and up to three stories, exclusive of subsurface parking. Modifications of these standards may be approved based on unique site and design factors and/or feasibility constraints or requirements associated with the project's proposed public sector funding sources.

(d) Parking. ARFH Projects shall comply with the parking standards and exception procedures provided in subsection (D)(2)(e) of this section.

(e) Siting. ARFH Projects shall be sited on the parcel, to the extent feasible, to avoid placing units or structures on prime agricultural land or other productive soils, and to avoid or minimize exposure of occupants to hazards associated with agricultural operations on the site or adjacent properties. As an agricultural use, ARFH projects are not subject to SCCC 16.50.095, Agricultural buffer setbacks.

(i) Minimize Disturbance. To the extent feasible, ARFH Projects shall be sited on the least agriculturally viable portion of the original agricultural parcel or in such a way as to disturb the least amount of productive farmland. Depending on the site, this may be achieved by siting the ARFH Project near existing development on the parcel, using existing site access, and minimizing the use of paving materials or other impervious surfacing to the minimum necessary to accommodate the ARFH Project.

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(ii) Buffers. Residential structures within an ARFH Project shall be sited at least 100 feet from any active agricultural operations on the subject parcel or adjacent parcels, including areas subject to machine cultivation or pesticide application, measured in a straight line from the exterior wall of the residential structure to the nearest cultivated crops or orchards or other areas subject to agricultural operations. If a 100-foot buffer is not feasible in one or more directions, upon a recommendation from the Agricultural Policy Advisory Commission, the approving body may approve a lesser distance provided that fencing, vegetative screening, HVAC systems, noise-mitigating windows, or other buffering techniques are used to mitigate any nuisance or health and safety hazards due to the agricultural operations that might impact the occupants of the ARFH Project. If any State laws, codes, or requirements provide an alternate means of protecting the occupants from agricultural hazards likely to be present on the property, or otherwise preempt this requirement, such other requirement shall prevail. Housing structures shall not be located within 75 feet of any livestock barns, pens or similar quarters of livestock or poultry.

(f) Setbacks from Non-Agricultural Properties. If any portion of the site area of the ARFH Project abuts or is within 30 feet of any property that is zoned for residential or commercial uses, any structures within the ARFH Project shall be set back at least 20 feet from the property line of the adjoining non-agricultural parcel. If the adjoining property includes areas in active agricultural operations, the larger buffer required pursuant to subsection (G)(8)(e) of this section, shall prevail. ARFH Projects shall be designed so to minimize excessive shading of any existing residential or commercial structures on an adjacent property, such as by stepping back upper stories if necessary. Applicant may provide a shading study to illustrate extent of shading caused by the proposed structures.

(g) Maintain standard riparian setback but eliminate 10-foot additional riparian construction buffer.

(h) Developments shall encourage energy and water efficiency, and environmentally sensitive design and building materials.

(H) Streamlined EHA Projects.

(1) Eligibility for Streamlined Review. Streamlined EHA Projects as defined herein may be approved by the County through a streamlined, ministerial process pursuant to Section 17021.8 of the Act, not subject to a conditional use permit or CEQA review, if the project meets all of the following requirements:

(a) The proposed project is located on land zoned for primarily agricultural uses (CA or A, with or without P combining zone);

(b) The property on which the Streamlined EHA Project is located shall be either within one-half mile of a designated collector road with an Average Daily Trips (ADT) of 6,000 or greater; or adjacent to a designated collector road with an ADT of 2,000 or greater. If ADT data for the nearest collector road to the site is not available,

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applicant may conduct a traffic study to obtain such data and include it with the project application;

(c) The proposed project site is not located on a site that is any of the following, each as further defined in EHA Section 17021.8:

(i) Within the Coastal Zone;

(ii) Wetlands as defined by the US Fish and Wildlife Service;

(iii) Within a very high or high fire hazard severity zone as defined by the State;

(iv) A State-designated hazardous waste site, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses;

(v) Within a delineated earthquake fault zone, unless the development complies with applicable State and local seismic protection building code standards;

(vi) Within a flood plain, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations and SCCC 16.13, Floodplain Regulations;

(vii) Within a floodway;

(viii) Lands identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan;

(ix) Lands under conservation easement, not including Williamson Act contracts; or

(x) Lands with groundwater levels within five feet of the soil surface, if the development would be served by an onsite wastewater disposal system serving more than six housing units for families or households; and

(d) The application demonstrates that the proposed Streamlined EHA Project meets the following requirements:

(i) It does not contain dormitory-style housing (group quarters, barracks, etc.);

(ii) It includes no more than 36 dwelling units, manufactured/mobile homes, or recreational vehicles, or spaces for manufactured/mobile homes or recreational vehicles;

(iii) It will be managed and operated by a qualified affordable housing organization (QAHO) certified by HCD or a local public housing agency, and that agency either directly maintains and operates the Streamlined EHA Project, or contracts with another QAHO that has been certified by HCD to manage the Project. Applicant shall provide a copy of the QAHO's HCD certification or documentation of the local public housing agency's role in the project, as applicable, in the Project's application for streamlined review;

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(iv) The applicant for a Streamlined EHA Project shall sign and submit with the project application an affordability covenant in a form provided by the County to ensure the affordability of the Streamlined EHA Project for at least 35 years, and agree to its recordation by the County prior to issuance of building permits for the Project. For purposes of this paragraph, "affordability" means the housing within the Streamlined EHA Project will be rented or made available at an affordable rent, as defined in California Health and Safety Code (HSC) Section 50053, to lower-income households, as defined in HSC Section 50079.5 and in SCCC 17.10.020, and that the units will be made available to and occupied by farmworker households, not including H-2A workers, for the duration of the term; and

(v) The project is not being developed to provide housing for H-2A workers, as that term is defined in HSC Section 50205. The applicant shall document compliance with this requirement by providing either a marketing plan showing how the project's units will be marketed to prospective farmworkers and/or the applicant's own agricultural employees, or other proof that the units will be occupied by income-eligible farmworker households, not H-2A workers.

(2) Development Standards for Streamlined EHA Projects.

(a) Streamlined EHA Projects shall include adequate water supply, wastewater facilities, and dry utilities to serve the project, as follows:

(i) Dwelling units shall be connected to an existing public water system that has not been identified as failing or being at risk of failing to provide an adequate supply of safe drinking water; and

(ii) Projects of 10 or more units shall connect units to an existing municipal sewer system with adequate capacity to serve the project, or to an onsite wastewater treatment system approved by the Environmental Health Services Division of the County Health Services Agency.

(b) The Streamlined EHA Project shall meet the density, parking and other development standards provided in subsection (G)(8) of this section. Streamlined EHA Projects may not include any land division or parcel map to create a new parcel for the Project; however, a long-term ground lease of the project site may be recorded. Projects shall not be subject to the 12-unit limit specified in Section 17021.6 of the Act in order to constitute an agricultural land use for purposes of this section.

(c) If the occupants of the Streamlined EHA Project would potentially be exposed to significant hazards from surrounding properties or activities, such as pesticide or herbicide exposure, the Project shall be designed and/or managed so as to mitigate the effects of the potential exposure to a level of insignificance, in compliance with State and federal requirements. Such mitigations, which may include buffering techniques described in subsection (G)(8)(e)(ii) of this section, will be required as conditions of site development permit approval.

(3) Streamlined Review and Approval Procedures.

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(a) The County Planning Department and applicable reviewing agencies (e.g., fire, water, sanitation districts, Environmental Health) shall review an application for a Streamlined EHA Project within 30 days to determine whether it meets the eligibility requirements and standards described above. If the County determines it does not meet any of them, it will provide the applicant with a written list of which requirement(s) the development does not meet, and explanation of why it does not meet them, within 30 days of receipt of the Streamlined EHA Project application. Applicant may submit additional and/or revised materials to address the inadequacies noted in the County's letter within 90 days of original submittal in order to keep the application active.

(b) If the County fails to provide the required response letter within 30 days, the development shall be deemed to satisfy the eligibility requirements and standards for a Streamlined EHA Project.

(c) Applications that have been determined complete and eligible for further review by the Planning Department, and those for which no response letter was provided within the 30-day review period, shall be forwarded to the Planning Commission for a development review and public oversight of the Streamlined EHA Project compliant with Section 17021.8 of the Act. This review process shall be completed within 90 days of the application submittal, and shall not in any way inhibit, chill, or preclude the ministerial use approval provided by this section or its effect, as applicable. This review shall consist of confirmation that the Streamlined EHA Project meets the eligibility criteria and development standards provided herein, and confirmation of the appropriateness of the conditions of approval of a site development permit, consistent with Section 17021.8 of the Act.

(d) Review and approval of a Streamlined EHA Project is a ministerial action not subject to the California Environmental Quality Act, pursuant to Section 17021.8 of the Act and Public Resources Code Section 21080(b)(1).

(e) An applicant for a Streamlined EHA Project shall obtain all required ministerial permits for the project as listed in subsection (D)(1) of this section, including but not limited to a License from the Enforcement Agency, prior to commencement of construction.

(f) Streamlined EHA Projects are subject to the enforcement provisions of subsection (D)(3) of this section, and to the enforcement and violation provisions of the Act.

(g) Streamlined EHA Projects shall be subject to fees and other exactions authorized by law which may be imposed by the County and/or other reviewing agencies to provide necessary public services and facilities to the Streamlined EHA Project. Such fees and/or exactions shall be included as conditions of project approval, and payment shall be due at time of building permit issuance, or as otherwise specified in the County fee schedule or by the fee-imposing special district or agency.

(h) Streamlined EHA Projects shall comply with the applicable development standards included in subsection (H)(2)(b) of this section, and conditions of approval of a site development permit consistent with the requirements of Section 17021.8 of the Act.

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(i) The County may only disapprove a Streamlined EHA Project if, as proposed, it would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the Project unaffordable to lower-income households, or rendering it financially infeasible. A "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(j) The County may disapprove a Streamlined EHA Project if that project would be in violation of any applicable State or federal law.

(k) The applicant for a Streamlined EHA Project shall comply with any other laws, including, but not limited to federal and State clean water laws.

13.10.632 Agricultural processing.

(A) Purpose. The purpose of the agricultural processing section is to provide standards for the handling, processing, packing, packaging, storage, refrigeration, and distribution of agricultural products.

(B) Standards:

(1) Origin of products. Agricultural processing facilities shall process, package, and distribute agricultural products grown primarily in Santa Cruz County or adjoining counties. This does not preclude the importation of agricultural commodities produced in non-adjoining counties in order to maintain a consistent production schedule or stock.

(2) Conserving farmland. To the maximum extent feasible, agricultural processing facilities shall be located on the non-productive portions of the property or on that portion of the property that is least productive for agricultural purposes. Development shall be sited and designed to cluster development, minimize the development of new or expanded site access, and minimize use of impervious or semi-pervious materials on Type 1-3 soils with the potential to impact underlying soils. Technical reports may be required to demonstrate conservation of farmland to the maximum extent feasible.

(3) Existing agricultural operations. The uses, structures, and improvements shall be sited so as to minimize conflicts with existing on and off-site agricultural operations.

(4) Off-site impacts. New agricultural processing facilities shall be sited to minimize impacts to off-site residential uses. Noise, odor, lighting, or traffic that is offensive to any person of ordinary sensitivities within their place of residence shall be considered an impact.

(5) Visual Impacts. Mitigations shall be required for any potentially significant adverse visual impacts of facilities greater than 5,000 square feet that will be located within visual resource areas as described in the County General Plan and Local Coastal Program. Mitigations may include such measures as vegetative screening or other landscaping, use of materials which produce less glare, elevated topography, and/or arrangement of structures on the site to minimize bulky appearance.

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(6) Building orientation, doors, fenestration, and other applicable building features shall be designed to minimize potential exposure of building occupants to agricultural chemicals, dust, and noise.

(7) Proposed facilities with a total building footprint exceeding 10,000 square feet shall locate as much of the total floor area on a second story as is feasible.

(8) Parking. On-site parking shall be provided consistent with the county's parking standards for manufacturing plants (SCCC 13.16), except that the number of parking spaces required may be reduced without a parking variance or alternate surfacing materials may be allowed by the approving body in order to preserve agricultural land, if the approving body finds that parking will be adequate for the use and the surfacing will be installed and maintained in a manner that will prevent erosion.

(9) Special findings for Agricultural Processing Facilities on CA zoned land. The special findings provided in SCCC 13.10.313(E) for a total development area exceeding 35,000 sf applies to agricultural processing facilities located on Type 1-3 soils.

13.10.633 Agri-tourism and education.

(A) Purposes. The purpose of the agri-tourism and education regulations is to allow for parcels with a primary use of agriculture to carry on income producing activities including, but not limited to, marketing of products grown on site, farm dinners, educational activities, classes, workshops, tours, mazes, and petting zoos.

(B) Standards.

(1) Agri-tourism and educational activities shall be ancillary to the principal agricultural use of the parcel.

(2) Agri-tourism and educational activities shall be sited in a manner that minimizes disturbance of prime agricultural soils, with the exception of farm dinners, where the use may include temporary location of tables, chairs, and associated furniture and appliances on prime agricultural soils for the duration of the farm dinner.

(3) To the maximum extent feasible, structures shall be located on the non-productive portions of the property, or on that portion of the property that is least productive for agricultural purposes. Technical reports may be required to support the proposed location(s) of facilities or improvements. In addition, structures or outdoor gathering areas associated with the activity shall be sited so as to minimize conflict with existing agricultural operations. Prohibited interference includes, but is not limited to, blocking access to farm roads, fields, or outbuildings, or locating activities in close proximity to areas where impacts of odor, dust, noise, or safety hazards may be a concern to event participants.

(4) Agri-tourism and educational activities shall promote Santa Cruz County and/or Pajaro Valley agricultural products.

(5) All requirements of the County Environmental Health Services Division, the Sheriff's Office, the Highway Patrol, and applicable Fire District shall be met.

(6) All signage shall comply with the requirements in SCCC 13.10.580.

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(7) Agri-tourism events that require a use permit pursuant to SCCC 13.10.312(D) shall meet the following additional standards:

(a) The maximum number of guests per event and the maximum number of annual events allowed shall be stated in the conditions of approval, and shall be based on factors including, but not limited to, parking availability, safety and adequacy of vehicular access, septic capacity, maximum building occupancy, site conditions, and neighborhood compatibility.

(b) Limitations on amplified music and event hours shall be included as conditions of approval of the use permit based on the individual characteristics of the site, consistent with the General Plan Noise Element and SCCC 13.15.

13.10.635 Storage of agricultural equipment or supplies.

(A) Permit requirements.

(1) Where the total development area for storage of agricultural equipment or supplies exceeds 12,000 square feet, and is located off Type 1-3 agricultural resource soils, a Minor Use Permit (MUP) shall be required.

(2) Where the total development area for storage of equipment or supplies exceeds 12,000 square feet and is located on agricultural resources soils on CA zoned land, a Conditional Use Permit shall be required.

(3) For storage sites that exceed 12,000 square feet, are located on agricultural resources soils, and serve multiple parcels, an Agricultural Storage Master Plan shall be required.

(4) Storage areas that exceed 35,000 sf on CA zoned land that are located on agricultural resource soils are permitted only on sites that serve multiple farmed parcels, and an Agricultural Storage Master plan shall be required.

(B) Standards. The following standards shall apply for storage of agricultural equipment or supplies:

(1) The development area is sited off agricultural resource soils where possible. Where this is not possible, the development area is sited on the least agriculturally viable portions of the parcel and is sited to minimize any conflict with primary agricultural activities on and off-site such as crop production. Technical reports may be required to support the proposed location(s) of agricultural storage facilities.

(2) Storage of agricultural equipment or supplies shall be ancillary to the principal agricultural use of the subject property, or of properties owned or leased by the operator as governed by an approved Agricultural Storage Master Plan.

(3) The development area is limited to the minimum necessary to meet the agricultural storage needs of the grower or operator.

(4) On CA zoned land, the use of impermeable or semi-permeable surface material that may affect the long-term viability of the underlying soil is minimized to the greatest extent feasible.

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(5) The agricultural storage is clustered with existing farm buildings and site development to the extent consistent with (1) above and appropriate to the intended use.

(6) On parcels zoned Agriculture (A), the storage location minimizes conflict with any residential use on adjacent parcels.

(7) Visual impact on designated scenic roads, beaches, or recreation facilities shall be minimized by measures such as locating agricultural storage structures and operations among existing groups of structures, using materials and colors which blend with existing buildings or the environment, and/or using design and landscaping to screen and soften the appearance of structures and equipment.

(C) Findings required. In addition to the above criteria (B), the following additional findings are required for approval of a conditional use permit for storage areas exceeding 12,000 square feet on Type 1-3 agricultural resource soils on CA zoned land (see SCCC 13.10.313(E) for additional findings for development areas exceeding 35,000 sf):

(1) There is no feasible site available on the parcel, or on another parcel owned or leased by the applicant, that is located off of Type 1-3 soils and that could accommodate the intended agricultural storage use. Technical studies may be required evaluating other potential storage locations located off Type 1-3 soils; and

(2) There are no feasible alternatives for site design, surfacing materials, or other measures available to accommodate the proposed use that would reduce the total development area on Type 1-3 soils below 12,000 square feet and reduce impacts to agricultural soils.

(D) Conditions of approval for Agricultural Storage Master Plans serving multiple parcels. For a storage site serving multiple parcels, the applicant shall provide a list of parcels served by the master storage site, and provide an updated list annually to the Planning Department staff to the Agricultural Policy Advisory Commission. Conditions of approval for the Master Storage Plan may include limiting agricultural storage areas on other parcels served by the master storage site, a requirement to protect agricultural resource soils on the subject parcel and on other parcels served by the master storage site for long-term farming use through easements or other mechanisms, a requirement to restore the agricultural land to productive use when the site is no longer used for agricultural storage, or other conditions as appropriate to protect agricultural land.

13.10.636 Greenhouses and hoop houses.

(A) New Greenhouse Development. New greenhouses and hoop houses over 500 square feet in area, where allowed pursuant to a building or discretionary permit in the basic zone district, shall be developed and maintained to the following standards:

(1) Mitigations or project modifications shall be required for any potentially significant adverse visual impacts of greenhouses that will be visible from designated scenic roads, beaches, or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials that produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Greenhouses shall not be located where they would block public ocean views. Mitigations shall be compatible with light and ventilation needs of the greenhouse operations.

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(2) Storm water runoff shall be retained and percolated/infiltrated on-site so that natural runoff rates are not exceeded, in compliance with State requirements and County Design Criteria.

(3) Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant and shall be recycled if feasible.

(4) On-site parking shall be provided commensurate with the need created by the proposed greenhouse use.

(5) The removal of indigenous prime farmland soil used as a growing medium for container plants that are sold intact is prohibited.

(6) Flooring or impervious surfacing or other material such as baserock or gravel within the greenhouse structure that impairs long-term soil capabilities shall be limited to the minimum area needed for access, loading, and storage. The use of long-term sterilizing agents under impervious surfacing shall not be allowed.

(7) Greenhouse structures shall be designed to maximize energy efficiency and to use alternative energy sources, where feasible.

(8) Open ventilation shall be provided, when feasible. When exhaust fans are shown to be necessary, the fans should be located away from nonagricultural land uses and should maximize energy efficiency and shall include odor-reduction measures as warranted by crop type.

(9) Irrigation systems shall be water conserving.

(B) Conforming Greenhouse Replacement. The following conditions must be met in order for an existing conforming greenhouse to be reconstructed, replaced or structurally altered without prior approval of a discretionary use permit:

(1) The new or altered greenhouse must conform to the existing setbacks and height limits of the zone district.

(2) The project must be accompanied by plans, which may be prepared by the applicant, for drainage, screening of outdoor storage, and adequate on-site parking relative to the proposed use.

(3) Discarded greenhouse coverings must be disposed of promptly according to plans submitted by the applicant and shall be recycled if feasible.

(C) Nonconforming Greenhouse or Hoop House Replacement. The following standards must be met prior to issuance of a building permit for reconstruction or replacement of a nonconforming greenhouse or hoop house:

(1) The reconstructed or replaced greenhouse shall cover an area no larger than that of the original greenhouse.

(2) The reconstructed or replaced greenhouse shall be no higher than 22 feet and in no case obstruct the existing solar access for habitable structures or agricultural uses on adjoining properties.

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(3) The project shall be accompanied by plans, which may be prepared by the applicant, for drainage, for screening of any outdoor storage, and for adequate on-site parking relative to the proposed use.

(4) Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant and shall be recycled if feasible.

13.10.637 Wineries, breweries, and distilleries in the RR, RA, CA, and A zone districts.

(A) Application of Ordinance. The regulations provided herein shall apply to all uses and structures that meet the definition of wineries, breweries, or distilleries pursuant to SCCC 13.10.700-W, 13.10.700-B, and 13.10.700-D in the RA, RR, CA, and A zone districts. Similar uses may be considered under this ordinance at the discretion of the Planning Director.

(B) Operational standards for small, medium, and large wineries, breweries, and distilleries are shown in the following table:

Table 13.10.637-1: Operational Standards for Wineries, Breweries, and Distilleries

	SMALL	MEDIUM	LARGE
Annual Wine/Distilled Spirit Production (gallons)	10,000 gallons or less	>10,000 –30,000 gallons	>30,000 gallons
Annual Beer Production (barrels)	3,000 barrels or less	>3,000 –6,000 barrels	>6,000 barrels
Structure size	On RA, RR, A, and CA, The combined floor area of all facility structures shall not exceed 10,000 sq. ft. with a Minor Site Development Permit. Facility structure size may be exceeded with Conditional Site Development Permit.	On RA, RR, A, and CA: The combined floor area of all facility structures shall not exceed 15,000 sq. ft. with an Administrative Site Development Permit. Facility structure size may be exceeded with a Conditional Site Development Permit.	On A and CA: The combined floor area of all facility structures shall not exceed 18,000 sq. ft. with a Conditional Site Development Permit. Facility structure size may be exceeded with Planning Commission approval.

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Table 13.10.637-1: Operational Standards for Wineries, Breweries, and Distilleries

	SMALL	MEDIUM	LARGE
Food / Kitchens	Food may be served in association with an event or tasting only. A catering kitchen, not to exceed 300 sq. ft., shall be permitted. Food service separate from events or tastings requires approval of a permit for a restaurant or brewpub, and is allowed in commercial zone districts only.	Food may be served in association with an event or tasting only. A catering kitchen, not to exceed 300 sq. ft, shall be permitted. Food service separate from events or tastings requires approval of a permit for a restaurant or brewpub, and is allowed in commercial zone districts only.	Food may be served in association with an event or tasting only. Commercial kitchens for onsite food preparation shall be permitted as ancillary to wine or beer production. Food service separate from events or tastings requires a permit for a restaurant or brewpub, and is allowed in commercial zone districts only.
Agricultural Production	On CA zoned land: The winery or beer manufacturing facility shall be ancillary to the principal agricultural use of the parcel or site, which may include wine grapes, hops, or other agricultural crops.		
Sales	Sales of food and beverage products other than wine or beer that are grown on the premises shall be permitted pursuant to a Class B Cottage Food Permit (AB1616) and the appropriate ABC license. Ancillary retail products for marketing purposes may be sold.		
Hours of Operation	Facilities on RA, RR, or A parcels located within 500 feet of a parcel with a residential use: Outdoor production operations, excluding farming, limited to the hours of 7 a.m. to 7 p.m. Hours of production do not apply during harvest season. Production hours may be exceeded with an administrative use permit, in consideration of the proximity of residential uses and other noise sensitive land uses.		
Tasting Room Hours	Within the RA or RR zone districts or within 500 feet of a parcel with a residential use: Monday – Sunday, 11:00 a.m. – 6:00 p.m. All other sites: Monday – Sunday, 11:00 a.m. – 8:00 p.m. Extended hours at all sites may be considered subject to a conditional use permit.		
Tasting Room Area	The floor area of an attached or detached tasting room shall be determined by the use permit, as appropriate to the maximum number of guests allowed.		
Music	Indoors: amplified music and acoustic music are permitted during indoor tastings and events. Outdoors: Acoustic music is permitted during outdoor events. Amplified outdoor music may be considered with an "Amplified Music Permit," a noticed administrative permit, where appropriate considering specific site conditions		

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Table 13.10.637-1: Operational Standards for Wineries, Breweries, and Distilleries

	SMALL	MEDIUM	LARGE
	including proximity to noise-sensitive uses. The applicant may be required to submit an acoustic study and other documentation demonstrating that noise levels will be in accordance with the General Plan Noise Element and SCCC 13.15.		
Indoor Events	In the RA and RR zone district or within 500 feet of a parcel with a residential use: Indoor marketing events (such as wine classes and wine pairings) are permitted Monday – Sunday, 11:00 a.m. – 6:00 p.m. All other zone districts: Indoor events are permitted Monday – Sunday, 11:00 a.m. – 9 p.m. Alternative hours may be considered subject to approval of a conditional use permit, considering the proximity of residential uses and other noise sensitive noise receptors.		
Small outdoor marketing events	On parcels within the RA or RR zone district or within 500 feet from the property line of a parcel with a residential use: Outdoor marketing events such as tastings and tours are permitted from 11:00 a.m. to 6:00 p.m. The maximum number of guests permitted at events will be determined by the use permit for the facility, up to a maximum of 25 guests per event. Events with up to 50 guests may be considered with approval of a conditional use permit. At other sites: Outdoor marketing events such as tastings are permitted from 11:00 a.m. to 6:00 p.m. The maximum number of guests permitted at events will be determined by the use permit for the facility, up to a maximum of 50 guests per event.		
Large outdoor marketing events (more than 50 guests)	10 marketing events annually for a small facility, limited to the hours of 11 a.m. to 9 p.m. Additional events may be considered with a conditional use permit.	15 marketing events annually for a medium facility, limited to the hours of 11 a.m. to 9 p.m. Additional events may be considered with a conditional use permit.	15 marketing events annually for a large facility, limited to the hours of 11 a.m. to 9 p.m. Additional events may be considered with a conditional use permit.
Maximum Number of guests permitted at events	The maximum number of guests permitted at indoor and outdoor events will be determined by the use permit for the facility, considering site characteristics such as road access, tasting room capacity, parking, proximity to adjacent residential uses, topography and other physical characteristics that affect noise, and the capacity of the sewage disposal system. The conditions of approval shall state the maximum number of persons allowed at indoor, small outdoor, and large outdoor events.		
Weddings and similar celebrations	Weddings and similar celebrations in the RA, RR, CA, and A zone districts require a Conditional Use Permit in accordance with SCCC 13.10.615.		

(C) Development and Design Standards for Wineries, Breweries, and Distilleries.

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(1) Design Review. The requirements in SCCC 13.11 (Site Development and Design) shall apply to all new development, including the establishment of a new facility or a structural addition or improvement over 500 square feet in size.

(2) Site Configuration. The site shall be designed to buffer areas intended for outdoor use from surrounding residential properties. Buildings are encouraged to be used as the primary buffer; however, other buffering methods may be utilized. Technical studies may be required to confirm compliance with the noise standards provided in the General Plan.

(3) Visual Impacts. Mitigations shall be required for any potentially significant adverse visual impacts of facilities greater than 5,000 square feet that will be located within visual resource areas as described in the County General Plan and Local Coastal Program. Mitigations may include such measures as vegetative screening or other landscaping, use of materials which produce less glare, elevated topography, and/or arrangement of structures on the site to minimize bulky appearance.

(4) Parking. Parking lot design is subject to the regulations of SCCC 13.16. The discretionary permit may modify the number of parking spaces based upon use and site characteristics without a variance, or may require that the parking area be surfaced with a material that does not impair the long-term viability of agricultural resource soils.

(5) Additional Standards for Facilities Located on CA Zoned Land.

(a) Operations shall be sited, sized, and designed to minimize the removal of Type 1-3 agricultural soils from production or potential production to the greatest extent feasible, and shall be located off Type 1-3 soils when possible. The use of paving or other impermeable or semi-permeable materials such as baserock or gravel with the potential to impact underlying agricultural soils shall be minimized and shall be located off Type 1-3 soils to the greatest extent feasible.

(b) Proposed facilities with a total building footprint exceeding 10,000 square feet shall locate as much of the total floor area on a second story as is feasible.

(c) The uses, structures, and improvements shall be sited so as to minimize conflicts with existing agricultural operations.

(d) For facilities on CA zoned land, the total development area shall not exceed 35,000 square feet.

(D) Signs for Wineries, Breweries, and Distilleries.

(1) Allowed signs in all zone districts where use permitted. One non-illuminated business identification sign not exceeding 12 square feet is allowed with a building permit as provided by County building codes. No discretionary permit is required.

