



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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February 5, 2015

Agenda: February 12, 2015

Agricultural Policy Advisory Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA. 95060

SUBJECT: Modernization of Agricultural Land Use Regulations, Including Proposed Revisions to the Zoning Ordinance, County Code Chapter 13.10, and the Agricultural Land Preservation and Protection Ordinance, County Code Chapter 16.50.

Dear Commissioners:

INTRODUCTION

The purpose of this report is to present your Commission with a proposed update to the regulations that govern land use on agricultural land in Santa Cruz County. The portions of the County Code that address agriculture and associated activities have not been comprehensively reviewed in many years. An update to the regulations is necessary to recognize the changes that have occurred in the local agricultural industry and to support modern farming practices and the agricultural industry as a whole, while continuing to protect agricultural soil, the natural resource that is the basis of our farming industry.

Staff is requesting that your Commission consider the general ideas that are expressed in the proposed changes as outlined in this letter, with the understanding that a final proposal for the wording of the ordinance, along with any necessary revisions to General Plan policies, will be brought back to your Commission at a future meeting for additional feedback and a formal recommendation to the Board of Supervisors.

MODERNIZATION OF AGRICULTURAL REGULATIONS IS PART OF A LARGER UPDATE OF THE COUNTY CODE

In response to feedback from the public and direction from the Board of Supervisors, planning staff began the process of modernizing land use regulations in the County Code for all zone districts. The goals of the update are to clarify regulations, standardize the permit framework, streamline the processing of applications, and modernize the uses allowed in zone districts, while continuing to protect the natural resources that are essential to our local economy and the unique natural beauty of our community. The update of agricultural regulations is a part of that larger package of amendments to modernize the County Code overall, as directed by the Board of Supervisors. The larger package, which will include comments and guidance from your Commission on the agricultural regulations, will be brought to the Board of Supervisors for input and direction, tentatively scheduled for late March or April. Following the Board meeting, staff will complete CEQA review and will review the proposed ordinance update with the Planning Commission. Staff will return to your Commission this summer for additional input. We expect the final proposal will be reviewed by the Board of Supervisors this fall.

As part of discussion about the overall modernization of the County Code, the County Farm Bureau and others in the local farming community indicated that a more comprehensive update to agricultural regulations is needed to support local commercial farming. Farmers recommended expanding the uses allowed on commercial agricultural land to allow selling directly to consumers via roadside or on-farm produce stands, and to allow on-farm marketing activities such as agri-tourism and education, which can diversify farm income while generating community support for agriculture. Also, many modern agricultural operations are larger scale than when regulations were first adopted, and typically are spread over multiple parcels that are either owned or leased by one operator. Large scale farming can benefit from consolidated support facilities, such as the storage of agricultural equipment on one parcel, allowing farming to be concentrated more efficiently on other parcels while continuing to protect agricultural soils. These are two examples of aspects of modern farming that need to be addressed by updated agricultural regulations.

PUBLIC OUTREACH

Planning staff has met with key stakeholder groups in the agriculture industry, including wine and beer manufacturing, in order to identify and prioritize concerns with current regulations and to receive feedback on key proposed code changes. Staff met with the Farm Bureau in October 2013 to identify problems with current regulations, and met again in January 2014 to clarify and prioritize concerns. At the most recent meeting with the Farm Bureau and Agricultural Commissioner in November 2014, planning staff summarized key proposed code changes. Meeting participants generally supported the changes, and provided several additional recommendations that were incorporated into the draft ordinance provided in this report. Similarly, planning staff met with members of the Santa Cruz Mountains Winery Association in June 2013 to identify concerns with current regulations, followed by a subsequent meeting in November 2014 that included local brewery owners to receive feedback on proposed key code changes. Meeting participants were supportive of the overall direction, and provided detailed feedback that was considered and incorporated in the proposed regulations for wineries and beer manufacturing that are included in this packet.

After receiving input from your Commission at your meeting on February 12, planning staff will present the draft ordinance at a meeting with the Planning Commission, followed by consideration by the Board of Supervisors at a public hearing. These meetings will provide additional opportunity for review and comment from stakeholders, as well as the opportunity for participation from the broader community. CEQA review, which includes a 20 day public review and comment period, will provide an additional opportunity for public review and comment.

OVERVIEW OF PROPOSED REVISIONS TO AGRICULTURAL REGULATIONS

- Standardize and streamline permitting: Consistent with the goals of clarifying, streamlining and standardizing the permit process, and consistent with the proposed permit processing framework that the Board of Supervisors will be considering this spring, the number of activities that are principally permitted, that is, activities for which a discretionary permit is not required, have been expanded. Where discretionary permits are required, they are divided into Use Permits (UPs), which regulate the type and intensity of the activity, and Site Development Permits (SDPs) which regulate physical development. The permits are further distinguished by noticing requirements and whether or not a public hearing is required, yielding the following categories:

Discretionary permit not required	P Principal permitted use	No public notice	No public hearing
Minor discretionary permit	MUP Minor Use Permit MSP Minor Site Development Permit	No public notice	No public hearing
Administrative discretionary permit	AUP Administrative Use Permit ASP Administrative Site Development Permit	Public Notice	No public Hearing
Conditional discretionary permit	CUP Conditional Use Permit CSP Conditional Site Development Permit	Public Notice	Public Hearing

A key to the new permit framework is provided on page 1 of Exhibit C, the matrix that summarizes the main proposed amendments to the regulations. The new categories would replace the current nomenclature that refers to permits by "level".

For some activities, a greater intensity of use or size of development is proposed to be allowed in the Administrative categories, to allow more efficient permit processing while continuing to provide for public notice. The Minor category, which does not require public notice but does allow conditioning of permits, has been similarly expanded. The matrix, Exhibit C, summarizes the differences between the existing and proposed new regulations for the most significant uses on agricultural land. The full details of proposed revisions to the current agricultural uses chart can be seen by comparing the proposed new Use Permit chart (pages 17 – 22 of Exhibit A) and Site Development Permit chart (pages 23 – 29 of Exhibit A) to the existing use chart (pages 9 – 16 of Exhibit A). Because the current use chart is proposed to be replaced it appears in ~~strikeout~~ and the proposed new charts appear as underlined. In order to determine how a particular activity will be regulated it is important to review both the use chart and the site development chart.

- Protect Agricultural Land: Consistent with the objective of protecting agricultural resource soils, which are also referred to as Type I, II, and III soils as defined in the General Plan, the concept of a "development area" has been created to limit the amount of disturbance that is allowed on agricultural resource soil. "Development area" means the total area covered with structures, paving or other impermeable or semi permeable surface material such as baserock or gravel that may affect the agricultural viability of the underlying soil. To further protect agricultural resource soils, the proposed update retains the existing requirement that agricultural support structures and associated site development be located off of agricultural resource soils to the greatest extent feasible.
- Expand Uses Allowed in the "Agriculture" Zone District: Revisions are proposed to allow expanded consideration of non-crop uses associated with agriculture on land zoned "A", which is agricultural soil that is not prime productive soil. This is consistent with General Plan policies that allow for a diversity of farming practices and agricultural support uses that are compatible with nearby residential and agricultural uses. When agricultural service and processing activities are located on A zoned land, the need to locate these uses on CA land may be reduced, conserving agricultural resource soil.

- Allow limited Agriculture Support in the “Commercial Agriculture” Zone District: Permitting for agricultural processing and service establishments such as the servicing and sale of farm equipment is allowed on CA, allowing agricultural service establishments to better support the agricultural industry. However, development area limits are applied and total size is capped in order to protect CA land.
- Accommodate larger farming operations: Existing requirements that certain non-crop uses on CA land be ancillary to on site farming, along with new caps on the size of the allowed development area in some cases, help to ensure that non-crop activities support and do not conflict with commercial agriculture. In the cases of agricultural service establishments and storage facilities, the concept of “ancillary” has been extended to consider farming on other parcels owned or leased by the same farmer. This recognizes the distributed character of many farm operations that would benefit from a central location for support activities to serve more than one agricultural parcel.
- Support marketing and agri-tourism: Consistent with supporting and protecting the industry as a whole, farm stays, agri-tourism, school visits, farm-to-table events and other educational activities have been added to the use charts. Produce stands, temporary sales, and produce markets, subject to limitations on size and requirements to carry local products and products grown on site, have also been added or, in the case of produce stands, clarified and highlighted.
- Update Regulations for Wineries and Beer Manufacturers: In response to feedback from local wineries and beer manufacturers, Code section 13.10.637 addressing wineries and breweries has been substantially updated to establish provisions that govern promotional events, tasting, noise, food service, and facility hours. Facilities are divided by size based on production, with the zoning, adjacent land uses, and environmental setting environmental setting. Standards for wineries and breweries clarify requirements and facilitate permit processing, and supporting the needs of local wineries and breweries while providing appropriate standards to protect residential uses from potential impacts. Currently, wineries and breweries are used for these activities, however the code lacks practical standards to guide discretionary land use decisions.
- Update Greenhouse Regulations: Farmers have recommended that regulations addressing greenhouses be modified, and specifically that thresholds for when permits are required be revised. Staff is continuing to research this issue and expects to include proposed revisions to regulations for greenhouses in the next version of the proposed ordinance that is brought to your Commission.
- Agricultural Employee Housing update: Lastly, regulations regarding agricultural employee housing are proposed to be updated to be consistent with State law, which requires projects up to 36 beds or 12 residential units to be treated as a principally permitted, agricultural use. State law precludes a requirement for on-farm employee housing to be located a minimum distance from agricultural activity on the same parcel, although the currently required buffer of 200’ from commercial agriculture on adjacent parcels will continue to apply. As is the case for other agricultural uses, the revised code will include a requirement that the housing be located off agricultural resource soils where feasible.

These are summary points, and as noted above, full details of proposed changes are available in the exhibits attached to this letter.

APAC REVIEWS

A new code Section 13.10.316 clearly identifies projects that require APAC review. The code retains APAC’s current review role, with the following changes. The revised code clarifies APAC’s role in the

review of Lot Line Adjustments, as this is not addressed in the current code. In addition, the revised code would modify the review process for residential agricultural buffer determinations. Currently, Chapter 16.50.095 requires applications for agricultural buffer reductions for new residences to be considered by your Commission at a public hearing. Consistent with the goal of the larger code update to streamline the processing of applications, staff is recommending that the code be changed such that these applications require an AUP, rather than a public hearing permit, and do not include APAC review. Notice is provided to neighbors, and appeal would be to your Commission.

CONCLUSION AND RECOMMENDATIONS

Staff believes that the proposed revisions to the agricultural regulations as outlined in this letter and detailed in the strikeout/underline version of the ordinance (Exhibit A) will support the evolving needs of commercial agricultural in Santa Cruz County, while maintaining the strong protections for agricultural soils that are necessary to support farming in our community for future generations.

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

1. Open the public hearing and receive public comment;
2. Provide feedback to staff and comments to the Board of Supervisors regarding the proposed revisions to the agricultural land use regulations in the County Code as outlined in this letter and detailed in Exhibit A.

Sincerely,



Paia Levine
Principal Planner

For: Kathy M. Previsich
Planning Director

- Exhibit A: Strikeout/underline version of Chapter 13.10 agricultural regulations, including Use Permit and Site Development Permit charts.
- Exhibit B: List of proposed new and modified definitions, Chapter 13.10.700
- Exhibit C: Summary Matrix of Main Proposed Amendments to agricultural regulations
- Exhibit D: Use Permit chart for wineries and breweries

Article I. Agricultural Districts

13.10.311 Purposes of agricultural districts.

- (A) CA Commercial Agriculture. The purposes of the CA Commercial Agriculture Zone District are to preserve the commercially viable 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 industries 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, agri-tourism/education and farmstays, shall be encouraged, ~~to the exclusion of other land uses which may conflict with it and uses which may conflict with commercial agriculture or associated activities shall be minimized.~~
- (B) A Agriculture. The purposes of the A Agriculture Zone District are to support a diversity of farm operations on the small amounts of agricultural land remaining in the County which are not designated Type 1, Type 2 or Type 3, but which still constitute a productive natural resource; to encourage noncommercial agricultural uses such as family gardening and family animal raising; to encourage and provide for noncommercial agricultural uses, such as family farming and animal raising, and 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 Chapter 16.50 SCCC; and to maintain productive open space and rural character in the County.
- (C) AP Agricultural Preserve. The purposes of the CA Zone District shall apply to the AP Agricultural Preserve Zone District. The AP regulations are designated to apply only to agricultural lands and open space located within an agricultural preserve established in accordance with the provisions of

the California Land Conservation Act of 1965 as now enacted or as hereafter amended, and which are within the AP Zone District as of July 27, 1982.

(D) Interpretation of Provisions. The provisions of this chapter shall be liberally interpreted insofar as they apply to 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 on the map entitled "Agricultural Resources" on file with the Planning Department; 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 and AP, except where it is clearly demonstrated that any division of such parcels shall not diminish the productivity or in any way hamper or discourage the long-term commercial viability of agricultural operations on said parcels or adjoining or nearby parcels. [Ord. 3432 § 1, 1983]

13.10.312 Uses in agricultural districts.

(A) Principal Permitted Uses.

(1) In the Coastal Zone, Principal permitted uses are denoted with the letter P in the agricultural use chart. A principal permitted use is fully compatible with the underlying zone district, and is allowed in the zone district "by right" without discretionary approval. The principal permitted uses in the agricultural districts shall be as follows:

CA and AP: agricultural pursuits for the commercial cultivation of plant crops, including food, fiber, flower or other ornamental crops and apiculture; and, as designated principally permitted: the commercial raising of animals, including grazing and livestock production; ~~and apiculture and accessory uses and structures;~~ and agricultural support uses and structures. ~~excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.~~

A: agricultural pursuits, including the noncommercial or commercial cultivation of plant crops or raising of animals, including apiculture, single-family residential and accessory uses and structures, and agricultural support uses and structures designated as principally permitted. ~~excepting those agricultural activities listed as discretionary uses requiring a Level 5 or higher approval.~~

(B) Williamson Act Agricultural Preservation Program. Lands enrolled in the Williamson Act Program under the California Land Conservation Act of 1965 are subject to the requirements in Government

Code, Title 5, Division 1, Part 1, Chapter 7, Section 51200 et seq. and the agricultural preservation policies in SCCC Chapter 16.50. Sections 13.10.471 through 13.10.473 establish an Agricultural Preserve and Farmland Security Combining District, designated with a P combining district, to denote lands that are restricted by Williamson Act contracts, and to regulate permitting on lands so restricted. The AP Agricultural Preserve zone district provides for the regulation of lands under Williamson Act contract as of July 27, 1982, pursuant to 13.10.311(C).

(C) ~~(B)~~ Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the agricultural uses chart below. A discretionary approval permit for an allowed use is known as a "use permit" approval and is given as part of a "development permit" for a particular use. The type of permit processing review, or "approval level," required for each use in each of the agricultural zone districts is indicated in the chart. The processing procedures for development use permits and for the various approval levels are detailed in this Chapter 13.10 and in Chapter 18.10 SCCC, Discretionary Permit and Approval Procedures. The approval levels given in this chart for structures incorporate the approval levels necessary for processing a building permit for the structure. Higher approval levels than those listed in this chart for a particular use may be required if a project requires other concurrent approvals, according to SCCC 18.10.123. All Level V or higher approvals Conditional use permits in the CA and AP Zone Districts are subject to the special findings required by SCCC 13.10.314(A) in addition to those required for the use permit in §13.10.xxx in SCCC 18.10.230. Physical site development may be subject to a site development permit pursuant to County Code Section 13.10.313. Uses that are not specifically identified in the use 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.

AGRICULTURAL USES CHART

KEY:

- A = Use must be ancillary and incidental to a principal permitted use on the site
- P = Principal permitted use (see subsection (A) of this section); no use approval necessary if P appears alone
- 1 = Approval Level I (administrative, no plans required)
- 2 = Approval Level II (administrative, plans required)
- 3 = Approval Level III (administrative, field visit required)
- 4 = Approval Level IV (administrative, public notice required)

AGRICULTURAL USES CHART

KEY:

- 5 = Approval Level V (public hearing by Zoning Administrator required)
- 6 = Approval Level VI (public hearing by Planning Commission required)
- 7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)
- = Use not allowed in this zone district
- * = Level IV for projects of less than 2,000 square feet
- = Level V for projects of 2,000 to 20,000 square feet
- = Level VI for projects of 20,000 square feet and larger
- ** = For purposes of this section, "on-site" shall mean on the parcel on which the use is located, plus any other parcel(s) owned, leased and/or rented by the farm operator in this County or adjoining counties
- *** = Processed as a Level V Coastal Zone permit project when within the geographic area defined by SCCC 13.20.073
- **** = Soils dependent agricultural uses are those uses which use the in situ soils as the growing medium for all crops
- BP = Building permit
- BP1 = Approval Level I (administrative, no plans required)
- BP2 = Approval Level II (administrative, plans required)
- BP3 = Approval Level III (administrative, field visit required)

USE

	CA	A	AP
Agricultural activities: crops and livestock			
Agricultural custom work occupations subject to the provisions of <u>SCCC 13.10.638</u>	P/4	P/4	P/4
Agricultural support facilities for processing, packing, drying, storage and refrigeration of produce above a total aggregate size of 2,000 square feet or			

USE	CA	A	AP
100 square feet per acre on-site** (whichever is greater) subject to the provisions of SCCG 13.10.632 . Maximum aggregate size of such facilities shall be 50,000 square feet. Inside the Coastal Zone agricultural support facilities greater than 2,000 square feet shall be processed at Level V and shall not be considered a principal permitted use			
Up to and including a maximum aggregate of 2,000 square feet or 100 square feet per acre on-site** (whichever is greater)	3	3	3
Greater than an aggregate of 2,000 square feet or 100 square feet per acre on-site** (whichever is greater)	4	4	4
Agricultural service establishments subject to the provisions of SCCG 13.10.633 (see SCCG 13.10.700 A definition)	—	5	—
Apiculture (beekeeping)	P	P	P
Aquaculture and aquacultural facilities	5	5	5
Biomedical livestock operations (subject to SCCG 13.10.647)	5	5	—
Berry and other vine crops	P	P	P
Commercial dairying, subject to the provisions of SCCG 16.22.060	BP3	5	BP3
Field crops, including hay, grain, seed, and turf crops	P	P	P
Livestock raising for food, fiber or animal production, including rabbits and other small animals under 100 per acre	P	P	P
Livestock raising involving hog farming or small animals over 100 per acre, subject to the provisions of SCCG 16.22.060	BP3	5	BP3
Nursery crops limited to open field grown ornamental plants, flowers and Christmas trees	P	P	P
Nursery crops, outdoor container grown, covering an area of one acre or less	P	P	P
Nursery crops, outdoor container grown, covering an area larger than one acre	5	5	5
Orchards, including fruit tree and nut crops	P	P	P
Poultry and other fowl raising, including egg production, under 100 birds per	P	P	P