(2) Discretionary signs on parcels zoned A, CA, or RA. Signage consistent with criteria provided in SCCC 13.10.581 may be considered with approval of minor site development permit, or as part of the permit approval for the wine or beer manufacturing facility, subject to the following exceptions:

(a) Illumination. Direct illumination shall not be allowed. Indirect illumination shall be low-intensity and directed away from neighboring property. Sign illumination is

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permitted only during operational hours. Sign illumination is not permitted in designated scenic corridors.

(b) Size. No individual sign shall exceed 30 square feet.

(3) Additional finding for discretionary signs. The following additional finding is required for discretionary sign approval: The signage is architecturally and aesthetically compatible with the surrounding neighborhood, environmental setting, and associated buildings; does not create visual clutter; does not adversely impact coastal visual resources or viewsheds within scenic corridors; and, if lighted, avoids undue incidental illumination away from the signage.

(E) Overnight Accommodation. The following types of overnight tourism accommodations may be permitted as ancillary to wine or beer manufacturing facilities.

(1) A bed and breakfast inn appurtenant to a winery or beer manufacturing facility may be authorized by Administrative Use Permit where allowed in the zone district. A bed and breakfast inn shall be situated within the primary residence on the subject property, and shall comply with SCCC 13.10.691.

(2) Agricultural Farmstays. Uses classified as Agricultural Farmstays that are associated with a winery or beer manufacturing facility may be permitted pursuant to the requirements of SCCC 13.10.312(C) and 13.10.641.

13.10.638 Agricultural service establishments.

(A) Purposes. The purpose of regulations for agricultural service establishments are:

(1) To allow persons to conduct commercial agricultural support activities within the (CA) Commercial Agriculture and (A) Agriculture zone districts.

(2) To protect nearby agricultural and residential properties from the potential adverse effects of the allowed activity by not allowing agricultural service establishments that would generate excessive traffic, create conflicts with other land uses, or adversely impact adjacent agricultural activities.

(B) Standards for Agricultural Service Establishments.

(1) On parcels within the CA zone district, agricultural service establishments shall be ancillary either to the principal agricultural use of the subject parcel(s) or ancillary to the commercial agricultural use of parcels owned or leased by the applicant. On CA parcels, the development area for agricultural service establishments shall not exceed 10,000 square feet.

(2) Farmland conservation. To the maximum extent feasible, facilities shall be located on the non-productive portions of the property, or on that portion of the property that is least productive for agricultural purposes. Technical studies may be required to ensure that the long-term agricultural viability of the soils is not adversely impacted by the proposed development. The development shall also be sited to minimize any conflict with primary agricultural activities on and off-site such as crop production.

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(3) Parking shall comply with SCCC 13.16, except that the number of parking spaces required may be reduced without a parking variance or alternate surfacing materials may be allowed or required by the approving body in order to preserve agricultural land, if the approving body finds that parking will be adequate for the use and the surfacing will be installed and maintained in a manner that will prevent erosion.

(4) Visual Resources.

(a) Where agricultural service structures exceed 5,000 square feet in floor area, the visual impact on designated scenic roads, beaches, or recreation facilities shall be minimized by measures such as locating structures among existing groups of structures, using materials and colors which blend with existing buildings or the environment, and/or using design and landscaping to screen or soften the appearance of structures or to invoke historic architecture.

(b) Outdoor display of retail products associated with Agricultural Service Establishments may be located in view of publicly maintained, non-scenic roads, but shall be scaled and designed to minimize visual intrusion and impacts to neighborhood character along scenic roads and non-public roads.

(c) Service yards and outdoor storage associated with Agricultural Service Establishments shall be screened from public and private view through such measures as placement behind buildings, use of landscaping and topographic relief, and visually compatible fencing.

(5) Signs shall be consistent with SCCC 13.10.580.

(6) On any parcel within 200 feet of any residential use, hours of operation exceeding Monday–Friday, 8:30 a.m. to 5:30 p.m., and Saturday 9:00 a.m. to 5:00 p.m. shall require a Conditional Use Permit.

13.10.639 Outdoor container-grown crops.

(A) Purpose. The purpose of this section is to allow production of outdoor container-grown crops while protecting the long-term viability of agricultural soils.

(B) Criteria. All operations that grow crops above ground in containers on parcels within the Agriculture (A) and Commercial Agriculture (CA) zone districts shall comply with the following requirements. Technical studies may be required to ensure compliance with the standards.

(1) Inorganic materials, such as baserock, gravel, or builder's sand, shall not be used as a surface for container placement or associated staging facilities unless it can be shown that the materials can later be removed without adversely impacting the underlying soils.

(2) Permanent impervious surfacing, such as cement and asphalt pavement, shall not be permitted as a platform for crop containers.

(3) Impermanent impervious surfacing, such as tarps, may be permitted with an approved drainage system to control irrigation and stormwater runoff. The impermanent impervious surfacing shall not adversely impact the on-site soils or adjacent properties.

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(4) On-site soils shall not be used as the medium for container crops and shall not be removed from the site.

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 SCCC 13.11.

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

(a) It is located in the A (Agriculture) or CA (Commercial Agriculture) zoning district;

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

(c) At least 75% of the gross site area 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.

(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% 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.

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(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 ½ sq. ft. 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 8.5’ x 18’ 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.

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(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 8.5' x 18' 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, including, but not limited to, dried fruit, jams, jellies, and fruit pies. All processed 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 13.11.

(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 8.5' x 18' 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 5 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.

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(5) Except as provided in subsection (4), 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 SCCC 13.11.

(7) A produce market may operate up to 365 days a year.

SECTION XXV

Sections 13.10.641 through 13.10.644 of the Santa Cruz County Code are hereby repealed in their entirety.

SECTION XXVI

Sections 13.10.641 through 13.10.644 are hereby added to Part VI, Article III, Agricultural Uses, of the Santa Cruz County Code, to read as follows:

13.10.641 Agricultural farmstays/homestays.

(A) Purpose. The purpose of these regulations is to allow for farmers in Santa Cruz County to market their produce to consumers, travelers, and tourists by providing the educational experience of staying on a farm.

(B) Agricultural farmstays shall be allowed in the A and CA Zoning Districts according to the following criteria:

(1) Guest rooms may be provided in the principal residence, in an accessory dwelling unit, or within a habitable accessory structure. A maximum of six guestrooms are allowed. Guest rooms are not permitted in barns, non-habitable structures, agricultural employee housing, or storage facilities. The farmstay shall be ancillary to the principal agricultural use on the parcel.

(2) All California Building Code and Fire Code requirements, without limitation, shall be met.

(3) All Health and Safety Code and Environmental Health regulations shall be met.

(4) Parking requirements shall be established by the use permit. One identification sign, not directly illuminated, with a maximum size of 12 square feet may be displayed as provided by SCCC 13.10.580. The words “hotel,” “motel” or “bed & breakfast” shall not be allowed. The sign size, color, text, and location shall be specified as part of the use permit.

(5) Either a farmstay or bed and breakfast is allowed. Both a farmstay and bed and breakfast are not permitted on the same parcel.

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(C) The farmstay shall be registered with the County Tax Collector as being subject to the transient occupancy tax, and no discretionary permit for a farmstay shall take effect prior to issuance of a transient occupancy permit by the County Tax Collector.

(D) A food service permit shall be obtained from Environmental Health Services as applicable.

(E) Operation of the farmstay shall be subject to the following continuing requirements:

(1) The operator shall reside within the main residence on the property.

(2) Guest stays shall be limited to 14 days.

(3) No cooking is allowed in guest rooms.

(F) To the maximum extent possible, site development associated with the farmstay shall be minimized and shall be located on the nonproductive portions of the property, or on that portion of the property that is least productive for agricultural purposes. Development shall also be sited to minimize any conflict with any off-site agricultural activities such as crop production. Conditions of approval may specify a development envelope for the proposed use where appropriate to protect agricultural land.

13.10.642 Sanitary landfill as interim use.

A publicly owned sanitary landfill, operated either by contract or public forces, as an interim use, on land zoned for agriculture, shall be subject to the following regulations:

(A) Land taken out of agricultural production shall, upon cessation of landfill activities, be rehabilitated and made available for subsequent agricultural uses. Rehabilitation actions shall include, but not be limited to, stockpiling of existing topsoil for replacement to the area taken out of production as a topsoil layer over the final cover of the landfill. Where stockpiling is not feasible, topsoil may be imported or produced, for example, through the use of compost made from plant waste entering the landfill; provided, that in any case if the land is Type 3 commercial agricultural land, the finished topsoil layer shall have physical-chemical parameters which give the soil a capability rating (as defined by the Santa Cruz County Local Coastal Program Land Use Plan) of prime agricultural land.

(B) Existing water quality and quantity available to agricultural land used on an interim basis for a sanitary landfill and to other agricultural land in the vicinity of the landfill shall not be diminished by the landfill use, either during its operation or after closure.

(C) No conflicts with adjacent commercial agricultural activities shall result from the landfill use, either during its operation or after closure.

(D) The maximum amount of agricultural land shall be maintained in production through the following measures, as feasible:

(1) Phasing the nonagricultural use.

(2) Utilizing any nonagricultural areas available first.

(3) Utilizing lower quality soils (e.g., Class II) instead of or before higher quality soils (e.g., Class I or III).

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(4) Employing means of reducing the area necessary for the interim public use, such as resource recovery.

(5) Rehabilitating other areas, such as former landfill sites, for agricultural use.

(E) The above provisions shall also apply to permitted septic sludge disposal sites within the Coastal Zone.

13.10.643 Recycled water facilities for the production of recycled municipal wastewater for agricultural irrigation use.

Construction and operation of recycled water facilities providing tertiary-level treatment on land zoned CA or A shall be allowed, subject to the following regulations:

(A) Such facilities shall be located adjacent to or in the immediate proximity of an existing publicly owned and operated municipal wastewater treatment plant.

(B) Such facilities shall be intended and used for the sole purpose of producing recycled municipal wastewater to be used for agricultural irrigation.

(C) Conflicts with adjacent commercial agricultural activities resulting from either construction or operation of the wastewater recycling facility use shall be avoided, among other ways, by staging construction activities and establishing traffic routes in a manner that does not interfere with adjacent agricultural activities.

(D) The facility shall minimize reduction of acreage of agricultural lands and shall prevent a reduction in land available for agricultural production by offsetting the loss of agricultural land associated with facility construction. Mitigation measures that may be used to offset the loss of agricultural land resulting from project construction include, but are not limited to:

(1) Enabling fallow agricultural land to be put back into production;

(2) Protecting or restoring agricultural operations on lands where nonagricultural development has been permitted, among other ways by acquiring the land or obtaining an affirmative agricultural easement;

(3) Improving the productivity of degraded or marginal agricultural land by transporting the topsoil from the development site to such land; and

(4) Any combination of the above, or similar measures.

The mitigation measures used to offset the loss of agricultural land associated with facility construction shall enhance agricultural productivity within the project service area to an extent that is equal or better than the productivity of the agricultural land lost from project construction, and shall be implemented in a manner that is consistent with the coastal resource protection provisions of the General Plan/LCP, such as those protecting environmentally sensitive habitat areas, riparian corridors, wetlands, and coastal water quality.

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13.10.644 Standards for agricultural structures and uses, miscellaneous.

(A) Discretionary site development and use permits associated with the following structures shall include site designs and conditions of approval as necessary to ensure compliance with the criteria set forth in SCCC 13.10.644(B):

(1) Agri-tourism/education structure;

(2) Agricultural research and development facility;

(3) Lumber mill or tree service establishment;

(4) Structures indirectly related to agriculture (including animal hospital, museum, veterinary office, kennel, zoo, energy facilities, like structures, or ancillary structures thereto); and

(5) Agricultural administrative offices.

(B) Standards.

(1) The development area shall be sited to eliminate or, if not possible, to minimize disturbance of Type 1-3 Commercial Agricultural Land.

(2) If located on CA zoned land, the proposed development and use shall be ancillary to the principal agricultural use of the subject property or of properties owned or leased by the operator.

(3) Development shall be located near existing buildings or other site development and utilize existing site access to the greatest extent feasible. Development shall also be sited to minimize any conflict with any off-site agricultural activities such as crop production.

(4) If locating on CA zoned land, the use of impermeable or semi-permeable surface material that may affect the long-term viability of Type 1-3 agricultural soil shall be minimized to the greatest extent feasible.

(5) Visual impacts of structures and associated parking and lighting on designated scenic roads, beaches, or recreation facilities shall be minimized by measures such as locating structures among existing groups of structures, using materials and colors which blend with existing buildings or the environment, and/or using design and landscaping to screen and soften the appearance of structures.

(6) Habitable structures shall comply with SCCC 16.50.095, Agricultural buffer setback requirements. Cultivation areas or plant cultivation structures used for research activities are agricultural and not subject to SCCC 16.50.095.

(7) Parking areas shall be sited and designed to minimize disturbance of agricultural resource land or any land in commercial agricultural production both on and off-site. Parking shall comply with the following:

(a) Parking for agricultural research and development establishments shall meet the standards of SCCC 13.16 as required for business offices. Parking for uses indirectly related to agriculture shall meet the standards of SCCC 13.16 as required for the use most closely resembling the subject use. Exception: the number of parking spaces required may be reduced without a parking variance or alternate surfacing materials

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may be allowed by the approving body in order to preserve agricultural land, if the approving body finds that parking will be adequate for the use and the surfacing will be installed and maintained in a manner that will prevent erosion.

(b) Parking for agri-tourism and education shall be commensurate with the intensity of use, based on numbers of events and guests as mitigated by any on-site parking demand management measures, such as use of bus transportation or carpools.

(8) Proposed facilities with a total building footprint exceeding 10,000 square feet shall locate as much of the total floor area on a second story as is feasible.

(9) The establishment of any outdoor-grown container crop area at a research and development (R&D) facility shall comply with standards provided in SCCC 13.10.639, outdoor container crops. Where an R&D facility is existing or principally permitted, establishment of greater than one acre of outdoor-grown container crops, or expansion greater than one acre of any existing container crop area shall require approval of a minor site development permit or equivalent amendment. The area used for container crops is not included in tabulation of development area.

(10) The establishment of any greenhouse at a research and development facility shall comply with standards provided in SCCC 13.10.636. Greenhouses or portions of greenhouses that include paving or other impermeable or semi-permeable surface material such as baserock or gravel which may affect the long-term viability of the underlying soil shall be considered part of the total development area of the R&D facility.

(11) Special development area findings. The special findings provided in SCCC 13.10.313(E) apply to the agricultural structures and uses identified in this section, where the combined development area of multiple agricultural support structures on Type 1-3 agricultural land on a single parcel would exceed 35,000 square feet. Also see the Agricultural Uses Chart for development area limits for energy facilities, veterinary offices, and agricultural research and development facilities.

SECTION XXVII

Sections 13.10.645 through 13.10.647 of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.645 Animal Keeping

The following regulations apply to animals in specified, non-agricultural zone districts, in addition to the standards in Volume I, Title 6 of the County Code. See SCCC 13.10.312 for standards in agricultural districts.

(A) General Standards.

(1) The keeping of animals at a density greater than the specified standard requires approval of a Conditional Use Permit pursuant to SCCC 18.10.

(2) Small animals shall be kept enclosed and in a manner that prevents the accumulation of excrement or spread of disease, flies, dust, erosion, or offensive odors. Enclosures

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not conforming to the site standards described in this section shall not be established unless authorized by a variance.

(3) Minimum parcel size and density standards are based on gross parcel area.

(4) A maximum of 4 dogs or 4 cats or any combination thereof as household pets are allowed in all zone districts.

(B) Small Animals in the RA, PF, RR, and R-1 Districts. "Small animal" means fowl or fur-bearing animals typically raised as outdoor pets or for products such as eggs or meat; includes such animals as poultry, pigeons, rabbits, and chinchilla. Does not include household pets such as dogs and cats, hamsters, canaries, or aquarium fish.

Table 13.10.645-1: Requirements for Small Animals

	RA, PF	RR, R-1
Minimum parcel size, general	6,000 sq. ft.	6,000 sq. ft.
Minimum parcel size for rooster, peacock, tom turkey, guinea fowl or similar noisy fowl	1 acre	Not allowed.
Maximum density, general	2 per 1,000 sq. ft.	2 per 1,000 sq. ft.
Maximum density for roosters, peacock, tom turkey, guinea fowl or similar noisy fowl	4 per parcel	Not allowed.
Additional standards for beekeeping	Allowed on parcels ½ acre or larger. Hives shall be set back a minimum of 25' from all property lines and from public or private streets.	Allowed on RR parcels ½ acre or larger. Hives shall be set back a minimum of 25' from all property lines and from public or private streets.
Enclosures – Parcels up to 1 acre	20 feet to any property line; 25 feet to any dwelling; Rear ½ of parcel.	20 feet to any property line; 25 feet to any dwelling; Rear ½ of parcel.
Enclosures – Parcels >1 acre	40 feet to any dwelling or property line; Locate enclosures on rear 1/3 of parcel.	

(C) Large Animals in the RR, RA, and PF Districts. "Large animal" means domestic farm animal such as horse, cow, pig, llama, sheep, or goat.

Table 13.10.645-2: Requirements for Large Animals

Minimum parcel size (gross)	One acre: Horse, cow, llama 1/2 acre: Goat, sheep

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Maximum density	2 per acre: Cow, pig, pony, llama 4 per acre: Goat, sheep, alpaca, ostrich Pigs: 2 per acre; Maximum of 6
Maximum density for horses 1 acre site > 1 acre site	 2 horses 2 horses + 1 horse per additional 20,000 square feet over 1 acre
Minimum setbacks for stable or paddock*	50 feet from front property line 50 feet to dwelling on adjoining property 20 feet from side and rear property lines
Erosion control plan	Required, pursuant to 16.22.060
Manure Management Plan	Required, pursuant to Environmental Health Services Division regulations

*Fully vegetated pastures or turn-out areas are not considered paddocks and are not subject to setback requirements for paddocks.

13.10.646 Animal care facilities.

The following regulations apply to kennels, grooming establishments, pet shops, small-animal hospitals, veterinary offices, and animal shelters:

(A) Outdoor exercise areas shall be entirely enclosed by a closed non-transparent fence of a minimum of six feet in height. No outdoor exercise yards shall be allowed in C-1 or C-2 districts.

(B) Any enclosures in which animals are treated or boarded, either by day or overnight, shall be a minimum of 75 feet from any residence.

(C) All facilities shall be kept in a neat and sanitary manner by the daily removal of excrement and the use of sprays and disinfectants, as determined to be necessary by the Environmental Health Services Division, to prevent an accumulation of flies, the spread of diseases, offensive odor, or excessive dust.

(D) Except for outdoor exercise yards and training activities, all animal services in commercial districts shall be operated within completely enclosed structures that are sound-proofed to standards approved by the County Building Official. Outdoor exercise yards shall operate only between the hours of 7 a.m. and 7 p.m.

13.10.647 Animal raising—Poultry, bird, rabbit, or fur-bearing.

(A) In all cases where poultry, birds, rabbits, or fur-bearing animals in any number and for any purpose are raised, kept, or maintained, all dead animals or birds and excrement should be removed and disposed of, and sprays and disinfectants shall be used, as determined to be necessary by the Environmental Health Services Division, so as to prevent the accumulation or spread of disease, flies, or offensive odors. The provisions of SCCC 16.20.195, pertaining to erosion control, shall apply.

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(B) In all cases for the raising, maintenance, or fattening of turkeys, all dead animals and excrement shall be disposed of, and chemicals and sprays shall be used, as determined to be necessary by the Environmental Health Services Division, to prevent the accumulation or spreading of flies, disease, or offensive odors, and where in excess of 50 birds are maintained in one flock within a distance of one-fourth of a mile from any residence, ground sprays or groundcover shall be used to prevent the accumulation and spread of dust. The provisions of SCCC 16.20.195, pertaining to erosion control, shall apply.

SECTION XXVIII

Former Section 13.10.647 of the Santa Cruz County Code is hereby renumbered to Section 13.10.648, the title of which shall read as follows:

13.10.648 Biomedical livestock operations.

SECTION XXIX

Sections 13.10.651 and 13.10.656 of the Santa Cruz County Code are hereby repealed in their entirety.

SECTION XXX

Section 13.10.652 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.652 Drive-through uses.

No drive-through dining establishments shall be permitted. Drive-through uses associated with other commercial businesses such as pharmacies, banks, car washes, and automobile repair shall be allowed subject to approval of an Administrative Site Development Permit and Administrative Use Permit. The use permit may apply additional conditions on the drive-through use, such as limited hours of operation, as appropriate to the use and location. Drive-through facilities shall meet the design requirements in SCCC 13.16.091, Drive-through facilities.

SECTION XXXI

Section 13.10.654 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.654 Night clubs, on-site liquor sales, live entertainment.

No dance hall, roadhouse, night club, commercial club, or any establishment where liquor is served, or commercial place of amusement or recreation, or any place where entertainers are provided whether as social companies or otherwise shall be established in any district closer

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than two hundred (200) feet to the boundary of any residential or recreational district, unless a Conditional Use Permit is first secured in each case. Dining establishments where beer or wine, but no liquor, is served with meals may be established less than 200 feet from a residential or recreational district upon issuance of an Administrative Use Permit. If the beer or wine service is not exclusively incidental to meal service, the enterprise may be established only upon issuance of a Conditional Use Permit. The distance from the establishment to the residential zone district is measured from the building or parking area, whichever is closest, to the nearest property boundary of the nearest residentially or recreationally zoned parcel.

SECTION XXXII

Section 13.10.657 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.657 Regulation of sale of alcoholic beverages at automobile fueling/charging stations.

(A) Authority. This section is adopted pursuant to and in conformity with Section 23790.5 of the California Business and Professions Code.

(B) Purpose. The Board of Supervisors of the County of Santa Cruz deems it necessary to regulate the concurrent sale of alcoholic beverages and motor vehicle fuel for the purpose of protecting and promoting the health, safety, and welfare of the general public and the inhabitants of Santa Cruz County.

(C) Prohibition as to Concurrent Sale of Alcoholic Beverages other than Beer or Wine. The concurrent retailing of alcoholic beverages (other than beer or wine for off-premises consumption) and motor vehicle fuel is prohibited.

(D) Permit Required as to Concurrent Sale of Beer or Wine. A Development Permit including a Level V use approval shall be required to be obtained from the County by any new or by any existing automobile fueling/charging station which proposes to commence on or after January 1, 1989, the concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption. All procedures for application, review, approval, appeal, enforcement, etc., shall be in accordance with SCCC 18.10.

(E) Required Findings. No Development Permit shall be issued for the concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption unless the following findings are made, supported by substantial evidence in view of the whole record:

(1) The concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption will not significantly adversely affect the public health, safety, or welfare from increases in noise, traffic, and/or violations of traffic and other laws; and

(2) The findings specified in Section 18.10.230 of this Code.

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(F) Conditions. Reasonable conditions shall be added to a Development Permit for the concurrent retailing of motor vehicle fuel with beer and wine, including but not limited to the following conditions:

(1) No display of beer and/or wine shall be permitted within five feet of the cash register or of the front door unless it is a permanently affixed cooler as of January 1, 1988;

(2) No advertisement or advertising of beer and/or wine shall be permitted on or at motor vehicle fuel islands;

(3) No sale of beer and/or wine shall be permitted from a drive-in window;

(4) No sale or display of beer and/or wine shall be permitted from an ice tub;

(5) No self-illuminated advertising for beer and/or wine shall be located on buildings or in windows;

(6) Employees on duty who sell beer and/or wine at automobile fueling/charging stations shall be at least 21 years of age; and

(7) A period of time shall be specified requiring renewal or review of the Development Permit.

(G) Violations. If there is a finding that a licensee or their employee has sold any alcoholic beverages (including beer and/or wine) to a minor at an establishment engaged in the concurrent retailing of motor vehicle fuel with beer and wine, the alcoholic beverage license at the establishment shall be suspended for a minimum period of 72 hours. This shall not constitute the exclusive remedy for such violation, but rather shall be cumulative to all other enforcement methods available to the County, including, without limitation, those enforcement methods available where the County Zoning Ordinance has been violated.

(H) Severability. If any part of this ordinance is for any reason held to be invalid by the final judgment of any court, such judgment shall not affect the validity of the remaining portion of this ordinance.

SECTION XXXIII

Chapter 13.10, Part VI, Article VII of the Santa Cruz County Code is hereby renamed "Residential Uses" and Section 13.10.686 is hereby repealed in its entirety.

SECTION XXXIV

Section 13.10.689 is hereby added to Chapter 13.10, Part VI, Article VIII of the Santa Cruz County Code, to read as follows:

13.10.689 Commercial visitor accommodations.

(A) The purpose of this section is to establish definitions, use conditions, and permit review regulations applicable to commercial visitor accommodation land uses.

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(B) Definitions.

(1) "Commercial visitor accommodations" means commercial visitor serving facilities for short-term (less than 30 days) overnight use. Commercial visitor accommodations do not include agricultural farmstays (see SCCC 13.10.641) or short-term residential rentals (see SCCC 13.10.690 for "hosted rentals" or 13.10.694 for "vacation rentals").

(a) "Type A visitor accommodations" means hotels, motels, and bed and breakfast inns (subject to 13.10.691) with an individual room or cabin for each customer.

(b) "Type B visitor accommodations" means camps, campgrounds, and group quarters/dormitory-style visitor accommodations, including RV or tent campgrounds, hostels, and visitor accommodations associated with organized camps and conference centers (subject to SCCC 13.10.692).

(2) "Visitor accommodations (VA) unit" means a room, cabin, or suite. VA units can include kitchens and bathrooms.

(C) Commercial visitor accommodations allowed.

(1) Inside the USL and RSL, visitor accommodation shall be allowed in the zone districts and at the densities as detailed in the chart below.

Table 13.10.689-1:
Commercial Visitor Accommodations Maximum Density Inside the USL/RSL

Zone Districts where visitor accommodations are allowed	Type A		Type B
	Hotels and Motels	Bed and Breakfast Inns	Camps, campgrounds, group quarters
Agriculture (A)	NA[1]	20 VA units	NA[1]
Commercial Centers (C-1, C-2)	No maximum density	20 VA units	NA[1]
Commercial Visitor-Serving (CT, VA)	No maximum density	20 VA units	1 overnight guest per 600 square feet gross site area
Residential (RA, RR, R-1, RM)	Small scale, no maximum density[2]	12 VA units	12 overnight guests per acre gross site area
Timber Production (TP) or Parks and Recreation (PR)	3 VA units per acre gross site area	3 VA units per gross acre, up to 20 VA units	12 overnight guests per acre gross site area

1. NA = Not allowed in this zone district.
2. Coastal Special Communities only per SCCC 13.20.140.

(2) Outside the USL and RSL, visitor accommodation shall be allowed in the zone districts and at the densities as detailed in the chart below.

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Table 13.10.689-2:
Commercial Visitor Accommodations Maximum Density Outside the USL/RSL

Zone Districts where visitor accommodations are allowed	Type A		Type B
	Hotels and Motels	Bed and Breakfast	Camps, campgrounds, group quarters
Agriculture (A)	NA[1]	10 overnight guests per rural matrix unit, up to 20 VA units[2]	NA[1]
Commercial Centers	No maximum density		NA[1]
Commercial Visitor-Serving (CT, VA)	No maximum density		20 overnight guests per rural matrix unit[2]
Residential	Small scale, no maximum density		10 overnight guests per rural matrix unit[2]
Timber Production (TP) or Parks and Recreation (PR)	10 overnight guests per rural matrix unit[2]		10 overnight guests per rural matrix unit[2]

1. NA = Not allowed in this zone district.
2. Calculate rural matrix units per SCCC 13.14, using applicable General Plan designation density range as shown in General Plan Chapter 7, Table 7-3: Commercial Recreation Building Intensities.
3. Coastal Special Communities only per SCCC 13.20.140.

(3) Combining Types of VA Facilities. Types of visitor accommodations may be combined; however, combined densities may not exceed the maximum allowed for the total number of acres (urban) or matrix units allowed (rural).

(4) Employee Housing. All on-site residential units shall be reserved for exclusive use by owners and employees, shall not substantially reduce or degrade the use of the site for visitor accommodations, and shall comply with the following requirements:

(a) Employees for Type A units: Maximum of one employee dwelling unit per site.

(b) Employees for Type B units: The number of employee dwelling units shall be based on a demonstrated need for residential employees and approval of such shall be stated as a permit condition. Accommodation for up to five employees may be provided without counting toward density. Accommodation for more than five employees shall be calculated in combination with commercial visitor accommodations based on the maximum allowed density for the site.

(5) Day use. Day use guests visiting a rural visitor accommodation site are allowed at a rate of 30 guests per matrix unit, calculated based on matrix units that are not otherwise allocated to overnight visitors or employee housing.