USE	CA	A	AP
acre (see also "Barn" below)			
Poultry and other fowl raising involving more than 100 birds per acre	P	5	P
Row crops, including fruit and vegetable raising	P	P	P
Agricultural Support and Related Facilities			
Barns, corrals, or pens used for animal husbandry, subject to the provisions of <u>SCCC 16.22.060</u>	BP3	BP3	BP3
Garetaker's quarters, permanent, subject to the provisions of <u>SCCC 13.10.631</u>	5	5	5
Child care homes, small family (must be in conjunction with residential use) (see <u>SCCC 13.10.700-C</u> definition)	P	P	P
Commercial boarding of animals, subject to the provisions of <u>SCCC 13.10.641(B)</u>	P/5	P/5	P/5
Consumer harvesting, on-site**	P	P	P
Dwelling unit, one detached single family per parcel, subject to the provisions of <u>SCCC 13.10.314</u>	-	-	-
Inside the Coastal Zone (requires APAC review in the CA and AP Zone Districts)	5	BP3	5
Outside the Coastal Zone	BP3	BP3	BP3
Dwelling unit, one detached single family for the owner, lessee or an employee of the owner or lessee of the land, not to exceed one dwelling unit for each 40 acres of total site area, subject to the provisions of <u>SCCC 13.10.314</u>	-	-	-
Inside the Coastal Zone	—	—	5
Outside the Coastal Zone	—	—	3
Dwelling unit, one detached single family per parcel, 7,000 square feet or larger, exclusive of accessory structure(s) associated with the residential use, but specifically excluding barn or similar accessory structures subject to the provisions of <u>SCCC 13.10.314</u> and <u>13.10.325</u>	5	5	5
Dwelling units, accessory to the main dwelling used as agricultural	-	-	-

USE	CA	A	AP
caretakers' quarters subject to SCCG <u>13.10.631</u>			
1—4 units	5	5	5
5—10 units	6	6	6
20+ units	7	7	7
Dwelling units, dwelling groups subject to the provisions of SCCG <u>13.10.313(E)</u>, <u>13.10.313(F)</u> and <u>13.10.314</u>	-	-	-
2—4 units	5	5	5
5—10 units	6	6	6
20+ units	7	7	7
Energy facilities, community, subject to the provisions of SCCG <u>13.10.661</u> and <u>13.10.700-E</u> (definition)	5	5	5
Facilities for fish and wildlife enhancement and preservation	P	P	P
Farm worker housing subject to SCCG <u>13.10.631</u> (see caretaker's housing, mobile homes and travel trailers, farm worker quarters and camps)	3—7	3—7	3—7
Farm outbuildings and other agricultural accessory structures for storage of equipment with or without a single room containing lavatory facilities	BP3	BP3	BP3
Fences, subject to the provisions of SCCG <u>13.10.525</u>	P/3/5	P/3/5	P/3/5
Fire protection facilities	—	5	—
Flood control works, including channel rectification and alteration; dams, canals and aqueducts of any public water project	5	5	5
Foster homes for seven or fewer children, not including those of the proprietary family (see SCCG <u>13.10.700-F</u> definition)	P	P	P
Foster homes for eight or more children, not including those of the proprietary family (see SCCG <u>13.10.700-F</u> definition)	5	5	5
Fuel storage tanks and pumps	BP2	BP2	BP2
Greenhouse structures, as accessory structures, under 500 square feet in area	BP2	BP2	BP2

USE	GA	A	AP
Greenhouse structures, outside the Coastal Zone, subject to the provisions of SCCC <u>13.10.636(A)</u>	-	-	-
 500—20,000 square feet	3	4	3
 Over 20,000 square feet	4	4	4
Greenhouse structures soil dependent****, inside the Coastal Zone, subject to the provisions of SCCC <u>13.10.636(A)</u> and <u>13.20.073</u>	-	-	-
 500—20,000 square feet	3	3	3
 Over 20,000 square feet	P/4	P/4	P/4
Greenhouses, improvements and expansions up to 10,000 square feet in area, inside the Coastal Zone, subject to the provisions of SCCC <u>13.10.636(A)</u> and <u>13.20.073</u>	BP3	4	BP3
Greenhouses, all others in the Coastal Zone	-	-	-
 Up to 20,000 square feet	P/5	P/5	P/5
 Greater than 20,000 square feet	5	5	5
Greenhouse replacement, reconstruction or structural alteration, pursuant to SCCC <u>13.10.636(B)</u> and (C)	BP3	BP3	BP3
Habitable accessory structure when incidental to a residential use and not for agricultural purposes, subject to the provisions of SCCC <u>13.10.611</u>	BP/4/5	BP/4/5	BP/4/5
Nonhabitable accessory structure when incidental to a residential use and not for agricultural purposes (subject to the provisions of SCCC <u>13.10.313(A)</u> and <u>13.10.611</u>)	BP/4/5	BP/4/5	BP/4/5
Home occupations subject to the provisions of SCCC <u>13.10.613</u>	P/5	P/5	P/5
Kennels, commercial or private, for five or more dogs or cats over the age of four months subject to the provisions of SCCC <u>13.10.323</u>	5	5	5
Farm worker camps subject to the provisions of SCCC <u>13.10.631</u>	-	-	-
 1—4 units	5	5	5
 5—10 units	6	6	6

USE	CA	A	AP
20+ units	7	7	7
Lumber mills	—	5	—
Manufactured homes, as farm labor housing, subject to the provisions of <u>SCCC 13.10.631</u>	-	-	-
1—4 units	5	5	5
5—19 units	6	6	6
20+ units	7	7	7
Manufactured home, as a single-family dwelling unit, subject to the provisions of <u>SCCC 13.10.682</u>	-	-	-
Inside the Coastal Zone	5	5	5
Outside the Coastal Zone	BP3	BP3	BP3
Manufactured homes, for temporary occupancy as a caretaker's or watchman's quarters subject to the provisions of <u>SCCC 13.10.631</u>	3	3	3
Mushroom farms and other agriculture within structures, subject to the provisions of <u>SCCC 13.10.634</u>	-	-	-
Additions, less than 500 square feet	BP3	BP3	BP3
Additions, 500—20,000 square feet	BP3	5	BP3
Offices within existing structures operated in conjunction with an allowed use	BP2	BP2	BP2
Public utility facilities; energy facilities (see <u>SCCC 13.10.700-E</u> definition)	—	5	—
Publicly owned and operated sanitary landfill either by contract or by public forces, subject to the provisions of <u>SCCC 13.10.639</u>	7	7	7
Recreational activities: playfields not involving permanent structures or paving. Within the Coastal Zone allow this use only in the A (noncommercial agriculture) Zone District	5	5	5
Recycled municipal wastewater (i.e., tertiary treatment) facilities for the production of recycled water solely for agricultural irrigation use, subject to the provisions of <u>SCCC 13.10.635</u>	7	7	7

USE	CA	A	AP
Reservoirs or ponds	3	3	3
Residential care home serving 6 or fewer residents (see SCCG <u>13.10.700-R</u> definition)	P	P	P
Riding academies or public stables, subject to the provisions of SCCG <u>13.10.641</u>	5	5	5
Second units, outside the Coastal Zone, subject to the provisions of SCCG <u>13.10.681</u>	4	4	—
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter <u>7.42</u> SCCG and that are located outside the Coastal Zone	—	4	—
Signs in conjunction with principal permitted uses as described in SCCG <u>13.10.580(A)</u> and (B)	P	P	P
Signs in conjunction with nonprincipal permitted uses as described in SCCG <u>13.10.580(C)</u> and (D)	BP2	BP2	BP2
Stands for the display and sale of agricultural commodities produced on-site**	BP2	BP2	BP2
Vacation rentals (subject to SCCG <u>13.10.694</u>)	2P	2P	2P
Timber harvesting and associated operations (outside the Coastal Zone only)	P	—	—
Veterinary offices and animal hospitals subject to the provisions of SCCG <u>13.10.642</u>	5	5	5
Visitor accommodations, such as: bed and breakfast inns (subject to SCCG <u>13.10.691</u>)	—	5	—
Water pollution control facilities for agricultural purposes constructed to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board, or erosion control facilities constructed to comply with County ordinances	3	3	3
Water wells, storage tanks and distribution lines, well covers and small pump houses utilized strictly for on-site agriculturally related activities	1***	1***	1***

USE	CA	A	AP
Wineries under 1,000 gallons annual production as a home occupation, subject to the provisions of SCCG <u>13.10.637</u>	P	P	P
Wineries, subject to the provisions of SCCG <u>13.10.637</u>	-	-	-
 Under 1,000 gallons and not a home occupation	3	3	3
 Over 1,000 gallons and under 20,000 gallons annual production:	-	-	-
 On parcels under 2.5 acres in size	3	5	3
 On parcels 2.5 acres or larger	3	3	3
 Over 20,000 gallons and under 50,000 gallons annual production:	-	-	-
 On parcels under 10 acres in size	5	5	5
 On parcels 10 acres or larger	3	3	3
 Over 50,000 gallons and under 100,000 gallons annual production and on any size parcel	5	5	5
 Over 100,000 gallons annual production on any size parcel	6	6	6
Wireless communication facilities, subject to SCCG <u>13.10.660</u> through <u>13.10.668</u>, inclusive	5	5	5
Zoos and natural science museums	—	5	—

AGRICULTURAL USES CHART

Floor area” refers to the total floor area of the structure or structures associated with the use.

“Development area” refers to the area associated with an allowed use, excluding required parking, 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.

<u>PERMIT⁴</u>	<u>PERMIT DESCRIPTION</u>
<u>Permitted (P)</u>	<u>Zoning Clearance only; no discretionary permit required.</u>
<u>Minor Use Permit (MUP)</u>	<u>Administrative discretionary permit, no public notice - 18.10.110 (A)</u>
<u>Administrative Use Permit (AUP)</u>	<u>Administrative discretionary permit with public notice -18.10.110 (B)</u>
<u>Conditional Use Permit (CUP)</u>	<u>Public hearing discretionary permit, with public notice. Hearing is before the zoning administrator, except where a different hearing body is specified. 18.10.110(C-E)</u>
<u>TP (Temporary Permit)</u>	<u>Administrative discretionary permit, no public notice - 18.10.110 (A), unless otherwise specified</u>

<u>USE</u>	<u>PERMIT REQUIRED</u>		<u>CODE REFERENCES & NOTES</u>
	<u>CA/ AP</u>	<u>A</u>	
<u>AGRICULTURAL SUPPORT</u>			
<u>Agri-tourism and education</u>			
<u>School visits, preschool – 12th grade, no limit on number of events per year or number of students</u>	<u>P¹</u>	<u>P¹</u>	<u>13.10.633; 13.10.700-A</u>
<u>Other agri-tourism and education events, not exceeding 12 per year or 75 guests per event</u>	<u>P¹</u>	<u>P¹</u>	
<u>Other agri-tourism and education events, exceeding 75 guests at any event or 12 per year</u>	<u>AUP¹</u>	<u>AUP¹</u>	
<u>Administrative offices, agricultural</u>	<u>P¹</u>	<u>P¹</u>	

USE	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA/ AP	A	
<u>Agricultural processing facility</u>			
<u>Up to 5,000 sq. ft. of development area</u>	<u>MUP</u>	<u>MUP</u>	<u>13.10.632</u> <u>13.10.700-A</u>
<u>Greater than 5,000 sq. ft. up to 50,000 sq. ft. development area</u>	<u>AUP</u>	<u>AUP</u>	
<u>Greater than 50,000 sq. ft. development area</u>	=	<u>CUP</u>	
<u>Agricultural service establishment</u>			<u>13.10.638</u> <u>13.10.700-A</u>
<u>Up to 3,500 square feet development area</u>	<u>P²</u>	<u>P</u>	
<u>>3,500 up to 10,000 square feet development area</u>	<u>AUP²</u>	<u>AUP</u>	
<u>>10,000 square feet development area</u>	=	<u>CUP</u>	
<u>Consumer harvesting</u>	<u>P</u>	<u>P</u>	
<u>Farmstay / homestay</u>	<u>MUP¹</u>	<u>MUP¹</u>	<u>13.10.641</u> <u>13.10.700-F</u>
<u>Festival, agricultural</u>	=	<u>TP</u>	<u>13.10.xxx</u> <u>Temporary</u> <u>Uses</u>
<u>Home occupation</u>	<u>P/CUP</u>	<u>P/CUP</u>	<u>13.10.613</u>
<u>Kenel</u>	<u>MUP²</u>	<u>AUP</u>	<u>13.10.642</u> <u>13.10.644</u>
<u>Lumber mill</u>	--	<u>CUP</u>	
<u>Museum, agriculture or natural history related</u>	--	<u>CUP</u>	
<u>Produce sales area, temporary</u>	<u>P¹</u>	<u>P¹</u>	<u>13.10.640</u>
<u>Produce stand</u>	<u>P¹</u>	<u>P¹</u>	<u>13.10.640</u>
<u>Produce market</u>	=	<u>CUP¹</u>	<u>13.10.640</u>
<u>Research and development establishment, agricultural</u>	<u>P²</u>	<u>P</u>	<u>13.10.644</u>
<u>Storage of agricultural equipment and supplies, indoor or outdoor</u>			
<u>Up to 12,000 sq. ft.</u>	<u>P²</u>	<u>P²</u>	
<u>>12,000 sq. ft.</u>	<u>MUP/ CUP²</u>	<u>MUP²</u>	<u>13.10.635</u>
<u>Stable, commercial riding or boarding</u>	<u>P/CUP</u>	<u>P/CUP</u>	<u>13.10.641</u>
<u>Tree service</u>	=	<u>AUP</u>	

USE	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA/ AP	A	
<u>Veterinary office, animal hospital</u>	<u>CUP²</u>	<u>CUP</u>	<u>13.10.642</u>
<u>Water wells, storage tanks and distribution lines, well covers and small pump houses utilized strictly for on-site agriculturally related activities</u>	<u>P</u>	<u>P</u>	<u>13.20.073</u>
<u>Winery, beer or spirits manufacturing facility</u>			
<u>Production only, small</u>	<u>MUP¹</u>	<u>MUP</u>	<u>13.10.637</u>
<u>Production only, medium - large</u>	<u>MUP¹</u>	<u>AUP</u>	
<u>Production and on-site marketing, small</u>	<u>MUP¹</u>	<u>MUP</u>	
<u>Production and on-site marketing, medium</u>	<u>AUP¹</u>	<u>AUP</u>	
<u>Production and on-site marketing, large</u>	<u>CUP¹</u>	<u>CUP</u>	
<u>Winery signs</u>			
<u>Up to 12 sq.ft., non-illuminated</u>	<u>P</u>	<u>P</u>	<u>13.10.637</u>
<u>Greater than 12 sq.ft. or illuminated</u>	<u>AUP</u>	<u>AUP</u>	
<u>Zoo</u>	--	<u>CUP</u>	<u>13.10.700-Z</u>
<u>Zoo, petting</u>	<u>P¹</u>	<u>P¹</u>	
<u>AGRICULTURE</u>			
<u>Apiculture</u>	<u>P</u>	<u>P</u>	
<u>Aquaculture (fish, shellfish, or other animals)</u>	<u>CUP</u>	<u>CUP</u>	
<u>Biomedical livestock operations</u>	<u>CUP</u>	<u>CUP</u>	<u>13.10.647</u>
<u>Container grown crops, outdoor</u>	<u>MUP</u>	<u>MUP</u>	<u>13.10.640</u>
<u>Crop production</u>	<u>P</u>	<u>P</u>	<u>13.10.700-C</u>
<u>Dairy</u>	<u>MUP</u>	<u>MUP</u>	<u>16.22.060</u>
<u>Greenhouse structures, as accessory structures, under 500 square feet in area</u>	<u>BP2</u>	<u>BP2</u>	
<u>Greenhouse structures, including hoop houses, outside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A)</u>			
Hoop houses, of any size, that meet the requirements of County Code Section 12.1 0.315(A)11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment	<u>P</u>	<u>P</u>	
500—20,000 square feet	<u>3</u>	<u>4</u>	
Over 20,000 square feet	<u>4</u>	<u>4</u>	

USE	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA/ AP	A	
Greenhouse structures, soil dependent****, including hoop houses, inside the Coastal Zone, subject to the provisions of SCCC 13.1 0.636(A) and 13.20.073			
Hoop houses, of up to 500 square feet, that meet the requirements of County Code Section 12.10. 315(A)(11) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment	P	P	
500—20,000 square feet	3	3	
Over 20,000 square feet	P/4	P/4	
Greenhouses, improvements and expansions up to 10,000 square feet in area, inside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A) and 13.20.073	BP3	4	
Greenhouses, all others in the Coastal Zone			
Up to 20,000 square feet	P/5	P/5	
Greater than 20,000 square feet	5	5	
Greenhouse replacement, reconstruction or structural alteration, pursuant to SCCC 13.10.636(B) and (C)	BP3	BP3	
<u>Hatchery facility, poultry</u>	<u>P</u>	<u>P</u>	<u>13.10.700-H</u>
<u>Hydroponic farm</u>	<u>MUP</u>	<u>AUP</u>	
<u>Livestock production</u>			
<u>Large animals (horses, cows, llamas, goats) up to 8 animals per acre; hogs up to 2 per acre; small animals or poultry up to 100 animals per acre;</u>	P	P	<u>13.10.645</u> <u>13.10.646</u> <u>16.22.060</u>
<u>Large animals, hogs, small animals or poultry at greater densities</u>	<u>P</u>	<u>AUP</u>	
<u>Mushroom farm</u>	<u>MUP</u>	<u>AUP</u>	<u>13.10.634</u>
<u>Timber harvesting and associated operations (allowed outside the Coastal Zone only)</u>	<u>P</u> <u>(CA district only)</u>	=	
<u>Water pollution control facility, agricultural, to comply with waste discharge requirements or other orders of the Regional Water Quality Control Board</u>	<u>MUP</u>	<u>MUP</u>	<u>16.20, 16.22, 16.30</u>