(6) Limited visitor accommodation. Commercial visitor accommodations such as seasonal camps that are only open part of the year may have the same total number of

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overnight guests and day users during the open season that would otherwise be allowed year-round, based on the number of months the camp is open.

Use the following formula:

$$\frac{\text{12 months}}{\text{Number of months in open season (rounded to the nearest month)}} \times \text{maximum allowed overnight guests and/or day users calculated based on maximum density table}$$

(7) Density Reductions.

(a) All values given in subsections (1) – (6) of this section are maximums and may be reduced based on services and access constraints, compliance with SCCC 13.11, or adverse environmental impacts.

(8) Expansion of Organized Camps with Nonconforming Densities. For expansion of existing camps with use permits and nonconforming density, the densities of new facilities shall be calculated independent of existing nonconforming densities and shall be based solely on the number of matrix units the new land acquisition merits. Where the new land acquisition is contiguous with the parcel containing the nonconforming use, the facilities resulting from the matrix units for the land acquisition may, at the discretion of the Planning Commission and the Board of Supervisors, be located anywhere on the applicant's holdings. These provisions shall not be construed to prevent the Board of Supervisors from abating nonconforming uses or structures pursuant to SCCC 13.10.260, 13.10.261 and 13.10.262 where such facilities are found to create a public health hazard or a public nuisance or to be environmentally degrading.

(9) Coastal priority sites. Inside the Coastal Zone, the performance standards in Appendix G of the General Plan/Local Coastal Program Land Use Plan for priority accommodations sites also apply.

(D) Use conditions. The following standards shall apply to all visitor accommodations projects and shall be incorporated into conditions of approval:

(1) All visitor accommodations projects shall be managed for short-term occupancy with occupancy limited to not more than 29 consecutive days and limited to 29 days in any one calendar year by an individual or group of occupants, except that single-ownership units may be occupied by the owner(s) up to 45 days in any one calendar year.

(a) Notwithstanding the foregoing, visitor accommodations described as follows may be occupied by the owner(s) up to 90 days in one calendar year: units located on coastal bluff property which has been the subject of litigation in which a remittitur was issued by the California Court of Appeal on or before April 25, 1983, in a decision requiring the County of Santa Cruz to grant either "compensating densities" in excess of "the base densities" thereon, or to grant "some other

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transfer of development rights," and which litigation has been settled by "Stipulation for Judgment and Judgment Thereon."

(2) Centralized, on-site management shall be provided at all times for the maintenance and operation of the visitor accommodations, related facilities, and the property. Such management may be provided by the property owner or by a separate management firm under contract. Plans for management shall be submitted to and approved by the Planning Director and a transient occupancy tax permit obtained from the Treasurer-Tax Collector by such management prior to the issuance of building permits.

(3) Deed restrictions running with the property and limiting use to short-term occupancy and providing for the maintenance of centralized rental and management of the facility shall be recorded prior to issuance of building permits.

(4) All visitor accommodations shall be subject to any County uniform transient occupancy tax ordinance or a special tax on time-share units, camping units, or other visitor accommodations. Reports of the occupancy of visitor accommodations together with payment of transient occupancy taxes or any other taxes due from the use of visitor accommodations shall be made in accordance with SCCC 4.24.080.

SECTION XXXV

Section 13.10.691 of the Santa Cruz County Code is hereby amended, to read as follows:

13.10.691 Bed and breakfast inns.

(A) A bed and breakfast inn offering one or more rooms (up to a maximum of 20) for rent may be operated if the use is allowed in the applicable zone district and the required Level IV use approval is obtained.

(B) The following guidelines for bed and breakfast inns and any additional conditions deemed applicable shall be made a part of the permit.

(1) All Uniform Building Code and Fire Code requirements for the level of occupancy shall be met.

(2) All Environmental Health regulations shall be met, including water supply and septic system capacity, if applicable, as follows:

(a) When a private water supply serves the premises, the operator will be required to obtain a bacteriological analysis of the water by an approved laboratory to demonstrate that the water is safe to drink.

(b) Individual sewage disposal systems will be evaluated to determine if the system is adequate for the increased loading. A fee is required for this service.

(3) In sewered areas, all applicable sanitation district fees shall be paid, and regulations/code shall be satisfied.

(4) One off-street parking space shall be provided for each commercial guest room, in addition to the spaces normally required for the dwelling.

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(5) One unlighted sign with a maximum size of six square feet may be displayed. The words “hotel” or “motel” shall not be allowed. The sign’s size, color, text, and location shall be as specified under this use approval, as per the attached drawing.

(6) At least one toilet, lavatory, and shower or bathtub shall be provided for each 10 guests. Where a multiple storied building is utilized, there must be a toilet, lavatory, and shower or bathtub on each floor.

(7) Adequate storage for clean and dirty linen shall be provided.

(8) Appropriate space and ventilation for each room shall be provided. Minimum space is 70 square feet per bedroom for two persons, 50 square feet for each additional person.

(C) The bed and breakfast inn shall be registered with the County Tax Collector as being subject to the transient occupancy tax, and the use approval for a bed and breakfast inn shall become effective when the applicant obtains a transient occupancy permit from the County Tax Collector. Quarterly reports shall be filed and taxes paid as required by law.

(D) An annual bed and breakfast inn health permit shall be obtained.

(E) Operation of the bed and breakfast inn shall be subject to the following continuing requirements:

(1) The operator shall reside in the inn;

(2) Guest stays shall be limited to 30 days;

(3) No cooking shall be allowed in guest rooms; and

(4) Food service shall be limited to breakfast served exclusively to lodgers, and facilities shall conform to the requirements of the California Health and Safety Code, Part 7, California Retail Food Code, as updated from time to time and enforced based on the required annual health permit inspection.

(F) Different or additional restrictions, including but not limited to restrictions on parking, sign area or placement, hours of meals service, and sale of nonalcoholic beverages, may be placed on any bed and breakfast use to meet specific concerns.

SECTION XXXVI

Section 13.10.695 of the Santa Cruz County Code is hereby repealed.

SECTION XXXVII

Section 13.10.700 and Sections 13.10.700-A through 13.10.700-Z of the Santa Cruz County Code are hereby amended, to read as follows:

13.10.700 Definitions.

For the purposes of this chapter certain terms used herein are defined as follows:

(A) All words in the present tense shall include the future tense. All words in the singular number shall include the plural number and all words in the plural number shall include the

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singular number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory.

(B) All terms used in this chapter shall be as defined in the General Plan, including the Local Coastal Program Land Use Plan glossaries, except as noted in this chapter.

(C) The definitions in this section apply only to SCCC 13.10, unless explicitly referenced in other chapters of the SCCC.

13.10.700-A "A" definitions.

"A" means the Agricultural Zone District (SCCC 13.10.310).

"Abutting, adjoining, adjacent" means touching the subject parcel and not separated from the subject parcel by a road, street, or other property.

"Accessory": See "Use, accessory."

"Accessory Dwelling Unit" or "ADU" means, in compliance with California Government Code Section 65852.2, an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking (area meeting the definition of "Kitchen"), and sanitation. See also Junior Accessory Dwelling Unit, Conversion ADU, and New Construction ADU.

"Administrative permit": See SCCC 18.10.015.

"Administrative use permit": See SCCC 18.10.015: "Use permit."

"Administrative site development permit": See SCCC 18.10.015: "Site development permit."

"Affordable housing" means housing capable of purchase or rental by a person with average or below average income, as determined periodically by the U.S. Department of Housing and Urban Development based on the median household income for Santa Cruz County.

"Affordable Rental Farmworker Housing Project," "ARFH Project," or "Affordable Project" means a subsidized, rent-restricted, multi-family rental housing development of more than 12 units developed by a non-profit housing provider for lower-income farmworker households, pursuant to the Development Reserve established in the General Plan, and subsection (G) of SCCC 13.10.631.

"Agricultural Employee" means an employee engaged in agriculture, which includes farming in all its branches, including but not limited to the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, furbearing animals, or poultry, and any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market, as further defined in California Labor Code Section 1140.4(b). "Agricultural Employee" also means farm worker, farmworker, or farm laborer. "Agricultural Employee" does not include persons engaged in household domestic service, or certain employees of religious or charitable entities listed in Section 17005(b) and (c) of the California Employee Housing Act. Agricultural Employees earn their primary income through permanent or seasonal agricultural labor.

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"Agricultural employee housing": see “Farmworker housing.”

“Agricultural Employer” means one engaged in agriculture who employs employees, as further defined in Labor Code Section 1140.4(c).

“Agricultural lands, Types 1, 2, and 3” means agricultural land type designations applied pursuant to a County classified system as established in SCCC 16.50.030 and 16.50.040.

“Agricultural Policy Advisory Commission” means an advisory commission created pursuant to SCCC 16.50 to advise the Board of Supervisors and Planning Commission on policy matters related to agricultural uses.

“Agricultural preserve” means a contract between a landowner and Santa Cruz County establishing that certain land will be used only for agricultural purposes for a minimum of 10 years. The 10-year period is renewed every year. In recognition of this land use restriction, the landowner may receive preferential taxation on that land.

“Agricultural processing” means the handling, processing, canning, packing, packaging, storing, refrigeration, or shipping of agricultural commodities produced primarily in Santa Cruz County as provided by 13.10.632(B)(1). Does not include processing of animal products, lumber products, or non-agricultural commodities. Does not include routine harvesting and related handling activities incidental to agriculture.

“Agricultural service establishment” means a business or service for hire engaged in activities to support agricultural production and marketing, such as application of agricultural chemicals, agricultural grading and land leveling, irrigation contracting, harvesting, hauling of produce and other agricultural products, farm equipment/appliance repair, and retail sales of agriculturally related material such as pipes, fertilizer, pesticides and other pest control supplies, farm vehicles and appliances, feed, and seed. Does not include manufacturing, plant nurseries, or processing.

“Agricultural use” means agricultural activities including but not limited to the cultivation and tilling of soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity such as viticulture, horticulture, apiculture, the raising of livestock and poultry, agricultural processing, and other practices ancillary to a farming operation such as delivery to storage or market, and delivery to carriers for transport to market, all subject to the policies and regulations, standards, and criteria in the General Plan and SCCC.

“Agricultural use, commercial” means agricultural uses conducted as a commercial venture for the purpose of achieving a return on investment.

“Agriculture” means the art or science of cultivating the ground, including the harvesting of crops and the rearing and management of livestock; tillage; husbandry; farming; horticulture.

“Agri-tourism and education” means visitor-oriented services, events, educational activities, and attractions with an agricultural theme that are conducted in conjunction with on-site agricultural uses. Such uses include but are not limited to farm dinners, educational activities, classes, workshops, tours, mazes, and petting zoos, and do not include weddings.

“Air strip” means a landing strip for private planes of the property owner, employee, or guest; a noncommercial landing strip.

“Alley”: see SCCC 13.16.020.

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“Allowed Use”: See “Use, allowed.”

“Amusement park” means a site authorized for outdoor recreation consisting of rides, games of skill, and food concessions.

“Ancillary”: See “Use, accessory.”

“Ancillary to an agricultural use” means a use that is compatible with, secondary to, and in support of the main agricultural use of the subject parcel, or where authorized in the Zoning Ordinance for the use, to other parcels in the County owned or leased by the same entity for commercial agricultural use.

“Animal, large” means a domestic farm animal such as a horse, cow, pig, llama, sheep, or goat.

“Animal, small” means fowl or a fur-bearing animal typically raised as outdoor pets or for products such as eggs or meat; includes animals such as poultry, rabbits, or chinchillas. Does not include household pets such as cats or dogs, hamsters, canaries, and aquarium fish.

“Approving body”: See SCCC 18.10.015.

“Appurtenant use”: see “Use, accessory.”

“Aquaculture” means a form of agriculture as defined in Section 17 of the Fish and Game Code. Aquaculture products are agricultural products, and aquaculture facilities and land uses shall be treated as agricultural facilities and land uses in all planning and permit issuing decisions governed by this division.

“Arable land” means land which is suitable for the cultivation of crops. Such land usually contains soils with a Natural Resources Conservation Service agricultural capability rating of I through IV and slopes of less than 25 percent.

“Assessor’s parcel map”: See SCCC 18.10.015.

“Assisted Living Facility”: See “Residential Care Facility for the Elderly” and “Continuing Care Retirement Community.”

“Attached structure” means a structure joined by a common wall or floor/ceiling assembly to another structure on the same property.

“Attic”: For planning and zoning purposes, an attic is a non-habitable level between the top story of a building and the underside of the roof framing. An attic is not considered a “story” (see definition).

(1) Allowed features: windows; plywood flooring; unlimited headroom and floor area; one light fixture; water heater and HVAC system along with dedicated outlets as required under the California Building Code; and insulation. If insulation is installed beneath roof rafters, then it must also be installed between the attic and the story below.

(2) Prohibited features: conditioned space; sheetrock; permanent fixed stairs serving the attic area; decks accessed from the attic; electrical outlets other than those required for an HVAC system or water heater; and plumbing fixtures including sinks, toilets, and showers.

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"Automobile Fueling Station" means a facility limited to retail sales of fuel, motor oil, lubricants, propane, and charging electric vehicles. Such establishments may also include the ancillary sale of travel aides, convenience items, minor automobile accessories, prepackaged food items, and hot or fountain-type beverages.

"Automobile Repair Shop" means a structure or portion thereof where automobiles or parts thereof are overhauled, repaired, rebuilt, or reconditioned, including body and fender work, upholstery service or painting.

"Automobile Service Station" means an automobile fueling/charging station that provides incidental vehicle repair or tire service. Does not include body repair, painting, or upholstery installation.

"Automotive Specialty Establishment" means a business providing specified services not involving repair, tire services, or body work. Examples of automotive specialty establishments include lube, oil change, smog check station, detailing, air conditioning service, batteries, glass installation, sound systems, and accessories.

"Automobile Wrecking Yards": See "Motor vehicle wrecking yard."

13.10.700-B "B" definitions.

"Basement": For planning and zoning purposes, a basement is a level below the first story of a structure, with at least 50 percent of the basement exterior perimeter wall area below grade, as measured from both existing and finished grade. No more than one wall of a basement may be completely exposed. Basements can include habitable and/or non-habitable space. Basement ceiling height is measured to the underside of the first story floor framing (joists or girders that directly support the floor sheathing). A basement is not considered a story.

"Bath or massage establishment" means any establishment having a fixed place of business where baths or massages are provided, conducted, carried on, or permitted as a main or primary use.

"Bed and breakfast inn" means a type of commercial visitor accommodation in which not more than 20 bedrooms are available for short-term rental not to exceed 30 days.

"Bedroom" means any space in the conditioned (heated) area of a dwelling unit which is 70 square feet and greater in size and which is an exterior room, regardless of whether it is entered through a door, unless it is exempted as one of the following:

(1) Hall;

(2) Bathroom;

(3) Kitchen;

(4) Living room (maximum of one per dwelling unit);

(5) Dining room (opening off of the kitchen or living room, maximum one per dwelling unit);

(6) Family room (opening off of the kitchen or living room, maximum one per dwelling unit);

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(7) Breakfast nook (opening off of the kitchen, maximum of one per dwelling unit); or

(8) Laundry room.

The Planning Director may grant exceptions, if, in their discretion, a room cannot, by its design, function as a bedroom.

“Beer Manufacturing Facility”: See “Brewery.”

“Block” means the properties abutting on one side of a street between two intersecting or intercepting streets, or between an intersecting or intercepting street and a railroad right-of-way, unsubdivided land, or watercourse.

“Board” (“BOS”) means the Board of Supervisors of the County of Santa Cruz.

“Brewery” means a commercial beer manufacturing facility that produces beer over and above the amount for home consumption, and that is subject to a Type 23 license (Small Beer Manufacturing) or a Type 01 license (Large Beer manufacturing) by the California Department of Alcoholic Beverage Control. A brewery that includes a restaurant is considered a brewpub, subject to the requirements of the applicable zone district.

“Brewpub” means a beer manufacturing facility with a restaurant or pub on the premises where beer produced by the manufacturer is served. Additionally, other suppliers’ beer as well as wine may be sold to patrons for consumption on the premises. Beer produced by the manufacturer may also be distributed locally or regionally. Brewpubs are subject to Type 01 or Type 23 licenses by the California Department of Alcoholic Beverage Control.

“Buffer” means a strip of land separating two distinct land uses, such as residential and commercial or residential and agricultural and which acts to soften or reduce the effect of one land use on another. Buffers may include such measures as landscaping, and/or physical barriers, and distance to produce the softening effect.

“Building” means any permanent structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any person, animal, or property, but not including mobile homes (see 13.10.700-M), manufactured homes (see 13.10.700-M), commercial modular as defined in the California Health and Safety Code, or any tent, recreational vehicle, or other non-permanent structure. A building is a type of “structure” (see definition).

“Building Official” means the person appointed by the Planning Director to head the Permit and Inspection Services Section of the Planning Department.

“Building permit”: See SCCC 18.10.015.

“Building site” means an area of land occupied by or proposed as a location for a building or for a manufactured or mobile home on a permanent foundation.

13.10.700-C “C” definitions.

“C-1” means the Neighborhood Commercial Zone District (SCCC 13.10.330).

“C-2” means the Community Commercial Zone District (SCCC 13.10.330).

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"C-3" means the Workplace Flex Commercial Zone District (SCCC 13.10.330).

"C-4" means the Commercial Services Zone District (SCCC 13.10.330).

"CA" means the Commercial Agricultural Zone District (SCCC 13.10.310).

"Campgrounds" means land or premises which are used or intended to be used, let, or rented for temporary occupancy by campers travelling by automobile or otherwise, or for occupancy by tents or recreational vehicles.

"Camp, organized" means a site having day and/or overnight use facilities for the purpose of conducting a supervised program which provides educational, spiritual, social, or recreational elements, subject to SCCC 13.10.689 and 13.10.692.

"Cannabis cultivation" means the planting, growing, developing, propagating, harvesting, drying, processing, curing, grading, trimming, packaging, or storage of one or more cannabis plants or any part thereof in any location, indoor or outdoor, including within a fully enclosed and secure building. This definition should be read consistently with the definition for cannabis cultivation set forth in SCCC 7.128, to the extent there may be minor differences. Cannabis cultivation is considered by the County of Santa Cruz to be an agricultural activity.

"Cannabis cultivation area" means the sum of the canopy, immature plant growth area, and the nursery square footage, as applicable.

"Cannabis distribution" means the activity of transporting cannabis or cannabis products between State-licensed cannabis businesses, and any ancillary activity, such as cannabis flower packaging, pre-roll packaging or labeling products, or storage between transport, that is conducted in association with the distribution activity.

"Cannabis manufacture (commercial)" means the production, preparation, propagation, or compounding of manufactured cannabis products either directly or indirectly, or by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, at a fixed location including any storage, packaging, or repackaging of cannabis products in conjunction with manufacture.

"Cannabis nursery" means an operation with a Class N license engaged in activity or activities associated with producing clones, immature plants, and seeds. A cannabis nursery is a type of cultivation activity.

"Cannabis processing" means all activities associated with the drying, curing, grading, trimming, rolling, storing, packaging, and labeling of non-manufactured cannabis products. Cannabis processing is a type of cultivation activity.

"Canopy" means the designated area(s) at a licensed premises, except nurseries and processors, that will contain mature cannabis plants at any point in time, as follows:

(1) Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all area(s) that will contain mature cannabis plants at any point in time, including all of the space(s) within the boundaries;

(2) Canopy may be noncontiguous but each unique area included in the total canopy calculation shall be separated by an identifiable boundary that includes, but is not limited

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to, interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedgerows, fencing, garden beds, or garden plots; and

(3) If mature cannabis plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.

“Cat” means a domestic cat (Felis catus) of either sex, altered or unaltered, that has reached the age of four months.

“Club” means any association or club activity except one whose chief activity is a service customarily carried on as a business.

“Coastal Zone” means that portion of the Coastal Zone, as established by the California Coastal Act of 1976 and as it may subsequently be amended, which lies within the unincorporated area of Santa Cruz County.

“Coastal zone principally permitted use”: See “Use, coastal zone principally permitted.”

“Cogeneration” means an energy system that simultaneously produces electricity and useful thermal energy for use in more than one building; including all storage and transmission facilities associated with the energy system.

“Commercial visitor accommodations”: see “Visitor accommodations, commercial.”

“Community Event or Fundraiser” means a not-for-profit event with 100 or more guests of a civic, political, public, or educational nature such as a community dinner, festival, or other public gathering, on private residential or agricultural property. Such events may include the collection of fees, donations, or the sale of food or other goods, where the proceeds from the event are provided to a school or nonprofit organization.

“Compatibility analysis” means an analysis, prepared by a certified forester, of the effect of a proposed use on the long-term management of timber resources on the parcel or parcels for which the use is proposed or which could be affected by the proposed use.

“Conditional use permit”: See “Use permit.”

“Conditional site development permit”: See “Site development permit.”

“Congregate care senior housing”: see “Senior rental housing.”

“Continuing care retirement community (CCRC)” means a type of Residential Care for the Elderly (RCFE) facility that offers a long-term continuing care contract that provides for housing, residential services, and nursing care, usually in one location, and usually for a resident's lifetime. CCRCs are considered a non-residential land use, as they are care facilities licensed by the California Department of Social Services (DSS), not housing developments, which do not require a license from DSS.

“Conversion ADU” means the conversion of any portion of a legal accessory structure, or any portion of a single-family dwelling, or any garage, for the purpose of creating an accessory dwelling unit (ADU). Conversion ADUs can include demolition and rebuilding of a structure with the same footprint and building envelope. Conversion ADUs can also include additions of

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up to 150 square feet. Any conversion that exceeds this limit shall be considered a New Construction ADU.

"Corner sight clearance triangle": See "Sight distance triangle."

"Corridor access lot": See "Lot, corridor access."

"Cottage industry" means a type of home occupation involving production of food and other hand-crafted products. See also: "Hand-made product fabrication and sale."

"Country club" means a private club having recreation facilities often including a golf course.

"County Design Criteria": See 13.16.020.

"Countywide Design Guidelines": See 13.11.030.

"Crop production" means planting, cultivating, growing, harvesting, and drying of crops such as vegetables, orchard crops, berries, flowers, field crops (hay, grain, hops, seed, turf), vineyards, and dry land farming. Does not include container crops, hoop houses, hydroponics, mushrooms, or other crops grown in structures or nurseries.

"CT" means the Coastal/Tourist Commercial Zone District.

13.10.700-D "D" definitions.

"Day care center" means a State-licensed commercial facility which provides nonmedical care for children or adults in need of personal services, supervision, or assistance, for periods of less than 24 hours per day.

"Day care home, family" means a dwelling in which an occupant provides care, protection, and supervision of up to 14 children, for periods of less than 24 hours a day, in accordance with a State license, and which meets the definition and land use regulations for large or small family daycare homes as provided in the California Health and Safety Code.

"Density" means the number of primary dwelling units or the number of people per acre of land or other given land area. Appropriate density ranges are provided for each land use designation in the General Plan and each zone district in the SCCC. Maximum allowed density is calculated as follows:

(1) Within the USL/RSL, maximum density is based on gross site area, minus any coastal bluffs, beaches, and all land seaward of the mean high tide line of Monterey Bay.

(2) Outside the USL/RSL, maximum density is based on net developable site area and the rural density matrix, per SCCC 13.14.

(3) Maximum density on both urban and rural parcels may be restricted by an overriding minimum lot size based on the presence of resources, as provided in the General Plan and SCCC Title 16.

(4) Where a parcel has multiple designations on the land use map or multiple zone districts on the zoning map, consistency with the General Plan and LCP is met by conforming to the different density limits for the different portions of the property.

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(5) Accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) do not count toward density calculations.

“Density bonus” means the allocation of development rights that allow a parcel to accommodate additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision of affordable unit(s) pursuant to SCCC 17.12.

“Department” means the County Planning Department.

“Depth, front yard” or “depth, parcel” or “depth, site” means the horizontal distance between the front property line or the edge of the road right-of-way and the rear property line of a site measured along a line midway between the side property lines. The depth of a corridor lot shall be measured from the rear line of the corridor.

“Detached structure” means a structure that is freestanding or attached to another structure by a breezeway.

“Developable land” means land which is suitable as a location for structures and which can be improved through normal and conventional means, free of development hazards as defined in SCCC Title 16, and without disruption or significant impact on natural resource areas. The following areas shall not be considered as developable land:

(1) Public or private rights-of-way designated for vehicle access.

(2) Lands with slopes greater than 30 percent and geologic hazard areas as described in SCCC 16.10.080.

(3) Riparian corridors and riparian buffer zones as described in SCCC 16.30.040.

(4) Lakes, marshes, sloughs, wetlands, and other sensitive habitats and buffers as described in SCCC 16.32.

(5) Any other areas unsuitable for development as described in SCCC Title 16.

See also definition of “Site area, net developable.”

“Development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z’berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

“Dining establishment” means a business located in a building that sells food or beverages for immediate consumption. Includes restaurants, coffee shops/cafes, food kiosks, fast food

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establishments, and specialty food establishments such as bakeries, delicatessens, and ice cream shops. Dining establishments may be located within other land uses such as grocery stores and bars.

“Director” means the County Planning Director, or their authorized representative, appointed pursuant to law.

“Discretionary permit”: See SCCC 18.10.015.

“Distillery” means a commercial manufacturing facility for the production, packaging, bottling, rectifying, and flavoring of distilled spirits. A distillery is subject to a Type 04 license (Distilled Spirits Manufacturer) or other appropriate license by the California Department of Alcoholic Beverage Control. The distillery may also include administrative offices, marketing, tours, public tasting, and wholesale and retail sales of distilled spirits.

“Dog” means a domestic dog (Canis familiaris) of either sex, altered or unaltered, that has reached the age of four months.

“Drive-in uses” means all those facilities where:

(1) Food, goods, or services are dispensed to occupants of automobiles parked in designated spaces without the need to wait in line, including car-service restaurants.

(2) Nonmechanical maintenance is performed on a vehicle parked in a designated space, usually while a customer remains on the premises, including conveyor type car washes and holding-tank dumping stations.

“Drive-through use” means any use which provides goods or services to occupants of automobiles at a pick-up station. Drive-through uses at dining establishments are not permitted.

“Duplex” means a dwelling including two attached dwelling units on one parcel. Duplexes are considered multifamily dwellings in terms of zoning regulations and single-family structures under the building code.

“Dwelling group” means a group of two or more detached single-family dwelling units occupying a parcel of land in one ownership and having any yard or court in common.

“Dwelling, single-family - detached” means one dwelling unit with open space on all sides.

“Dwelling, single-family – attached” means one dwelling unit on one parcel of land that is attached to another single-family dwelling unit on another parcel of land by a common wall extending from the foundation to the roof at the property line. Common names for attached single-family dwellings include for-sale townhomes and semi-detached units. A single dwelling unit that is attached to a non-residential structure is considered a single-family dwelling.

“Dwelling, multifamily” means a structure containing more than one attached dwelling unit on the same parcel. Multifamily dwelling types include apartments, rental townhomes, and condominiums.

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, with interior connection throughout the structure. Automobile trailers,

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hotels, motels, labor camps, tents, railroad cars, and temporary structures shall not be deemed dwelling units. Primary dwelling units may be associated with "accessory dwelling units (ADUs)" or "junior accessory dwelling units (JADUs)" (see definitions). A primary dwelling unit may include one "kitchen" and one "efficiency kitchen" (see definitions). If a primary dwelling unit includes a JADU, then an additional efficiency kitchen outside the JADU is not allowed. A tiny home on wheels, as defined in SCCC 13.10.700-T, may be used as a dwelling unit.

"Dwelling unit, accessory": See "accessory dwelling unit (ADU)" and "junior accessory dwelling unit (JADU)."

13.10.700-E "E" definitions.

"Efficiency kitchen": see "Kitchen, efficiency."

"Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to nighttime occupancy by clients.

"Energy facility" means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other energy resource; excluding solar energy systems (refer to SCCC 13.10.700-S), wind energy conversion systems (refer to SCCC 13.10.700-W), and cogeneration (refer to 13.10.700-C).

"Environmental clearance": See SCCC 18.10.015.

"Electric vehicle charging station" means equipment that connects an electric vehicle to a source of electricity for the purpose of recharging. Electric vehicle charging stations may be stand-alone or co-located with automobile fueling stations.

13.10.700-F "F" definitions.

"Farmstay" or "farmstay/homestay" means a food and lodging facility operated in the principal residence, second unit, habitable accessory structure, or dwelling group of a farm. The host farm must meet the definition of a farm in California Food and Agriculture Code Section 52262 and generate its primary farm income through agricultural production. Food service is incidental to the farmstay.

"Farmworker housing" means Employee Housing for agricultural employees, or any other type of farmworker housing project authorized by SCCC 13.10.631, as further defined therein.

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, and technological factors.

"Fence" means any construction of wood, metal, plastic, earth, or other materials obstructing the clear view, but not including a structure as defined herein or a hedge.

"Floor area, gross" (or "floor area") means all covered and enclosed habitable and non-habitable floor area with a floor-to-ceiling height equal to or greater than 7 feet 0 inches, measured from exterior faces of exterior walls. Gross floor area calculations shall consider the following:

(1) "Covered and enclosed" for the purposes of this calculation means having a roof and four walls.

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(2) In spaces with exposed structural beams, floor-to-ceiling height is measured from the floor to the underside of rafters or beams (not including collar ties).

(3) In spaces with varying floor-to-ceiling height (such as attics), only portions of the space where floor-to-ceiling height is at least 7 feet 0 inches are counted.

(4) Residential spaces with ceiling heights greater than 18 feet are counted twice, and greater than 27 feet are counted three times.

(5) Staircases and elevator shafts are counted in the gross floor area calculation on each story where they occur.

(6) Gross floor area calculations do not include:

(a) Small detached non-habitable accessory structures that do not require a building permit per SCCC 12.10.315(A).

(b) "Underfloor" areas (see definition).

(c) Structural protections above ground level such as eaves, fireplace chases, cantilevered decks, and bay windows.

(d) Exterior staircases (unless covered and enclosed).

"Floor Area, habitable," for the purposes of planning and zoning, means the portion of the gross floor area used for living, sleeping, eating, or cooking, and meeting minimum building code requirements for these activities. Habitable floor area shall exclude garages, carports, attics, utility rooms, and any other area that is not used for human habitation.

"Floor area, net" means the gross floor area minus the following areas:

(1) "Attics" (see definition);

(2) "Basements" (see definition);

(3) "Mezzanine" levels (see definition);

(4) Non-residential parking structures;

(5) Up to 225 square feet of garage space per single- or multifamily dwelling unit; and

(6) Up to 140 square feet of covered and enclosed front porches.

"Floor area ratio" or "FAR" means the net floor area divided by the gross site area.

"Foster home" means a private home including "foster" family homes and "group homes" licensed by the County Human Services Department or the State Department of Social Services in which one or more children under 19 years of age, not related to the proprietary family, are resident on a more or less permanent basis and in which said children participate in family relationships with said proprietary family.

"Frontage" means the property line of a site abutting on a street or on the edge of a right-of-way, not including the side line of a corner lot.

13.10.700-G "G" definitions.

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"Games establishment" means a commercial establishment containing six or more pinball machines, electronic video-screen games, football games, hockey games, skeebowls, or any other similar games or machines for the use of which fees are paid directly into the machines or to an operator.

"Garage" or "carport" means a non-habitable accessory structure or a portion of a main structure, having a permanent roof, and designed for the storage of motor vehicles and large enough to accommodate at least one compact car parking space.

"Gardening, family" means the noncommercial raising for family use of vegetables, berries, trees, fruits, vines, grapes, flowers, ornamental trees, or shrubs.

"Gasoline station": See Automobile Fueling/Charging Station.

"GH" means the Geologic Hazards Combining District (SCCC 13.10.420).

"Greenhouse" means a permanent, sunlight-based structure used for production of agricultural crops, either container grown or in-situ (soil based). Does not include temporary shade structures usually comprised of plastic film stretched over a flexible frame, often referred to as hoop houses.

"Group quarters" means, per the US Census, a place where people live or stay, in a group living arrangement, that is owned or managed by an entity or organization providing housing and/or services for the residents. These services may include custodial or medical care as well as other types of assistance, and residency is commonly restricted to those receiving these services. Group quarters include such places as college residence halls, residential treatment centers, skilled nursing facilities, group homes, military barracks, correctional facilities, and workers' dormitories. Group quarters are considered a non-residential land use type, not housing.

"Gross site area": see "Site area, gross."

13.10.700-H "H" definitions.

"H" means the Affordable Housing Combining Zone District (SCCC 13.10.430).

"Habitable accessory structure" means a detached, subordinate structure, the use of which is appropriate, subordinate, and customarily incidental to that of the main structure or the main use of the land and which is located on the same site with the main structure or use and contains all of the required amenities and any of the allowed amenities for habitable structures shown in Table 13.10.611-1.

"Habitable floor area": See "Floor area, habitable."

"Hand-made product fabrication and sale" means a commercial business or cooperative "maker" space that is not conducted from a dwelling unit and involves the fabrication and sale of hand-made products. See also "Cottage industry."

"Health facility" means any facility, place, or building which is organized, maintained, and operated for the diagnosis, care, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which such persons are admitted for a 24-hour stay or longer, per the California Code of Regulations. Health Facilities, which include

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clinics, hospitals, skilled nursing facilities (nursing homes), intermediate care facilities, and other types of health facilities, are licensed by the California Department of Public Health and are a non-residential land use.

“Hedge” means a row of closely planted shrubs or low growing trees forming a barrier or boundary.

“Height of structure” is the vertical distance from the ground to the uppermost point of the structure. Height at exterior walls is measured from existing or finished grade, whichever is lower. Height within the footprint of a new structure is measured from existing grade. Height within the footprint of an existing structure is measured from a projected line through the building from the grade at the exterior walls. Height limits are specified for each zone district, with special height requirements applying to certain land uses. Certain architectural features may exceed height requirements per SCCC 13.10.510.

“Historic theme park” means a park or commercial amusement establishment, the design and contents of which have a basis in the history of a place or area and which therefore have an educational focus.

“Home occupation” means an accessory use, which is secondary to the primary residential use, for gainful employment involving the manufacture, provision, or sale of goods or services performed by a full-time inhabitant of the unit that does not affect the residential character of the property or neighborhood, subject to SCCC 13.10.613. Secondary commercial weddings and similar celebrations, and community events and fundraisers, are not eligible to be permitted as home occupations.

“Hoop house” means an agricultural shade structure as described in SCCC 12.10.315.

“Hosted rental” means a dwelling unit where a property owner or long-term resident acting as host occupies one bedroom in a dwelling unit while one or two legal bedrooms are rented for the purpose of overnight lodging for a period of less than 30 days, subject to SCCC 13.10.690.

“Hostel” means a dormitory style facility for temporary occupancy visitor accommodations.

“Hotel” means a structure or portion thereof with furnished individual guest rooms or suites, which maintains an interior lobby through which tenants must pass to gain access to guest rooms or suites, providing overnight accommodation with or without meals for compensation. Hotels are Type A visitor accommodations subject to SCCC 13.10.689.

13.10.700-I “I” definitions.

“I” means the Statement of Intention Combining Zone District (SCCC 13.10.440).

“Immature plant” or “immature” means a cannabis plant which has a first true leaf measuring greater than one-half inch long from base to tip (if started from seed) or a mass of roots measuring greater than one-half inch wide at its widest point (if vegetatively propagated), but which is not flowering.

“Immature plant cultivation area” means the specific area on a site where activities associated with producing clones, immature plants, and seeds take place.

“Incidental”: See “Use, accessory.”

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"Industry, Light"; "Industry, Heavy." See SCCC 13.10.340, et seq.

"Intensification of Use, Nonresidential" means any change or expansion of a nonresidential use which will result in both a greater than 10 percent increase in vehicle trips and more than 110 new daily vehicle trips.

"Intensification of Use, Residential": Any change to a residential use which results in an increase of its number of bedrooms, as defined in SCCC 13.10.700-B, shall be an "intensification of use" for the purposes of this chapter.

13.10.700-J "J" definitions.

"Junior Accessory Dwelling Unit" or "JADU" means, in compliance with California Government Code Section 65852.22, a residential living area contained within a proposed or existing single-family residence that is no more than 500 square feet in size. JADUs can include additions to an existing structure of no more than 150 square feet. JADUs shall include independent provisions for living, sleeping, eating, and cooking (area meeting the definition of Efficiency Kitchen but not a standard Kitchen), and shared or separate sanitation facilities with the main dwelling unit. See also Accessory Dwelling Unit.

"Junk yard" means a site or portion of a site on which waste or discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled, or handled, including used furniture and household equipment yards, used lumber yards and the like, excepting a site on which uses are conducted within a completely enclosed structure and excepting motor vehicle wrecking yards as defined in this chapter. An establishment for the sale, purchase, or storage of used cars or salvaged machinery in operable condition or for the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junk yard.

13.10.700-K "K" definitions.

"Kennel" means any lot, building, structure, enclosure, or premises whereupon or wherein are kept five or more dogs, cats, or similar small animals over the age of four months in any combination for more than five days, whether such keeping is for pleasure, profit, breeding, or exhibiting and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale, or kept for hire.

"Kitchen" means any room or portion of a room used or intended or designed to be used for cooking and/or the preparation of food and containing all of the following: a sink having a drain outlet larger than one and one-half inches in diameter, a refrigerator larger than two and one-half cubic feet, a built-in permanent cooking appliance typically including a full-size gas or 220-volt electric range/oven with a rang/hood ventilation system, and space for food preparation and storage. See also Efficiency Kitchen.

"Kitchen, catering" means an area where final food preparations are made and where food is warmed prior to serving. A catering kitchen does not have commercial cooking equipment that would require a hood or fire extinguishing system.

"Kitchen, efficiency" means limited kitchen facilities including a sink, a refrigerator, small electric kitchen appliances that do not require electrical service greater than 120 volts, an appropriately sized food preparation counter, and storage cabinets. Full-sized electric, gas, or propane cooking appliances are not allowed in an Efficiency Kitchen.

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13.10.700-L "L" definitions.

"L" means the Historic Landmark Combining Zone District (SCCC 13.10.450).

"Laboratory, biomedical" means any facility that is especially equipped for medical or pharmaceutical experimentation, testing, procedures, research, development, or production, excluding any equipment that is used exclusively for the injection of biological agents, the drawing of blood from animals, or the separation of animal blood into serum and plasma.

"Laboratory, dry" means a facility for making computer simulations or for data analysis, especially by computers.

"Laboratory, wet" means a facility where drugs, chemicals, and other types of biological matter can be analyzed and tested by using various liquids.

"Land division": See SCCC 18.10.015.

"Landscaped area": See SCCC 13.11.030.

"LCP" means the Local Coastal Program.

"Legislative action": See SCCC 18.10.015.

"Livestock" means any grazing, browsing, or similar equine, porcine, bovine, ovine, or other ruminant, including but not limited to any horse, pony, mule, donkey, pig, hog, cow, ox, sheep, goat, or llama, excepting those prohibited by SCCC Title 6.

"Livestock operation, biomedical" means an agricultural livestock management operation that uses livestock for experimentation or for the production of any biomedical or pharmaceutical product or by-product. A biomedical research facility, as defined by federal or State law, and when physically separated from any biomedical laboratory, may be considered a biomedical livestock operation under this definition.

"Lot" means a parcel of land designated on a subdivision final map or parcel map.

"Lot, corridor access" means a parcel with access to a street by means of a corridor having frontage and width less than that required by the applicable zone district for the site. Also known as a "flag lot."

"Lot, corner" means a lot bounded by two or more adjacent streets which intersect at an angle between 45 and 135 degrees, or a lot bounded by one street that bends at an angle between 45 and 135 degrees. The property owner has one opportunity to choose which yard is front and which yard is side, depending on which configuration causes development on site to be more conforming with site standards.

"Lot coverage" means the percentage of the gross site area covered by structures (see definition of "structure"). Lot coverage calculations shall exclude:

(1) Eaves, fireplace chases, cantilevered decks, bay windows, or other structural projections above ground level;

(2) Non-residential parking structures;

(3) Up to 225 square feet of garage space per single- or multifamily dwelling unit; and

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(4) Up to 140 square feet of covered and enclosed front porches.

“Lot, double frontage” means an interior lot having its front and rear property lines abutting on streets, alleys, or other rights-of-way to which it has legal access, or a corner lot bounded by two streets intersecting at an angle of less than 45 degrees. Both front and rear property lines on double frontage lots are subject to front yard setback requirements unless otherwise noted in the SCCC.

“Lot, interior” means a lot other than a corner lot.

“Lot line” means a line separating a lot from another lot or from a street. Front lot lines always separate a lot from a street.

13.10.700-M “M” definitions.

“MP” means mining permit (SCCC 16.54).

“M-1” means the Light Industrial Zone District (SCCC 13.10.340).

“M-2” means the Heavy Industrial Zone District (SCCC 13.10.340).

“M-3” means the Mineral Extraction Zone District (SCCC 13.10.340).

“Major structural components” means the foundation, floor framing, exterior wall framing, and roof framing of a structure. Exterior siding, doors, window glazing, roofing materials, decks, chimneys, and interior elements including but not limited to interior walls and sheetrock, insulation, fixtures, and mechanical, electrical, and plumbing elements are not considered major structural components.

“Manufactured home” means, per California Health and Safety Code Section 18007, a structure that was constructed on or after June 15, 1976, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, and which complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Section 5401, et seq.). Manufactured homes on foundations are subject to SCCC 13.10.682.

“Massing”: See 13.11.030.

“Matrix system” means a set of specific criteria which determines rural residential densities within General Plan density ranges based on the degree of physical development hazards or constraints present, the presence of natural resources to be protected and utilized, the adequacy of access and the level of public services and facilities available, and the existing land use pattern in the area. (See SCCC 13.14, Rural Residential Density Determinations.)

“Matrix unit” means a dwelling unit determined and allowed by the rural residential density determination matrix (SCCC 13.14).

“Mezzanine.” For planning and zoning purposes, a “mezzanine” is an intermediate level (such as a loft) between the floor and ceiling of a room, with a maximum floor area equal to one-third of the room area in which it is located. A mezzanine is not considered to be a “story” (see definition). An intermediate level with a floor area greater than one-third of the room in which it

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is located is a "story." Stairways and intermediate landings are not counted as part of mezzanine area.

"Microbrewery": See "Brewpub."

"Microgrid" means a self-sufficient energy system that serves a small geographic area, such as a college campus, hospital complex, business center, or neighborhood. Within microgrids are one or more kinds of distributed energy such as solar panels, wind turbines, and combined heat and power, that produce its power. The microgrid may be attached to a centralized grid but is also able to function independently.

"Ministerial permit": See SCCC 18.10.015.

"Minor exception": See SCCC 18.10.015.

"Minor use permit": See SCCC 18.10.015: "Use permit."

"Minor variation": See SCCC 18.10.015.

"Minor site development permit": See SCCC 10.10.015: "Site development permit."

"Mobile home" means, per California Health and Safety Code Section 18008, a structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or when erected onsite, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. Mobile homes must meet all the California state standards for mobile homes in effect at the time of construction.

"Mobile home park" means any area or tract of land where two or more lots are sold, rented, or leased or held out for sale, rent, or lease to accommodate mobile homes, manufactured homes or recreational vehicles used for human habitation. The rental paid for any such mobile home shall be deemed to include rental to the lot it occupies.

"Mobile home sales lot" means a site authorized for the parking and display of unoccupied mobile homes or manufactured homes which are available for sale, rent, or lease and may include recreational vehicles or travel trailers, but does not include commercial vehicles or commercial trailers.

"Motel" means a structure or portion thereof or a group of attached or detached structures containing completely furnished individual guest rooms or suites, usually with garage attached or parking space located in proximity to each unit, and without a lobby through which tenants must pass to gain access to guest rooms or suites. Overnight accommodation with or without meals is provided for compensation. Motels are Type A visitor accommodations subject to SCCC 13.10.689.

"Motor vehicle wrecking yard" means a site or portion of a site on which the dismantling or wrecking of used vehicles, whether self-propelled or not, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts, is conducted. The presence on a site of three or more motor vehicles which have not been capable of operating under their own power for 30 days or more, or in the case of vehicles not self-propelled, which have not been towable or from

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which parts have been removed for reuse or sale, shall constitute prima facie evidence of a motor vehicle wrecking yard.

“Multifamily dwelling”: See “Dwelling, multifamily.”

13.10.700-N “N” definitions.

“Net developable area”: See “Site area, net developable.”

“New construction ADU” means any ADU that does not meet the definition of conversion ADU. A tiny home on wheels may be used as a new construction ADU.

“Nonconforming structure” means a structure that was lawfully erected prior to adoption, revision, or amendment of this chapter but that does not conform with standards for lot coverage, setbacks, height, number of stories, distance between structures, or floor area ratio currently prescribed in the regulations for the zoning district in which the structure is located.

“Nonconforming use” means a use of structure or land that was legally established and maintained prior to the adoption, revision, or amendment of this chapter but does not conform to the current use standards, and density standards where applicable, of the zone district and/or the General Plan/Local Coastal Program land use designation in which the use is located. A nonconforming structure is not a nonconforming use. A legally established use shall not be deemed nonconforming due to the lack of a use permit.

“Non-habitable accessory structure” means a detached, subordinate structure, the use of which is appropriate, subordinate, and customarily incidental to that of the main structure or the main use of the land and which is located on the same site with the main structure or use and contains some or all of the required amenities and some or all of the allowed amenities for non-habitable structures shown in Table 13.10.611-1.

“Nursing home”: See “Skilled nursing facility.”

13.10.700-O “O” definitions.

“O” means the Open Space Easement Combining Zone District (SCCC 13.10.460).

“Offices, administrative or executive” means offices pertaining to the management of office operations or the direction of enterprises but not including merchandising or sales offices.

“Offices, professional” means offices pertaining to the practice of the professions and arts, including but not limited to architecture, dentistry, engineering, law, and medicine, but not including the sale of drugs or prescriptions except as incidental to the principal use and where there is no external evidence of such incidental use.

“Off-street loading berth”: See 13.16.020.

“Off-street parking facilities”: See 13.16.020.

“Open space easement contract” means a contract between a landowner and Santa Cruz County to restrict the development of land in return for a property tax reduction or stabilization; the minimum term of the contract is 10 years. The 10-year period is renewed every year. Open space easement contracts required as a condition of a development approval shall be in perpetuity.

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"Open space easement dedication" means an irrevocable offer of dedication to the County or other public or private agency acceptable to the County for open space, scenic, public access, or recreation purposes.

"Outdoor advertising structure" means a structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed.

"Over-height fence certification" means a discretionary approval allowing fence height above the height specified in SCCC 13.10.525(C), subject to the requirements of SCCC 13.10.525(E).

13.10.700-P "P" definitions.

"P" means the Agricultural Preserve Combining Zone District (SCCC 13.10.470).

"PA" means the Professional and Administrative Offices Zone District (SCCC 13.10.330).

"Permanent room housing unit" means an independent dwelling space intended for long-term (30 days or more) rental occupancy as separate living quarters, with direct access from outside the building or through a common hall, meeting the development standards in SCCC 13.10.427.

"Permit process": See SCCC 18.10.015.

"Permitted Use": See "Use, permitted by right."

"Person" means any individual, firm, association, corporation, partnership, business, trust, or company; a local public agency to the extent specified in Sections 53090 et seq. of the California Government Code; or the State or a State agency or city when not engaged in a sovereign activity.

"PF" means the Public and Community Facilities Zone District (SCCC 13.10.360).

"Planning Commission" means the Planning Commission as appointed by the Board of Supervisors. See SCCC 2.74.

"Planning Director" or "PD": See SCCC 18.10.015.

"Podium parking" means an above-ground parking structure enclosed by walls and supporting residential or commercial space overhead.

"Pool cabana" means an accessory structure less than 70 square feet in size used for bathing or changing purposes in conjunction with a swimming pool.

"PR" means the Parks, Recreation and Open Space Zone District (SCCC 13.10.350).

"Produce market" means a structure and ancillary sales area cumulatively less than or equal to 1,800 square feet in total floor area, accessory to on-site agricultural production, used to sell unprocessed fruits, vegetables, nuts, and other agricultural commodities produced on the site, along with limited processed foods and non-food items, pursuant to SCCC 13.10.640. A larger produce market may be considered with a CUP.

"Produce sales area, temporary" means structures and/or areas up to 800 square feet in size including any outside display area, open up to ninety (90) days per year (consecutive) or longer period of time with approval of an Administrative Use Permit, that is accessory to on-site agricultural operations and is used to sell only raw, unprocessed fruits, vegetables, nuts, cut

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flowers, and other unprocessed agricultural commodities grown on the site, pursuant to SCCC 13.10.640. A larger sales area may be considered with an MUP.

“Produce stand” means structures and/or areas up to 800 square feet in size, including any outside display area, that is accessory to on-site agricultural operations and is used to sell only raw, unprocessed fruits, vegetables, nuts, cut flowers, and other agricultural produce grown on the site, pursuant to SCCC 13.10.640. A larger produce stand may be considered with an MUP.

“Project”: See SCCC 18.10.015.

“Public/quasi-public community facility” means a publicly or privately operated facility that provides essential community services to benefit the public, such as medical services, governmental services, housing/supportive services, library services, educational services, or utilities.

13.10.700-Q “Q” definitions.

Reserved.

13.10.700-R “R” definitions.

“R-1” means the Single-Family Residential Zone District (SCCC 13.10.320).

“RA” means the Residential Agricultural Zone District (SCCC 13.10.320).

“RB” means the Ocean Beach Residential Zone District (SCCC 13.10.320).

“Rangeland” means land which is suitable for the grazing of livestock. Such land usually contains soil with a Natural Resources Conservation Service agricultural capability rating of V through VIII and contains vegetation dominated by grasses and herbaceous ground cover.

“Reconstruction” means modification or replacement of 65 percent or more of the major structural components (see SCCC 13.10.700-M) of an existing structure within any consecutive five-year period.

“Recreational travel trailer” means a nonpowered portable dwelling designed for temporary occupancy meeting the definition of “travel trailer” in California Health and Safety Code Section 18010, which may be towed on public highways without a special permit; does not include recreational vehicles, motorhomes, or mobile homes.

“Recreational vehicle” means a self-powered portable dwelling, camper, or motor home designed for temporary occupancy, meeting the definition of ‘recreational vehicle’ in California Health and Safety Code Section 18010, which may be driven on public highways without a special permit.

“Recreational vehicle sales lot” means a site authorized for the parking and display of unoccupied recreational vehicles or travel trailers which are available for sale, rent, or lease, but not including mobile homes, manufactured homes, commercial vehicles, or commercial trailers.

“Recreational vehicle storage lot” means a site authorized for the storage of privately owned unoccupied travel trailers, campers, recreational vehicles, boats, and other similar vehicles/vessels, but not mobile homes.

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"Recycling facility" means a facility for the drop-off, buyback, deposit, or return for redemption, of recyclable material. Recyclable material is reusable material including but not limited to aluminum, glass, plastic, and paper which is intended for remanufacture or reconstitution for the purpose of using the altered form. A recycling facility consists of a reverse vending machine, collection facility, or processing facility, as defined below. A recycling collection facility may also consist of a facility for the collection of reusable household goods or clothes by a charitable organization such as Salvation Army or Goodwill.

(1) "Reverse vending machine" is a mechanical device which accepts one or more types of empty beverage containers, including aluminum cans, glass, and plastic bottles, and cartons, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value.

(2) "Small collection facility" means a facility for the deposit, buyback, or drop-off of recyclable materials. A small collection facility occupies an area of not more than 650 square feet, is associated with a commercial use, community facility, or public facility on the site, and includes:

(a) Bins, boxes, cans, kiosk-type units, and/or other containers or receptacles; and/or

(b) A properly licensed automobile, truck, trailer, or van.

(3) "Large Collection/Processing Facility." A large collection or processing facility occupies more than 650 square feet, may occupy a single site rather than being associated with a commercial use, community facility, or public facility use, may utilize a building or other permanent structure, and may conduct processing operations utilizing power-driven sorting or consolidation equipment such as balers, crushers, separators, or bulk reverse vending machines.

"Remodel": See 13.11.030.

"Residential care facility for the elderly" or "RCFE" means a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, or personal care are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. RCFEs are also referred to as assisted living facilities and board and care facilities. Persons under 60 years of age with compatible needs may be allowed to be admitted or retained in an RCFE, if certain conditions are met. RCFEs are considered a non-residential land use, as they are care facilities licensed by the California Department of Social Services, not housing developments.

"Residential care home or small family home" means a dwelling unit in which room, board, and nonmedical personal care services including supervision of and assistance with eating, dressing, personal hygiene, daily activity, health maintenance, transportation, and protective safeguards for up to seven adults, not including members of the licensee's family, are provided, consistent with California Health and Safety Code Section 1566.3. The owner or operator of an adult residential care home or small family home is not required to live on site. Any residential care facility for seven or more occupants that is licensed by the State which admits occupants through an admissions agreement or other institutional/health care admissions process, rather than a lease, is a facility, not housing, and is considered a non-residential land use.

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"Riparian corridor" means those areas as defined in SCCC 16.30.030, Riparian Corridor and Wetlands Protection.

"RM" means the Multifamily Residential Zone District (SCCC 13.10.320).

"RR" means the Rural Residential Zone District (SCCC 13.10.320).

"Rural" means outside the urban or rural services lines.

"Rural services line" or "RSL" means a fixed boundary line defining those areas located outside the urban services line which have recognized urban densities which may or may not have full urban services.

13.10.700-S "S" definitions.

"Second unit": See "Accessory Dwelling Unit."

"Secondary": See "Use, accessory."

"Senior citizen housing development" means a residential development developed, substantially rehabilitated, or substantially renovated for senior citizens that has at least 35 dwelling units, and meets the requirements of California Civil Code Section 51.3. A senior citizen housing development may be a multifamily rental housing development, or a for-sale development of condominiums, townhomes, or single-family homes.

"Senior rental housing" or "SRH" means a multi-family rental housing development or mobile home park restricted to occupancy by seniors aged 62 and older, pursuant to the California Unruh Civil Rights Act and/or federal Housing for Older Persons Act (HOPA). An SRH may have amenities and accessibility features designed for elderly tenants, and is a residential land use. Tenants of SRHs lease their apartments or mobile home spaces through a lease or rental agreement, not an admissions agreement, and have full tenancy rights through State landlord/tenant laws. Supportive services and/or convenience services may or may not be provided on site, but "care" (assistance with activities of daily living) is not provided by the property owner/manager. Individual tenants may obtain their own caregiver or assistance from an outside program if needed. Facilities that provide "care" are considered RCFEs (see definition) and must be licensed by the State. SRH properties may be market-rate, affordable, or mixed-income rental properties or mobile home parks.

"Sight distance triangle": See SCCC 13.10.093.

"Sign" means anything whatsoever placed, erected, constructed, posted, painted, printed, tacked, nailed, glued, stuck, carved, or otherwise fastened, affixed, or made visible for out-of-door advertising purposes in any manner whatsoever on the ground or on any tree, wall, bush, rock, post, fence, building, structure, or thing whatsoever. For the purposes of this chapter, the advertising area of only one side of a double-faced sign shall be used in determining the advertising area.

"Sign, appurtenant" means a sign relating only to goods sold or services rendered upon the building site on which said sign is erected or maintained.

"Site" means a parcel or parcels of land, occupied, or to be occupied, by a use or structure(s).

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"Site area, gross" means the total horizontal area included within the property lines of a site. Gross site area is used in calculations of floor area ratio and calculations related to density for urban parcels.

"Site area, net" means the total site area less all public or private rights-of-way designated for vehicle access. Net site area is used in calculations related to certain development standards for rural parcels.

"Site area, net developable" means gross site area minus land not developable (see definition of "developable land"). Net developable site area is used in calculations related to density for rural parcels. Lands with slopes between 30 and 50 percent and landslide areas determined by a geological study to be stable and suitable for development can be credited in density calculations.

"Site development permit": See SCCC 18.10.015.

"Site width" means the horizontal distance between the side property lines of a site measured on an alignment parallel to the front property line along the rear line of the required front yard.

"Skilled nursing facility" or "SNF" means a health facility or a distinct part of a hospital which provides continuous skilled nursing care and supportive care to patients whose primary need is for availability of skilled nursing care on an extended basis. It provides 24-hour inpatient care and, as a minimum, includes physician, skilled nursing, dietary, and pharmaceutical services, and an activity program, per the California Health and Safety Code. SNFs are a type of health care facility (see definition) which require a license from the California Department of Public Health (CDPH) and are a considered a non-residential land use.

"Soil-dependent" means in-situ soils are used as the growing medium, exclusively.

"Solar access" means the ability of sunlight to strike a solar energy system.

"Solar energy system" means any solar collector or other solar energy device, or any structural design feature of a building whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, for water heating or for electricity, or as defined in Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

"SP" means the Salamander Protection Combining Zone District (SCCC 13.10.480).

"Story" means, for planning and zoning purposes, that portion of a building included between the upper surface of any floor and the lower surface of the floor or ceiling above. Attic, basement, mezzanine, and under floor areas do not count as stories.