USE	PERMIT REQUIRED		CODE REFERENCES & NOTES
	<u>CA/ AP</u>	<u>A</u>	
COMMUNITY FACILITIES			
<u>Energy Facilities, community</u>	<u>CUP</u> ¹	<u>AUP</u>	<u>13.10.661</u> <u>13.10.700-E</u>
<u>Energy Facilities, renewable</u>	<u>CUP</u> ¹	<u>AUP</u>	<u>13.10.700-E</u>
<u>Facilities for fish and wildlife enhancement and preservation</u>	<u>P</u>	<u>P</u>	
<u>Fire protection facilities</u>	<u>=</u>	<u>CUP</u>	
<u>Flood control works, including channel rectification and alteration; dams, canals and aqueducts of public water projects</u>	<u>MUP</u>	<u>MUP</u>	
<u>Public or private recreational uses (such as playfields) that do not include permanent structures or paving</u>	<u>CUP</u>	<u>CUP</u>	
<u>Wastewater treatment plant, tertiary, for irrigation water production</u>	<u>=</u>	<u>CUP</u>	<u>13.10.635</u>
<u>Reservoirs or ponds</u>	<u>CUP</u>	<u>CUP</u>	<u>(BoS if >25 acre feet)</u>
<u>Sanitary landfill, publicly owned or contracted</u>	<u>=</u>	<u>CUP</u>	<u>13.10.639</u>
<u>Septic tank sludge disposal sites approved by County Health Officer, outside the Coastal Zone</u>	<u>=</u>	<u>CUP</u>	<u>7.42</u>
<u>Wireless communication facility</u>	<u>CUP</u>	<u>CUP</u>	<u>13.10.660 et seq.</u>
RESIDENTIAL USES			
<u>Accessory structure, habitable or non-habitable, incidental to a residential use and not for agricultural purposes</u>	<u>P</u>	<u>P</u>	<u>13.10.313(A)</u> <u>13.10.611</u> <u>16.50.095</u>
<u>Agricultural employee housing consisting of up to 36 beds in a group quarters or up to 12 units or spaces designed for use by a single family or household.</u>	<u>P</u>	<u>P</u>	<u>13.10.631</u> <u>13.10.700-A</u> <u>16.50.095</u>
<u>Agricultural employee housing consisting of greater than 36 beds in a group quarters or greater than 12 units or spaces designed for use by a single family or household.</u>	<u>CUP</u> ²	<u>CUP</u>	<u>13.10.631</u> <u>13.10.700-A</u> <u>16.50.095</u>
<u>Bed and breakfast inn</u>	<u>=</u>	<u>5</u>	<u>13.10.691</u>
<u>Child care home, small family (must be in conjunction with residential use)</u>	<u>P</u>	<u>P</u>	<u>13.10.700-C</u> <u>16.50.095</u>

USE	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA/ AP	A	
<u>Dwelling groups, subject to minimum density standards</u>			<u>13.10.313(E) & (F)</u>
<u>2-4 units</u>	<u>CUP¹</u>	<u>AUP</u>	<u>13.10.314</u>
<u>5-19 units (PC)</u>	<u>CUP¹</u>	<u>CUP</u>	<u>16.50.095</u>
<u>20+ units (BOS)</u>	<u>CUP¹</u>	<u>CUP</u>	
<u>Foster homes for seven or fewer children, not including those of the proprietary family</u>	<u>P</u>	<u>P</u>	<u>13.10.700-F</u> <u>16.50.095</u>
<u>Foster homes for eight or more children, not including those of the proprietary family</u>	<u>CUP</u>	<u>AUP</u>	<u>13.10.700-F</u> <u>16.50.095</u>
<u>Home Occupations</u>	<u>P</u>	<u>P</u>	<u>13.10.613</u>
<u>Residential care home serving 6 or fewer residents</u>	<u>P</u>	<u>P</u>	<u>13.10.700-R</u> <u>16.50.095</u>
<u>Second unit, accessory to a residential use and not for agricultural employee housing</u>			<u>13.10.681</u> <u>16.50.095</u>
<u>Outside the Coastal Zone</u>	<u>MUP¹</u>	<u>P</u>	
<u>Inside the Coastal Zone</u>	=	=	
<u>Single family dwelling, one per parcel.</u>			<u>13.10.313(F)</u> , <u>13.10.314</u> , <u>13.10.325</u> , <u>16.50.095</u>
<u>Outside the Coastal Zone</u>	<u>P</u>	<u>P</u>	
<u>Inside the Coastal Zone</u>	<u>CUP¹</u>	<u>P</u>	
<u>Dwelling unit, one detached single-family for the owner, lessee or an employee of the owner or lessee of the land, not to exceed one dwelling unit for each 40 acres of total site area, subject to the provisions of SCCC 13.10.314</u>			
<u>Inside the Coastal Zone</u>	<u>CUP (AP district only)¹</u>		=
<u>Outside the Coastal Zone</u>	<u>MUP (AP district only)¹</u>		=
<u>Vacation rental</u>	<u>AUP</u>	<u>AUP</u>	<u>13.10.694</u>
<u>Footnotes:</u>			
¹ Use shall be ancillary to a principal agricultural use of subject property (13.10.700-A).			
² Use shall be ancillary to a principal agricultural use of subject property, or to property owned or leased by the operator.			
**** <u>Soil-dependent agricultural uses are those uses which use the in-situ soils as the growing medium for all crops</u>			

[Ord. 5092 § 1, 2011; Ord. 5061 §§ 4—8, 2009; Ord. 5018 §§ 1—5, 2008; Ord. 4921 §§ 2, 3, 4, 2008; Ord. 4883 § 1, 2007; Ord. 4836 §§ 12—41, 2006; Ord. 4821 § 1, 2006; Ord. 4814 § 1, 2006; Ord. 4808 §§ 1—5, 2005; Ord. 4770 § 1, 2004; Ord. 4751 § 4, 2003; Ord. 4744 § 1, 2003; Ord. 4738 §§ 1, 2, 2003; Ord. 4715 § 1, 2003; Ord. 4659 § 1, 2002; Ord. 4578 §§ 1, 2, 1999; Ord. 4495 § 2, 1998; Ord. 4474-C § 1, 1998; Ord. 4471 § 1, 1997; Ord. 4416 § 2, 1996; Ord. 4406 § 2, 1996; Ord. 4369 § 1, 1995; Ord. 4346 § 7, 1994; Ord. 4158 § 2, 1991; Ord. 4099 § 2, 1990; Ord. 4097 § 2, 1990; Ord. 4094 § 2, 1990; Ord. 4036 § 3, 1989; Ord. 3893 § 1, 1988; Ord. 3845 § 2, 1987; Ord. 3842 § 1, 1987; Ord. 3787-C § 2, 1986; Ord. 3766 § 1, 1986; Ord. 3646 § 1, 1985; Ord. 3632 § 5, 1985; Ord. 3593 § 3, 1984; Ord. 3432 § 1, 1983].

13.10.313 Development standards.

(A) Site Development. The “Agricultural Site Development Chart” below provides permit requirements for physical site development in the CA, A, and AP zone districts. A discretionary permit for physical site development associated with an allowed use is known as a “Site Development Permit.” The processing procedures and general requirements for site development permits are detailed in this Chapter 13.10 and Chapter 18.10 SCCC, Permit and Approval Procedures. Conditional site development permits in the CA and AP Zone Districts are subject to the additional special findings pursuant to SCCC 13.10.314(A).

AGRICULTURAL SITE DEVELOPMENT CHART

“Development area” refers to the area associated with an allowed use, excluding required parking, 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.

<u>PERMIT</u>	<u>PERMIT DESCRIPTION</u>
Permitted (P)	Zoning clearance only; no discretionary permit required.
Minor Site Development Permit (MSP)	Administrative discretionary permit, no public notice - 18.10.110 (A)
Administrative Site Development Permit (ASP)	Administrative discretionary permit with public notice -18.10.110 (B)
Conditional Site Development Permit (CSP)	Public hearing discretionary permit, with public notice. Hearing is before the zoning administrator, except where a different hearing body is specified. 18.10.110(C))
TP (Temporary Permit)	Administrative discretionary permit, no public notice - 18.10.110 (A), unless otherwise specified

<u>SITE DEVELOPMENT</u>	<u>PERMIT REQUIRED</u>		<u>CODE REFERENCES & NOTES</u>
	<u>CA / AP</u>	<u>A</u>	

SITE DEVELOPMENT	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA / AP	A	
<u>AGRICULTURAL SUPPORT STRUCTURES</u>			
<u>Administrative office, agricultural</u>			
<u>Up to 500 sq.ft.</u>	<u>P²</u>	<u>P</u>	
<u>>500 sq.ft.</u>	<u>MSP²</u>	<u>MSP</u>	
<u>Agricultural processing facility</u>			
<u>Not exceeding either 3,500 sq. ft. of floor area or 5,000 square feet development area</u>	<u>MSP²</u>	<u>MSP</u>	<u>13.10.632</u> <u>13.10.700-A</u>
<u>Greater than 3,500 sq. ft. of floor area or 5,000 square feet development area, and not exceeding either 35,000 square feet of floor area or 50,000 of development area</u>	<u>ASP²</u>	<u>ASP</u>	
<u>Exceeding either 35,000 sq.ft. of floor area or 50,000 square feet development area</u>	=	<u>CSP</u>	
<u>Agricultural service establishment</u>			<u>13.10.638</u> <u>13.10.700-A</u>
<u>Not exceeding 2,500 sq. ft. of floor area or 3,500 square feet development area</u>	<u>P²</u>	<u>P</u>	
<u>More than 2,500 sq. ft. of floor area or 3,500 sq.ft. development area; not exceeding 7,500 sq. ft. of floor area or 10,000 sq.ft. development area</u>	<u>ASP²</u>	<u>ASP</u>	
<u>More than 7,500 sq. ft. of floor area or 10,000 square feet development area</u>	=	<u>CSP</u>	
<u>Agri-tourism / education structure</u>			
<u>Up to 1,000 sq. ft. development area</u>	<u>P¹</u>	<u>P¹</u>	<u>13.10.644</u>
<u>>1,000 sq.ft. – 3,500 sq. ft. development area</u>	<u>MSP¹</u>	<u>MSP¹</u>	
<u>Kennel</u>	<u>MSP²</u>	<u>ASP</u>	
<u>Lumber mill</u>	=	<u>CSP</u>	<u>13.10.644</u>
<u>Produce sales area, temporary</u>	<u>P¹</u>	<u>P</u>	<u>13.10.640</u>
<u>Produce stand</u>	<u>MSP¹</u>	<u>MSP</u>	<u>13.10.640</u>
<u>Produce market</u>	=	<u>ASP</u>	<u>13.10.640</u>
<u>Research and development establishment, agricultural</u>			
<u>Not exceeding 2,500 sq. ft. floor area</u>	<u>P²</u>	<u>P</u>	<u>13.10.644</u>
<u>More than 2,500 sq.ft. up to 7,500 sq.ft.</u>	<u>ASP²</u>	<u>ASP</u>	
<u>More than 7,500 sq.ft., up to 12,000 sq. ft.</u>	<u>CSP²</u>	<u>CSP</u>	
<u>More than 12,000 sq. ft.</u>	=	<u>CSP</u>	

SITE DEVELOPMENT	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA / AP	A	
<u>Storage structure / area for: agricultural equipment, vehicles or supplies, or timber harvesting equipment, vehicles or supplies⁴</u>			<u>13.10.635</u>
<u>Up to 12,000 sq.ft. development area</u>	<u>P²</u>	<u>P²</u>	
<u>> 12,000 sq. ft. development area</u>	<u>MSP/ CSP²</u>	<u>MSP²</u>	
<u>Stable, commercial riding or boarding</u>	<u>P/CSP</u>	<u>P/CSP</u>	<u>13.10.641</u>
<u>Structures for an allowed use indirectly related to agriculture, including, but not limited to, animal hospital, museum, veterinary office, and zoo.</u>			<u>13.10.644</u>
<u>Up to 500 sq.ft.</u>	<u>=</u>	<u>MSP</u>	
<u>>500 sq.ft. – 3,500 sq.ft.</u>	<u>=</u>	<u>ASP</u>	
<u>>3,500 sq.ft.</u>	<u>=</u>	<u>CSP</u>	
<u>Water pollution control facility, agricultural, to comply with waste discharge requirements and other orders of the Regional Water Quality Control Board</u>	<u>MSP</u>	<u>MSP</u>	<u>16.20, 16.22, 16.30</u>
<u>AGRICULTURE STRUCTURES</u>			
<u>Aquaculture facilities</u>	<u>CSP</u>	<u>CSP</u>	
<u>Barn, livestock rearing; petting zoo</u>			
<u>Up to 5,000 sq. ft.</u>	<u>ZC</u>	<u>ZC</u>	
<u>>5,000 sq. ft. to 10,000 sq. ft.</u>	<u>MSP</u>	<u>MSP</u>	
<u>>10,000 sq. ft.</u>	<u>MSP</u>	<u>ASP</u>	
<u>Biomedical livestock facilities</u>	<u>CSP</u>	<u>CSP</u>	<u>13.10.647; Not allowed on AP</u>
<u>Dairy facilities</u>	<u>MSP</u>	<u>CSP</u>	<u>16.22.060</u>
<u>Greenhouse structures, as accessory structures, under 500 square feet in area</u>	<u>BP2</u>	<u>BP2</u>	
<u>Greenhouse structures, including hoop houses, outside the Coastal Zone, subject to the provisions of SCCC 13.10.636(A)</u>			
<u>Hoop houses, of any size, that meet the requirements of County Code Section 12.1 0.315(A)11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment</u>	<u>P</u>	<u>P</u>	
<u>500—20,000 square feet</u>	<u>3</u>	<u>4</u>	
<u>Over 20,000 square feet</u>	<u>4</u>	<u>4</u>	

SITE DEVELOPMENT	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA / AP	A	
Greenhouse structures, soil dependent, including hoop houses, inside the Coastal Zone, subject to the provisions of SCCC 13.1 0.636(A) and 13.20.073			
Hoop houses, of up to 500 square feet, that meet the requirements of County Code Section 12.10. 315(A) 11 or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment	P	P	
500—20,000 square feet	3	3	
Over 20,000 square feet	P/4	P/4	
Greenhouses, improvements and expansions up to 10,000 square feet in area, <i>inside</i> the Coastal Zone, subject to the provisions of SCCC 13.10.636(A) and 13.20.073	BP3	4	
Greenhouses, all others in the Coastal Zone			
Up to 20,000 square feet	P/5	P/5	
Greater than 20,000 square feet	5	5	
Greenhouse replacement, reconstruction or structural alteration, pursuant to SCCC 13.10.636(B) and (C)	BP3	BP3	
<u>Hatchery facility, poultry</u>			13.10.700-H
<u>Up to 5,000 sq.ft.</u>	<u>MSP</u>	<u>MSP</u>	
<u>>5,000-10,000 sq.ft.</u>	<u>MSP</u>	<u>ASP</u>	
<u>>10,000-50,000</u>	<u>ASP</u>	<u>CSP</u>	
<u>>50,000 sq.ft.</u>	<u>CSP</u>	<u>CSP</u>	
<u>Hydroponics facilities</u>	<u>MSP</u>	<u>ASP</u>	13.10.634
<u>Mushroom facilities</u>	<u>MSP</u>	<u>ASP</u>	13.10.634
<u>Paddock or corral, for livestock production or a petting zoo</u>	<u>P¹</u>	<u>P¹</u>	16.22.060
<u>Tree service facilities</u>	<u>--</u>	<u>ASP</u>	
<u>COMMUNITY FACILITIES</u>			
<u>Energy facilities, community</u>	<u>CSP</u>	<u>ASP</u>	13.10.661 13.10.700-E
<u>Energy facilities, renewable</u>	<u>CSP</u>	<u>ASP</u>	13.10.700-E
<u>Facilities for fish and wildlife enhancement and preservation</u>	<u>P</u>	<u>P</u>	

SITE DEVELOPMENT	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA / AP	A	
<u>Flood control works, including channel rectification and alteration; dams, canals and aqueducts of public water projects</u>	<u>MSP</u>	<u>MSP</u>	
<u>Public or private recreational uses (such as playfields) that do not include permanent structures or paving</u>	<u>CSP</u>	<u>CSP</u>	
<u>Recycled municipal wastewater (i.e., tertiary treatment) facilities for the production of recycled water solely for agricultural irrigation use</u>	=	<u>CSP</u>	<u>13.10.635</u>
<u>Reservoirs or ponds</u>	<u>CSP</u>	<u>CSP</u>	<u>(BoS if greater than 25 acre feet)</u>
<u>Sanitary landfill, publicly owned or contracted, and associated structures</u>	=	<u>CSP</u>	<u>13.10.639</u>
<u>Septic tank sludge disposal sites approved by County Health Officer, outside the Coastal Zone</u>	=	<u>CSP</u>	<u>7.42</u>
<u>Wireless communication facility</u>	<u>CSP</u>	<u>CSP</u>	<u>13.10.660 et seq.</u>
<u>Wastewater treatment plant</u>	<u>CSP</u>	<u>CSP</u>	
<u>OTHER SITE OR STRUCTURAL IMPROVEMENTS</u>			
<u>Additions to principally permitted structures</u>	<u>P</u>	<u>P</u>	
<u>Additions to discretionary structures³</u>			
<u>500 sq ft or less</u>	<u>P</u>	<u>P</u>	
<u>>500 sq ft</u>	<u>MSP</u>	<u>MSP</u>	
<u>Paving or new development area associated with an allowed use, where not considered with another permit or permit amendment</u>			
<u>Up to 2,500 sq ft</u>	<u>P¹</u>	<u>P</u>	
<u>>2,500 sq ft</u>	<u>MSP¹</u>	<u>MSP¹</u>	
<u>Remodel with no expansion, of agricultural structure, agricultural support structure, structure indirectly related to agriculture, or residential structure.</u>	<u>P</u>	<u>P</u>	
<u>RESIDENTIAL STRUCTURES</u>			
<u>Accessory structure, habitable or non-habitable, incidental to a residential use and not for agricultural purposes</u>	<u>P</u>	<u>P</u>	<u>13.10.313(A)</u> <u>13.10.611</u> <u>16.50.095</u>

SITE DEVELOPMENT	PERMIT REQUIRED		CODE REFERENCES & NOTES
	CA / AP	A	
<u>Agricultural employee housing consisting of up to 36 beds in a group quarters or up to 12 units or spaces designed for use by a single family or household.</u>	<u>P</u>	<u>P</u>	<u>13.10.631</u> <u>13.10.700-A</u> <u>16.50.095</u>
<u>Agricultural employee housing consisting of greater than 36 beds in a group quarters or greater than 12 or more units or spaces designed for use by a single family or household.</u>	<u>-</u>	<u>CSP</u>	<u>13.10.631</u> <u>13.10.700-A</u> <u>16.50.095</u>
<u>Dwelling groups</u>			<u>13.10.313(E) & (F)</u>
<u>2-4 units</u>	<u>CSP¹</u>	<u>ASP</u>	<u>13.10.314</u>
<u>5-19 units (PC)</u>	<u>CSP¹</u>	<u>CSP</u>	<u>16.50.095</u>
<u>20+ units (BOS)</u>	<u>CSP¹</u>	<u>CSP</u>	
<u>Second Units, accessory to a residential use and not for agricultural employee housing</u>			<u>13.10.681</u> <u>16.50.095</u>
<u>Outside the Coastal Zone</u>	<u>MSP¹</u>	<u>P</u>	
<u>Inside the Coastal Zone</u>	<u>-</u>	<u>-</u>	
<u>Single family dwelling, 5,000 sq. ft. or less</u>	<u>P</u>	<u>P</u>	<u>13.10.311(F)</u> <u>16.50.095</u>
<u>Single family dwelling, larger than 5,000 sq. ft.</u>	<u>CSP</u>	<u>CSP</u>	<u>GP 5.13.27</u> <u>GP 5.13.28</u> <u>GP 5.13.29</u>
¹ Structure shall be ancillary to a principal agricultural use of subject property (13.10.700-A). ² Structure shall be ancillary to a principal agricultural use of subject property or of properties owned or leased by the operator. ³ Additions to structures with an existing discretionary permit may be processed as a major or minor amendment, to the existing permit, as provided by 18.10.300. ⁴ With or without a single room containing lavatory facilities			

(B) (A)-Site and Structural Dimensions

(1) General. 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.