"Street": See SCCC 13.16.020, "Road or Street."

"Structure" means anything constructed or erected which requires a location on the ground, including a building, but not including a swimming pool, a fence, or a wall used as a fence (including retaining walls), or a deck less than 18 inches in height.

"Structure, accessory" means a detached, subordinate structure, or a subordinate structure attached to a main structure by a breezeway, the use of which is appropriate, subordinate, and

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customarily incidental to that of the main structure or the main use of the land and which is located on the same site with the main structure or use.

“Structure, main” means a structure housing the principal use of a site or functioning as the principal use.

“Structural walls” means any bearing wall of a building.

“SU” means the Special Use Zone District (SCCC 13.10.380).

“Subordinate Use”: See “Use, accessory.”

“Supportive housing” means affordable rental housing with intensive services promoting housing stability.

13.10.700-T “T” definitions.

“Temporary relocation” means a temporary relocation of a use for a period not to exceed 18 months by reason of a natural disaster for which a local emergency has been declared by the Board of Supervisors.

“Temporary use or structure” means a use or structure that is allowed to occur on a site for a limited time, subject to applicable regulations for temporary uses and structures, required permits, and site-specific permit conditions.

“Timber” means trees of any species suitable for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, but not including nursery stock.

“Timberland” means privately owned land, or land acquired for State forest purposes, which is devoted to and used for growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

“Timber management plan” means a written plan for the development and utilization of timber resources and compatible uses which ensures the continued viability of the timberland, and which includes reasonable rotation and cutting cycle date.

“Time-share visitor accommodations” means visitor accommodations facilities in which the ownership interest in individual units is divided in time. Time-share visitor accommodations units commonly are sold by the week for up to a maximum of 51 weeks per year, subject to SCCC 13.10.693.

“Tiny home on wheels” (THOW) means an independent dwelling unit, maximum 400 gross square feet, excluding loft area space if that loft area space meets the requirements of Government Code Section 18009.3(b) and Section 18033 and maximum 14 feet in width at the maximum horizontal projection. It provides complete independent living facilities for one or more persons and is built upon a single chassis and is towable by a hitch mechanism and cannot move under its own power. It may only be transported upon the public highway with a permit issued pursuant to Vehicle Code Section 35780.

“Tourist service” means a business selling tickets and/or providing information to visitors.

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"Town plan" means a plan adopted in conformance with the County General Plan which is applicable to a specific area that requires a detailed planning effort.

"Town plan area" means an area within the unincorporated area that has been subject to more detailed, area-specific planning than is normally part of an overall General Plan update, and where a design framework, area plan, village plan, or specific plan has been adopted by the Board of Supervisors and incorporated into the County General Plan.

"TP" means the Timberland Preserve Zone District (SCCC 13.10.370).

"Trailer park" means a site authorized for the temporary parking of privately owned, occupied travel trailers and recreational vehicles, but not mobile homes.

"Travel trailer": See "Recreational travel trailer."

13.10.700-U "U" definitions.

"Underfloor": For planning and zoning purposes, an underfloor is a non-habitable space between the underside of the first story floor framing (joists or girders that directly support the floor sheathing) and the grade below. An underfloor is not considered a "story" (see definition). To qualify as underfloor, the space may be used for storage but cannot have a finished floor, insulation, or conditioned space, and there must be no stairway access to the underfloor area.

"Urban" means inside the urban or rural services lines.

"Urban agriculture" means the practice of cultivating food in or around urban areas, generally at a scale larger than a single residential parcel. Urban agriculture includes a range of food growing practices, such as community gardens; school gardens on school property; urban farms where food is grown for commercial sale; and animal keeping for eggs, milk, and meat.

"Urban services line" or "USL" means a fixed boundary line defining those areas planned to accommodate urban densities of development with urban services.

"Usable open space" means an outdoor area which is required to be available for use by occupants of a multifamily dwelling unit.

"Use" means the purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered, or enlarged or for which either a site or a structure is or may be occupied or maintained.

"Use, accessory" means a use subordinate to any main use and customarily a part thereof, which use is clearly incidental and secondary to the main use and which does not change the character thereof.

"Use, allowed" means any use which may take place in a particular zone district.

"Use Permit": See SCCC 18.10.015.

"Use, permitted by right" means a use which may take place in a particular zone district without a use permit.

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"Use, coastal zone principal permitted" means a use allowed in the basic zone district, the approval of which is not appealable to the Coastal Commission except in the geographic areas and certain cases specified in SCCC 13.20.

13.10.700-V "V" definitions.

"VA" means the Visitor Accommodations Zone District (SCCC 13.10.330).

"Vacation rental" means a single-family dwelling unit, duplex, or triplex (including condominium and townhouse units, but not including apartments or manufactured homes in a mobile home park), where the owner/operator/contact person/agent does not live in the dwelling unit while it is rented for use as a vacation rental and no one but the renter of the vacation rental dwelling and guests of the renter live in the dwelling unit while it is rented for use as a vacation rental and the entire dwelling unit is rented for the purpose of overnight lodging for a period of not more than 30 days other than (1) ongoing month-to-month tenancy granted to the same renter for the same unit, (2) one less-than-30-day period per year, or (3) a house exchange for which there is no payment. Where there are multiple dwelling units on a site, the owner/operator/contact person/agent may live in one of the dwellings that is not being used as a vacation rental. Renting of individual rooms does not constitute use of a dwelling unit as a vacation rental. Habitable accessory structures, non-habitable accessory structures, second units constructed under the provisions of SCCC 13.10.681, 13.20.107, or 13.20.108, and legally restricted affordable housing units shall not be used as vacation rentals.

"Variance": See SCCC 18.10.015.

"Vegetation" means all plant life.

"Village": See SCCC 13.11.030.

"Visitor accommodations, commercial" means commercial visitor serving facilities for short-term (less than 30 days) overnight use. Commercial visitor accommodations do not include agricultural farmstays (see SCCC 13.10.641) or short-term residential rentals (see SCCC 13.10.690 for "hosted rentals" or 13.10.694 for "vacation rentals").

(1) "Type A visitor accommodations" means hotels, motels, and bed and breakfast inns (subject to 13.10.691) with an individual room or cabin for each customer.

(2) "Type B visitor accommodations" means camps, campgrounds, and group quarters/dormitory-style visitor accommodations, including RV or tent campgrounds, hostels, and visitor accommodations associated with organized camps and conference centers (subject to SCCC 13.10.692).

"Visitor accommodations (VA) unit" means a commercial visitor accommodation room, cabin, or suite. VA units can include kitchens and bathrooms.

13.10.700-W "W" definitions.

"Winery" means a facility for the production and sale of wine from fruit or fruit juices through fermentation that is subject to a Type 02 license by the California Department of Alcoholic Beverage Control. Wineries shall be entitled to all uses and activities provided under the Type 02 licenses and may also include ancillary distilling of wine to produce brandy or a similar distilled spirit. Such facilities may include related storage, blending, and bottling activities, administrative

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offices, wholesale and retail sales of wine, marketing-related activities including public tastings, classes, and tours, and outdoor areas for picnics, gatherings, and other activities incidental to wine tasting. Incidental sale of marketing products and accessories related to the winery's brand identity, wine drinking, food pairing, local agriculture, and local history are also permitted.

"Wind energy conversion system" or "WECS" means a machine that converts the kinetic energy in the wind into a usable form (commonly known as a wind turbine or windmill). The WECS includes all parts of the system except the tower and the transmission equipment.

13.10.700-X "X" definitions.

Reserved.

13.10.700-Y "Y" definitions.

"Yard" means a required setback space adjacent to a front, side, or rear property line or right-of-way, within which no structure may be built.

"Yard, front" means a yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line or the inside edge of a right-of-way and a line parallel thereto on the site.

"Yard, rear" means a yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site.

"Yard, side" means a yard extending from the rear line of the required front yard, or from the front property line of a site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the depth of which is the minimum horizontal distance between the side property line and a line parallel thereto on the site.

13.10.700-Z "Z" definitions.

"Zoning Administrator" or "ZA": See SCCC 18.10.015.

"Zoning Clearance" or "ZC": See SCCC 18.10.015.

SECTION XXXVIII

An Environmental Impact Report has been prepared for the County Code amendments set forth above, consistent with the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations, Section 15000, et seq.). A Statement of Overriding Considerations and Findings of Fact has been prepared to address the significant environmental impacts associated with adoption and implementation of the Sustainability Update.

SECTION XXXIX

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The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to SCCC 13.10 are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION XL

Should any section, clause, or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole, or parts thereof, other than the part so declared to be invalid**.**

SECTION XXLI

This ordinance shall take effect outside the coastal zone thirty (30) days after adoption by the Board of Supervisors and inside the coastal zone upon final certification by the California Coastal Commission.

PASSED AND ADOPTED this 13th day of December 2022, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: Supervisors: Caput, Coonerty, Friend, McPherson, and Koenig
NOES: None
ABSENT: None
ABSTAIN: None

DocuSigned by:
Manu Koenig
43369812764640D...
Manu Koenig
Chair of the Board of Supervisors

ATTEST: DocuSigned by: Jennifer Frechette BE98AB5396B7441...

Jennifer Frechette
Clerk of the Board

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APPROVED AS TO FORM:

DocuSigned by:
Jason M. Heath
AF757CF913B5419...

Jason Heath
Office of the County Counsel 11/9/22 (AMS #13461)

County of Santa Cruz Board of Supervisors
Agenda Item Submittal
From: Planning: Permit Centers
(831) 454-2580
Subject: Unified Permit Center Manager Staff Position
Meeting Date: April 26, 2022

Recommended Action(s)

1) Accept and file report on the Unified Permit Center Manager position; and

2) Approve addition of 1.0 FTE UPC Manager and direct the Community Development and Infrastructure Department (CDID) Director to refer the positions to Personnel for classification, recruitment, and hiring.

Executive Summary

On February 1, 2022, the Board considered a report on the integration of the Public Works and Planning Departments and on implementation of a Unified Permit Center (UPC) focused on customer service and more efficient land use permitting. To further these goals, a Unified Permit Center Manager position is requested to oversee permit center operations, implement and monitor customer focused service, complaint resolution and continuous process improvement related to permit intake, processing, and issuance. The position would be initiated in fiscal year 2022-23.

Background

A primary goal of the UPC organizational and staffing model is to address the long term, unmet need for coordinated permit-related customer service, and for customer support across Departments and agencies that have a role in the land use permit process. Historically, the Planning Department worked to maximize customer service while balancing cost-recovery priorities and minimizing General Fund budget requests. However, reductions in staff, particularly in administrative and technician positions, initiated during the great recession and carried through the following years, required permit-review staff to devote more of their time to administrative functions. This has reduced the staff time available for customer support and system improvement. As priorities shift to create a metrics-driven, process improvement-oriented organization, additional administrative support is needed to establish and maintain a culture of customer service and a process improvement program that can implement and monitor the impact of permit streamlining efforts.

Analysis

On June 29, 2021, the Board received a presentation from the Planning Director outlining the concept of a Unified Permit Center (UPC) for integrated land use permitting, which co-locates representatives from all County permit review divisions and

operates with a customer-centered service model to streamline permit processing and issuance. At that time, one staff person was designated to focus on the initial development of the permit center on a six-month temporary “special assignment” basis, and the Board authorized the addition of one Department Administrative Analyst staff position dedicated to the UPC. The Special Assignment was completed and the Administrative Analyst was hired in January 2022.

On November 16, 2021, the Board received a status update on the UPC and, recognizing the need for staff that are tasked with the management and administration of the UPC, separate from the staff who process permits as a primary focus, the Board authorized a full-time senior lead and half-time planner position to support the UPC. The leadership position, funding a previously existing but unfunded Assistant Director position, has been filled by Carolyn Burke, who has transferred from the role of Senior Civil Engineer in Environmental Planning, and who has played an integral role in the department’s ongoing process improvement efforts.

On February 1, 2022, the Board considered a report on the integration of the Public Works and Planning Departments to create the CDID, a primary benefit of which is the integration and centralized management of permit-review staff in the Public Works and Planning divisions, which both support the UPC. While administrative efficiencies of the integrated department will likely allow more staff time to be dedicated to customer service, to fully realize the process improvement, metrics program and customer service goals of the UPC a dedicated position is required to manage the Center and those specific activities. Research into coordinated permit centers in other jurisdictions shows that most organizations have a Permit Center Manager or Ombudsman position whose duties include receipt and resolution of customer complaints, oversight of day-to-day permit center operations and customer service protocols, development and monitoring of key performance indicators, and coordinating between permit review departments and sections to resolve conflicts that can delay permit processing. Although not created at the time, the CDID organizational chart provided with the February 1 Board item includes a placeholder for this position within the UPC division, identified as the “Unified Permit Center Floor Manager.” A draft job description for the UPC Manager position is attached. The UPC Manager would operate at a mid-management level and have direct oversight of the Building Counter Supervisor and technician staff. The position would report directly to the CDID Assistant Director responsible for the UPC. With this position, the team needed to realize the UPC at this time would be in place.

The salary range for this position is proposed to be $8,881 to $11,891 per month. This salary is equivalent to Principal Planner and Chief Building Inspector. The next steps to establishing the position are for the Personnel Department to perform a classification study and salary review, after which CDID would return to the Board with a request for amendment to Resolution No. 279-75 to create the classification of UPC Manager.

Financial Impact
The Floor Manager position has been included in the FY 2022-23 budget request with a cost estimate of $172,934 for annual salary and benefits.

Strategic Plan Element(s)

Approval of a new Unified Permit Center Manager supports the Strategic Plan elements of:

6.B (Operational Excellence: County Workforce) - The Unified Permit Center will improve customer service by integrating permit services for all County reviewing agencies, and co-locating services in one place.
2.C (Attainable Housing: Local Inventory) - An improved and more predictable entitlement process encourages development of housing of all types.

Submitted by:
Paia Levine, Acting Planning Director, Matt Machado, Deputy CAO/Director of Public Works

Recommended by:
Carlos J. Palacios, County Administrative Officer

Attachments:

a Unified Permit Center Manager Job Description

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Adopted 12/05/2023
Board of Supervisors
DOC-2023-974 9.b

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 216-2023

On the motion of Supervisor Cummings
Duly seconded by Supervisor Hernandez

The following resolution is adopted:

RESOLUTION SUPPORTING BUDGET PRIORITIES FOR THE PROPOSED ONE-HALF CENT INCREASE IN THE RETAIL TRANSACTIONS AND USE TAX (SALES TAX) FOR TRANSACTIONS IN THE UNINCORPORATED AREA OF THE COUNTY OF SANTA CRUZ

WHEREAS, the County of Santa Cruz provides essential County services and facilities for residents, such as ensuring public safety throughout the community and maintaining critical emergency operations, fire prevention and suppression, and public safety dispatch services; providing integrated mental health, substance use disorder and health care services; maintaining, repairing and improving local streets, roads and alternative transportation networks; providing parks, open spaces and parks activities and classes for children, adults and seniors; creating affordable housing for seniors, persons with disabilities, veterans and families; increasing resilience to climate change and extreme weather impacts; and providing job training and fostering a positive local economy; and

WHEREAS, on June 26, 2018, the Board of Supervisors of the County of Santa Cruz approved a Strategic Plan that focuses on effective, accountable and transparent services and community partnerships built on trust, respect and collaboration, among other values; and establishes goals in the areas of Comprehensive Health and Safety, Attainable Housing, Reliable Transportation, Sustainable Environment, Dynamic Economy, and County Operational Excellence that represent the highest aspirations of the community; and

WHEREAS, while Santa Cruz County is a beautiful place to call home, the County faces a variety of difficult challenges, including an inflated housing market that has profound impacts on local families and individuals, as well as local employers' abilities to attract and retain a highly qualified workforce; and

WHEREAS, frontline workers like nurses, teachers, childcare providers, first responders, emergency personnel and other essential workers struggle as housing costs continue to rise in our community, and there is a shortage of homes for working families that is forcing those we depend on most in times of need to move elsewhere; and

WHEREAS, as climate change continues to threaten our community, it is increasingly critical to fund and provide wildfire, flood and emergency response, disaster preparedness and

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prevention programs and disaster recovery services for the community and critical County infrastructure; and

WHEREAS, the County's pavement condition index is well below statewide averages; the County's public roads and facilities need improvements and upgrades, and episodic winter storm damages and repairs continue to deplete County resources; and

WHEREAS, the Board of Supervisors of Santa Cruz County desires to submit to the voters of the County of Santa Cruz at a Special Election to be held March 5, 2024 a measure authorizing the Board to amend County Code to increase by one-half cent the Retail Transactions and Use Tax (Sales Tax) for transactions in the unincorporated area of the County; and

WHEREAS, the current Sales Tax in the unincorporated area was established in 1956 at 1.25% and was increased in 2018 by 0.5%; and the current Sales Tax in the unincorporated area totals 9.0% and is lower than the Cities of Santa Cruz, Scotts Valley and Watsonville; and

WHEREAS, the Sales Tax is enacted solely to raise revenue for the general governmental purposes of the County and not for purposes of regulation or raising revenue for regulatory purposes, in that all of the proceeds from the tax shall be placed in the County's general fund and be used for the usual current expenses of the County; and

WHEREAS, a one-half cent increase in the Sales Tax on retail transactions in the unincorporated area of the County would be paid by both residents and visitors and raise approximately $10,000,000 annually; and

WHEREAS, if approved by a majority of voters on March 5, 2024, the Sales Tax would be effective 110 days later, with the start of the next calendar year quarter, and approximately 75% of annual revenue, or $7.5 million, would be received in Fiscal Year (FY) 2024-25;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Santa Cruz hereby expresses its support for the measure once it is placed on the ballot and endorses FY 2024-25 budget priorities as follows:

1) Housing and Essential Workforce Retention – $1 million to advance housing plans and support predevelopment costs on North, Mid and South County campuses and other potential housing sites to attract and retain frontline workers including nurses and emergency responders.

2) Countywide Homeless Services – $1 million to support year-round, 24-hour navigation centers and other services for persons experiencing homelessness to be distributed in Santa Cruz, Watsonville and unincorporated areas.

3) Climate Resiliency and County Parks – $1 million to support wildfire, flood and emergency response, prevention programs and disaster recovery services, and maintain and improve neighborhood parks.

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4) Road Repair and Infrastructure Projects – $1 million to repair streets and potholes, and address failing public facilities and infrastructure that have exceeded their useful life.

5) Other essential County services, programs and improvements, including but not limited to providing mental health services for children and vulnerable populations as well as improving public safety.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 5th day of December 2023, by the following vote:

AYES: Supervisors Koenig, Cummings, Hernandez, McPherson and Friend
NOES: None
ABSENT: None
ABSTAIN: None

DocuSigned by:
Zach Friend
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12/5/2023

Zach Friend, Chairperson
Board of Supervisors

ATTEST: DocuSigned by:
Juliette Burke
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12/5/2023

Juliette Burke
Clerk of said Board

Approved as to form:

DocuSigned by:
Jason M. Heath
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11/30/2023

Office of the County Counsel

(11/28/2023, 15114)

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Clerk of the Board of Supervisors
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ADOPTED 12/04/2018
Board of Supervisors
[4:1] 18a

Ordinance No. 5286

ORDINANCE AMENDING CHAPTERS 13.01, 13.10, 17.10, AND 17.12 OF THE SANTA CRUZ COUNTY CODE RELATING TO GENERAL PLAN AND ZONING AMENDMENTS, AFFORDABLE HOUSING REQUIREMENTS, RESIDENTIAL DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVES, AND R-COMBINING DISTRICT REGULATIONS

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

Section 13.01.060 is hereby amended to read as follows:

13.01.060 General Plan amendment.

(A) Amendment Initiation. A General Plan amendment may be initiated by:

(1) A resolution of intention by the Board of Supervisors or the Planning Commission.

(2) An application by a property owner, an interested party having the owner's authorization, or any member of the general public.

(B) Amendment Frequency. Any single element of the General Plan shall not be amended more than four times in a calendar year. Each of the four allowed amendments may encompass a variety of different changes to the element.

(C) Consistency Zoning. When a General Plan amendment affects the land use designation of specific properties, those properties shall be concurrently rezoned to a zone district(s) as necessary to maintain consistency with the General Plan.

SECTION II

Section 13.10.170 is amended to read as follows:

13.10.170 General Plan consistency.

(A) Consistency Requirement. The zoning plan and regulations established by this chapter shall be consistent with the General Plan. "Consistent with" as used in this section means that the allowable uses and development standards established by this chapter and the zoning plan created pursuant to SCCC 13.10.210 are in harmony with and compatible with the County

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General Plan including the Local Coastal Program Land Use Plan, and that they implement the objectives, policies and programs of the General Plan and do not inhibit or obstruct the orderly attainment of the General Plan within its time frame.

(B) Discretionary Uses. Land uses which are allowed by discretionary approval shall be deemed to be consistent with the General Plan, provided the approving body finds such consistency before approving the use.

(C) Maintaining Consistency. The zoning plan and regulations established by this chapter shall not be amended out of conformity with the General Plan. Whenever an amendment to either the zoning ordinance or the General Plan is considered, a concurrent amendment to the other document shall be considered where necessary to maintain consistency.

(D) Consistent Zone Districts. The following table denotes the basic and combining districts which implement and are consistent with the various General Plan land use, resource and constraint designations. Rezoning of a property to a zone district which is shown in the following zoning implementation table as implementing the designation applicable to the property shall not constitute an amendment of the Local Coastal Program, unless it involves rezoning to M-3 in the Coastal Zone.

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ZONING IMPLEMENTATION TABLE

General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
All Land Use Designations	
(Except Agricultural Resource Lands)	SU—Special Use
Agricultural:	
AG—Agriculture	A—Agriculture
	RA—Residential Agriculture
	CA—Commercial Agriculture
	TP—Timber Production
	PR—Parks, Recreation and Open Space
	AP—Agricultural Preserve (for existing AP Districts only)
Commercial:	
C-N—Neighborhood Commercial	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	PA—Professional and Administrative Offices
C-C—Community Commercial	C-2—Community Commercial
	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	VA—Visitor Accommodations

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ZONING IMPLEMENTATION TABLE

General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
	PA—Professional and Administrative Offices
C-V—Visitor Accommodations	VA—Visitor Accommodations
C-S—Service Commercial/Light Industry	M-1—Light Industrial
	PA—Professional and Administrative Offices
	C-4—Commercial Services
C-O—Professional and Administrative Offices	PA—Professional and Administrative Offices
Public Facility/Institutional:	
P—Public/Institutional Facilities	PF—Public and Community Facilities
Residential:	
R-M—Mountain Residential	RR—Rural Residential
	RA—Residential Agriculture
	TP—Timber Production
	A—Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-R—Rural Residential	RR—Rural Residential
	RA—Residential Agriculture
	A—Agricultural

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ZONING IMPLEMENTATION TABLE

General Plan/Local Coastal Program Land Use Designation	**Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.**
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-S—Suburban Residential	RR—Rural Residential
	RA—Residential Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-UVL—Urban Very Low Residential	R-1—Single-Family Residential*
R-UL—Urban Low Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UM—Urban Medium Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UH—Urban High Residential	R-1—Single-Family Residential*
	RM—Multifamily Residential*
	RM-2-R –Multifamily Residential with Regional Housing Needs Combining zone*
All Residential Designations	PR—Parks, Recreation and Open Space

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* Zone district designations shall be considered consistent with the General Plan and Local Coastal Program Land Use Plan when in conformance with the residential density allowed by Figure 2-3 of the General Plan and Local Coastal Program Land Use Plan.

** This zone district is established for the sole purpose of recognizing as conforming parcels those legal parcels of record located outside the urban services line of the County that, prior to the adoption of the 1994 General Plan and Local Coastal Program Land Use Plan, were zoned R-1-5, R-1-6, R-1-7, R-1-8, R-1-9, R-1-10, R-1-12, R-1-15, R-1-20, R-1-32, R-1-40 or R-1-1 acre and developed with or intended for development of a single-family residence and any permitted accessory structures. Such development, including additions or remodels, is subject to the site and development standards of the specified zone district for the parcel. All land divisions must be consistent with the provisions of the Rural Residential Density Determination Ordinance (Chapter 13.14 SCCC) and with the residential density allowed by Figure 2-2 of the General Plan and Local Coastal Program Land Use Plan.

Open Space Uses:	
O-R—Parks, Recreation and Open Space	PR—Parks, Recreation and Open Space
	TP—Timber Production
O-C—Resource Conservation	PR—Parks, Recreation and Open Space
	TP—Timber Production
	A—Agriculture
O-L—Lakes, Reservoir, Lagoon	PR—Parks, Recreation and Open Space
O-U—Urban Open Space	PR—Parks, Recreation and Open Space
General Plan/Local Coastal Program Land Use Overlay Designations:	
I—Heavy Industry	M-1—Light Industrial
	M-2—Heavy Industrial
Q—Quarry	M-3—Mineral Extraction
PP—Proposed Parks and Recreation	PR—Parks, Recreation and Open Space
	D—Designated Park Site Combining Zone District with any other zone district

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General Plan/Local Coastal Program Resource:	
Agricultural Resource Lands	AP—Agricultural Preserve Zone District
	A-P—Agriculture with Agricultural Preserve Zone District
	CA—Commercial Agriculture
	TP—Timber Production
Timber Resource Lands	TP—Timber Production
General Plan/Local Coastal Program Constraint:	
Coastal Bluffs and Beaches	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC 13.10.400)
Fault Zones	
Liquefaction Areas	
Landslide Areas	
Floodplains and Tsunami Inundation Areas	
Other Designation or Condition:	
Designated Assisted Housing Site	H—Assisted Housing Combining District with any other zone district
Property Issued a Statement of Intention	I—Statement of Intention Combining District with any other zone district
Designated Historic Landmark	L—Historic Landmark Combining District with any other zone district
Mobile Home Park	MH—Mobile Home Park Combining District with any other zone district

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Property Restricted by an Open Space Contract	O—Open Space Combining District with any other zone district
Santa Cruz Long-Toed Salamander Habitat	SP—Salamander Protection Combining District with any other zone district
Special Residential Design Standards for the Pleasure Point Neighborhood	PP—Pleasure Point Community Design Combining District with any R-1, RM or PR zoned parcel in the Pleasure Point Neighborhood
Special use and development standards for development of housing at density of 20 units per acre	R—Regional Housing Need Combining District with any RM-2 zoned parcel, or in commercial or public facility zones.

SECTION III

Section 13.10.215 is amended to read as follows:

13.10.215 Zoning plan amendment.

(A) Amendment Policy. The County zoning plan and map are intended to reflect a comprehensive assessment and projection of the County's present and future needs for various types of land uses and developments, which are shown broadly on the adopted General Plan and Local Coastal Program Land Use Maps and Zoning Maps. In order to maintain a stable, desirable, well-balanced pattern of development throughout the unincorporated County area, amendments to the zoning plan and map are to be made only upon adequate justification.

(B) Amendment Initiation. Amendment to the zoning plan or map may be initiated by a resolution of intention adopted by the Board of Supervisors upon its own motion or upon the recommendation of the Planning Commission, an application by a property owner or other interested party having the owner's authorization.

(C) Amendment Procedures. Amendments to the County zoning plan or map shall be processed as a legislative action requiring a recommendation by the Planning Commission and approval by the Board of Supervisors pursuant to Chapter 18.10 SCCC and in accordance with the requirements of this section.

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(D) Planning Commission Recommendation. After a public hearing, which may be continued from time to time, the Planning Commission shall send a written recommendation to the Board. The Commission's recommendation shall include the reasons for the recommendation, the relationship of the proposed zoning amendment to the General Plan, and a statement regarding compliance with the California Environmental Quality Act. The Planning Commission shall recommend approval of a rezoning only if it determines that:

(1) The proposed zone district will allow a density of development and types of uses which are compatible with the objectives, policies and programs, and land use designations of the adopted General Plan, and conforms with, and is adequate to carry out, the coastal resource protection provisions of the certified Land Use Plan; and

(2) The proposed zone district is compatible with the level of utilities and community services available to the land; and

(3) One or more of the following findings can be made:

(a) The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district;

(b) The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the zoning plan was adopted;

(c) The present zoning is the result of an error;

(d) The present zoning is inconsistent with designation on the General Plan;

(e) The proposed rezoning is in the best interests of the public health, safety or welfare;

(f) A rezoning from nonresidential to residential use is appropriate in that the site has low commercial potential as reflected by existing vacancies, or outdated low value improvements, or low employment density, or low market demand for commercial use of the site; or

(g) The site will accommodate housing type(s) that are needed to house the local workforce in support of the local economy.

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(4) For amendments located within the Coastal Zone, the proposed rezoning maintains and provides for priority uses consistent with Sections 2.22.1 and 2.22.2 of the certified Land Use Plan.

(E) Planning Commission Recommendation Against Amendment. If the Planning Commission recommends against a proposed amendment, its action shall be final unless the matter is subsequently considered upon appeal or special consideration by the Board of Supervisors, or unless the action is being processed concurrently with a project that requires review by the Board of Supervisors.

(F) Board of Supervisors Action. The Clerk of the Board shall set a public hearing before the Board of Supervisors within 30 days after the receipt of the report recommending a zoning amendment from the Planning Commission. The Board may approve, modify, or disapprove the Planning Commission's recommendation; provided, that any modification of the proposed zoning amendment (including the imposition of regulations which are less restrictive than those proposed by the Commission or changes in proposed dwelling density or use) which was not previously considered by the Planning Commission shall be referred to the Planning Commission for its report and recommendation. The Planning Commission is not required to hold a public hearing on the referral, and its failure to respond within 40 days shall be deemed to be approval of the proposed modification. Any public hearing of the Board of Supervisors may be continued from time to time as determined by the Board.

(G) Finality of Action on Amendments. No new application for a zoning amendment shall be filed for the same or substantially the same purpose or project on the same parcel within one year after its denial without the consent of the Planning Commission if no appeal was made, or without the consent of the Board of Supervisors if denied by the Board. A denial without prejudice shall allow the filing of a new application at any time for the same or substantially the same purpose or project.

SECTION IV

Section 13.10.326 is amended to read as follows:

13.10.326 Residential density bonus for affordable housing

Within the Coastal Zone, the approving body (or the Coastal Commission on appeal) may approve additional units under density bonus provisions if the following criteria are met:

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(A) The additional units are consistent with Coastal Act Section 30604(f), Government Code Section 65915 and Chapter 17.12 SCCC; and

(B) The project is found to be in conformity with the Local Coastal Program provisions that ensure no impact on Coastal resources (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open space protections).

SECTION V

Section 13.10.475 is amended to read as follows:

Article VIII-A. Regional Housing Need R Combining District

13.10.475 Purpose of the Regional Housing Need R Combining District.

The purpose of the Regional Housing Need R Combining District is to increase the supply of affordable housing by designating sites for development at 20 units per acre in order to meet housing needs, including but not limited to requirements of the regional housing needs allocation as required by Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the California Government Code.

SECTION VI

Section 13.10.476 is amended to read as follows:

13.10.476 Density, Requirement for Planned Unit Development (PUD), and Permit Processing Standards

(A) Sites that are designated as Regional Housing Need R Combining District shall be developed at 20 units per acre. The use and density shall be by right, in that the use and density for the site are not discretionary, for sites zoned as required in SCCC 13.10.476 subsection (B). For the purposes of calculating density under these provisions, the developable area of each site developed under the Regional Housing Need R Combining District shall be determined at the time the site is designated. Such developable acreage shall be calculated in accordance with SCCC 13.10.700-D definition of "developable land" and SCCC 13.10.700-S definition of "site area, net" except that roadways and driveways shall be included in the developable acreage

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calculation for the purposes of determining net developable acreage. The number of potential units will be determined by multiplying the developable acreage by 20. Where such calculation results in a fractional number, the number of units shall be determined by rounding up to the nearest whole number.

(B) Property that is proposed for rezoning into the Regional Housing Need R Combining District shall include a proposed PUD. The PUD application shall include the development envelope and information on the massing, height, and intensity of development sufficient to perform environmental review under the California Environmental Quality Act (CEQA) at the Program level of detail, but is not required to address every aspect of the PUD application under Chapter 18.10, which may then be subject to Project-level CEQA review. The provision of housing at a density of 20 units/acre shall be deemed a specific benefit adequate to satisfy the finding for approval described in SCCC 18.10.183 (B)(3).

(C) After rezoning and the approval of the PUD, applicants must apply for a design review and site development permit which shall be acted upon by the Board of Supervisors. Projects that include a tentative map approval or are in the Coastal Zone are also subject to sections 13.10.476 (D)(1) and/or (2), as applicable.

(D) If a coastal permit or tentative map approval is required, it must be included in the application.

(1) Coastal Permit Requirements. Where a site is located in the Coastal Zone and requires a coastal permit for development, the provisions of Chapter 13.20 SCCC apply. Wherever possible, the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the coastal permit.

(2) Subdivisions. Development that includes approval of a tentative map is subject to the provisions of the Subdivision Map Act and Chapter 14.01 SCCC. Where a tentative map is proposed, the public hearing may be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the subdivision.

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SECTION VII

Section 13.10.477 is amended to read as follows:

13.10.477 Development standards in the Regional Housing Need R Combining District.

(A) Development Standards.

(1) Master Planning. Where contiguous or adjacent parcels are designated under the Regional Housing Need R Combining District, any development proposal for one parcel may be required to include a master plan for development of all contiguous or adjacent parcels which are also designated under the Regional Housing Need R Combining District. The purpose of the master plan is to define interior circulation patterns, exterior site access, fire access to all parcels, infrastructure improvements, common area location and amenities.

(2) Site standards shall be those established by SCCC 13.10.323 for RM 1.5 to RM 4.9, with the following alternative standards also available.

(a) Parking requirements: 1.5 spaces per studio or one-bedroom units; 2.0 spaces for two-bedroom units; 2.5 spaces for three-bedroom units; 3.0 spaces per four-bedroom units. An additional 20 percent of the total number of parking spaces is required to accommodate guest parking. Modifications of these standards can be approved for individual sites in the R Combining District as part of the approved PUD for each site, based on unique site and design factors;

(b) Height up to 35 feet measured from pre-construction natural grade and up to three stories exclusive of subsurface parking. Modifications of these standards can be approved for individual sites in the R Combining District as part of the approved PUD for each site, based on unique site and design factors;

(c) Limits on lot coverage and floor area ratio may be established for individual sites in the R Combining District as part of an approved PUD for each site, based on unique site and design factors;

(d) Clustering of affordable units is allowed when 100% of the units to be developed are deed restricted rental units affordable to households earning below 80% of the area median income;

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(e) Where garages are provided for market rate units, garages are not required for affordable units; and

(f) Maintain standard riparian buffer but eliminate 10-foot additional riparian construction buffer.

(3) Developments shall encourage energy efficiency, and environmentally sensitive design and building materials.

(4) If located within the Coastal Zone, the project's development standards must be found to be in conformity with the Local Coastal Program provisions that ensure no impact on Coastal resources, including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open space protections.

SECTION VIII

Section 13.10.478 is hereby deleted.

SECTION IX

Section 13.10.700 is amended to read as follows:

13.10.700-D "D" definitions.

"Density bonus" means the allocation of development rights that allow a parcel to accommodate additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision of affordable unit(s) pursuant to Chapter17.12.

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SECTION X

Chapter 17.12 shall be amended to read as follows:

Chapter 17.12

RESIDENTIAL DENSITY BONUSES AND AFFORDABILITY INCENTIVES

17.12.010 Purpose.

The purpose of this chapter is to provide incentives for the production of affordable housing and to comply with the provisions of Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the California Government Code, which mandates the adoption of a County ordinance specifying how the County will comply with that chapter.

17.12.020 Eligibility for regulatory incentives.

A housing development shall be granted a density bonus and, if requested by the applicant and consistent with the applicable requirements of this chapter, the regulatory concessions and incentives, waivers or reductions of development standards and parking ratios as described in this chapter when the applicant for the housing development seeks and agrees to construct at least any one of the following, and the housing development provides at least the number of very low and lower income units required by SCCC 17.12.025, if applicable. The County may require reasonable documentation to establish eligibility for a requested density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios. Inclusionary units provided as required by Chapter 17.10 SCCC are eligible for a density bonus and the regulatory incentives described in this chapter if the housing development also meets all requirements for affordable units contained in this chapter.

(A) Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code;

(B) Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code;

(C) A senior citizen housing development as defined in Section 51.3 of the Civil Code, or mobile home park that limits residency based on age requirements for housing older persons pursuant to Section 798.76 or 799.5 of the Civil Code; or

(D) Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the Civil Code, for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code; provided, that all units in the development are offered to the public for purchase.

(E) Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in

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Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.

17.12.025 Eligibility for regulatory incentives—Sites occupied by rental housing in past five years.

(A) This section applies to housing developments for which an application for a density bonus or other incentives provided by this chapter is made after January 1, 2015, for property on which any of the following rental units are now located, or on which any of the following rental units were located at any time in the five-year period preceding the date of submittal of the application:

(1) Rental units subject to a recorded covenant, ordinance, or law restricting rents to levels affordable to very low and lower income households;

(2) Rental units subject to any form of public rent control; or

(3) Rental dwelling units occupied by very low or lower income households.

(B) A housing development subject to this section will not be eligible for a density bonus or any other regulatory incentive provided by this chapter, including an enhanced density bonus, if applicable, unless:

(1) Each unit in the proposed housing development, exclusive of a manager's unit or units, is proposed to be affordable to and occupied by very low or lower income households; or

(2) The proposed housing development contains either: (a) the percentage of affordable units specified in SCCC 17.12.020; or (b) the replacement affordable units specified in subsection (C) of this section, whichever is greater. All housing developments subject to this section must provide replacement units as specified in subsection (C) of this section.

(C) The units described in subsection (A) of this section must be replaced as described in this subsection (C) for the housing development to be eligible for a density bonus or any other regulatory incentive provided by this chapter:

(1) The housing development must replace all units that are occupied on the date of application by households with lower or very low incomes with units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, households in the same or lower income category as those occupying the units. If the rental units are subject to or were formerly subject to any form of public rent control in the past five years, the housing development must also replace all units that are occupied on the date of application by

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households with moderate incomes with units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, households in a moderate or lower income category. Vacant units in a development with occupied units must be replaced with affordable units in the same proportion as the occupied units. If the income level of the household in occupancy is not known, the County shall make the rebuttable presumption that lower income households occupied the units in the same proportion as lower income households comprised the total County households, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database.

(2) If all the rental units described in subsection (A) of this section have been vacated or demolished in the five-year period preceding the application, the housing development must replace all units described in subsection (A) of this section that existed on the site when it contained the maximum number of units over the five-year period (the "highpoint") as follows:

(a) If the incomes of households occupying units at the highpoint are known, any units occupied on the date of the highpoint by households with lower or very low incomes must be replaced with units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, households in the same or lower income category as those occupying the units at the highpoint. If the rental units were formerly subject to any form of public rent control in the past five years, the housing development must also replace all units that are occupied on the date of application by households with moderate incomes with units of equivalent size to be made available at affordable rent or affordable housing cost to, and occupied by, households in a moderate or lower income category. Units that were vacant at the highpoint must be replaced with affordable units in the same proportion as the occupied units.

(b) If the incomes of households occupying units at the highpoint are not known, the County shall make the rebuttable presumption that lower income households occupied the units in the same proportion as lower income households comprised the total County households, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database. One-half of the required replacement units shall be made available at affordable rent or affordable housing cost to, and occupied by, lower income households, and one-half of the required replacement units shall be made available at affordable rent or affordable housing cost to, and occupied by, very low income households.

(3) The County shall assume that all units subject to a recorded covenant, ordinance, or law restricting rents to levels affordable to very low and lower

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income households are or were formerly occupied by households at the income levels required by the covenant, ordinance, or law.

(4) All units required by this subsection (C) shall be subject to a recorded affordability restriction with a term of at least 55 years if rental units. For-sale units shall be offered at an affordable housing cost and shall be subject to an equity sharing agreement consistent with Government Code section 65915(c)(2) unless in conflict with the requirements of another public funding source or law, and except that inclusionary units provided pursuant to SCCC Chapter 17.10 shall be permanently restricted in accordance with SCCC 17.10.050. All replacement calculations resulting in fractional units shall be rounded up to the next whole number.

17.12.030 Affordability restrictions.

(A) An applicant shall agree to, and the County shall ensure, continued affordability of all low and very low income units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the lower income density bonus units shall be set at an affordable rent as defined in Section 50053 of the Health and Safety Code.

(B) An applicant shall agree to, and the County shall ensure that the initial occupant of all for-sale units that qualified the applicant for the award of the density bonus are persons and families of very low, low or moderate income, as required, and the County shall enforce an equity sharing agreement pursuant to Government Code section 65915(c)(2)) unless in conflict with the requirements of another public funding source or law, and except that inclusionary units as required by Chapter 17.10 shall be permanently restricted in accordance with SCCC 17.10.050. Owner-occupied units shall be available at an affordable housing cost as defined in Section 50052.5 of the Health and Safety Code.

17.12.040 Request for incentive or concession.

(A) An applicant for a density bonus may submit a proposal for specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the County.

(B) The applicant may request the following number of incentives or concessions:

(1) One incentive or concession for projects that include at least 10 percent of the total units for lower income households, at least five percent for very low income households, or at least 10 percent for persons and families of moderate income in a common interest development.

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(2) Two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for persons and families of moderate income in a common interest development.

(3) Three incentives or concessions for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for persons and families of moderate income in a common interest development.

(C) "Concession" or "incentive," as used in this chapter, means any of the following:

(1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code section 65915(c).

(2) Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

(3) Priority processing as provided in SCCC 17.10.040.

(4) Other regulatory incentives or concessions proposed by the developer or the County that result in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code section 65915(c).

(D) The granting of a concession or incentive shall not require, be interpreted, in and of itself, to require a General Plan amendment, Local Coastal Plan amendment, zoning change, study or other discretionary approval. For purposes of this subdivision, "study" does not include reasonable documentation to establish eligibility for the concession or incentive or to demonstrate that the incentive or concession meets the definition set forth in SCCC 17.12.040(C).

(E) This section does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the County, or the waiver of fees or dedication requirements.

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17.12.050 Request for waiver or reduction of standard.

(A) In no case may the county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of SCCC 17.12.020 and 17.12.025 at the densities or with the concessions or incentives permitted by this chapter. An applicant may seek a waiver of any development standard that will have the effect of physically precluding the construction of a housing development meeting the criteria of SCCC 17.12.020 and 17.12.025 with the density bonus or with the concessions or incentives permitted by this chapter. An applicant may request a meeting with the County.

(B) Nothing in this subdivision shall be interpreted to require the county to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined by Government Code section 65589.5(d)(2), upon health, safety or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law.

(C) A proposal for the waiver or reduction of development standards pursuant to this section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled pursuant to SCCC 17.12.040.

17.12.060 Density bonuses.

(A) For the purposes of this chapter, "density bonus" means a density increase over the otherwise maximum allowable residential density as of the date of application by the applicant to the County. The applicant may elect to accept a lesser percentage of density increase, including but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in SCCC 17.12.020.

(1) For housing developments meeting the criteria of SCCC 17.12.020(A), the density bonus shall be calculated as follows:

Percentage Low Income Units	Percentage Density Bonus
10	20
11	21.5
12	23

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Percentage Low Income Units	Percentage Density Bonus
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35

(2) For housing developments meeting the criteria of SCCC 17.12.020(B), the density bonus shall be calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

(3) For housing developments meeting the criteria of SCCC 17.12.020(C), the density bonus shall be 20 percent of the number of senior housing units.

(4) For housing developments meeting the criteria of SCCC 17.12.020(D), the density bonus shall be calculated as follows:

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Percentage Moderate Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
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29	24
30	25
31	26
32	27
33	28
34	29

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Percentage Moderate Income Units	Percentage Density Bonus
35	30
36	31
37	32
38	33
39	34
40	35

(5) For housing developments meeting the criteria of SCCC 17.12.020(E), the density bonus shall be 20 percent of the number of the type of units giving rise to a density bonus under that subsection.

(B) Calculations of density bonuses are subject to the following provisions:

(1) Each housing development is entitled to only one density bonus. Where a housing development qualifies for a density bonus under more than one category as described in subsection (A) of this section, the category under which the density bonus is granted shall be elected by the applicant, and density bonuses from more than one category may not be combined.

(2) All calculations of density bonus units resulting in fractional units shall be rounded up to the next whole number. All calculations of affordable units required to qualify for the density bonus resulting in fractional units shall be rounded up to the next whole number.

(3) The applicant may request a lesser density increase than the housing development is entitled to, including but not limited to no increase, but no reduction will be permitted in the percentages of required affordable units as described in SCCC 17.12.020 and 17.12.025.

(4) The granting of a density bonus or an enhanced density bonus shall not require, or be interpreted, in and of itself, to require a General Plan amendment, Local Coastal Plan amendment, zoning change, or other discretionary approval.

17.12.065 Enhanced Density Bonus.

(A) For the purposes of this chapter, “enhanced density bonus” means an additional density increase provided by the County in excess of the regular 35 percent bonus provided by State law, for those developments meeting the criteria for an enhanced

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density bonus as set forth in this Section 17.12.065. Any enhanced density bonus granted pursuant to this Section shall be subject to a maximum resulting project density of thirty dwelling units per acre, after application of the enhanced bonus, notwithstanding the result of any enhanced density bonus calculations provided herein. Applicants for an enhanced density bonus must satisfy all requirements for a density bonus set forth in this Chapter, including but not limited to replacement housing requirements, if applicable, as specified in Section 17.10.025. A project meeting the requirements for an enhanced density bonus shall also be eligible for incentives and concessions, reduced parking requirements, and/or waivers of development standards to the same extent as it would be in conjunction with a density bonus pursuant to Section 17.12.060. Any density increase provided to a project pursuant to Section 17.12.065 shall serve in lieu of, and not in addition to, the density increase provided pursuant to Section 17.12.060.

(1) For housing developments meeting the criteria of SCCC 17.12.020(A) and that provide at least 21 percent Low Income Units, the enhanced density bonus shall be calculated as shown below, up to a maximum density bonus of 50 percent:

Enhanced Density Bonus	
Percentage Low Income Units	**Percentage Enhanced Density Bonus**
21	36.5
22	38
23	39.5
24	41
25	42.5
26	44
27	45.5
28	47
29	48.5
30	50

(2) For housing developments meeting the criteria of SCCC 17.12.020 (B) and that provide at least 12 percent Very Low Income Units, the enhanced density bonus shall be calculated as shown below, up to a maximum density bonus of 50 percent:

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Enhanced Density Bonus	
Percentage Low Income Units	**Percentage Enhanced Density Bonus**
12	37.5
13	40
14	42.5
15	45
16	47.5
17	50

(3) For housing developments meeting the criteria of SCCC 17.12.020 (D) that provide at least 15 percent Moderate Income Units, including any on-site inclusionary units provided in compliance with SCCC 17.10.030(B), the enhanced density bonus shall be calculated as shown below, up to a maximum density bonus of 50 percent:

Enhanced Density Bonus	
Percentage Moderate Income / Inclusionary Units	**Percentage Enhanced Density Bonus**
15	40
16	41
17	42
18	43
19	44
20	45
21	46
22	47
23	48
24	49
25	50

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(4) (A) Affordable housing developments meeting the criteria of SCCC 17.12.020 and that provide 100% of the units in a rental project, excluding any manager's units, as Very Low or Low Income rental units, or 100% of the units in a for-sale project as Low or Moderate Income for-sale units, shall qualify for an enhanced density bonus of 75 percent.

(B) To be eligible for an enhanced density bonus pursuant to this subsection (4), developments must meet the following criteria:

1) Project sponsor and/or site owner is a 501(c)(3) non-profit housing development organization and/or public agency;
2) Project will be funded in full or part by public subsidies and/or low-income housing tax credits, or is being developed on land provided by the County or other public agency for affordable housing development;
3) All rental units in the project, except any property managers' units, will be subject to an affordability restriction of at least fifty-five years;
4) Affordable for-sale units shall be subject to an affordable resale restriction for a term of at least 45 years, or longer term as approved by the County and project funders.

17.12.070 Land donations.

When an applicant for a housing development donates land to the County as provided for in this section, the applicant shall be entitled to a 15 percent density bonus as follows:

Percentage Very Low Income	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25

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Percentage Very Low Income	Percentage Density Bonus
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

This increase shall be in addition to any density bonus allowed by SCCC 17.12.060 up to a maximum combined mandated density increase of 35 percent if an applicant seeks both the density bonus required pursuant to this section and that allowed by SCCC 17.12.060. All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this section shall be construed to enlarge or diminish the authority of the County to require a developer to donate land as a condition of development. An applicant shall be eligible for the increased density bonus described in this section if all of the following conditions are met:

(A) The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or housing development application.

(B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.

(C) The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate General Plan designation, is appropriately zoned with appropriate development standards for development at 20 units per acre, and is or will be served by adequate public facilities and infrastructure.

(D) The transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, not later than the date of approval of the final subdivision map, parcel map, or residential development application, except that the County may subject the proposed development to subsequent design review to the extent authorized by

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subdivision (i) of Section 65583.2 of the Government Code if the design is not reviewed prior to the time of transfer.

(E) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with SCCC 17.12.030, which shall be recorded on the property at the time of the transfer.

(F) The land is transferred to the local agency or to a housing developer approved by the County. The County shall require the applicant to identify and transfer the land to the developer.

(G) The transferred land shall be within the boundary of the proposed development or, if the County agrees, within one-quarter mile of the boundary of the proposed development.

(H) A proposed source of funding for the very low income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or housing development application.

17.12.080 Child care facilities.

(A) When an applicant proposes to construct a housing development that conforms to the requirements of SCCC 17.12.020 and 17.12.025 and includes a child care facility that will be located on the premises of, as part of, or adjacent to the project, the County shall grant either of the following:

(1) An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.

(2) An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

(B) The County shall require, as a condition of approving the housing development, that the following occur:

(1) The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to SCCC 17.12.030.

(2) Of the children who attend the child care facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income in the housing development.

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(C) Notwithstanding any requirement of this section, the County shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.

(D) "Child care facility," as used in this chapter, means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.

17.12.090 Parking.

(A) Upon the request of the developer, the County shall not require a vehicular parking ratio, inclusive of disabled and guest parking, of a development meeting the criteria of SCCC 17.12.020 and 17.12.025 that exceeds the following ratios, or such lower ratio as established by Government Code section 65915(p)(2), as applicable:

(1) Zero to one bedrooms: one on-site parking space;

(2) Two to three bedrooms: two on-site parking spaces;

(3) Four and more bedrooms: two and one-half parking spaces.

(B) If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a development may provide "on-site parking" through tandem parking or uncovered parking, but not through on-street parking.

(C) This section shall apply to a development that meets the requirements of SCCC 17.12.020 and 17.12.025 but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this section.

17.12.100 Condominium conversions.

Condominium conversions may be eligible for a density bonus or incentive under the requirements set forth in Government Code Section 65915.5.

17.12.105 Commercial development contributing affordable housing.

A commercial development contributing affordable housing may be eligible for a development bonus under the requirements set forth in Government Code Section 65915.7.

17.12.110 Application procedures.

(A) All requests for density bonuses and all other regulatory incentives permitted by this chapter shall be submitted concurrently with the application for the first discretionary

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permit or other permit required for the housing development and shall be processed concurrently with such application.

(B) An applicant's request for any density bonuses, incentives, parking reductions, and/or waivers permitted by this chapter shall include the following information:

(1) A site plan depicting the number and location of all proposed market rate units, affordable units, and density bonus units, if any.

(2) A calculation of the maximum number of dwelling units permitted by the County's zoning ordinance and general plan for the housing development, excluding any density bonus units.

(3) The income level of the proposed affordable units.

(4) A description of any requested incentives, waivers of development standards, or parking reductions and evidence that any requested incentive or concession results in identifiable, and actual cost reductions to the housing development and is necessary to provide affordable rents or affordable sales prices.

(5) A description of all rental units existing on the site in the five-year period preceding the date of submittal of the application; income of all residents of currently occupied units; if no units are currently occupied, income of residents occupying units when it contained the maximum number of units in the five-year period preceding the date of submittal of the application; and any recorded covenant, ordinance, or law restricting rents to levels affordable to very low and lower income households applicable to the property in the five-year period preceding the date of submittal of the application.

(6) For any requested waiver of a development standard, evidence that the development standard for which the waiver is requested will have the effect of physically precluding the construction of the housing development with the density bonus, incentives, and concessions requested.

(7) If a mixed use building or project is proposed as an incentive, evidence that nonresidential land uses will reduce the cost of the housing development and that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area.

(8) If a density bonus is requested for a land donation, the applicant shall show the location of the land to be dedicated, provide proof of site control, and provide evidence that each of the requirements included in SCCC 17.12.070 can be met.

(9) If a density bonus or incentive is requested for a child care facility, evidence that all of the requirements included in SCCC 17.12.080 can be met.

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(10) If a density bonus or incentive is requested for a condominium conversion, evidence that all of the requirements included in Government Code Section 65915.5 can be met.

17.12.120 Review procedures.

All requests for density bonuses, incentives, parking reductions, and/or waivers permitted by this chapter shall be considered and acted upon by the approval body with authority to approve the housing development, with right of appeal to the Board of Supervisors, if applicable.

(A) Before approving an application that includes a request for a density bonus, incentive, parking reduction and/or waiver, the decision-making body shall make the following findings, as applicable:

(1) The housing development is eligible for the density bonus and any incentives, concessions, parking reductions or waivers requested.

(2) Any requested incentive or concession will result in identifiable and actual cost reductions.

(3) If the density bonus is based all or in part on donation of land, a finding that all the requirements included in SCCC 17.12.070 have been met.

(4) If the density bonus or incentive is based all or in part on the inclusion of a child care facility, a finding that all the requirements included in SCCC 17.12.080 have been met.

(5) If the density bonus or incentive is based all or in part on the inclusion of affordable units as part of a condominium conversion, a finding that all the requirements included in Government Code Section 65915.5 have been met.

(6) If an incentive includes mixed-use development, a finding that nonresidential land uses will reduce the cost of the housing development and that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area.

(7) If a waiver is requested, a finding that the development standards for which the waiver is requested would have the effect of physically precluding the construction of the housing development with the density bonus and incentives and concessions permitted.

(B) If the findings required by subsection (A) of this section can be made, the decision-making body may deny an application for an incentive, concession, or waiver requested only if it makes one of the following written findings, supported by substantial evidence:

(1) That the incentive, concession, or waiver would have a specific, adverse impact upon public health or safety or the physical environment and there is no

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feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low and moderate income households. For the purpose of this subsection, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete; or

(2) That the incentive, concession, or waiver would have an adverse impact on real property listed in the California Register of Historic Resources; or

(3) That the incentive, concession, or waiver is contrary to State or Federal law; or

(4) That the incentive or concession does not result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Health & Safety Code Section 50025.5, or for rents for the targeted units to be set as specified in Government Code section 65915(c); or

(5) That the development standards for which the waiver is requested would not have the effect of physically precluding the construction of the housing development with the density bonus and incentives and concessions permitted.

(C) If the findings required by subsection (A) of this section can be made, the decision-making body may deny an application for a density bonus or incentive that is based on the provision of child care only if it makes a written finding, based on substantial evidence, that the County already has adequate child care facilities.

(D) If any density bonus, incentive, parking reduction, or waiver is approved pursuant to this chapter for a housing development, the applicant shall enter into an affordable housing agreement with the County in a form acceptable to the Planning Director and County Counsel. The affordable housing agreement shall be a legally binding agreement between the applicant and the County to ensure that the requirements of this chapter are satisfied and may be combined with the participation agreement required by Chapter 17.10 SCCC. The executed affordable housing agreement shall be recorded against the housing development prior to final or parcel map approval, or, where a map is not being processed, prior to issuance of building permits for the housing development. The affordable housing agreement shall be binding on all future owners and successors in interest.

(E) Unless otherwise provided by the affordable housing agreement, all required affordable units shall be constructed prior to or concurrently with the construction of market rate units. No final inspection for any new market rate unit in a housing development shall be issued until final inspections have been issued for the required affordable units.

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17.12.130 Housing development—Defined.

"Housing development," as used in this chapter, means a development project for five or more residential units, including mixed-use developments. For the purposes of this chapter, "housing development" also includes a subdivision or common interest development as defined in Section 4100 of the Civil Code, approved by the County and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units. For the purpose of calculating a density bonus, the residential units shall be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. The density bonus shall be permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.

17.12.140 Development standard—Defined.

"Development standard," as used in this chapter, includes site or construction conditions including, but not limited to, a height or story limitation, a setback requirement, a floor area ratio, an on-site open space requirement, or a parking ratio that apply to a residential development pursuant to any ordinance, General Plan element, Local Coastal Program, specific plan, charter amendment, or other local condition, law, policy, resolution, or regulation. If located within the Coastal Zone, the project's development standards must ensure no impact on Coastal resources, including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open space protections.

17.12.150 Maximum allowable residential density—Defined.

"Maximum allowable residential density," as used in this chapter, means the density allowed under the zoning ordinance and Land Use Element of the General Plan, or if a range of density is permitted, means the maximum allowable density for the specific zoning range and land use element of the General Plan applicable to the project. Where the density allowed under the zoning ordinance is inconsistent with the density allowed under the Land Use Element of the General Plan, the General Plan density shall prevail.