AGRICULTURAL SITE AND STRUCTURAL DIMENSIONS CHART

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'
AP	(All)	300'	100'	20'

Designation	Setbacks*			Maximum Height**	
	Front	Sides	Rear	Agricultural Structures	Residential Structures
A	20'	20'	20'	40'	28'
CA / AP	20'	20'	20'	40'	28'

* Refer to 13.10.313(A)(1) and 13.10.313(A)(1)(3) for alternate setbacks that may apply for residential structures, soil-dependent greenhouses and hoop houses.

**Agricultural windmills and wind machines for crop production are exempt from the height provisions of this chapter.

(2) Size and Design of Structures—Exceptions. No residential structure shall be constructed or enlarged which will result in 5,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval Conditional Site Development Permit is obtained pursuant to the provisions of SCCC 18.10.325.

(3) For soil-dependent greenhouses, including hoop houses that meet the definition of an agricultural shade structure (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.

(C) ~~(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.

~~(C) Minimum Parcel Size.~~

~~(1) A 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 two and one-half to 20 or 10 to 40 acres per dwelling unit and shall be consistent with the requirements of the General Plan, the Local Coastal Program Land Use Plan and Chapter 13.14 SCCC pertaining to rural residential density determinations. Land divisions shall not be allowed within the A Zone District on properties within the USL.~~

~~(2) CA District. Parcels within the CA Zone District shall not be divided except for exclusive agricultural purposes pursuant to SCCC 13.10.315.~~

~~(3) AP District. Parcels within the AP Zone District shall not be divided except for exclusive agricultural purposes pursuant to SCCC 13.10.315.~~

(D) ~~(C)~~ Minimum Parcel Sizes for Lot Line Adjustments. The required minimum parcel sizes for lot line adjustments in the A, CA, AP zoning districts, shall be as follows, based on net site area except as noted:

(1) A District. The highest end of the density range allowed by the General Plan density designation. For parcels with a General Plan designation of Agriculture (AG), the smallest minimum parcel size pursuant to Chapter 13.14 SCCC, Rural Residential Density Determinations, based on net developable area; consistent with 14.01.107.4(A)(3).

(2) CA and AP Districts

(a) No parcel subject to General Plan designation as agricultural resource shall be reduced in size by a lot line adjustment, unless it can be demonstrated that the proposed adjustment will not adversely affect the economic viability of agricultural land which is located on the subject parcels or on adjacent parcels. The Planning Director may refer the determination of economic viability to the Agricultural Policy Advisory Commission.

(b) 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.

(3) Exceptions. Minimum parcel sizes in the A, CA and AP zoning districts shall not apply, and APAC review is not required, where:

(a) 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; or,

(b) 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 still required if the area of arable land is reduced on a parcel.

~~(E)~~ ~~(D)~~ Buffer Requirements. Nonagricultural uses involving habitable spaces including such as residential, development, farm labor housing, commercial or industrial establishments, etc., that are adjacent to parcels zoned Commercial Agriculture (CA) or Agricultural Preserve AP designated as an Type I, II or III Agricultural Resource Land in the County General Plan (Policies 5.13.1 – 5.13.2) or farm labor housing located on CA or AP zoned land, shall provide a buffer setback in accordance with the provisions of SCCC 16.50.095, and shall otherwise comply with the requirements of that section. Agricultural buffers shall not be required between nonagricultural and commercial agricultural uses on the same parcel unless otherwise specified by the Santa Cruz County Code.

~~(F)~~ ~~(E)~~ Dwelling Group Densities.

(1) A District. Dwelling groups within the A Agriculture Zone District may be allowed at a density per dwelling unit pursuant to Chapter 13.14 SCCC pertaining to rural residential density determinations.

(2) CA District. Dwelling groups within the CA Commercial Agriculture Zone District may be allowed at a density of 40 gross acres per dwelling unit.

(3) AP District. Dwelling groups within the AP Agriculture Preserve Zone District may be allowed at a density of 40 gross acres per dwelling, with a maximum of five dwelling units.

(4) Agricultural employee housing consisting of not more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be considered an agricultural use rather than a residential use and shall not be subject to density limitations.

~~(G)~~ ~~(F)~~ Residential Uses on Coastal Zone Noncommercial Agricultural Land. Building permits for residential uses on parcels designated in the General Plan and Local Coastal Program Land Use Plan with an Agricultural Resource Designation as agricultural land use and not as commercial agricultural land shall be issued permitted only upon documentation that:

(1) Residential use of the parcel will not conflict with on-site or adjacent agricultural activities; Residential structures shall be sited off of Type I, II or III agricultural soils. Where there is no

building site available that is not on Type I, II or III land, the structure shall be sited to remove as little land as possible from production or potential production; and

- (2) The building site has approved agricultural buffer setbacks; and.
- (3) The residents and owners of the subject parcel have executed a binding hold harmless covenant with adjacent agricultural operators and owners which shall run with the land and be recorded prior to occupancy.

~~The Agricultural Policy Advisory Commission shall make the determination that these conditions have been met.~~

(H) ~~(G)~~ Applicability of Other Regulations. Other development standards applicable to agricultural zone districts are contained in the following sections of Chapter 13.10 SCCC:

	SCCC
General site standards	13.10.510, et seq.
Signs	13.10.580, et seq.
Parking	13.10.550, et seq.
Fences	13.10.525
Minimum parcel sizes	13.10.510(G)
Use of nondevelopable land	13.10.671
Trip reduction requirements (development projects for 50 or more employees)	13.10.591
Design review	13.11.010, et seq.
Agricultural buffers/setbacks	16.50.095

[Ord. 4836 §§ 42—44, 2006; Ord. 4416 § 3, 1996; Ord. 4406 § 3, 1996; Ord. 4346 § 8, 1994; Ord. 4314 § 1, 1994; Ord. 4097 § 3, 1990; Ord. 4037 § 2, 1989; Ord. 3755 § 1, 1986; Ord. 3432 § 1, 1983].

13.10.314 Required special findings for CA and AP uses.

(A) All Uses. For parcels within the CA Commercial Agriculture and AP Agricultural Preserve Zone Districts, the following special findings must be made in addition to the findings required by Chapter 18.10 SCCC in order to approve any discretionary use project listed under SCCC 13.10.312 and 13.10.313 which requires a Conditional Use Permit or Conditional Site Development Permit, Level V or higher approval except agricultural buffer determinations and residential uses in the Coastal Zone:

- (1) That the establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect

agricultural activities resources, or the economic viability, of commercial agricultural operations; of the area.

(2) That the use or structure will be sited to (a) minimize conflicts with commercial agricultural activities on-site and in the area; and (b) remove no land from production (or potential production) if any non-farmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

(3) ~~(2)(a)~~ That the use or structure is ancillary, ~~incidental or accessory~~ or necessary to the principal agricultural use of the parcel, or to parcels owned or leased by the operator; ~~or (b) that no other agricultural use is feasible for the parcel,~~ or ~~(c)~~ that the use consists of an interim public use which does not impair long-term agricultural viability or consists of a permanent public use that will result in the production of recycled wastewater 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. These findings (a) and (b) are not required for uses and site developments not designated as ancillary in SCCC §§ 13.10.312 or 13.10.313.

~~(3) That single family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on-site, where applicable, or in the area.~~

~~(4) That the use will be sited to remove no land from production (or potential production) if any nonfarmable potential building site is available, or if this is not possible, to remove as little land as possible from production.~~

(B) Discretionary Residential Uses in the CA and AP Zone Districts. ~~Coastal Zone.~~ For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts ~~in the Coastal Zone,~~ the following special findings shall be made in addition to those required by Chapter 18.10 SCCC and subsection (A) of this section in order to approve any discretionary residential use ~~including a single family residence, a permanent caretaker's residence an agricultural caretaker accessory dwelling unit, or a habitable accessory structure.~~ These findings shall be based upon a review and determination by the Agricultural Policy Advisory Commission.

(1) 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 which preclude commercial agricultural use; or that the residential use will be ancillary to commercial agricultural use of the parcel based upon 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 or adjacent parcels, such as an agricultural easement.

(2) That the residential use ~~will meet~~ meets all the requirements of SCCC 16.50.095 pertaining to agricultural buffer setbacks;

(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 administrative or conditional use permit.

(4) That the use or structure will be sited to (a) minimize conflicts with commercial agricultural activities on-site and in the area; and (b) remove no land from production (or potential production) if any nonfarmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

(C) Recreational Playfields Outside the Coastal Zone.

(1) For parcels within the CA Commercial Agricultural and AP Agricultural Preserve Zone Districts, the following special findings must be made in addition to the findings required by Chapter 18.10 SCCC in order to approve recreational playfields outside the Coastal Zone:

(a) That the use ~~is temporary and~~ 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.

(d) That the use will be sited to ~~remove no land from production (or potential production) if any nonfarmable site is available, or if this is not possible,~~ to remove as little land as possible from production.

(2) For parcels within the AP Agricultural Preserve Zone District, the requirements set forth in Government Code Section 51238.1(a) must also be met to approve recreational playfields outside of the Coastal Zone. [Ord. 4836 § 45, 2006; Ord. 4821 § 1, 2006; Ord. 4439 §§ 1, 2, 1996; Ord. 4094 § 3, 1990; Ord. 3646 § 2, 1985; Ord. 3432 § 1, 1983].

13.10.315 CA and AP land division criteria.

(A) All Parcels in the CA and AP Zone District.

(1) All land divisions of less than 19 lots in the CA or AP Zone Districts shall be subject to a public hearing before the Planning Commission, and land divisions of 19 or more lots a public hearing before the Board of Supervisors, ~~and approval at approval Level VII~~ pursuant to Chapter 18.10.110 SCCC.

(2) All proposed parcel divisions within the CA or AP Zone Districts 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 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 parcel divisions shall be permitted in the CA or AP Zone Districts for the purpose of using the new parcel(s) for nonagricultural uses, or for the purpose of dividing off land for a homeseite or which is not usable for agriculture.

(4) Divisions of land not zoned CA or AP from land zoned CA or AP are governed by SCCC 16.50.085.

(B) Type 1 Parcels. (4) The following findings shall be made prior to the approval of any parcel division in the CA or AP Zone Districts for land designated as Type 1 land pursuant to Chapter 16.50 SCCC:

(1) That the resulting parcels are not less than 10 arable acres in size.

(2) ~~(a)~~ That the use division is for exclusive agricultural use purpose.

- (3) ~~(b)~~ 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) ~~(c)~~ 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 ~~existed prior to January 23, 1979, for a~~ 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) ~~(d)~~ 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. Technical reports may be required to confirm the crop types that are suited to a particular soil. With respect to parcels restricted by an Agricultural Preserve Williamson Act contract ~~recorded prior to January 23, 1979,~~ the finding shall be made either that (i) 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 (ii) the owners of all parcels created have recorded an agreement with the County which guarantees the original owner the right to continue to use the newly created parcel for exclusive commercial agricultural uses. ~~In no case shall the parcel size be less than 10 arable acres.~~ Land subject to an Agricultural Preserve contract which 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 agricultural preserve contract had the original parcel remained undivided.
- (6) ~~(e)~~ That no conflicts with adjacent agricultural operations shall result from the division.

~~(f) That the division is for exclusive agricultural purposes. A recorded agricultural preserve (Williamson Act) contract existing prior to January 23, 1979, for a parcel proposed to be divided under this section shall constitute evidence of an exclusive agricultural purpose.~~

~~(2) Agricultural preserve (Williamson Act) contracts shall be recorded, prior to filing final maps, for all parcels created by a division of Type 1A agricultural land.~~

(C) Type 2 Parcels. The following findings shall be made prior to the approval of any parcel division in the CA Zone District for land designated as Type 2 land pursuant to Chapter 16.50 SCCC:

- (1) That the resulting parcels are not less than 20 arable acres in size.

(2) ~~(4)~~ That the division is for exclusive agricultural purposes.

(3) ~~(2)~~ That the division will result in agriculturally viable parcels; ~~in no case shall the parcel size be less than 20 arable acres.~~

(4) ~~(3)~~ That no conflicts with adjacent or nearby commercial agricultural uses will result from the division.

(D) Type 3 Parcels. ~~(4)~~ The following findings shall be made prior to the approval of any parcel division in the CA or AP Zone Districts for land designated as Type 3 land pursuant to Chapter 16.50 SCCC.

(1) That the resulting parcel sizes are not less than 20 arable acres.

(2) ~~(a)~~ That the division is necessary for continued commercial agricultural use of the subject parcels.

(3) ~~(b)~~ 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) ~~(c)~~ That the division is for exclusive agricultural purposes.

(5) ~~(d)~~ 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; ~~in no case shall the parcel size be less than 20 arable acres.~~

(6) ~~(e)~~ That no conflicts with adjacent agricultural operations shall result from the division.

(7) ~~(f)~~ 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).

(8) ~~(g)~~ That such division will not hamper or discourage long-term commercial agricultural operations.

~~(2) — An agricultural preserve (Williamson Act) contract and a covenant enforceable by the County to prohibit use of the parcel for nonagricultural purposes shall be recorded on the property title, prior to filing final maps, for each parcel created by said land division. [Ord. 4836 §§ 46, 47, 2006; Ord. 4346 § 9, 1994; Ord. 3845 § 2, 1987; Ord. 3432 § 1, 1983].~~

13.10.316 Agricultural Policy Advisory Commission Review

(A) Agricultural Policy Advisory Commission (APAC) review 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:

- 1) Agricultural Buffer Setback Determinations pursuant to SCCO 16.50.095
- 2) Lot line adjustments to reduce the size or arable area of a CA zoned parcel, as provided by the County Code.
- 3) Applications for discretionary residential uses on parcels zoned CA and AP, pursuant to SCCC 13.10.314(B).
- 4) Land Divisions on lands designated as Agricultural Resources in the County General Plan
- 5) Amendments to Agricultural Resource Designations
- 6) Actions to establish, amend, or cancel Williamson Act Contracts
- 7) Development Permits to construct a second unit further than 100 feet from the primary dwelling unit on lands designated as 'Agriculture' in the County General Plan
- 8) 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 in association with a Rural Matrix Density Determination.
- 9) Matters referred to the APAC Commission by the Board of Supervisors

[STRIKETHROUGH VERSION]

Article III. Agricultural Uses

- 13.10.631 ~~Farm worker/caretaker housing—Mobile homes, farm worker quarters and farm worker camps.~~ Agricultural employee housing
- 13.10.632 Agricultural processing and storage facilities.
- 13.10.633 Agri-tourism and education.
- 13.10.634 Agriculture within structures, such as mushroom growing.
- 13.10.635 Storage of equipment and supplies.
- 13.10.636 Greenhouses.
- 13.10.637 ~~Wineries.~~ Winery and beer manufacturing facilities.
- ~~13.10.638 Agricultural custom work occupations~~
- 13.10.638 Agricultural service establishments.
- 13.10.639 Outdoor container-grown crops.
- 13.10.640 Temporary produce sales areas, produce stands, and produce markets
- 13.10.641 Agricultural farmstays/ homestays
- 13.10.642 Sanitary landfill as interim use.
- 13.10.643 Recycled water facilities for the production of recycled municipal wastewater for agricultural irrigation use.
- 13.10.644 Agricultural structures, miscellaneous.