17.12.160 Coastal Act applicability.

Nothing in this chapter shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code).

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SECTION XI

Section 17.10.030 is hereby amended to read as follows:

17.10.030 Ownership residential projects—Inclusionary housing requirements.

(A) Ownership Residential Projects Subject to Inclusionary Housing Requirements. An ownership residential project shall be subject to the inclusionary housing requirements of this section if it will result in the creation of:

(1) Seven or more new dwelling units;

(2) Parcels providing building sites for a total of seven or more new dwelling units; or

(3) A combination of new dwelling units and parcels together providing for a total of seven or more new dwelling units.

(B) Inclusionary Housing Requirement. Ownership residential projects identified in subsection (A) of this section shall provide affordable units equal to a minimum of 15 percent of the total number of new dwelling units and new residential building sites in the residential project. All required affordable units shall be constructed within the residential project as required by SCCC 17.10.032. As an alternative to the requirements of this subsection (B), applicants may propose to meet their affordable housing requirement through the alternatives provided in subsection (C) of this section. Ownership residential projects which generate a fractional affordable housing obligation shall pay an affordable housing impact fee equivalent to the fractional amount, as specified in SCCC 17.10.034. The applicant may elect to construct an additional affordable unit instead of paying the fractional fee, and may also consider using the Density Bonus provisions of Chapter 17.12.

(C) Alternatives to Satisfy Inclusionary Housing Requirement. As an alternative to the construction of affordable units within an ownership residential project as required by subsection (B) of this section, the affordable housing requirement may be satisfied by one or a combination of the following alternatives if approved by the decision-making body at the time of the approval of the residential project:

(1) Payment of an affordable housing impact fee consistent with SCCC 17.10.034, at the rate shown in the Unified Fee Schedule for projects subject to this section (SCCC 17.10.030).

(2) Participation in the existing unit conversion program pursuant to SCCC 17.10.037; or

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(3) Financial contribution to a nonprofit sponsored affordable housing project on a different site as specified in SCCC 17.10.036. Where an applicant proposes to satisfy the affordable housing requirement through this alternative, the total affordable unit requirement shall be based on the total number of new dwelling units and new undeveloped residential building sites at both sites; or

(4) Provision of rental affordable units on site pursuant to SCCC 17.10.039.

SECTION XII

Section 17.10.034 is hereby amended to read as follows:

17.10.034 Residential projects—Affordable housing impact fees.

(A) Fee Authorization. Affordable housing impact fees for residential projects may be established by resolution of the Board of Supervisors and amended from time to time as appropriate. Any such fees shall be part of the County's unified fee schedule. Such fees shall not exceed the cost of mitigating the impact of market rate housing on the need for affordable housing in the County.

(B) Residential Projects Subject to Affordable Housing Impact Fee. An affordable housing impact fee shall be paid for the following residential projects if such a fee has been established by resolution of the Board of Supervisors:

(1) Ownership residential projects which will result in the creation of six or fewer new dwelling units, lots, or combination of lots and units, unless the owner has elected to construct one affordable unit on site.

(2) Rental residential projects unless rental affordable units are provided as required by SCCC 17.10.039.

(3) Fractional affordable housing obligations for ownership residential projects creating seven or more new dwelling units or lots or combination of lots and units, unless the owner has elected to construct one additional affordable unit on site.

(4) Net new square footage over 500 square feet for additions, replacements and remodels.

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(C) Affordable Housing Impact Fee as an Alternative to On-Site Inclusionary Requirements. An applicant for an ownership residential project subject to the requirements of SCCC 17.10.030 and required to construct on-site affordable units may pay the adopted affordable housing impact fee, if approved by the decision-making body at the time of the approval of the residential project, as an alternative to provision of some or all of the required on-site affordable units. Such request may be granted at the discretion of the decision-making body, appealable to the Board of Supervisors, if a finding is made, based on the evidence before the decision-making body, that granting the request would serve the purposes of this Chapter 17.10 to an equal or greater extent than provision of inclusionary units within the project.

(D) Payment of Affordable Housing Impact Fees.

(1) Any required affordable housing impact fee shall be paid prior to issuance of a final occupancy certificate or final building permit inspection, whichever occurs first, for the first market-rate unit or other habitable structure in the project. The amount of any affordable housing impact fee shall be based upon the fee schedule in effect at the time of payment.

(2) If the affordable housing impact fee alternative is used for a residential project that must record a participation agreement described in SCCC 17.10.030(F), the project applicant may opt to pay this fee for the subject parcel(s) prior to recordation of the final map or final parcel map rather than record the agreement.

(E) Fee Payments Nonrefundable. All affordable housing impact fee payments shall be nonrefundable once they have been received by the County.

SECTION XIII

Section 17.10.083 is hereby amended to read as follows:

17.10.083 Nonresidential projects—Affordable housing impact fees.

(A) Fee Authorization. Affordable housing impact fees for nonresidential projects may be established by resolution of the Board of Supervisors and amended from time to time as appropriate. Any such fees shall be part of the County's unified fee schedule. Such fees shall not exceed the cost of mitigating the impact of nonresidential projects on the need for affordable housing in the County.

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(B) Payment of Fee. Any required affordable housing impact fee shall be paid prior to issuance of a final occupancy certificate or final building permit inspection, whichever occurs first, for the any non-residential structure within the project. The amount of any affordable housing impact fee shall be based upon the fee schedule in effect at the time of payment.

(C) Provision of Affordable Units. As an alternative to payment of the affordable housing impact fee, an applicant for a nonresidential project may submit a request to mitigate the affordable housing impacts of such development through the construction of affordable units. The decision-making body may approve or conditionally approve such an alternative if the decision-making body determines, based on substantial evidence, that provision of the affordable units is consistent with the County General Plan and Housing Element and will provide as much or more affordable housing at the same or lower income levels.

SECTION XIV

The portions of this ordinance containing amendments to Chapters 17.10 and 17.12 of the County Code shall take effect on the 31st day after the date of final passage.

The portions of this ordinance containing amendments to Chapters 13.01 and 13.10 of the County Code shall take effect immediately upon certification by the California Coastal Commission.

PASSED AND ADOPTED this 4th day of December, 2018, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS	Coonerty, Caput, McPherson, Friend
NOES:	SUPERVISORS	Leopold
ABSENT:	SUPERVISORS	None
ABSTAIN:	SUPERVISORS	None

DocuSigned by:
6F5E4E8DA85C4EB...
ZACH FRIEND
Chairperson of the Board of Supervisors

DocuSigned by:
5F3EB32A693849D...
Attest: SUSAN GALLOWAY
Clerk of the Board

APPROVED AS TO FORM:

Office of the County Counsel

County of Santa Cruz
Encampment Response Guidelines

September 2025

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PURPOSE

Unsheltered homelessness creates health and safety stressors for the entire community, but particularly for those living without shelter. The County of Santa Cruz (County) and its partners recognize that strategies to address these stressors must address the concerns of both unsheltered individuals and the larger community. The most effective long-term solution for addressing encampments is strong collaboration to help people secure stable, safe, and healthy living situations.

This document provides guidelines for engaging with individuals living in homeless encampments within the unincorporated areas of Santa Cruz County, specifically in situations involving health, safety, or environmental concerns. These guidelines are not intended to override, impede, or restrict law enforcement's ability to respond in a timely manner to calls for service as required by law.

For the purposes of this document, an encampment is defined as:

1. Two or more tents, structures, or assembly of camping equipment or personal property that appears to be used for shelter in areas not designated for that purpose; or
2. A grouping of multiple vehicles (of any type or size) not abandoned and being used by residents as their primary dwellings.

Nationwide, encampments have been removed in the past without adequate coordination between local governments, service providers, and the encampment residents themselves. At the same time, some encampments and their residents have been allowed to stay in locations resulting in health and safety issues for the encampment residents and other community members, environmental impacts, and potential violations of environmental protection regulations. Moving forward, these guidelines call for a balanced approach that upholds the needs and vulnerabilities of unsheltered residents, addresses health, safety, and environmental risks in a timely fashion, and ensures an appropriate coordinated response involving service providers, residents, and County government departments.

These guidelines outline three major processes:

1) Recommendations for assessing encampments for health and safety conditions and environmental impacts;

2) Recommendations for assessing encampment resident needs and making connections to available housing and community service resources to help them secure a stable home as quickly as possible; and

3) If health and safety conditions or environmental impacts warrant encampment closure, how residents (and their belongings) are assisted in the closure process.

These guidelines include the following:

- A recommended Health, Safety & Environmental Assessment Tool and proposed levels of response to address health and safety concerns, if any;
- Review of possible impacts to protected environmental resources;
- Recommended coordination of County departments and service providers, and interaction with those living in encampments; and

- Specifics related to desired roles, outreach and engagement provision, notice requirements, storage of personal belongings, and coordination of available resources.

These guidelines do not supersede local jurisdiction emergency response plans for declared and emerging emergency response operations. These guidelines do not supersede obligations of the County to respond to trespassing, calls for service, or other urgent complaints from private property owners as required under County Code or State law. These guidelines were developed to inform the County's approach rather than mandate a specific response to an individual encampment. The ability of the County to implement these guidelines depends on a range of factors including, but not limited to, the availability of resources, timing, locations, and partners involved. The guidelines are intended to be updated periodically to reflect lessons learned, policy changes, and resource availability.

BACKGROUND

The County first adopted the Housing for a Healthy Santa Cruz Strategic Framework for Addressing Homelessness in Santa Cruz County in March of 2021 with an updated version adopted in March of 2024. Among the specific goals and activities outlined in the Framework, one specifically states, "work together with city jurisdictions and other County departments to identify and implement best practices for collaborative responses to unmanaged homeless encampments and community health and safety issues that arise from people living without shelter in public places." This document brings together information gathered from multiple local jurisdictions and national technical assistance organizations to outline some collaborative practices that show promise of more positive outcomes for unhoused individuals and other community members.

According to the Santa Cruz County point-in-time count of persons experiencing homelessness conducted in January 2025, an estimated 1,122 individuals were living unsheltered on the day of the count. According to a few research studies, unsheltered individuals inhabiting encampments are more likely to be adults with multiple chronic health issues including behavioral health conditions. The California Policy Lab reported that individuals experiencing unsheltered homelessness are 25 times more likely to report they suffer from the tri-morbid combination of physical health conditions, a mental health issue, and a substance-use condition than individuals experiencing sheltered homelessness (50% compared to 2%). Given these needs coupled with a lack of appropriate shelter, affordable housing, and supportive service options appropriate to meet these needs, it can take significant time to engage and connect unsheltered individuals to accessible and appropriate resources to end their homelessness.

Until there is enough safe, decent, affordable, and accessible temporary and permanent housing for everyone, people will continue to live in unsheltered environments. The Housing for a Healthy Santa Cruz framework provides a general outline of the additional investments, and system improvements necessary to move the community closer to a goal of ensuring homelessness is rare and brief.

All sectors of the community must work together to mitigate and address health and safety hazards experienced by unsheltered individuals. Protecting the health and safety of all residents, both housed and unhoused, will create a healthier community for all. We need to work together to end our neighbors' homelessness rather than simply relocating unsheltered people from one area to another. Working toward ending rather than managing homelessness, requires medium and long-term strategies developed in coordination with multiple levels of government and community partners including,

people with lived experience of homelessness, affordable housing developers, human services and public benefits, community mental health, substance-use treatment providers, hospitals, law enforcement, public health, community foundations, faith-based organizations, and others.

Short-term, crisis-oriented outreach efforts to address immediate health, safety, and environmental issues related to encampments and the individuals living in them are sometimes necessary. However, helping individuals on a pathway to long-term housing and stability requires more consistent and proactive outreach, engagement, and relationship building efforts focused on understanding individual needs, goals, strengths, and resources. Outreach efforts in a geographic region must find an appropriate balance between responding to urgent health and safety needs and goal-directed relationship building and engagement efforts.

Individuals with criminal histories frequently experience significant barriers to securing employment and housing. Fines and citations, encampment clearings, and other municipal practices and policies that disrupt and displace people create additional barriers and setbacks for people experiencing homelessness, making it more likely that people will remain homeless even longer. Enforcement actions for criminal activity and health and safety violations should be consistently applied to housed and unhoused individuals. Decisions about when enforcement actions are necessary should weigh the impacts and consequences of not addressing immediate health and safety needs against the impacts associated with displacement and enforcement activities with unhoused individuals.

GUIDING PRINCIPLES

Guiding principles provide a framework for expectations and decision-making. The following principles can help guide approaches to meet the needs of those living in encampments and their housed neighbors.

Principle 1: Delivery of municipal services must respect the needs of all residents, with special considerations for serving the unsheltered population.

A) *Meet people where they are.* People experiencing unsheltered homelessness may need multiple positive engagements before trust is built. Respect autonomy and a person's decision about whether to engage or to accept services and resources. People may refuse offers initially and change their mind once a trusting relationship is built. Maintain consistency and ensure all commitments are realistic and achievable. Be patient and consult with the individual to identify their needs, how to best meet them, and how to ensure the individual and community can remain safe and healthy.

B) *Be guided by compassion and empathy in all interactions.* Take special consideration of a person's immediate needs, including making appropriate and reasonable accommodations for people living with physical and mental disabilities. Provide guidance on desired and appropriate behaviors when setting limits.

C) *Acknowledge a person's unique context and experiences.* Offer services sensitively and appropriately when interacting with individuals, with an awareness of how race, ethnicity, culture, disability, gender identity, sexual orientation, housing status, and other personal

characteristics impact perceptions and levels of trust. Mental illness and other health conditions may limit a person's ability to understand communications and to communicate effectively.

D) *Consult with unsheltered residents meaningfully.* Work to listen to the perspective of a person experiencing homelessness and their personal story. Partner together to identify gaps in and opportunities for improved practices. Provide avenues for meaningful feedback. Develop clear grievance procedures and make those known publicly and to individuals when requested.

Principle 2: People experiencing homelessness have the same civil rights as housed residents and should not be subject to discrimination or arbitrary treatment based on housing status.

A) *Serve the needs of housed and unhoused residents equitably.* People experiencing homelessness are residents who deserve the same access to public services—such as sanitation, restroom and hygiene facilities, and protection by law enforcement—as their housed neighbors. Commit to protecting the civil rights and safety of all people in the community, with the recognition that people living on the streets are at greater risk of violence and victimization.

B) *Consider the special needs and circumstances of the situation.* When approaching a person experiencing homelessness to conduct municipal services, consider the activity they are undertaking and approach with respect; limit the interruption of life-sustaining behavior such as sleeping in public. The activities of persons experiencing homelessness should not be subject to more scrutiny than that of a housed person.

C) *Approach with a goal of engagement, not enforcement.* Interactions focused on engagement are more likely to build trust and rapport than those that lead with the goal of enforcement.

D) *Municipal ordinances should not criminalize homelessness.* Ordinances that limit necessary, life-sustaining activities such as sitting, sleeping, or eating in public spaces unfairly target people living on the streets. In the absence of adequate alternative or private places to undertake those activities, people have a right to perform these activities in public. Evaluate ordinances for disparate impacts on persons experiencing homelessness.

E) *Pursue alternatives to enforcement, citation, and arrest.* Citing and arresting unsheltered residents for low-level or quality of life infractions and/or life-sustaining activities can be emotionally and physically traumatizing – as well as disruptive to progress toward ending homelessness. Law enforcement officers should use citation or arrest as a last resort and instead promote referrals to services and resources, even when they may have been previously declined.

F) *Develop policies and integrate systems in support of diversion practices.* Fines and jail time make it more challenging for an unhoused resident to achieve stability, work toward their goals, and secure employment and/or long-term housing. Consider systems improvements such as pre-arrest diversion programs and programs that dismiss citations for low-level, non-violent crimes and connect unhoused residents to services and resources in lieu of fines and/or jail.

Principle 3: All people, both housed and unhoused, deserve access to safe public spaces as well as services that promote health and safety for all.

A) *Take an outreach-focused approach to encampments and unsheltered persons.* Mobilize outreach staff specially trained to build relationships over time, learn what people need, and connect them to those resources. Coordinate the delivery of municipal services with existing regional resources and services infrastructure with as much advance notice as possible. Existing resources and services often have limited capacity so additional notice time increases the chances of truly connecting unsheltered individuals with meaningful, long-term assistance.

B) *Explore ways to increase access to public health resources for the public that are also accessible to people experiencing homelessness.* Ensuring that sheltered and unsheltered residents have regular access to clean water, personal hygiene, and sanitation resources, as well as containers for safe needle disposal and hazardous waste promotes public health for all.

C) *Explore ways to help people without shelter safeguard their important possessions and receive communications.* Provide individuals with information about storage facilities. Help individuals increase their financial resources and access to banking. Assist people with getting and keeping important public documents and storing them in an electronic form or with supportive contact people. Assist individuals with obtaining phones, phone service, and email accounts. Help individuals access general mail services from the post office. Prior to clearing encampments urge individuals to secure all their important possessions before the date of the clearing. Follow storage protocols outlined in this framework. Hours, location, and identification requirements should support the needs of unsheltered residents.

D) *Ensure public areas are accessible to all by providing clear guidance about access and egress.* Ensure that unsheltered residents are aware of the local standards through adequate notice, and that measures are in place to support their consistent application.

E) *Follow clear and person-centered protocols when conducting sanitation activities to ensure consistency and regularity.* These guidelines represent some best practices for outreach, notice, and handling of personal property.

F) *Facilitate opportunities for community education on homelessness.* The expectation for immediate resolutions to unsheltered homelessness drives short-term, counterproductive responses that often fail to resolve homelessness for unhoused residents and may prolong issues of concern in the general community. Publicly share information about the unique needs and stories of people experiencing homelessness. Provide information about the primary contributors to homelessness in the United States and locally. Encourage community members to engage in efforts to address the lack of accessible and affordable long-term residential and housing options in the community.

Principle 4: Local, state, and federal protections for environmental resources still apply when an encampment is in an environmentally sensitive area.

A) *Educate people experiencing homelessness and community members about environmental concerns and standards.* Local governments are subject to federal, state, and local laws intended to protect the environment. Examples include the federal Endangered Species Act, federal and state water quality standards, and local ordinances.
B) *Provide people experiencing homelessness and other community members with clear guidance on how to meet environmental standards*. Provide individuals with alternatives that ensure appropriate environmental stewardship while also meeting some of their needs.
C) *Include the evaluation of environmental resources in developing responses to encampments.* Utilize an assessment tool that evaluates environmental impacts, particularly water quality and habitat near riparian areas and buffers. When making decisions about encampment responses, include staff and agencies with environmental expertise in the process.
D) *Environmental restoration as deterrent*. Work with public agencies and private property owners to ensure compliance with environmental regulations and restoration of impacted sensitive areas and buffers.
E) *Environmental hazards.* Ensure that all residents are protected from environmental hazards and hazardous materials. Fire hazards exist in multiple areas throughout the County and fire safety should be considered in encampment assessment and decision-making.

ROLES AND RESPONSIBILITIES

The County's response to encampments requires a coordinated effort across County departments and will involve non-County organizations, and potentially in the future, other jurisdictions. Implementing entities must ensure federal and state regulations related to encampment response are followed. County departments and community organizations involved in planning for and executing responses include:

County Departments

- County Executive Office (CEO) (team coordination, centralized reporting);
- CEO – Public Information Officer, with support from departmental Public Information Officers (public communications);
- Human Services Department - Housing for Health (H4H) (housing services, coordination with community partners);
- Sheriff's Office – Community Policing (noticing, closure enforcement, safety);
- Health Services Agency (HSA) – Behavioral Health (mental health and substance use disorder treatment services and crisis response);
- HSA – Environmental Health Water Resources (water quality, environmental protection and restoration);
- HSA – Public Health (population health assessment and recommendations);
- Community Development & Infrastructure (CDI) – Code Compliance (coordination with private property owners);
- CDI – Environmental Planning (habitat protection and environmental restoration);
- CDI – Public Works (responses in public rights-of-way);

- Mosquito and Vector Control (pest control); and
- Parks Department (responses in County parks).

Response Team

The above County departments will assign a representative to be part of a Response Team to support the CEO in planning for and organizing responses, facilitating Assessments, prioritizing responses based on risk levels, identifying resident needs and potential resources, outreach, post-encampment restoration, post-encampment reporting and evaluation, and continuous improvement of the process. When an encampment response is proposed, the Response Team will assign a member most associated with the risks identified in the Assessment to coordinate the response.

Community Partners

- Continuum of Care (CoC) Housing for Health Partnership (community input, coordination);
- Resident Outreach Team (contracted entity) (resident outreach);
- Relevant County Fire Districts (fire safety);
- Housing Authority (housing services and resources);
- Housing service providers (housing services);
- Tow Service (contracted) for vehicle encampments;
- Clean up entity (contracted); and
- California Department of Fish and Wildlife (CDFW) (environmental restoration).

A broader range of additional partners may be engaged as needs arise with specific encampments or during implementation of the guidelines, including the cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville.

ENCAMPMENT RESPONSE PROTOCOL

STEP 1: NOTIFICATION AND RESPONSE TEAM COORDINATION

While reports or notifications of encampments may be received by several different entities, the process followed to organize the Response Team and assess the health, safety, and environmental conditions of an encampment should remain consistent. CEO staff will prioritize which notifications should move forward with initial action, taking into consideration factors such as the number of complaints received, the size of the encampment reported, location, etc. Once prioritized, CEO staff will route notifications to staff designated by the CEO to begin the Response Protocol. Designated staff will notify key departments about the need to gather Health, Safety & Environmental Assessment information (Step 2). Along with regular coordination meetings, CEO staff will oversee the development of a process for public reporting of encampments of concern.

Timeline goal: 1-2 business days after action prioritization is determined.

STEP 2: HEALTH, SAFETY & ENVIRONMENTAL ASSESSMENT

County staff from different departments with different areas of expertise will be assigned to visit the site and gather information for a Health, Safety, & Environmental Assessment (Appendix A). The Assessment is adapted from guidance provided by the Benioff Homeless and Housing Initiative at the University of

California, San Francisco. The Assessment documents the location, number of residents, accessibility, safety, public health concerns, and environmental impacts associated with a particular encampment. The Assessment provides information to help with assessing the need for, and level of, appropriate response. It may not always be feasible to gather all the information included in the Assessment. The Assessment should serve as a guide rather than a required, formulaic, rigid, decision-making tool. The Assessment provides an outline of the areas that County staff will consider in developing response plans for a given encampment. County departments typically engaged in the Assessment process include staff from the following departments:

- Human Services Department - Housing for Health;
- Sheriff's Office;
- Health Services Agency – Public Health, Environmental Health, Behavioral Health, Clinics (Health Care for the Homeless);
- CDI – Environmental Planning.

Staff from CDI – Code Compliance, CDI – Public Works, Mosquito and Vector Control, and the Parks Department may accompany those conducting the Assessment, depending on location and/or encampment type. County supported ArcGIS software may be used to help collect and share Assessment information across County departments.

Resident Engagement/Outreach

Some or all the above staff will work with a designated Resident Outreach Team to help engage with residents. The Resident Outreach Team may consist of County staff and/or contracted representatives from one of the County's community organizations that specialize in assessing resident needs and facilitating access to housing, services, and other resources. The Resident Outreach Team will receive details of the encampment and its residents so they can engage with residents to provide support and connection to resources. Initial engagement will occur as soon as the Team has availability and after any immediate safety concerns are addressed. The goal of outreach is to assess resident needs, connect them with appropriate resources and services, and, in the event of a necessary resident displacement, determine the best next steps for residents and their belongings in coordination with other participating departments.

Timeline goal: 3-5 business days after Step 1.

STEP 3: PRIORITIZATION AND RECOMMENDATIONS

Based on Assessment information gathered, the response to an encampment will be determined by the CEO and the Response Team based on the presence and severity of the following factors: population needs, locational factors, public health concerns, safety risks, and environmental impact to sensitive habitat/riparian areas. Utilizing the Assessment tool in Appendix A, encampments will be allocated a high, medium, or low risk level based on – the size, structures, and vehicles involved; the needs of those living in the encampment; the level of organization; location; public health risks; safety issues; and environmental impacts and risks.

- High Priority: High risk levels, including resident safety, imminent health concerns, and severe weather; requires immediate resolution and relocation of residents.
- Moderate Priority: Moderate risk levels; requires removal at non-emergent timeline.

- Low Priority: Low risk levels; no removal or immediate action required, continue outreach and supportive services to help residents transition to stable living situations.

Recommendations

Recommendations will be based on the priority ranking above and include reasons behind the recommended action and next steps required. Recommendations may involve mitigation strategies that require follow-up to determine if any further action is needed, as well as any other entities that would need to be engaged beyond the Resident Outreach Team (e.g., other health, housing, or community service providers).

STEP 4: RESIDENT COMMUNICATIONS AND NOTICE

Targeted notice to residents is critical, as is communication with service providers and other relevant departments for successful implementation of these guidelines. All communication, whether verbal or written, will be done with consideration for the needs of vulnerable unsheltered residents, including the following:

- Language used should be clear and population appropriate and consistent with the language used by encampment residents.
- Multiple verbal and in-person notifications are critical, especially to address any literacy and language barriers, as well as to accommodate thinking in day-to-day or hour-to-hour terms.

For encampments with more than 10 individuals, notices shall be distributed throughout the encampment and posted on each tent, structure, and/or vehicle in both English and Spanish.

For encampments with vehicles, staff will follow noticing requirements outlined in Chapter 9.57 of the Santa Cruz County Code Relating to Abandonment, Wrecked, Dismantled or Inoperative Vehicles.

High Priority Response

If the Assessment determines a high level of risk, health and safety assessors will notify the CEO staff and share the Assessment and recommendations. Communications and notice protocol to residents are as follows:

1. The Sheriff's Office will post written 3-day (72-hour) notices (Appendix B) in visible locations that communicate date/time individuals are expected to vacate the area, how belongings will be handled, and where belongings can be retrieved. Notices will be printed in English and Spanish. If residents are present when signs are posted, the posting entity will also verbally notify residents of these details. Outreach and service provider contact information should also be provided to residents.

2. Concurrently, the Resident Outreach Team will attempt to contact all residents. The Resident Outreach Team is responsible for engaging with residents and determining and tracking next steps for the individuals and their belongings. This will also help residents prepare for and understand the official notice, the reason for the urgency, and help enforce the timeline.

Moderate Priority Response

If the Assessment determines a moderate Level of risk, health and safety assessors will notify the CEO staff and share the Assessment and recommendations. Moderate risk level communication and notice protocol is as follows:

1. The Sheriff's Office will verbally notify residents of specific health, safety, and environmental concerns that need to be addressed to avoid a formal 72-hour closure notification and other citations for illegal activity.

2. Concurrently, the Resident Outreach Team will attempt to contact all residents. The Resident Outreach Team is responsible for engaging with residents and determining how to best support them with complying with health, safety, and environmental expectations.

3. The Response Team will re-evaluate the status of a moderate priority response encampment area at least every 30 days and more frequently if needed. If health, safety, and environmental issues persists, the high priority response protocol will get activated.

STEP 5: RESIDENT PLAN AND CLOSURE

If encampment closure is recommended, CEO staff will ensure careful coordination with all required departments as needed. These policies recognize that additional coordination and resources may be required for encampments of 10 or more individuals. In larger encampments, there are often multiple entities already assisting residents with meeting their daily needs. It will be critical for these entities to understand the closure process as outlined in this document, as well as be involved in closure efforts. Housing for Health will coordinate with additional health, housing, and human services providers that may be required.

Outreach Expectations

During a recommended resident relocation, the Resident Outreach Team is responsible for helping determine next steps for residents and their belongings, in coordination with other key entities involved in the relocation.

The following are expectations of the Resident Outreach Team, to the extent resources are available:

- Engage with encampment residents regarding the need to relocate and the reasons for the closure and offer services and resources as soon as possible after an encampment has been identified;
- Respond to resident questions regarding the contents of the written notice and what to expect;
- Compile a list of encampment residents and details about individuals that will be relevant to successful engagement and linkage to housing and community resources;
- Use list to track engagement efforts and resource linkages;
- Connect individuals to available resources and services based on needs and preferences (e.g., mental health, medical);
- Ensure individuals are linked with the coordinated entry system and complete a connection services request form when needed and appropriate;

- Participate in scheduled meetings with relevant partners as appropriate to track and review needs and status updates for encampment residents, as well as connect residents to housing and community resources when possible;
- Help individuals to move themselves and their belongings to an identified, safe location as soon as possible, while honoring client choice in available options. These options may include a safe parking program, shelter, transitional housing, residential treatment, sober living or recovery residence, or other safe sleeping or living situation options;
- Efforts should not direct or advise individuals to move to another government jurisdiction unless a sustainable housing option, such as residing with friends or relatives, has been confirmed. Guidance should focus on understanding the needs and resources available and helping them develop and implement individualized action plans that support movement toward long-term, stable, housing.