~~**13.10.631 Farm worker/caretaker housing—Mobile homes, farm worker quarters and farm worker camps. i**~~

~~(A) Purposes. The purpose of regulations for farm worker/caretaker housing are:~~

- ~~(1) To facilitate the agricultural management of agricultural and timber production zoned parcels where no permanent dwelling exists (caretakers' mobile homes and travel trailers only);~~
- ~~(2) To recognize the need for farm worker housing as ancillary to commercial agricultural use of farm land; to prohibit nonagricultural residential use, and to meet the security and labor needs for farming operations;~~
- ~~(3) To protect against unnecessary conversion of arable land and quality rangeland to nonagricultural residential uses and to minimize the conflicts between agricultural uses and residential uses;~~
- ~~(4) Notwithstanding other provisions of this code, nothing in this section shall be deemed to eliminate already existing farm worker housing currently allowed by law, nor to prohibit rehabilitation of such existing farm worker housing so long as such rehabilitation complies with all State and County health, safety, fire, housing, and construction code regulations and subsection (C)(4) of this section.~~

~~(B) Definitions. For the purposes of this section, the following terms are defined in addition to those definitions set forth in SCCG 13.10.700-A through 13.10.700-Z:~~

~~(1) "Arable land" means land which is suitable for the cultivation of crops. Such land usually contains soils with a U.S. Soil Conservation Service agricultural capability rating of I through IV and slopes of less than 25 percent.~~

~~(2) "Rangeland" means land which is suitable for the grazing of livestock. Such land usually contains soil with a U.S. Conservation Service agricultural capability rating of V through VIII and contains vegetation dominated by grasses and herbaceous ground cover.~~

~~(C) Regulations for All Farm Worker/Caretaker Housing:~~

~~(1) All farm worker housing units shall be placed on nonarable portions of the site, if feasible; otherwise, farm worker housing units shall be sited to remove as little land from agricultural production as possible.~~

~~(2) No permanent farm worker quarters or farm worker camps shall be placed on soils with a U.S. Soil Conservation Service capability rating of Class I or II soils.~~

~~(3) All farm worker housing on or adjacent to commercial agricultural land shall be designed to include buffering techniques that minimize potential land use conflicts both on-site and off-site and meet the purposes of the agricultural buffer setback ordinance (SCCG 16.50.095).~~

~~(4) Notwithstanding other provisions of this code, rehabilitation of already existing farm worker housing (including by demolition and subsequent on-site relocation and reconstruction of structures which are larger than those demolished) may be approved by obtaining a Level V use approval and (if in the Coastal Zone) coastal approval. Such approval may be granted only so long as:~~

~~(a) Neither the number of dwelling units nor the maximum number of allowed occupants is increased beyond the level legally established on the site (including by continuing legal nonconforming use); and~~

~~(b) The dwelling units are enforceably restricted in compliance with the County's affordable housing ordinance (Chapter 17.10 SCCG) for the life of the unit to rental by very, very low income households, to the maximum extent determined feasible by the approving body, defined as having annual incomes less than 35 percent of median household income for the Santa Cruz PMSA, utilizing 30 percent of that income for housing rental; and in no event shall such enforceably restricted units be subject to rental by households exceeding very low income, defined as households having annual incomes less than 50 percent of median household income for the Santa Cruz PMSA, utilizing 30 percent of that income for housing rental.~~

~~(c) Reasonable conditions are imposed on the use approval or coastal approval, which conditions shall include, but are not limited to:~~

~~(i) A requirement for on-site management of the farm worker housing facility. The farm worker housing provider, or their agent, may act as on-site manager if the facility contains 15 units or less. If the facility contains 16 units or more, or if the facility contains six units or more and the farm worker housing provider does not act as on-site manager, a resident on-site manager shall be required. Management shall have the legal duty to require certification that each household residing in the rehabilitated farm worker housing qualifies as a farm worker household under subsection (E) of this section, and to enforce the requirement that each rehabilitated farm worker housing unit is occupied by a farm worker household. There shall be the following exceptions to the~~

requirement that each household residing in the rehabilitated farm worker housing qualify under subsection (E) of this section:

A.—A required on-site manager; and

B.—Existing tenants at the time application for rehabilitation is filed, but only to the extent determined by the approving body to be necessary to minimize any relocation benefits required by public funding sources or programs; and

(ii)—A specification of the area for structural relocation, setbacks, height and other design aspects of the site or structure(s); and

(iii)—No rehabilitation of permanent structures shall be approved which would remove additional agricultural land from production; and

(iv)—The rehabilitation shall comply to the maximum extent feasible with adopted County agricultural preservation policies, including agricultural buffer setback policies, so long as such compliance does not reduce the number of farm worker housing units which may be rehabilitated; and

(v)—The maximum size of each rehabilitated farm worker housing unit shall be specified in subsection (E)(7) of this section in farm worker quarters and in subsection (F)(5) of this section in a farm worker camp.

(d)—The farm worker housing is existing as of November 21, 1995, as shown by a permit to operate (or exemption therefrom) effective on or after November 21, 1995, pursuant to California Health and Safety Code Section 17030 and following, or the inventory of farm worker housing maintained by the Environmental Health Division of the County of Santa Cruz on November 21, 1995.

~~(D) Regulations for Agricultural Caretakers' Mobile Homes and Travel Trailers.~~

~~(1) The use of a mobile home or travel trailer used as a caretakers' or watchman's quarters shall be for temporary occupancy of not more than five years, with the possibility of renewal. An agricultural caretakers' mobile home may be permitted with or without a permanent dwelling on the parcel.~~

~~(2) Such uses shall be limited to one mobile home or travel trailer per parcel on parcels which contain a minimum of 10 acres of arable land or 10 acres of rangeland in an agricultural zone district or 10 acres of timber land, arable land or rangeland in a Timber Production Zone District.~~

~~(3) The approval of such use shall be based upon the demonstrated need for additional labor and/or security needs to serve an agricultural use on the parcel and conformance with SCCC 16.50.095 governing agricultural buffer setbacks.~~

~~(4) The installation and use of such temporary dwellings shall comply with all State and County health and housing code regulations and SCCC 13.10.683(D) which specifies installation standards for temporary mobile homes.~~

~~(E) Regulations for Farm Worker's Quarters.~~

~~(1) The occupancy of each dwelling, with the exception of a required, on-site manager's unit, shall be limited to farm workers employed, in whole or in part, within the County of Santa Cruz and their families ("farm worker households"). The qualifying adult farm worker, during tenancy in the farm worker housing, must earn at least 50 percent of his/her income from an agricultural operation, defined as employment by production agriculture (the art or science of cultivating the ground, including harvesting of crops, packing and loading the crops and driving them to the next point of handling, rearing and management of livestock, tillage, husbandry, farming, horticulture, fishing and timber~~

harvesting). There shall be a 30-day grace period for tenants to find other housing if employment ceases. A temporary layoff of less than 150 days for lack of work shall not be considered a cessation of employment.

Each farm worker housing provider, or their agent, shall require an application form to be completed by each farm worker household when initially seeking tenancy. This application shall include a certification of the tenant household's eligibility for farm worker housing and authorization given by the tenant household for the housing provider to request and be given recertification of eligibility at least annually. Upon request, by either the housing provider or the County, the farm worker household tenant shall provide to the housing provider, and the housing provider shall provide to the County, a certification of the tenant's eligibility for farm worker housing, for instance by providing information on the tenant's quarterly payroll and rent payments, and failure to do so shall be sufficient grounds for housing provider to evict the tenant or for the County to revoke any permit or other approval granted with respect to such farm worker housing. Nothing in this title, however, shall permit the housing provider to violate the worker's right to privacy.

(2) — Such uses shall be limited to parcels which contain a minimum of 20 acres of arable land or 100 acres of rangeland in an agricultural zone district. Temporary dwelling units may be placed on parcels containing less than 20 acres of arable land or 100 acres of rangeland; provided, that the farm workers who live in such housing earn at least 50 percent of their income from an agricultural operation on the parcel on which the housing is located.

(3) — The number of farm worker housing units on any parcel shall be based on the demonstrated need for agricultural labor on the qualifying acreage from subsection (E)(2) of this section. Furthermore, the maximum dwelling unit density of such housing is one unit/20 acres of arable land or one unit/100 acres of rangeland.

(4) — The maximum allowed dwelling unit densities for farm worker quarters may be exceeded under special circumstances related to distance of the site from urban residential areas and method of production on the parcel which requires labor intensive practices. In such cases, the Board of Supervisors shall determine the maximum permitted dwelling unit density and whether the units shall be permanent or temporary (mobile home). In making this determination, the Board shall consider the recommendations of the Planning Commission and the Agricultural Policy Advisory Commission.

(5) — All farm worker quarters shall be in conformance with SCCC 16.50.095 governing agricultural buffer setbacks.

(6) — The use of temporary dwelling units shall be for not more than five years, with the possibility of renewal. If the housing provider ceases agricultural operations, the units must be removed within 60 days. They may not be converted to other uses, unless a separate permit has been approved for another use according to Chapter 18.10 SCCC.

(7) — The maximum size of any farm worker housing unit is 1,500 square feet of habitable floor area. The construction and use of such permanent dwellings shall comply with all adopted health, housing and construction codes. The construction and use of temporary dwellings shall comply with SCCC 13.10.683(D) which specifies installation standards for temporary mobile homes.

(8) — Clustered farm worker quarters housing five or more farm workers and their families must meet the State and local requirements governing farm worker camps.

(9) — All applications for farm worker quarters shall be reviewed by the Agricultural Policy Advisory Commission, which shall provide a recommendation regarding the appropriateness of the project for the site to the Planning Commission and the Board of Supervisors.

~~(F) Regulations for Farm Worker Camps.~~

~~(1) The occupancy of each dwelling unit shall be limited in the same way that occupancy is limited for farm worker quarters (subsection (E)(1) of this section).~~

~~(2) Such uses shall be limited to parcels which contain a minimum of 40 acres of arable land or 200 acres of rangeland in an agricultural zone district. Temporary dwelling units may be placed on parcels containing less than 40 acres of arable land or 200 acres of rangeland; provided, that the farm workers who live in such housing earn at least 50 percent of their income from an agricultural operation on the parcel on which the housing is located.~~

~~(3) The number of farm worker housing units on any parcel shall be based on the demonstrated need for agricultural labor needs on the qualifying acreage from subsection (F)(2) of this section, and in conformance with SCCG 16.50.095 governing agricultural buffer setbacks. Furthermore, the maximum dwelling unit density of such housing is one unit/40 acres of arable land or one unit/200 acres of rangeland.~~

~~(4) The maximum allowed dwelling unit densities for farm worker camps may be exceeded under special circumstances related to distance of the site from urban residential areas and method of production on the parcel which requires labor intensive practices. In such cases, the Board of Supervisors shall determine the maximum permitted dwelling unit density and whether the units shall be permanent or temporary (mobile home). In making this determination, the Board shall consider the recommendations of the Planning Commission and the Agricultural Policy Advisory Commission.~~

~~(5) Farm worker camps may include units intended for family occupancy, with independent kitchen and toilet facilities, as well as dormitory style accommodations with shared kitchens and bathroom facilities; provided, that all units are clustered together in one location. Temporary dwelling units not adhering to SCCG 13.10.682 may be used for some or all of the units for a duration not to exceed five years (with the possibility of renewal). If the housing provider ceases agricultural operations, the units must be removed within 60 days and may not be converted to other uses unless a separate permit has been approved for another use according to Chapter 18.10 SCCG.~~

~~(6) The maximum size of any farm worker unit intended for family occupancy, with independent kitchen and toilet facilities, shall be 1,000 square feet of habitable floor area. The construction and use of such dwellings shall comply with all State and County health, housing and/or construction code regulations. The construction and use of temporary dwellings shall comply with SCCG 13.10.683(D) which specifies installation standards for temporary mobile homes.~~

~~(7) All applications for farm worker camps shall be reviewed by the Agricultural Policy Advisory Commission, which shall provide a recommendation regarding the appropriateness of the project for the site to the Planning Commission and the Board of Supervisors.~~

~~(G) Appeals to the Agricultural Policy Advisory Commission. An applicant or any other person may appeal a staff determination of arable acreage or rangeland acreage specified in this section for agricultural caretakers' mobile home applications to the Agricultural Policy Advisory Commission by following the procedure in SCCG 16.50.095(G)(3). In this case, the staff agricultural buffer determination is also automatically appealed. Disputes over arable acreage or rangeland acreage for other types of farm labor housing will be considered by the Agricultural Policy Advisory Commission, during the hearing scheduled to consider the appropriate agricultural buffer setback for the project. Subsequent action on the application shall utilize the acreage determination of the Commission, subject to further appeals. [Ord. 4680 § 3, 2002; Ord. 4496 C § 53, 1998; Ord. 4400 § 1, 1996; Ord. 4388 §§ 1-3, 1995; Ord. 4158 § 3, 1991; Ord. 3432 § 1, 1983]~~

13.10.631 Agricultural Employee Housing.

(A) Purpose. The purpose of the Agricultural Employee Housing Section is to provide the minimum standards for the application and development of agricultural employee housing, in accordance with the State Employee Housing Act (California Health and Safety Code Sections 17000 – 17062.5).

(B) Agricultural Employee Housing Criteria. Development of agricultural employee housing is subject to the following requirements:

Note: State law now precludes regulation of Agricultural Employee Housing by any local ordinance that specifically addresses only such housing rather than broadly addressing a general land-use concern. Staff considered requiring onsite buffers for agricultural uses involving intensive human activity or employment, but omitted this based on the difficulty of evaluating on-site buffers for ministerial projects. Also, to ensure compliance with State law, provisions to minimize disturbance of Type I-III soils will be moved from the individual sections where they appear, including Agricultural Employee Housing, and consolidated into a separate section.

- (1) In the CA, A, and AP zone districts, agricultural employee housing consisting of not more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household is an allowed use and does not require discretionary approval.
- (2) In the CA, A and AP zone districts, agricultural employee housing consisting of 37 or more beds in a group quarters or 13 or more units or spaces designed for use by a single family or household shall require a Conditional Use Permit and Conditional Site Development Permit.
- (3) Parking for agricultural employee housing shall comply with requirements in 13.10.552, except that the number of parking spaces required may be reduced, or alternate surfacing materials may be allowed, in order to preserve agricultural land.
- (4) The construction and use of agricultural employee housing shall comply with all adopted health, housing and construction codes.
- (5) Housing for 5 or more agricultural employees requires a permit to operate from Santa Cruz County Environmental Health Services prior to the submittal of a building permit application.
- (6) Agricultural employee housing development projects consisting of 37 or more beds in a group quarters or 13 or more units or spaces designed for use by a single family or household is subject to the following additional criteria:

- (a) Comply with SCCC Chapter 13.11 (Site, Architectural, and Landscape Design Review).
- (b) Incorporate colors and materials, landscaping and site design to minimize visual intrusion on scenic roads, beaches and recreation facilities.
- (c) Comply with the open space requirements of SCCC Section 13.10.323(F).
- (7) Density limitations. For the purpose of calculating on-site density for zoning purposes, the following standards shall apply:
 - (a) Agricultural employee housing consisting of not more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be considered an agricultural use and shall not be subject to density limitations.
 - (b) Agricultural employee housing consisting of 37 or more beds in a group quarters or 13 or more units or spaces designed for use by single family or household, shall be subject to the applicable density standards of the district in which the parcel is located.
 - (c) Agricultural employee housing consisting 37 or more beds in a group quarters or 13 or more units or spaces may be limited based on adverse impacts to agricultural land.
- (8) Requirements for housing for four or fewer agricultural employees. The occupancy of each dwelling shall be limited to agricultural employees employed, in whole or in part, within the County of Santa Cruz and their families. An agricultural employee housing form shall be submitted prior to building permit issuance, and completed annually thereafter. The housing form shall contain the following information:
 - (a) Entity responsible for housing maintenance and upkeep;
 - (b) Description of whether the housing is permanent, temporary, and/or seasonal;
 - (c) Length of occupancy;
 - (d) Total number of dwelling units or beds;
 - (e) Total number of occupants and agricultural employees to be housed in the accommodations.

13.10.632 Agricultural processing facility and storage facilities.

~~(A) Food processing facilities, such as cider pressing, jelly and jam making or honey making, shall be allowed in any agricultural zone district and the SU Zone District when:~~

- ~~(1) The processing facility is incidental to the primary agricultural production use on-site;~~
- ~~(2) The food processed is limited to that produced on-site;~~

~~(3) Meets all Environmental Health sewage disposal requirements.~~

~~(B) Facilities for processing, packing, drying, storage and refrigeration of agricultural products shall be developed and maintained according to the following standards:~~

~~(1) Mitigations shall be required for any adverse visual impacts of facilities greater than 5,000 square feet which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Facilities shall not be located where they would block ocean views from designated public areas.~~

~~(2) Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained on-site such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.~~

~~(3) On-site parking shall be provided commensurate with the need created by the proposed use.~~

~~(4) Site preparation for buildings shall comply with regulations of the County grading ordinance (Chapter 16.20 SCCC).~~

~~(5) Buildings used for labor operations (such as packing sheds or cold storage facilities) shall locate building entrances and window openings away from adjacent commercial agricultural lands unless the use conforms to the 200-foot agricultural buffer setback or the siting of the use is approved by the Agricultural Policy Advisory Commission through agricultural buffer review.~~

~~(6) The facility shall be designed and sized to serve primarily the produce grown on-site.~~

~~(7) To the maximum extent possible any such facility shall be located on the nonproductive portions of the property, or on that portion of the property that is least productive for agricultural purposes. [Ord. 3768 § 1, 1986; Ord. 3432 § 1, 1983].~~

(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. The proposed use 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-adjointing counties in order to maintain a consistent production schedule or stock.

(2) Conserving farmland. To the maximum extent possible, 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. Technical reports may be required to support the proposed location(s) of facilities or improvements.

(3) Existing agricultural operations. The uses, structures, and improvements shall be sited so as to not interfere with existing agricultural operations.

- (4) Off-site impacts. New uses shall be sited to minimize impacts to off-site residential uses that are located within 200 feet of the proposed operation. Impacts shall include noise, odors, lighting, and traffic that are offensive to any person of ordinary sensitivities within his or her place of residence.
- (5) Visual Impacts. Mitigations shall be required for any 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. 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.
- (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) Parking. On-site parking shall be provided consistent with the county's parking standards for manufacturing plants (SCCC 13.10.552, et. seq.), except that permit conditions may require fewer parking spaces, or require that the parking area be surfaced with a material that does not impair the long-term viability of underlying agricultural resources soils.

13.10.633 Agricultural service establishments.

(A) Agricultural service establishments shall be allowed in the A Zone District according to the following criteria:

- (1) The parcel shall be located on an arterial roadway.
- (2) The parcel shall not be contiguous to or located on the opposite side of a street or road from a property in the R-1 or RA Zone District.
- (3) One or more of the following conditions shall be present on the site:
- (a) The size of the parcel is not greater than two and one-half acres.
- (b) The parcel, or portion of the parcel proposed for the use, shall be separated from surrounding lands by natural or human-made barriers such as streams, major topographical changes, public roadways or development of similar uses.
- (c) Sixty percent or more of the land area of the parcel is utilized as an agricultural service establishment use as of January 1, 1985.
- (4) The proposed use must not create the potential for conflicts with surrounding agricultural lands.

(B) Agricultural service establishments, where permitted under subsection (A) of this section shall be developed and maintained according to the following standards:

- (1) Mitigations shall be required for any adverse visual impacts of facilities greater than 5,000 square feet which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which produce less glare, berming, and/or arrangement of structures on the site to minimize bulky appearance. Facilities shall not be located where they would block ocean views from designated public areas.

(2) ~~Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained on-site such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.~~

(3) ~~On-site parking shall be provided commensurate with the need created by the proposed use.~~

(4) ~~Site preparation for buildings shall comply with regulations of the County grading ordinance (Chapter 16.20 SCCC).~~

(5) ~~The use shall comply with the agricultural buffer setback as specified by SCCG 16.50.095. [Ord. 3787-C § 3, 1986; Ord. 3768 § 2, 1986; Ord. 3432 § 1, 1983].~~

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 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.

(2) To the maximum extent possible, 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 not interfere with existing agricultural operations. Prohibited interference includes, but is not limited to, blocking access to farm roads, fields, or outbuildings, or close proximity to areas where impacts of odor, dust, noise or safety hazards may be a concern to event participants.

(3) The event shall promote Santa Cruz County and/or Pajaro Valley agricultural products.

(4) All requirements of the County Environmental Health Services, the Sheriff's office, the Highway Patrol, and applicable Fire District shall be met.

(5) All signage shall comply with the requirements in SCCC section 13.10.580.

(6) Agri-tourism events that require a discretionary use permit pursuant to SCCC 13.10.312 (B) shall meet the following additional standards:

(a) The maximum number of guests per event shall be determined based on parking availability, safety and adequacy of vehicular access, septic capacity, and/or maximum building occupancy, whichever is the most restrictive.

(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.