The recommended closure time of day is in the morning while residents are likely still present. Resident Outreach staff shall be present as much as possible before, during, and after relocation activities to help individuals connect with resources. Resident Outreach activities should remain separated from enforcement activities in terms of timing and messaging.

Waste receptacles and bins should be made available to allow residents to choose to discard items or belongings for removal from the site.

Post-Closure Notices (Appendix B) should be posted by the Sheriff's Office in a visible location where the encampment or campsite existed prior to relocation. Notices shall be posted for a minimum of 10 days after the closure and state:

1. The day closure was performed
2. Whether personal property was stored or towed
3. Where personal property will be stored or towed
4. How personal property may be claimed by its owner
5. Contact information for supportive services and housing resources

STEP 6: STORAGE OF BELONGINGS AND SITE CLEANUP

Storage of Belongings

When residents must vacate an area, they are encouraged to take all their belongings. In respecting personal property, some items (see below) that are not removed by residents or left unattended for more than 24 hours will be stored. The County will maintain a log of dates and locations of any closures that occur. Personal property shall be kept for at least 90 days from the date of collection to allow for recovery by its owner. Property left for longer than 90 days from the date it was stored will be discarded.

Items that may be Stored if Found

- Identification documents
- Deeds or other legal documents
- Prescribed medication or essential medical supplies
- Cell phones or other small electronic devices
- Cash or credit cards

Items Subject to Immediate Disposal

- Property that is damaged, broken, or used to an extent such that it cannot be used for its intended or original purposes, as well as any other typical alternative uses
- Property that is severely soiled, stained, torn, damaged or extensively used particularly for an item of clothing
- Property that is not likely to be reclaimed, such as torn or soiled clothing, shoes, blankets, or sleeping bags, damaged or extensively used books or papers
- There is reasonable evidence the owner does not intend to return to claim the property or that the owner intended to dispose of the property as refuse or trash. For example, property that was found in or near a trash can or dumpster or the fact that the property has been left for an extended period of days
- Item is so infested with vermin that it would present a health and safety risk to store
- Bulky items such as mattresses and sheds
- Perishable items such as food
- Controlled substances and contraband

Storage and item recovery will be at no cost to the individual that owns the property. Those wishing to collect their belongings can provide a date and location from which the property was taken and must verify their identity. Individuals will be asked to describe the personal property with particularity. Personal property that is retrieved will be reflected in the log.

Site Clean-Up and Restoration

Sites shall be cleaned up and restored as necessary after all residents vacate the area. CEO staff will identify a department, contracted entity, or community organization to assist with clean-up. The Sheriff's Office will also be present if there are safety concerns. Depending on the health or safety conditions, other entities may be engaged to participate.

If damage to protected habitats has been identified either through the assessment process or during closure, CDFW, Environmental Health, CDI-Environmental Planning, and/or CDI-Public Works will document the extent of damage and necessary restoration depending on the location. Riparian areas and buffers shall be restored, and signage posted to protect resources and prevent further encampments. If located on private property, CDI-Code Compliance may utilize the County's code

enforcement procedures to ensure that the private property owner restores the property, which may include a lien procedure for clean-up/restoration costs. The Parks Department will be lead on restoration in public parks, and CDI-Public Works will be lead on restoration within the public right-of-way. Restoration assistance from contracted partners, the CDFW and/or other state agencies may be necessary. Mosquito and Vector Control will assist with pest control. Public Health will advise on universal precautions and efforts to reduce the spread of any infectious diseases.

STEP 7: DOCUMENTATION AND EVALUATION

CEO staff with support from the Response Team will gather from the participating departments documentation of the entire closure process, including the Health, Safety & Environmental Assessments and recommendation(s), notes from the Resident Outreach Team, and any notes from the clean-up entity.

Within 30 days of closure, CEO staff will schedule a meeting with all entities involved in the relocation to assess any challenges and opportunities for improvement. Improvements to the guidelines will be made if determined through this process. Part of the ongoing evaluation will be to collect and analyze data on residents and the results associated with implementing these guidelines (e.g., how many were housed, how many returned to an unsheltered setting, etc.).

APPENDIX A: HEALTH, SAFETY & ENVIRONMENTAL ASSESSMENT TOOL

Instructions: Gather as much information as possible within the time frame available to complete this collaborative assessment. Individuals involved in the Assessment should only complete sections they feel qualified to complete and for which they have accurate and updated information to report. If an individual does not have enough information to complete part of the assessment, they should note that in the description/notes section of each response area. Responses will be combined to create a more comprehensive assessment of health, safety, and environmental issues impacting people living in encampments and the surrounding community.

Assessment Date:

Assessor Name: **Assessor Department:**

Assessor Phone #: **Assessor Email:**

Location

Location (Draw on map)

Location General Description/Notes:

Size of Encampment

of estimated people:

of estimated animals:

of estimated tents/dwelling unit structures:

Encampment type (Tent/physical structure, vehicle, or both):

Approximate square footage of accumulated items:

Size Description/Notes:

Questions specific to Encampments with Vehicles:

What types of vehicles are present (i.e. cars, vans, RVs, trucks, bus, combo.):

Estimated number of Vehicles and Operational Status:

Vehicle(s) Registration Status (if known):

Driver License Status of Vehicle Occupants (if known):

Insurance Coverage for Vehicle(s) (if known):

Are there signs of mechanical problems that could make the vehicles unsafe (leaks, flat tires, smoke, strange smells):

Are there other conditions that make the vehicles unsafe (signs of drug manufacturing, use of toxic or hazardous chemicals, pesticides, etc.):

Does it appear that residents are cooking inside vehicles (risk of fire or carbon monoxide)?

Is waste or greywater being stored or disposed of safely?

Are generators or car engines running for long-periods?

Are residents using vehicle batteries, propane or generators for electricity?

Are vehicles hooked up to an electrical or water source?

Vehicle Encampment Notes:

Population Needs

Age. What percentage of the residents are 50 years old or above in the encampment?

□75% or more □ 50-74% □ 25-49% □ Less than 25%

What percentage of the residents are under 21 years old in the encampment?

□ 75% or more □ 50-74% □ 25-49% □ Less than 25%

Are there minors (under 18 years old) residing in the encampment? If so, estimate number of children and age/s:

Severe Medical Needs. What percentage of residents have severe medical needs that likely require attention before entering housing, e.g., end stage liver disease, unmanaged diabetes, unmanaged kidney disease or need for dialysis, severe lung disease, cancer, etc., in the encampment?

□ 75% or more □ 50-74% □ 25-49% □ Less than 25%

Severe Behavioral Health Needs. What percentage of residents have severe mental health or substance use disorder needs that require attention (e.g. experiencing psychosis, expressing thoughts of self-harm or suicidal ideation, overdose risks, etc.)?

□ 75% or more □ 50-74% □ 25-49% □ Less than 25%

Activities of Daily Living. What percentage of residents struggle with 2 or more activities of daily living (bathing, dressing, toileting, transferring, and eating)?

□ 75% or more □ 50-74% □ 25-49% □ Less than 25%

Number of residents with service animals?

Population Description/Notes:

Encampment Organization

Group Cohesion (Scale of 1-5 with 5 being most cohesive and 1 being the least). *Degree to which the encampment operates as a group or as a collection of individuals. High degree of cohesion indicates the entire encampment understands itself as a group and will seek to remain together or near each other versus individually)*

Self-Management (Scale of 1-5 with 5 being most capable and 1 being the least). *High degree of self-management would include formal or semi-formal leadership structures, adopted camp rules or requirements, organization of chores/activities, collective negotiations for camp members.*

Provider Engagement (Scale of 1-5 with 5 being most engaged and 1 being the least). *Degree to which outreach or service providers routinely engage with residents of the encampment. Low engagement (1) = contact once per month or less. High engagement = at least weekly, regular contact.*

Organization Description/Notes:

Location Factors

Proximity to Sensitive Use. Is the encampment near the **main** entrance of a private property OR within 0.2 miles of schools, daycares, nursing homes, playgrounds, ballfields, public gardens, tourist attractions, or hospitals? (Yes/No)

Accessibility Issues. Is the encampment impairing ADA access by blocking ramps, sidewalks, or ADA specific transit infrastructure, e.g., elevators to or from transit stations? (Yes/No)

Challenge to Frequent Public Use. Is the encampment in a location often used by the public, e.g., frequently used park, tourist attraction, highly used walkway or path? (Yes/No)

Construction Zone. Is the encampment within 0.1 mile of a property slated for development of buildings, roadways, utilities, or other infrastructure or near a staging area for a construction project (Yes/No)?

Danger to Encampment Residents. Is the encampment in a location that presents an extremely high risk of serious injury and safety risk for the residents, e.g., on or near freeways, floodplains during rainy seasons, path of an active wildfire, etc. (Yes/No)? If yes, activate hazard protocol.

Public Service Access. Is the encampment in the way of entry or access for public agencies – blocking fire, law enforcement, utility service, etc.? (Yes/No)

Location Description/Notes:

Public Health

Hygiene. Is the location away from any hand hygiene or functional/sufficient sinks?

Sanitation. Is the encampment away from toilets and wastewater disposal? Does the location pose a barrier to proper solid waste storage and disposal?

Infestation. Does the site have large numbers of insects or animals that may cause property damage, create a nuisance, and/or increase the risk or spread of disease, e.g., body lice, rats, mice, bed bugs, fleas, rodents, etc. (Yes/No)? If yes, contact Public Health and/or vector control.

Infectious Disease. Does the encampment contain individuals known to have the presence of diseases that are easily transmittable and create a risk to other encampment residents or the surrounding neighborhood, e.g., shigella, tuberculosis, Hepatitis A, COVID-19, and others. (Yes/No)? If yes, activate public health response.

Public Health Description/Notes:

Safety Risks

Sexual Violence. Have there been reports of forced, unwanted, and/or violent sexual activity in the camp? (Yes/No)

Physical Violence. Have there been reports or observed incidents of physical violence in the camp? (Yes/No)

Weapons. Have there been reports of firearms, knives, bows, swords, or other weapons? (Yes/No)

Uncontrolled Fires. Have there been reports or observed incidents of uncontrolled fires in or near the camp? Unsafe use of camp stoves and barbecues in high fire risk areas? (Yes/No)

Theft. Have there been reports or observed incidents of theft at the camp? (Yes/No)

Conflict. Have there been reports or observed incidents of interpersonal conflict among residents in the camp? (Yes/No)

Hazardous Materials. Are hazardous materials, such as chemicals, paints, oils, or other materials present? (Yes/No)

Safety Description/Notes:

Environmental Resource Impacts

Environmental Resource Areas. Is the encampment within a riparian area, wetland area, protected buffer, or flood area? (Yes/No)

Water Quality Impacts. Are there noted water quality impacts, such as sediment, pathogens, graywater, fecal material, trash, runoff? (Yes/No)

Wastewater Disposal. Is there adequate and effective wastewater disposal for the encampment? (Yes/No)

Vegetation/Habitat Impacts. Is vegetation or protected habitat areas at the site impacted? (Yes/No)

Environmental Resource Description/Notes:

APPENDIX B: NOTICES

SANTA CRUZ COUNTY
SHERIFF'S OFFICE

<72-HOUR> NOTICE TO VACATE PROPERTY

THIS IS AN OFFICAL NOTICE

PERSONS REMAINING ON THIS PROPERTY AFTER THE DATE LISTED IN THIS <72-HOUR> NOTICE MAY BE SUBJECT TO CITATION, ARREST, AND/OR PROSECUTION FOR TRESPASS AND/OR UNLAWFUL LODGING PURSUANT TO PENAL CODE SECTIONS 602 AND 647(e)

Date Posted:_____

Deputy: _____

PROPERTY LEFT IN THIS POSTED AREA AFTER 0800AM FOLLOWING THE DATE OF THIS <72-HOUR> NOTICE IS SUBJECT TO REMOVAL/DISPOSAL

A. Personal items that objectively appear to be temporarily unattended, and not abandoned, will be stored for a period of 90 days. These items can be claimed by scheduling an appointment with the <*County Storage Entity*>. Stored items that remain unclaimed after 90 days (by [__*date*___]) will be considered abandoned and will be disposed of.

B. The following classes of items will be subject to immediate disposal: (i) trash; (ii) items that are objectively determined to be intentionally abandoned by their owners; and (iii) items that would present a health hazard to store.

If you have any questions or need assistance, please contact _____.

The storage facility will be open by appointment only Monday through Friday. If you intend on picking up your stored items, please call the storage facility (phone number _____) ahead of time so the storage facility can facilitate pickup.

Date Posted:_____

Deputy: _____

SANTA CRUZ COUNTY

THIS IS AN OFFICAL NOTICE

On [_____], the <*County Storage Entity*> removed and stored personal items from this property that objectively appeared to be temporarily unattended and not abandoned. The foregoing items are being stored and can be claimed by Contacting the <*County Storage Entity*> and will be stored there for a period of 90 days. Stored items that remain unclaimed after 90 days (by [_*date*__]) will be considered abandoned and will be disposed of.

The following classes of items were subject to immediate disposal: (i) trash; (ii) items that were objectively determined to be intentionally abandoned by their owners; and (iii) items that presented a health hazard to store.

If you have any questions or need assistance, please contact _____

The storage facility will be open by appointment only, Monday through Friday. If you intend on picking up your stored items, please call the storage facility (phone number _____) ahead of time so the storage facility can facilitate pickup.

Date Posted:_____

Deputy: _____

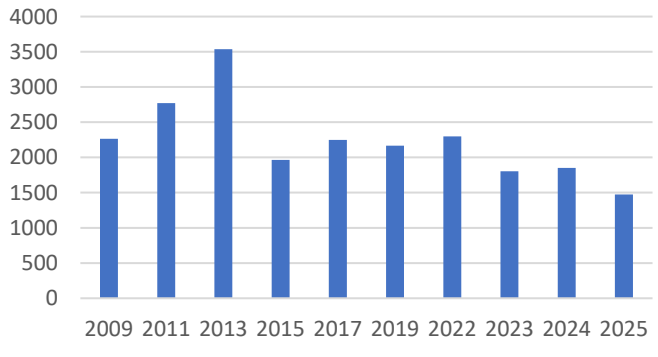
BACKGROUND

On March 9, 2021, the Santa Cruz County Board of Supervisors (BOS) approved the Housing for a Healthy Santa Cruz three-year strategic framework (January 1, 2021 – December 31, 2023) for addressing homelessness within the County. All four city councils within the county subsequently adopted this framework. On March 26, 2024, the BOS approved an updated version of the Framework for the period January 2024 – December 2027. The plan is an aspirational framework calling for collective action among local governments, nonprofits, private business, faith-based organizations, educational institutions, and other community institutions, organizations, and members. For the County, the Housing for Health Division of the Human Services Department (H4H) supports implementation of this Framework and provides BOS implementation updates annually. This is an annual report related to framework implementation for the period July 1, 2024, to June 30, 2025.

OVERALL GOAL AND PIT COUNTS

The Point-In-Time Count (PIT) of persons experiencing homelessness is a federally required estimated count of the number of households and individuals experiencing homelessness on a single night. The 2025 PIT report showed the number of persons experiencing homelessness declined 20% from 1,850 in 2024 to 1,473 in 2025. The count showed significant reductions in homelessness among youth and adults without disabilities and increases in homelessness among seniors and people with disabilities. **Figure 1** shows PIT Count data over time.

Figure 1: Estimated # of People Experiencing Homelessness on a Single Day



Data from the Homeless Management Information System (HMIS) shows over 4,400 people have moved from homelessness into permanent housing since July 2020. The percentage of program exits to permanent housing in a given fiscal year has also increased during this period, going from around 30% to over 40%.

PERFORMANCE GOALS

The updated Framework established goals for Housing for Health system capacity and performance. The new goals align with federal Housing and Urban Development (HUD) standards for identifying High Performing Communities (HPCs). The core HPC goals identified in the Framework are: (1) Reduce the length of time people experience homelessness; (2) Reduce returns to homelessness; (3) Ensure we collect data on 80% or more of housing and service programs in the H4H network; (4) Expanding outreach and connections for unsheltered individuals to link them with resources. The Framework also calls for all jurisdictions in the County to work toward achieving their very low-income housing unit production goals identified in the current 8-year Regional Housing Needs Allocation (RHNA) cycle.

Goal 1: Reduce mean (average) length of time people experience homelessness.

This goal utilizes data from the Homeless Management Information System (HMIS) System Performance Measure Report Measure 1a and looks at the average length of stays in shelter and transitional housing programs in the community. HUD encourages communities to strive for an average length of time less than 20 days or a 10% reduction from year to year.

Figure 2 shows how Santa Cruz County performs on this metric over several federal fiscal years (Oct 1 – Sept 30). The average increased from 2019 through 2022 during the era of COVID-related shelter programming. Declines began in October 2022 as COVID-specific shelter sites gradually closed. Further progress on this requires mobilizing efforts to help people exit temporary housing to alternative stable options as quickly as possible.

Figure 2. Mean (Average) Length of Time in Shelter or Transitional Housing (HMIS data)

Federal Fiscal Year (Oct. 1 – Sept. 30)	*Average length of time homeless in days*	*% change from prior year*
2019-2020	170.27	+13.6%
2020-2021	222.21	+30.0%
2021-2022	296.29	+33.3%
2022-2023	179.39	-39.5%
2023-2024	178.08	-0.7%

Goal 2: Reduce returns to homelessness.

This goal utilizes data from HMIS to determine the percentage of people experiencing homelessness that exit homelessness but return to homelessness within two years of regaining housing. HUD established a national benchmark goal of 5% or a 20% reduction from year-to-year.

Figure 3 shows returns to homelessness among people served in HMIS participating programs each year that exited to permanent housing and the percentage that returned to homelessness within two years. The data from Federal Fiscal Year (FFY) 2019-2020 looks back to exits that occurred two years prior in the 2017-2018 period and the number that returned to homelessness as recorded in HMIS.

The data shows rates between 11.5 to 14.6%, far above the national benchmark goal of 5%. The County has not seen sustained progress on this measure. Progress will require ensuring that individuals exit programs to safe, healthy, and stable living situations and that any challenges they experience get addressed to prevent a recurrence of homelessness. Prevention efforts should prioritize serving individuals with histories of homelessness.

Figure 3. Returns to Homelessness within a 2-year period by Cohort Year

Federal Fiscal Year (Oct 1 – Sept. 30)	*% exited to housing that returned to homelessness in next two years (HMIS)*	*% change from prior year*
2019-2020	12.69%	-25.6%
2020-2021	14.63%	+15.3%
2021-2022	11.53%	-21.2%
2022-2023	14.58%	+26.5%
2023-2024	14.33%	-1.7%

Goal 3: Ensure HMIS data collection on 80% or more of housing and services programs in H4H network.

HUD established this metric to ensure local communities capture data on efforts to address homelessness within a single data system, HMIS. Since the creation of H4H, work has been done on an annual basis to clearly identify the housing programs and services within the H4H network and to ensure those programs utilize HMIS. Since 2020, the percentage of programs capturing HMIS has steadily grown. In 2025, the community captured more than 80% of capacity within HMIS, meeting the HUD established standard.

Goal 4: Expanding outreach and connections for unsheltered individuals to link them with resources.

This goal includes several expectations from HUD to meet HPC standards. These include: (1) Developing a comprehensive written outreach plan that describes how unsheltered individuals receive outreach, engagement, and assessment services throughout the entire County; (2) Demonstrate 100% of the geographic area is covered by street outreach that meets individuals experiencing homelessness where they are sleeping; (3) Identify and train designated community outreach agencies on at least an annual basis; (4) Demonstrate the number of individuals entering shelter, transitional housing, and permanent housing projects from places not meant for human habitation exceed the number of unsheltered individuals in the previous year's PIT count.

Our local community will require additional resources and collaboration to achieve HUD expectations 1, 2, and 3 listed above. **Figure 4** shows how our community is performing relative to expectation 4. The chart below shows the number of unsheltered people served by housing programs (shelter, transitional housing, and permanent housing) over a one-year period relative to the estimated number of unsheltered individuals in the prior year PIT count. Our community is far from achieving the expectations outlined by HUD. However, the data indicates a few key changes could contribute to improvements in this measure.

In the federal fiscal year 2023-2024, 2,200 people entered a housing program. During this same period, less than one out of three people entering a housing program came from an unsheltered situation. Expansion of temporary and permanent housing program capacity in the County will lead to the greatest improvements in this metric. In the absence of expanded capacity, H4H and its community partners need to increase the percentage of people entering housing programs, especially shelters and transitional housing, from unsheltered living situations. H4H will continue building stronger referral partnerships and processes between providers working with unsheltered people and housing programs.

Figure 4. PIT Unsheltered Count vs. # Served in Housing Programs in Subsequent Year

Federal Fiscal Year	*Total Unsheltered in Prior Year PIT Count*	*Total Unsheltered Served in Housing Programs in Year*	*% (Goal = 100%+1)*
2019-2020	1,700	714	42%
2022-2023	1,774	607	34%
2023-2024	1,426	663	47%
2024-2025 (partial year)	1,485	663	45%

Goal 5: Achieve Regional Housing Needs Allocation (RHNA) Very-Low Income Housing Production Goals Across the County

California establishes housing production goals for local governments as part of a process known as the Regional Housing Needs Allocation (RHNA) every 8 years. The production goals reflect the desired number of *new* housing units affordable to specific household income levels for a given locality. The H4H Framework calls for the community and local governments to work together to achieve the very low-income housing productions goals for the current RHNA cycle. The "very low-income" category is currently the lowest income category tracked through the RHNA process. Most households experiencing homelessness have incomes at the "extremely low-income" level or below, an income category not separately tracked in the RHNA process. All extremely low-income units are counted in the very low-income or below category.

Figure 5 shows the RHNA very low-income housing goals by jurisdiction for the current period. The City of Santa Cruz is on pace to exceed their goal.

Figure 5. RHNA Very Low-Income (VLI) Housing Production Goals and Reported New Unit Permits to Date by Jurisdiction (12/15/2023 to 12/18/2031)

Jurisdiction	*RHNA VLI Goal*	*Permits Issued and Reported to State to Date*	*%*
Capitola	430	25	5.8%
City of Santa Cruz	859	420	48.9%
County of Santa Cruz (unincorporated)	1,492	9	0.6%
Scotts Valley	392	0	0%
Watsonville	283	10	3.5%
TOTALS	3,456	464	13.4%

COMMUNITY DEVELOPMENT PROJECT UPDATES

As indicated in prior updates, H4H helped secure over $19.3M in Project Homekey funding to support the development of three new permanent supportive housing projects in the County. The three projects include 63 new units and are described briefly below.

- **Casa Azul (Housing Matters)** – Santa Cruz – 7 new units from the conversion of a commercial to a residential building - $2,240,000 – *currently occupied.*
- **Park Haven Plaza (Novin Development)** – Soquel – 36 new, modular construction units for veterans, youth, and families - $10,660,000 – project delayed due to increased costs and funding shortfall. Currently working to secure additional funding resources.
- **Veterans Village (Vets Hall Board of Trustees)** – Ben Lomond – 20 units via acquisition, rehab and modular construction - $6,425,000 – partially occupied. Not completed due to increased cost and funding shortfall. Currently applying for additional funding resources.

All three projects faced challenges due to rising interest rates, material supply and labor shortages, and impacts from the winter storms in 2022. All projects continue to work closely with the California Housing and Community Development Department to ensure compliance with state requirements and expectations.

In addition to securing Homekey funding for these permanent supportive housing projects, H4H worked with partners to secure funding for a youth transitional housing project.

- **Freedom House (CFSC, Inc.)** – Freedom – 11 transitional housing units and up to 21 beds for youth via rehab of a vacant licensed residential property - $3,579,400 awarded. Construction of the site has begun with anticipated completion in December 2025. Bill Wilson Center will be the onsite operator and service provider.

In addition to these Homekey projects, the **Housing for Health Division worked with other partners to secure over $25.5M in funding** for additional low-barrier, service-enriched sheltering capacity within the County.

In partnership with Monterey County, $8M of Encampment Resolution Funding was secured to build and operate a new, modular construction, 34-bed low-barrier navigation center in Watsonville. The site

is currently under construction and should be operational by the end of 2025 or early 2026. Community Action Board (CAB) will be the operator and service provider on site. The program will initially focus on serving individuals living in encampments along the Pajaro River and those with Medi-Cal health insurance coverage.

H4H worked with the County's Behavioral Health Department to secure an award of $10.2M in Behavioral Health Bridge Housing funding. Funds will be used to build and operate a new, modular construction, 32-bed navigation center near the current county-supported psychiatric health facility. An additional $2.8M of Behavioral Health Whole Person Care funding and County funding will help support the development. The new site will serve people experiencing homelessness with serious mental health or substance use challenges. Grant funding will support operations for an estimated 2-3 years. The project is under construction and anticipated to be completed during the first quarter of 2026. Additional information about this project can be found on this website: Behavioral Health Bridge Housing (santacruzhealth.org)

H4H supported the City of Santa Cruz in their successful efforts to secure $4M in encampment resolution funds to expand low-barrier shelter and services in the Coral Street and Harvey West area.

This funding coupled with $500K of County Measure K funding, state Behavioral Health Bridge Housing funding, and private funding from Housing Matters enabled Housing Matters to acquire the Santa Cruz Inn at 2950 Soquel Ave. Housing Matters has renamed the site Live Oak Landing and it will serve as an emergency hotel housing resource for people experiencing homelessness with serious mental health issues. The site is anticipated to open with a capacity of 20 beds in October 2025.

In addition to the above projects, H4H is working closely with the Behavioral Health Department to support the development and operations of 180 new permanent supportive housing project units. The five projects are supported with California No Place Like Home (NPLH), project-based housing subsidies from the Housing Authority of the County of Santa Cruz, and a wide mix of other federal and state funding sources. Two of the projects are in the City of Santa Cruz (Harvey West Studios and Jesse Street), one in Live Oak (Bienestar Plaza), and two in Watsonville (Tabasa Gardens and Sparrow Terrace). Four of the five sites are currently occupied. Harvey West Studios is scheduled to complete construction in the summer of 2026.

Housing for Health also partners with Behavioral Health to utilize state Community Care Preservation funds to help sustain quality operations at a county-owned and privately-operated licensed adult residential facility.
H4H staff continue to work with local governments and developers on planned and potential supportive and affordable housing developments throughout the County.

ACTION PLAN STATUS UPDATE

The Housing for a Healthy Santa Cruz Framework calls on staff to develop specific goals to achieve over six-month periods.

Significant accomplishments this period include: (1) Securing federal and state grant funding; (2) Launching and supporting lived expertise workgroups including supporting their participation in the National Alliance to End Homelessness conference in Washington D.C.; (3) Completing the 2025 PIT count and report; (4) Supporting community development projects as outlined previously; (5) Supporting providers with accessing Medi-Cal funding through CalAIM; (6) Launching a Housing First evidenced based practice training and coaching contract; (7) Supporting multiple affordable housing month events in May 2025; (8) Selecting Community Action Board as the vendor to operate a south county homelessness prevention effort; (9) Securing $4M of state funds to support Harvey West Studios operations; (10) Securing funding and launching new housing services programs for people living with HIV/AIDS.

Priorities for the next six-month period include: (1) Supporting completion and launch of four new temporary housing programs; (2) Working with local Medi-Cal managed care plans and Behavioral Health to launch a new behavioral health transitional rent benefit in January 2026; (3) Expanding and supporting efforts to coordinate CalAIM services for people experiencing and at-risk of homelessness; (4) Implementation of a new county encampment response protocol for unincorporated areas in the County; (5) Supporting Behavioral Health's goal to help more than 100 individuals with serious mental health issues secure permanent homes before June 2026; (6) Updating the CoC policy manual; (7) Helping close funding gaps with two Homekey projects; (8) Continue efforts to expand and improve disability advocacy services; (9) Launching a south county homelessness prevention program; (10) Supporting lease-up and services planning with Harvey West studios; (11) Developing action plans for addressing known and potential funding reductions; (12) Conducting a community-wide educational and planning event.

TO LEARN MORE AND BECOME A MEMBER OF THE HOUSING FOR HEALTH PARTNERSHIP

please visit:
Housing for Health Partnership Membership

TO DONATE TO THE HOUSING FOR HEALTH HOUSING ASSISTANCE FUND

please visit:
Housing Assistance Fund

TO REVIEW POINT IN TIME (PIT) COUNTS SINCE 2011

please visit:
Data and Reports