13.10.634 Agriculture within structures.

(A) Mushroom Plants. The following regulations shall apply in all cases for the maintenance of mushroom plants:

(1) All manure of every kind stored or used on the premises shall immediately upon receipt and thereafter be sprayed, as determined to be necessary by the Environmental Health Service, with sufficient disinfectants and chemicals to prevent the accumulation or spreading of flies and offensive odors. [Ord. 3432 § 1, 1983].

13.10.635 Storage of equipment or supplies

(A) Where the total development area for storage of equipment or supplies exceeds 12,000 square feet, and is located off agricultural resource soils, a Minor Site Development Permit (MSP) shall be required. 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 or AP zoned land, a Conditional Use Permit and Conditional Site Development Permit for a master plan shall be required.

(B) Standards. The following standards shall apply for storage of 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 sited to minimize any conflict with primary agricultural activities such as crop production. Technical reports may be required to support the proposed location(s) of storage facilities.

(2) The development area is limited to the minimum required to meet the storage needs.

(3) On CA and AP 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.

(4) The storage is clustered with existing farm buildings and site development to the extent consistent with (1) above and appropriate to the intended use.

(5) On parcels zoned "Agriculture", the location minimizes conflict with any residential use on adjacent parcels.

(6) Visual impact on designated scenic roads, beaches, or recreation facilities shall be minimized by measures such as locating structures in 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 for Conditional Use Permit for a master plan. In addition to the above criteria, the following additional findings are required for approval of a conditional use permit for storage exceeding 12,000 square feet on agricultural resource soils on CA or AP land:

(1) There is no site available on the parcel, or on other parcels owned or leased by the applicant, that is located off of Type I-III soils and can accommodate the intended storage use; and

(2) The loss of Commercial Agricultural Land has been mitigated through protection of equivalent Commercial Agricultural land.

13.10.636 Greenhouses.

(A) New Greenhouse Development. New greenhouses over 500 square feet in area, where allowed subject to a use discretionary permit in the basic zone district, shall be developed and maintained to the following standards, except that outside of the coastal zone, hoop houses of any size that meet the definition of an agricultural shade structure (12.10.315(A)(11) or those that require a building permit solely because of having mechanical, electrical, or plumbing equipment are not subject to these standards, as they are principally permitted (the standards do apply to hoop houses over 500 sq feet within the coastal zone):

(1) Mitigations shall be required for any adverse visual impacts of greenhouses which will be visible from designated scenic roads, beaches or recreation facilities. Mitigations may include such measures as vegetative screening or other landscaping, materials which 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.

(2) Storm water runoff drainage shall be retained on-site in areas of primary groundwater recharge capacity; in other areas, the drainage shall be detained on-site such that the rate of runoff leaving the site after the project is no greater than the rate before the project. Drainage plans may be prepared by the applicant unless engineered plans are required by the building official.

(3) Discarded greenhouse coverings shall be disposed of promptly according to plans submitted by the applicant.

(4) On-site parking shall be provided commensurate with the need created by the proposed use.

(5) The removal of indigenous prime farmland soil used as a growing medium for container plants which are sold intact shall not be allowed.

(6) Flooring or impervious surfacing within the greenhouse structure which impairs long-term soil capabilities shall be limited to the minimum area needed for access, loading and storage. The use of long-term sterilants 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.

(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 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.

(C) Nonconforming Greenhouse Replacement. The replacement, reconstruction or structural alteration of a nonconforming greenhouse of any size in any zone district shall be allowed without the requirement of a use permit; provided, that the replacement, reconstruction or structural alteration meets the following conditions:

(1) The new or altered greenhouse shall cover an area no larger than that of the original greenhouse.

(2) The new or altered 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.

(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. [Ord. 3432 § 1, 1983].

~~13.10.637 Wineries.~~

~~(A) All Wineries. The following regulations apply to all winery uses requiring a Level III, V, or VI use approval in all residential and in all agricultural zone districts:~~

~~OPERATION:~~

~~(1) Production/Storage Limits. The application for a use approval shall include an estimate of the winery production and storage capacity, given in terms of number of gallons produced or made annually. For Level III approvals: the annual production capacity shall not exceed that denoted on the use chart for the Level III approval; and storage of wine shall be limited to wine made (as defined by the Bureau of Alcohol, Tobacco and Firearms) on the premises. These limits may be exceeded, however, by obtaining a Level V approval. For Level V or VI approvals: production and storage limits shall be set by condition on the use approval based on the individual merits of the location and surroundings of the proposed winery.~~

~~(2) Tasting and On-Site Sales. The application for a use approval shall include information describing on-site sales and/or tasting being proposed. All Environmental Health requirements shall be met for any food or beverage service. For Level III approvals: no public wine tasting shall be allowed; private tasting shall be by appointment only; in RR, RA and A Zone Districts, private tasting shall be limited to 12 persons maximum at any one time; and sale of wine shall be limited to wine made and bottled (as defined by the Bureau of Alcohol, Tobacco, and Firearms) on the premises and shall be by appointment only. These limits may be exceeded by obtaining a Level V approval. For Level V or VI approvals: these limits shall be set by condition on the use approval based on the individual merits of the location and surroundings of the proposed winery.~~

~~(3) Liquid Waste Disposal. All requirements of the County Health Department shall be met.~~

~~DEVELOPMENT:~~

~~(4) Environmental Protection. All new development shall comply with the provisions of all County environmental protection ordinances, including the erosion control ordinance (Chapter 16.22 SCCG).~~

~~(5) Signs. The application for a use approval shall include a sign plan for review and approval. For Level III approvals: signs shall be limited to one nonilluminated nameplate not larger than one square foot. This limit may be exceeded by obtaining a Level V approval. For Level V or VI approvals: signs shall be limited to one nonilluminated sign not larger than 12 square feet.~~

~~(6) Outside Lighting. The application for a use approval shall include plans for all outdoor lighting for review and approval. All outdoor lighting shall have the illumination directed downward or be shielded so that glare is not produced onto adjacent properties.~~

~~(7) Water Conservation. Water saving devices shall be incorporated into the winery design, and shall be indicated on building and landscaping plans for staff review and approval.~~

~~(8) Parking. The application for a use approval shall include a parking plan and documentation of parking needs for review and approval. The plan shall provide adequate off-street parking for all winery employees and visitors, and for loading and unloading of grapes and wine.~~

~~SERVICES:~~

~~(9) Access. Access shall meet County road standards, including adequacy for the proposed use, including delivery vehicles, for emergency vehicles, and, where appropriate, for serving two or more parcels.~~

~~(10) Fire Protection. All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate water availability and other conditions for fire protection. No winery shall be established beyond a 20-minute fire response time from the nearest responsible fire station in rural areas.~~

~~(11) Water. A letter from the water district serving the area shall be submitted with the application stating that adequate capacity is available to serve the use; or water source standards of the Environmental Health Department shall be met.~~

~~(12) Sewer/Septic. A letter from the sewer district serving the parcel shall be submitted with the application stating that adequate capacity is available to serve the use; or septic standards of the Environmental Health Department shall be met.~~

~~(B) Wineries in the RA, RR, and A Districts. In addition to the regulations in subsection (A) of this section, the following regulations apply to all wineries in the RR, RA, and A Zone Districts approved at Levels III, V, or VI:~~

~~DESIGN:~~

~~(1) Building Design. For Level III approvals: the proposed building shall have sufficient architectural design to be compatible with the architectural character and scale of the surrounding neighborhood. For Level V or VI approvals: proposed buildings which are visible from off the parcel shall have sufficient architectural design to be compatible with the architectural character and scale of the surrounding neighborhood.~~

~~(2) Setbacks. For Level III approvals: the winery structure and all winery operations shall be located at least 200 feet from the nearest off-site residence or potential building site, unless a use approval at Level V is obtained. For Level V or VI approvals: the winery structure and all winery operations shall be set back from the property line the minimum distance required by the zone district and may be required as a condition of the use approval to set back a specified distance from the nearest off-site residence, depending on the individual circumstances of the application.~~

~~(3) Landscaping. For Level III approvals: the winery building shall be landscaped or located in the natural setting to soften the geometric form and to blend it with the rural character of the surrounding area. Parking lots, outdoor work and storage areas shall be screened from view from adjacent properties and roadways by vegetative plantings or other natural features and screening. Plantings shall be completed before final building inspection is approved. For Level III, V, or VI approvals: a landscaping plan shall be submitted with the application for review and approval, showing existing and proposed trees, shrubs and groundcover species, size and placement.~~

~~OPERATION:~~

~~(4) Outside Operations. The application for a use approval shall include information to describe the nature of outside operations. For Level III approvals: all outside operations shall be screened from view of adjacent residences and roads; and outside operating hours of the winery shall be limited to 7:00 a.m. to 7:00 p.m., except during harvest season. These limits may be exceeded by obtaining a Level V approval. For Level V or VI approvals: limits shall be set by condition on the use approval based on the individual merits of the location and surroundings of the proposed winery.~~

~~(5) Noise Control. The application for a use approval shall include information regarding the anticipated noise levels of the winery operation. For Level III approvals: the following sound schedule limitations shall apply:~~

- (a) ~~A maximum noise standard of 85 dba for a cumulative period of 15 minutes in any hour;~~
- (b) ~~A maximum noise standard of 90 dba for a cumulative period of five minutes in any hour;~~
- (c) ~~A maximum noise level of 100 dba.~~

~~These values shall apply during the day period and shall be reduced by 10 dba for the night period (10:00 p.m. to 7:00 a.m.). These values may be exceeded by the obtaining of a Level V approval. For Level V or VI approvals, these limits shall apply unless different limits are set by condition on the use approval based on the individual merits of the location and surroundings of the proposed winery.~~

~~(6) Grape Residue Disposal. Grape residue shall be disposed of in a manner consistent with the fly and vector control requirements of Environmental Health.~~

~~(7) Operating Hours. The application for a use approval shall include information regarding the proposed operating hours of the winery. The operating hours of the winery shall be established and approved as a condition of the use approval, recognizing the unique requirements of winery operations during harvest season.~~

~~(C) Wineries in the CA and AP Districts. In addition to the regulations in subsection (A) of this section, the following regulations apply to all wineries in the CA and AP zone districts approved at Levels III, V, or VI:~~

~~PROTECTION OF AGRICULTURAL LANDS:~~

- ~~(1) Maximum Lot Coverage. The winery structure, and associated storage and parking facilities, shall be sited so as to remove no land from production (or potential production) if any nonfarmable potential building site is available, or, if this is not possible, to remove as little land as possible from production. The maximum area of farmable agricultural land coverage by all structures and impervious surfaces for the winery operations shall not exceed five percent of the parcel size. This limit may be extended to 10 percent by the obtaining of a Level V or VI approval. [Ord. 3632 § 17, 1985].~~

13.10.637 Wineries and Beer Manufacturing Facilities

(A) Application of Ordinance. The regulations provided herein shall apply to all uses and structures that meet the definition of wineries or beer manufacturing facilities pursuant to SCCC 13.10.700-W and 13.10.700-B. Uses similar to wineries and beer manufacturing facilities may be considered under this ordinance at the discretion of the Planning Director.

(B) Classifications. Wineries and Beer Manufacturing facilities are divided into the following subcategories: small or medium to large production only facilities; and small, medium, or large production facilities with on-site marketing. All facilities shall be subject to the criteria for each subcategory listed in the following tables. All facilities are subject to the criteria in sections (F) – (H) of this section, regardless of the type of facility.

(C) Production Only

Facilities where public and private wine/beer tasting, indoor and outdoor events, music, food service, kitchens, farmstays, and retail sales are not permitted.

<p><u>Maximum Annual Production Small Facility</u></p>	<p><u>Wine and Distilled Spirits - 15,000 gallons or less</u> <u>Beer - 3,000 barrels or less</u></p>
<p><u>Annual Production Medium to Large Facility</u></p>	<p><u>Wine and Distilled Spirits - more than 15,000 gallons</u> <u>Beer - more than 3,000 barrels</u></p>
<p><u>Development Area*, Small Production Facility</u> <u>* The area associated with the use, excluding required parking, 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.</u></p>	<p><u>On parcels zoned RA, A and CA, structures used for production shall not exceed 8,000 sq. ft in floor area. On parcels zoned CA, the total development area on the parcel for the production facility shall not exceed 12,000 sq ft. The structure or development area size limitation may be exceeded subject to approval of an Administrative Use Permit, but in no case shall exceed the size limitations for medium large facilities.</u></p>
<p><u>Development Area*, Medium to Large Production Facility</u></p>	<p><u>On RA, A and CA: Structures used for production shall not exceed 12,000 sq. ft.</u> <u>On CA: The total development area for the production facility shall not exceed 20% of the total parcel area or 20,000 sq. ft, whichever is less.</u></p>
<p><u>Parking</u></p>	<p><u>Parking lot design is subject to the regulations of Section 13.10.552. On parcels zoned CA, A, and RA the discretionary permit may limit the number of parking spaces or require that the parking area be surfaced with a material that does not impair the long-term viability of agricultural resource soils</u></p>
<p><u>Hours of Operation</u></p>	<p><u>In RA or in any district within 200 feet of a parcel with a residential use: Outdoor operations limited to the hours of 8 a.m. to 7 p.m. Indoor operations limited to the hours of 7 a.m. to 9 p.m.</u> <u>All other sites: Outdoor operations limited to the hours of 8 a.m. to 9 p.m.</u> <u>At all sites: Operation hours (outdoor, and indoor where applicable) may be exceeded with an administrative use permit, and considering the proximity of residential uses and other noise sensitive land uses.</u></p>
<p><u>Planting Area</u></p>	<p><u>In CA zone district: Vineyards, hops or barley cultivation must comprise not less than 20% of the parcel size.</u> <u>All other sites: On-site cultivation is not required; however, wine and beer production must occur on site consistent with the associated license by the California Department of Alcoholic Beverage Control</u></p>

(D) Production and on-site marketing

	<u>SMALL</u>	<u>MEDIUM</u>	<u>LARGE</u>
<u>Annual Wine/Distilled Spirit Production (gallons)</u>	<u>10,000 gallons or less</u>	<u>>10,000 –30,000 gallons</u>	<u>>30,000 gallons</u>
<u>Annual Beer Production (barrels)</u>	<u>3,000 barrels or less</u>	<u>>3,000 –6,000 barrels</u>	<u>>6,000 barrels</u>
<u>Structures and Development Area** The area associated with the use, excluding required parking, 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.</u>	<u>On RA, A and CA: Facility structures shall not exceed 10,000 sq. ft.</u> <u>On CA: The total development area for the facility shall not exceed 15,000 sq ft.</u> <u>The structure or development area size limit may be exceeded subject to approval of an Administrative Use Permit, but shall in no case exceed the size limits for medium facilities.</u>	<u>On RA, A and CA: Facility structures shall not exceed 14,000 sq. ft.</u> <u>On CA: The total development area for the facility shall not exceed 20% of the total parcel area or 20,000 sq. ft, whichever is less.</u>	<u>On, A and CA: Facility structures shall not exceed 18,000 sq. ft.</u> <u>On CA: The total development area for the facility shall not exceed 25% of the total parcel area or 30,000 sq. ft, whichever is less.</u>
<u>Food / Kitchens</u>	<u>Food may be served in association with an event or tasting only. A catering kitchen, not to exceed 200 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.</u>	<u>Food may be served in association with an event or tasting only. A catering kitchen, not to exceed 200 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.</u>	<u>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.</u>
<u>Agricultural Homestay/ Farmstay</u>	<u>Not permitted</u>	<u>Permitted pursuant to subsection (H) of this section.</u>	<u>Permitted pursuant to subsection (H) of this section.</u>
<u>Planting Area</u>	<u>On CA: Vineyards, hops or barley cultivation must comprise not less than 20% of the parcel size.</u> <u>All other sites: On-site cultivation is not required; however, wine and beer production must occur on site consistent with the associated license by the California Department of Alcoholic Beverage Control.</u>		

<u>Parking</u>	<u>Parking lot design is subject to the regulations of Section 13.10.551. On CA, A, RR and RA parcels, the discretionary permit may limit the number of parking spaces or require that the parking area be surfaced with a material that does not impair the long-term viability of agricultural resource soils.</u>
<u>Sales</u>	<u>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.</u>
<u>Maximum Number of Guests</u>	<u>The maximum number of guests permitted at indoor and outdoor events will be determined by the use permit, considering site characteristics such as the tasting room occupancy, the capacity for on-site parking, adequacy of road access, proximity to residential uses, topography and other physical characteristics that affect noise, and the capacity of sewage disposal system.</u>
<u>Hours of Operation</u>	<u>In RA or in any district within 200 feet of a parcel with a residential use: Outdoor operations limited to the hours of 8 a.m. to 7 p.m. Indoor operations limited to the hours of 7 a.m. to 9 p.m. All other sites: Outdoor operations limited to the hours of 8 a.m. to 9 p.m. At all sites: Operation hours (outdoor, and indoor where applicable) may be exceeded with an administrative use permit, and considering the proximity of residential uses and other noise sensitive land uses.</u>
<u>Tasting Room Hours</u>	<u>Within the RA or RR zone district or within 200 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.</u>
<u>Tasting Room Area</u>	<u>The floor area of an attached or detached tasting shall be determined by the use permit, as appropriate to the maximum number of guests allowed</u>
<u>Music</u>	<u>Indoor music is permitted during tastings and indoor activities. Outdoor non-amplified music is permitted during tastings and the ten standard marketing events. Amplified outdoor music may be considered as part of the use permit, where appropriate considering specific site conditions including proximity to noise-sensitive uses. Amplified outdoor music at sites within 1,500 feet of a residential use shall require a conditional use permit. 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.</u>
<u>Indoor Events</u>	<u>Within RA zone district or 500 feet of a parcel with a residential use: Unlimited indoor events (such as classes, pairings, and private parties), are permitted Monday – Sunday, 11:00 a.m. – 6:00 p.m. All other sites: Unlimited indoor events are permitted Monday – Sunday, 11:00 a.m. – 9:00 p.m. Extended hours at all sites may be considered subject to approval of a conditional use permit, considering the proximity of residential uses and other noise sensitive noise receptors.</u>
<u>Standard industry/marketing events</u>	<u>Ten standard industry or marketing events are permitted per year. Standard events shall be limited to the hours of 11:00 a.m. to 9:00 p.m.</u>

<p>Outdoor Tastings</p>	<p>If not within RA or less than 500 feet from the property line of any parcel with a residential use, outdoor tastings to market beer, wine or distilled spirits shall be permitted from 11:00 a.m. to 6:00 p.m. The maximum number of guests allowed shall be established by the use permit depending on site characteristics, not to exceed 50 guests at any one time. Outdoor tastings with more than 50 guests shall be considered an outdoor event.</p> <p>On parcels within the RA zone district or within 500 feet from the property line of a parcel with a residential use, outdoor tastings may be considered with a Conditional Use Permit, where appropriate to the individual characteristics of the site.</p>		
<p>Outdoor Events A gathering of more than 20 people on the site at any one time. (Does not include outdoor tastings.)</p>	<p>No outdoor events are permitted other than the 10 standard industry events described above. Additional events may be considered through a separate wedding and events permit, where allowed in the zone district.</p>	<p>A maximum of 6 additional outdoor marketing events may be permitted in addition to the 10 standard industry events described above. Additional events may be considered through a wedding and events permit, where allowed in the zone district.</p>	<p>A maximum of 10 additional outdoor marketing events may be permitted in addition to the 10 standard industry events described above. Additional events may be considered through a wedding and events permit, where allowed in the zone district.</p>

(F) Development and Design Standards for Wineries and Beer Manufacturing Facilities.

- (1) Design Review. The requirements in Chapter 13.11 (Site, Architectural, and Landscape Design Review) shall apply to all new winery and beer manufacturing developments, 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) Site Standards. All construction shall comply with the development standards of the zone district, with the following exceptions:
 - (a) Lot Coverage and Floor Area Ratio. Lot coverage and floor area ratio standards shall not be exceeded without approval of a variance. Operations on agriculturally zoned parcels shall be sited, sized and designed to minimize the removal of Type I-III agricultural soils from production or potential production to the greatest extent feasible, and shall be located off type I-III soils when possible.
 - (b) Access. The site shall provide all access improvements required by the Fire District. All access improvements shall be clearly shown on the plans.

(G) Signs for wineries and beer manufacturing facilities.

- (1) Allowed signs in all zone districts. One non-illuminated business identification sign not exceeding 12 square feet is allowed with building permits as provided by County building codes. No discretionary permit is required.

(2) Discretionary signs on parcels zoned Agriculture, Commercial Agriculture, or Residential Agriculture. Signage consistent with criteria provided in SCCC Section 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 additional criteria and findings:

(a) Additional criteria.

1. Illumination. Direct illumination shall not be allowed. Indirect illumination shall be low-intensity and directed away from neighboring property. Sign illumination is permitted only during operational hours. Sign illumination is not permitted in scenic corridors.
2. Size. No individual sign shall exceed 30 square feet.

(b) Additional Finding. 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.

(3) Discretionary signage on parcels zoned CT, C-1, C-2, and C-4 consistent with SCCC Section 13.10.581 is permitted, subject to approval as part of a larger discretionary permit, or separately with approval of a minor site development permit.

(H) 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. 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 Homestays/ Farmstays. Uses classified as Agricultural Homestays or Farmstays that are associated with a winery or beer manufacturing facility may be permitted pursuant to the requirements of SCCC section 13.10.642.

13.10.638 ~~Agricultural custom work occupations.~~ Service Establishment

(A) Purposes. The purpose of regulations for agricultural ~~custom work occupations~~ service establishments are:

- (1) To allow persons to conduct commercial agricultural support activities on a property with a primary use of agricultural production 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 ~~custom work occupations~~ service

establishments that would create generate excessive traffic, public expense or nuisances to nearby properties, create conflicts with other land uses, or adversely impact adjacent agricultural activities.

(B) Restrictions on Agricultural Custom Work Occupations. Standards for Agricultural Service Establishments.

~~(1) The occupation shall be carried on outside or in a structure allowed in the zone district where the site is located.~~

~~(2) Signing, advertising or identifying the occupation shall be limited to one unlighted sign not exceeding five square feet.~~

~~(3) The occupation shall be carried out by a maximum of two employees unless a Level IV use approval is obtained. Not more than five employees may be employed by the occupation on-site under Level IV use approval.~~

~~(4) The occupation shall not involve the use of a building or portion of a building greater than 1,000 square feet unless a Level IV use approval is obtained. A building or portion of a building of a maximum size of 2,000 square feet is allowed under Level IV use approval.~~

~~(5) Occupations involving on-site business with customers shall require Level IV use approval.~~

~~(6) Siting of an occupation within 200 feet of any residential use on another parcel shall require a Level IV use approval.~~

(1) On parcels within the CA zone district, agricultural service establishments shall be ancillary either to the principal agricultural use of the subject parcel or ancillary to the commercial agricultural use of parcels owned or leased by the applicant.

(2) Farmland conservation. To the maximum extent possible, 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.

(3) 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 in 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 invoke historic architecture.

- (b) Outdoor display of retail products may be in view of publicly maintained, non-scenic roads, but shall be scaled and designed to mitigate visual intrusion on scenic roads and non-public roads.
- (c) Service yards and outdoor storage shall be screened from public and private view through such measures as placement behind buildings, use of landscaping and topographic relief, and visually aesthetic fencing.
- (4) Signs shall be consistent with 13.10.580.
- (5) Within the A zone district, locating an Agricultural Service Establishment structure, storage area or corporation yard within 200 feet of any dwelling unit or ancillary residential use on another parcel shall require an Administrative Site Development Permit pursuant to 18.10.110(C).
- (6) On any parcel within 200 feet of any residential use, hours of operation exceeding Monday–Friday, 8:30 a.m. – 5:30 p.m., and Saturday and Sunday 9:00 a.m. to 5:00 p.m. shall require the approval of an Administrative Use Permit.

13.10.639 Outdoor container-grown crops

- (A) Purpose. The purpose this section is to allow production of outdoor container grown crops while protecting the long term viability of agricultural soils.
- (B) Criteria. All operations which grow crops above ground in containers on parcels within the Agriculture (A), Commercial Agriculture (CA) and AP 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 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) Temporary impervious surfacing, such as tarps, may be permitted with an approved drainage system to control irrigation and stormwater runoff. The temporary impervious surfacing shall not adversely impact the on-site soils or adjacent properties.
 - (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 the County of Santa Cruz Environmental Health Services Department, unless another agency is specifically identified by law.

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

- (1) One temporary produce sales area, one produce stand, or one produce market per parcel is allowed, subject to approval as set forth in SCCC 13.10.312, Agricultural Uses Chart, and SCCC 13.10.313, Agricultural Site Development Chart.
- (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 parcel area is devoted to agricultural production;
 - (d) The entire parcel is owned or leased by the produce area/stand proprietor, and
 - (e) The floor area, excluding storage, does not exceed 1,600 square feet.
- (3) A produce market shall be allowed only if:
- (a) It is located in the A (Agriculture) zoning district;
 - (b) It is accessory to agricultural production on the same parcel;
 - (c) At least 75% of the gross parcel area is devoted to agricultural production; and
 - (d) The entire parcel is owned or leased by the produce market proprietor; and
 - (e) The floor area, excluding storage, does not exceed 3,600 square feet.
- (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 of or on the perimeter of Type I-III soils. 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 parcel.
- (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 price signs up to 1/3 square foot in area. No sign or face shall exceed ten (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.

(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 applicable agencies such as the California Department of Food and Agriculture (CDFA), California Department of Transportation (CALTRANS), and others.

(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 of 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, 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 ninety (90) consecutive days per year to coincide with the harvest of the commodity. The applicant must obtain a permit to operate a produce stand or produce market if the produce sales area will be open for longer than 90 consecutive days in a year or if produce sales will be staggered (non-consecutive) due to differing harvest times.

(4) During the time when the temporary produce sales area is closed, all signage pertaining to the produce sales area, the temporary structure, and all for-sale products shall be removed from view.

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

(1) One off-street parking space shall be provided for each 300 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 of or on the perimeter of type I-III 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 13.10.313.
 - (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 300 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 of or on the perimeter of Type I-III 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.
 - (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 only to store raw produce products and bottled water. Cold storage facilities may require a separate Structural Development Permit pursuant to SCCC 13.10.313.

(7) A produce market may operate up to three hundred sixty-five (365) days a year.

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 working on a farm.

(B) Agricultural Homestays shall be allowed in the A and CA Zoning District according to the following criteria:

(1) Guest rooms may be provided in the principal residence, dwelling group, second unit or habitable accessory structure. A maximum of 6 guestrooms are allowed. Guest rooms are not permitted in barns, non-habitable structures, agricultural employee housing or storage facilities.

(2) All Uniform 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 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.

(C) The Agricultural Homestay shall be registered with the County Tax Collector as being subject to the transient occupancy tax, and no discretionary permit for an Agricultural Homestay 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 Agricultural Homestay 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 fourteen days.

(3) No cooking is allowed in guest rooms.

(F) To the maximum extent possible, site development associated with the agricultural homestay 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.

13.10.642 Sanitary landfill as interim use.

A publicly owned and operated sanitary landfill either by contract or by 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 topsoils 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 III) instead of or before higher quality soils (e.g., Class I or II).
 - (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. [Ord. 3894 §§ 1, 2, 1988; Ord. 3845 § 2, 1987; Ord. 3646 § 3, 1985].

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, A or AP 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. [Ord. 4821 § 3, 2006].

13.10.644 Agricultural structures and uses, miscellaneous

(A) Discretionary site development and use permits associated with the following structures shall meet the criteria set forth in 13.10.644 (B):

- (1) Agri-tourism / education structure
- (2) Agricultural research and development facility
- (3) Lumber mill
- (4) Structures indirectly related to agriculture (including animal hospital, museum, veterinary office, kennel, zoo, like structures or ancillary structures thereto).

(B) Standards:

(1) The development area shall be sited to eliminate or, if not possible, minimize disturbance of Type I-III Commercial Agricultural Land.

(2) Development shall be located near existing buildings, other site development, and existing site access to the greatest extent possible.

(3) If locating on CA land, the use of impermeable or semi-permeable surface material that may affect the long-term viability of Type I-III agricultural soil shall be minimized to the greatest extent feasible.

(4) 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 in 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.

(5) Habitable structures shall be consistent with SCCC §16.10.095, Agricultural buffer setback. Cultivation areas used for research activity are agricultural and not subject to §16.10.095.

(6) Parking areas shall be sited and designed to minimize disturbance of agricultural resource land or any land in commercial agricultural production. Parking shall comply with the following:

(a) Parking for agricultural research and development establishments shall meet the standards of §§13.10.551.-13.10.578 as required for business offices. Parking for uses indirectly related to agriculture shall meet the standards of §§13.10.551-13.10.578 SCCC as required for the use most closely resembling the subject use. Exception: alternate surfacing materials that do not impair the long-term viability of the underlying agricultural resource soils may be required where appropriate.

(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, such as use of bus transportation or carpools.

Note: This ordinance amendment would exempt agricultural land leveling as defined below from the requirement for a grading permit.

16.20.050 Exemptions

The following work is exempt from the provisions of this chapter; however, it remains subject to other County environmental regulations, including, but not limited to: the riparian corridor protection ordinance (chapter 16.30), environmental review (Chapter 16.01 SCCC), the erosion control ordinance (Chapter 16.22 SCCC), the geological hazard ordinance (Chapter 16.10 SCCC), the floodplain management ordinance (Chapter 16.13 SCCC), the erosion control ordinance (Chapter 16.22.SCCC), the riparian corridor protection ordinance (chapter 16.30), the sensitive habitat protection ordinance (Chapter 16.32 SCCC), and the Native American cultural sites ordinance (Chapter 16.40 SCCC), and the Coastal Zone regulations (Chapter 13.20 SCCC). The following work, though exempt from Chapter 16.20, may also be subject to other requirements imposed in county and state law.

(I) Agricultural Work: Routine plowing, harrowing, disking, ridging, listing, minor land planing leveling, and similar operations necessary to prepare a field for a planted crop for continued agricultural use. Minor agricultural land leveling is defined as:

- (a) Leveling of Type 1, Type II or Type III agricultural resource soils only;
- (b) Occurring on existing slopes no greater than 15 percent;
- (c) Where there has been crop production in at least one of the previous five years; and
- (d) Which will not cause accelerated erosion, slope failure or topsoil degradation.

(All other agricultural grading shall be subject to the procedures of Section 16.20.195.)

16.50.095 Agricultural buffer setbacks.

- (A) The purpose of the agricultural buffer setback requirements is to prevent or minimize potential conflicts between either existing or future commercial agricultural and habitable-land uses (i.e., residential, recreational, institutional, commercial or industrial) that involve habitable structures or other areas of intensive human activity. This buffer is designed to provide a physical barrier to noise, dust, odor, and other effects which may be a result of normal commercial agricultural operations such as: plowing, disking, harvesting, spraying or the application of agricultural chemicals and animal rearing.
- (B) All development for habitable residential uses, for commercial, industrial, recreational, or institutional uses where the public will gather or be stationed for work, for agricultural uses involving intensive human activity (such as facilities for public assembly, sleeping quarters or workplace facilities where employees are stationed), and for outdoor areas designed for public parking or intensive human use, that are within 200 feet of the property line of any parcel containing Type 1, Type 2, or Type 3 commercial agricultural land shall: shall provide and maintain a 200-foot buffer setback from the Type 1, Type 2 or Type 3 commercial agricultural land. The 200-foot agricultural buffer setback shall incorporate vegetative or other physical barriers as determined necessary to minimize potential land use conflicts.

~~(1) Provide and maintain a 200-foot buffer setback between Type 1, Type 2 or Type 3 commercial agricultural land and nonagricultural uses involving habitable spaces, including dwellings, habitable accessory structures and additions thereto; and commercial, industrial, recreational, or institutional structures, and their outdoor areas designed for public parking and intensive human use, except that if an existing legal dwelling already encroaches within the 200-foot buffer setback, proposed additions thereto, habitable accessory structures or private recreational facilities, none exceeding 1,000 square feet in size, shall be exempt from this subsection so long as they encroach no further than the existing dwelling into the buffer setback and an appropriate vegetative and/or other physical barrier for all existing and proposed development, as determined necessary, either exists or is provided and maintained. For the purposes of this section, outdoor areas designed for intensive human use shall be defined as surfaced ground areas or uncovered structures designed for a level of human use similar to that of a habitable structure. Examples are dining patios adjacent to restaurant buildings and private swimming pools. The 200-foot agricultural buffer setback shall incorporate vegetative or other physical barriers as determined necessary to minimize potential land use conflicts.~~

- (1) Exceptions. The following exceptions to the 200-foot buffer requirement shall meet the requirements of subsection (D) of this section.
- (a) Where an existing legal structure is already located within the 200-foot setback, accessory structures, structural additions thereto or private recreational facilities shall not be required to maintain a 200-foot

buffer setback so long as the proposed development: 1) does not exceed 1000 square feet in size; 2) does not encroach further than the existing structure into the buffer setback and; 3) includes an appropriate vegetative and/or other physical barrier for all existing and proposed development.

(b) Structures of less than 1,000 square feet in size that are used exclusively for the administration of an on-site agricultural operation shall not be required to maintain a 200-foot buffer setback; however, structures that contain conference rooms or meeting facilities for public use, or that are open to the public for visitation, shall not be exempt from the provisions of this section.

(C) ~~(2) Provide and maintain a buffer setback distance of at least 200 feet where the A subdivision of land that results in residential development at net densities of one or more dwelling units per acre adjacent to Type 1, Type 2, Type 3 commercial agricultural land with vegetative screening or other physical barriers as appropriate. shall provide and maintain a buffer setback distance of at least 200 feet. Vegetative screening or other physical barriers shall be installed as deemed appropriate by Planning Staff.~~

(D) ~~(3) Comply with All uses that obtain a reduction in the 200-foot buffer setback, regardless of the permit type required, shall comply with~~ SCCC 16.50.090(CB) and/or 14.01.407.5 pertaining to recording deed notices of adjacent agricultural use. Such deed notice shall contain a statement acknowledging the required permanent provision and maintenance of the agricultural buffer setbacks and any required barriers (e.g., fencing or vegetative screening).

(E) ~~(C) Outside of the Coastal Zone, Subdivisions, outside of the Coastal Zone.~~ Notwithstanding the provisions of subsection (B) of this section, an agricultural buffer setback distance of less than 200 feet may be established for subdivision developments involving habitable uses on proposed parcels adjacent to lands designated as an agricultural resource by the County's General Plan maps; provided, that:

(1) The proposed land division site is:

(a) Located within the urban services line,

(b) Suitable for development at buildout level within the carrying capacity of the area; and

(2) The Agricultural Policy Advisory Commission (APAC) finds that one or more of the following special circumstances exist:

(a) Significant topographic differences exist between the agricultural and nonagricultural uses which minimize or eliminate the need for a 200-foot setback; or

- (b) Permanent substantial vegetation (such as a riparian corridor or woodland permanently protected by the County's riparian corridor or sensitive habitat ordinances) or other physical barriers exist between the agricultural and nonagricultural uses which minimize or eliminate the need for a 200-foot setback; or
- (c) The imposition of the 200-foot agricultural buffer setback would, in a definable manner, hinder: infill development or the development of a cohesive neighborhood, or otherwise create a project incompatible with the character and setting of the existing surrounding residential development; and

(3) APAC determines the need for agricultural buffering barriers based upon an analysis of the adequacy of the existing buffering barriers, the density of the proposed land division and the proposed setback reduction, in the event that APAC finds that one or more of the above special circumstances exist; and

(4) The approving body finds that the proposed reduction of the agricultural buffer setback(s) will not hinder or adversely affect the agricultural use of the commercial agricultural lands located within 200 feet of the proposed development.

(F) ~~(D)~~ Findings. Notwithstanding the setback provisions of subsection (B) of this section, an agricultural setback distance of less than 200 feet may be established for subject developments ~~involving habitable uses~~ on existing parcels of record when one of the following findings is made in addition to the required finding in subsection ~~(E)~~ (G) of this section:

(1) Significant topographic differences exist between the agricultural and nonagricultural uses which eliminates or minimizes the need for a 200-foot agricultural buffer setback; or

(2) Permanent substantial vegetation (such as a riparian corridor or woodland protected by the county's riparian corridor or sensitive habitat ordinances) or other physical barriers exist between the agricultural and nonagricultural uses which eliminate or minimize the need for a 200-foot agricultural buffer setback; or

(3) A lesser setback distance is found to be adequate to prevent conflicts between the nonagricultural development and the adjacent agricultural development and the adjacent agricultural land, based on the establishment of a physical barrier (unless it is determined that the installation of a barrier will hinder the affected agricultural use more than it would help it, or would create a serious traffic hazard on a public or private right-of-way) or the existence of some other factor which effectively supplants the need for a 200-foot agricultural buffer setback.

(4) The imposition of a 200-foot agricultural buffer setback would preclude building on a parcel of record as of the effective date of the ordinance codified in this chapter, in which case a lesser buffer setback distance may be permitted; provided, that the maximum possible setback distance is required, coupled with a requirement for a

physical barrier (e.g., solid fencing and/or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.

(G) ~~(E)~~ In the event that an agricultural buffer setback reduction is proposed and the proposed nonagricultural development is located on Type 1, Type 2 or Type 3 commercial agricultural land, the nonagricultural development shall be sited so as to minimize possible conflicts between the agricultural land use located on the subject parcel; and the nonagricultural development shall be located so as to remove as little land as possible from production or potential production.

~~(F) Notwithstanding the provisions of subsection (B) of this section, farm worker housing developments located on Type 1, Type 2, or Type 3 commercial agricultural land shall provide a buffer between habitable structures and outdoor areas designed for human use and areas engaged in agricultural production located on the same parcel. Said buffer shall be 200 feet if feasible; and if a 200-foot buffer is not feasible, then the maximum buffering possible shall be provided, utilizing physical barriers, vegetative screening and other techniques as appropriate.~~

Note: Language is proposed to be deleted because State law now precludes local ordinances from regulating agricultural employee housing differently from other agricultural land use. Staff considered requiring a buffer between any agricultural use that involves intensive human activity, such as housing or employment, and commercial agricultural use on the same parcel. However, a prescribed "one size fits all" buffer distance is not productive, and it is problematic to apply a discretionary buffer to ministerial projects, such as agricultural employee housing of less than 37 beds and 13 units. The concept of a buffer has therefore not been included in the proposed revised code.

(H) ~~(G)~~ Buffer Determinations for Residential Uses. Proposals to reduce the required 200-foot agricultural buffer setback for additions to existing residential construction (dwellings, habitable accessory residential structures, and for residential additions and private recreational facilities not otherwise exempted by subsection 16.50.095(B), ~~(B)(1)~~ of this section) and for the placement of agricultural caretakers' mobile homes on agricultural parcels shall be permitted upon issuance of an Administrative Use Permit processed as a Level 4 application by Planning Department staff as specified in Chapter 18.10 SCCG with the exceptions that:

~~(1) A notice that an application to reduce the buffer setback has been made shall be given to all members of the Agricultural Policy Advisory Commission at least 10 calendar days prior to the issuance of a pending action on an agricultural buffer determination; and~~

(1) ~~(2)~~ Where a reduction in the buffer setback is proposed, the The required notice of pending action shall be provided to the applicant, to all members of the Agricultural Policy Advisory Commission, and to owners of commercial agricultural land within 300 feet of the project location, and to members of the Board of Supervisors, not less than 10 days prior to the issuance of the permit. There shall not be a minimum number of property owners required to be noticed; and

- (2) ~~(3)~~ Buffer determinations made by Planning Department staff are appealable by any party directly to the Agricultural Policy Advisory Commission pursuant to SCCC Chapter 18.10. ~~Such appeals shall include a letter from the appellant explaining the reason for the appeal and the current administrative appeal processing fee.~~
- (3) Appeals of buffer determinations rendered by the Planning Director shall be heard by the Agricultural Policy Advisory Commission.
- (4) The Planning Director may refer any agricultural buffer reduction application proposed pursuant to this subsection 16.50.095(H) for a determination by the Agricultural Policy Advisory Commission.

~~(H)~~ All other proposals to reduce the agricultural buffer setback shall be processed as a Level 5 application as specified in Chapter 18.10 SCCC with the exception that:

- ~~(1) The required notice that an application has been made to reduce the agricultural buffer setback shall be provided only to owners of commercial agricultural land within 300 feet of the proposed project, not less than 10 days prior to the public hearing scheduled to consider the project. There shall not be a minimum number of property owners required to be noticed; and~~
- ~~(2) All determinations shall be made by the Agricultural Policy Advisory Commission at a scheduled public hearing.~~

(I) Buffer Determinations for Non-Residential Uses. Proposals to reduce the required 200-foot agricultural buffer setback for non-residential uses not otherwise exempted by subsection 16.50.095(B) shall not be permitted unless authorized by a Conditional Use Permit pursuant to 1810.110(C). All determinations shall be made by the Agricultural Policy Advisory Commission at a scheduled public hearing pursuant to the noticing and appeals procedures specified in Chapter 18.10 SCCC.

(J) ~~(H)~~ An agricultural buffer setback shall not be required for repair or reconstruction of a structure damaged or destroyed as the result of forces beyond the control of the owner, such as a fire or earthquake, or a natural disaster for which a local emergency has been declared by the Board of Supervisors, when:

- (1) The structure, after repair or reconstruction, will not exceed the floor area, height or bulk of the damaged or destroyed structure by 10 percent; and
- (2) The new structure will be located in substantially the same location, but no closer to the agricultural land than was the original structure. [Ord. 4921 §§ 26, 27, 2008; Ord. 4753 § 3, 2003; Ord. 4496-C § 96, 1998; Ord. 4311 § 1, 1994; Ord. 4284 § 1, 1993; Ord. 4037 § 3, 1989; Ord. 4030 § 5, 1989; Ord. 3447 § 1, 1983; Ord. 3336 § 1, 1982].

Part VII DEFINITIONS

Note: This exhibit provides new and revised definitions pertaining to agriculture zone districts, wineries and breweries.

13.10.700 Definitions.

13.10.700-A "A" definitions.

~~"Agricultural caretakers' mobile home" means a travel trailer or mobile home maintained as temporary living quarters for persons employed principally for security needs and/or farming and related activities on the parcel on which the unit is located. This use is an accessory use to the main dwelling on the property or in place of the main dwelling.~~

~~"Agricultural custom work occupations" means an agricultural support service for hire which is conducted as a secondary or incidental use on a parcel where agriculture is the primary use such as fumigation services, land leveling, irrigation contracting and farm equipment repair.~~

"Agricultural employee", means a person substantially engaged in farming, which includes 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 incidental to or in conjunction with such farming operations, including preparation for market, loading transport or storage of agricultural commodities, and caretaking agricultural or timber land.

"Agricultural employee housing" means any living quarters or accommodations that meet the requirements of state law for agricultural employee housing, comply with the Uniform Building Code and Uniform Housing Code as applicable, and is provided for agricultural employees as defined by state law and 13.10.700-A. Agricultural employee housing is not required to be located on the same property where the agricultural employee is employed.

"Agricultural processing", means the handling, processing, canning, packing, packaging, storing, refrigeration, or shipping of agricultural commodities produced primarily in Santa Cruz County. Does not include processing of animal products or lumber products. 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 such agriculturally-related materiel as pipes, fertilizer, pesticides and other pest control supplies, farm vehicles and appliances, feed and seed and large scale off-site cold storage facilities. This service d Does not include manufacturing, plant nurseries, or processing.

“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.

“Ancillary; subsidiary or subordinate” means a use secondary to the main use of a property. It is a use in support of and connected with that main use.

“Approving body” means the officer or hearing body which makes the ~~determination~~ decision on applications ~~at each processing level, as defined in SCCC 18.10.112,~~ processed pursuant to SCCC Chapter 18.10, including the Planning Director, the Zoning Administrator, the Planning Commission and the Board of Supervisors.

“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.

13.10.700-B “B” definitions.

“Beer Manufacturing Facilities” means facilities for the production of beer that are 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 beer manufacturing facility that includes a restaurant is considered a brewpub, subject to the requirements of the applicable zone district.

~~“Brewery” means a commercial brewing establishment, over and above the amount for home consumption.~~

~~“Brewpub” means a very small brewery beer manufacturing facility producing less than 15,000 barrels a year, which is sold exclusively at a~~ with a restaurant or pub on the premises where beer produced by the manufacturer is served. Additionally, other suppliers’ bottled beer as well as wine ~~is typically~~ 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.

13.10.700-C "C" definitions.

"Catering Kitchen" 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.

"Crop production" means planting, cultivating, growing, harvesting and drying of crops such as vegetables, orchard crops, berries, flowers, field crops (hay, grain, seed, turf), vineyards, dry land farming. Does not include Cannabis production, container crops, hoop houses, hydroponics, mushrooms or other crops grown in structures, or nurseries.

"Development area" means the total floor area plus the total area, covered by structures, paving, or other impermeable or semipermeable surface material such as baserock or gravel that may affect the long-term viability of the underlying agricultural soil. The development area excludes any required surfaced parking.

13.10.700-F "F" definitions.

"Farmstay /homestay" means a food and lodging facility operated in the principal residence, second unit or habitable accessory structure of a farm. The host farm meets the definition of a farm in the California Food and Agriculture Code § 52262, and generates its primary income through agricultural production. Food service is incidental to the farmstay.

~~"Farm worker/caretaker housing" means any of the three types of dwelling units designed to house people engaged in agricultural labor or security needs as an accessory use to the primary crop and livestock production use or the parcel(s) where they are employed. This housing includes: agricultural caretakers' mobile homes, farm worker quarters and farm worker camps.~~

~~"Farm worker camp" means permanent or temporary living quarters for the occupation of more than five farm workers and their families, including single family dwellings, multifamily dwellings, dormitories, mobile homes or travel trailers maintained for occupancy by persons employed principally in farming and related activities on the parcel on which the labor camp is located.~~

~~"Farm worker quarters" means permanent single family dwellings, or temporary or permanent mobile home(s) occupied according to the provisions of SCCG 13.10.683(D), maintained for occupancy by persons employed principally in farming and related activities on the parcel on which the farm worker quarters are located.~~

13.10.700-M "M" definitions.

Microbrewery: See "brewpub".

13.10.700-P "P" definitions.

"Produce market" means a structure and ancillary sales area cumulatively less than or equal to 3,500 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 §13.10.641 SCCC .

"Produce sales area, temporary" means structures and/or areas up to 1,600 square feet in size, open up to ninety (90) days per year (consecutive), including any outside display area, that is accessory to on-site agricultural operations and is used to sell only raw, unprocessed fruits, vegetables, nuts and other unprocessed agricultural commodities grown on the site.

"Produce stand" means structures and/or areas up to 1,600 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 and other agricultural produce grown on the site,

13.10.700-R "R" definitions.

"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.

13.10.700-W "W" definitions.

~~"Winery" means structures, facilities, and equipment used for the production of more than 200 gallons of wine per year. "The production of wine" means the conversion of grapes, berries, or other fruit into wine, including fermentation and bottling. May include crushing of fruit, storage of bulk or bottled wine made on the premises, and related activities where permitted.~~

"Wineries" means facilities for the production of wine from fruit or fruit juices through fermentation that are subject 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 similar distilled spirit. Such facilities may include related storage, blending and bottling activities, as well as administrative offices, marketing, tours, public tasting, wholesale and retail sales of wine and may include 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.

Summary Matrix of Main Proposed Amendments to Agricultural Regulations

Use permits regulate the activities that are allowed on a parcel of land. Agricultural use permits are concerned with the type and intensity of an activity, which is described in terms of the size of the development site, how much Type I – III agricultural soil is disturbed, size of building, number of visitors, and location relative to other types of land uses. Site Development permits address physical improvements to land, which are described in terms such as building size, site design, and circulation and parking requirements. Depending on the type of project, a use permit (UP), site development permit (SDP) or both types of permits may be required. A "principally permitted use" (P) is a use that does not require either type of discretionary permit.

Abbreviation key for Use Permits (UPs)

- P = Principally permitted use, no use permit required
- MUP = Minor Use permit, no public notice or hearing
- AUP = Administrative Use Permit, public notice, no public hearing
- CUP = Conditional Use Permit, noticed public hearing.

Abbreviation key for Site Development Permits (SDPs)

- P = Principally permitted use, no site permit required
- MSP = Minor Site permit, no public notice or hearing
- ASP = Administrative Site Permit, public notice, no public hearing
- CSP = Conditional Site Permit, noticed public hearing.

Definitions/Footnotes

- 1 "Development Area" means the total area covered with structures, paving or other impermeable or semi permeable surface material such as baserock or gravel that may affect the agricultural viability of the underlying soil. Required parking spaces are not included in the development area.
- 2 "By Right" means no discretionary permit is required.
- 3 Ancillary in this case means ancillary to agriculture on the subject parcel or on CA parcel(s) farmed by the applicant.

Summary Matrix of Main Proposed Amendments to Agricultural Uses

This matrix highlights the main proposed changes to the agricultural land use charts with comparison to existing regulations. See first page for definitions, footnotes and key to abbreviations.

USE	Farm stay / Agricultural Home Stay	Agri-tourism and Education	Produce Stands, Temporary Sales and Produce Markets
DESCRIPTION	Farm visits that include meals and overnight lodging	Agricultural tourism and educational programs and events	Direct to consumer marketing, roadside sales
ZONING	CA and A	CA and A	CA A
PROPOSAL	MUP up to 6 guestrooms AUP > 6 guestrooms	P K-12 school visits (no limit), farm dinners and other agricultural tourism and educational events, up to 12 per year and 50 persons per event. MUP farm dinners and other agricultural tourism and educational events exceeding 12 per year or 50 persons per event. Note: Permit runs with the land.	P produce stands, temporary sales (open a maximum of 90 days and up to 1600 sq.ft. development area) CUP markets up 3,500 sq. ft. Markets may include refrigerated storage and limited processed foods. Two signs up to 10 square feet each.
Use:	<ul style="list-style-type: none"> Residential buildings only. Ancillary to working farm. 	<ul style="list-style-type: none"> Events must promote local products Parking and number people determined by Conditions of Approval Minimize the area devoted to parking, circulation, and amenities. 	
Structures:	SDP may be required	SDP may be required	MSP required for produce stands ASP required for produce stands CSP required for markets
ANCILLARY?	Yes	Yes	Yes
COMPARE TO CURRENT CODE	New allowed use	New allowed use.	Produce markets a new allowed use. Stands currently allowed with a building permit but no parking, safety or sign standards in code, and limited to produce from the on site grower

USE	Agricultural Service Establishment		Agricultural Processing	
DESCRIPTION	Agriculture services and sales. Services include irrigation, application of agricultural chemicals, harvesting, hauling, and farm equipment repair. Sales include farm vehicles, feed, pipes and chemicals.			
ZONING	CA	A	CA	A
PROPOSAL	<p>P up to 3,500 sq.ft. development area</p> <p>AUP 3,500 – 10,000 sq. ft. development area</p> <p>Disturbance beyond 3500 sq.ft must meet one or more of these standards:</p> <ul style="list-style-type: none"> • Avoid Type I- III soil • Demonstrate no loss of Type I- III soil • Mitigate for loss of Type I- III soil beyond 3,500 sq.ft 	<p>P up to 3,500 development area, not within 200' of a residence on another parcel</p> <p>AUP 3,500 - 10,000 sq.ft. development area.</p> <p>CUP > 10,000 sq.ft. development area.</p> <ul style="list-style-type: none"> • Will not generate excessive traffic • Visual screening as needed 	<p>MUP up to 5,000 sq.ft. development area</p> <p>AUP 5000-50,000 sq.ft. development area</p> <p>Standards for CA & A zoned land:</p> <ul style="list-style-type: none"> • Produce shall be primarily grown in County • Site to minimize impacts to residences on another parcel w/in 200' • Avoid Type I-III soils if possible • Visual screening as needed • Design to minimize exposure to agrichemicals 	<p>MUP up to 5,000 sq ft development area</p> <p>AUP 5,000 to 50,000 development area</p> <p>CUP >50,000 development area</p>
Use:				
Structures:	<p>ASP floor area 2500 - 7500 sq.ft or development area 3,500 -10,000 sq.ft.</p>	<p>ASP floor area 2500 -7500 sq.ft or development area 3,500 -10,000 sq.ft</p> <p>CSP floor area > 7500 sq.ft or development area > 10,000 sq.ft.</p>	<p>MSP floor area < 3500 sq.ft or development area < 5,000 sq.ft.</p> <p>ASP floor area 3500 -35,000 sq.ft. or development area 5,000-50,000 sq.ft</p> <p>CSP >35,000 sq.ft. dev't area</p>	
ANCILLARY?	Yes ³	No	No	No
COMPARE TO CURRENT CODE	<ul style="list-style-type: none"> • Previously not allowed on CA 	<ul style="list-style-type: none"> • Creates "by right" category and administrative review process. Current code requires a public hearing at any size • Wider applicability: no parcel size or road criteria, use allowed adjacent to residential zones. Current criteria allow few parcels to be used 	<p>No longer required to be ancillary to farming on site</p> <p>Public notice below 5000 sq.ft. removed</p>	<ul style="list-style-type: none"> • No longer required to be ancillary to farming on site • Public notice 2,000 – 5000 sq.ft. removed • Removes 50,000 sq.ft limit

USE	Agricultural Employee Housing (AEH)	Storage of Agricultural Equipment and Supplies	Crop and Livestock Production
DESCRIPTION	Living quarters for agricultural employees, consistent with State law	Storage buildings and surfaced outdoor areas used for storage of equipment and supplies	Row crops, field crops, berries flowers, mushrooms, livestock, dairy, poultry, small animals
ZONING	CA and A	A	A
PROPOSAL Use: Structures:	P up to 36 beds /12 units by right CUP >36 beds / 12 units, limited to maximum residential density of zone district. Standards: <ul style="list-style-type: none"> • Buffer of 200 feet from CA land on neighboring parcels • Verification of labor status and other standards pursuant to State law 	CA P up to 12,000 sq.ft. development area MUP > 12,000 sq.ft. development area, if sited off Type I – III soil CUP with Master Plan >12,000, and sited on Type I – III soil. MSP >12,000 development area, avoids Type I – III soil CSP >12,000 development area sited on Type I – III soil	CA P crop and livestock production MUP dairy, mushroom farm, container crops CUP aquaculture, biomedical livestock A P crop production, livestock production < 8 animals / acre < 100 birds MUP container crops AUP mushroom farm, larger scale animal raising CUP dairy, aquaculture, biomedical livestock
ANCILLARY?	No	Must serve a principal agricultural use on property owned or leased by the operator.	----
COMPARE TO CURRENT CODE	State law prevents density standards, public hearings, and on site agricultural buffers from being applied to 36 unit/12 bed projects. No longer based on demonstrated need for farm labor.	Current code does not provide clear standards for storage on agricultural properties, or option to centralize storage for multiple parcels.	Livestock: hog raising and larger numbers of small animals no longer require a public hearing on A, barns larger than 5000 sq. ft. now require a site development permit; poultry hatcheries and hydroponics added to the use chart for clarity.

Use Charts – Wineries and Beer Manufacturing facilities and Brewpubs

Notes: The following tables identify the type of use permit required for wineries and beer manufacturing facilities and for brewpubs in zone districts where they are allowed. See Section 13.10.637 for regulations for wineries and beer manufacturing. Amplified music, outdoor events, and other factors may increase any permit required up to a conditional use permit.

Permit type	Noticing	Hearing requirement
P: Principal permitted use; No use permit required	No public notice	No public hearing
MUP: Minor Use Permit (Discretionary)	No public notice	No public hearing
AUP: Administrative Use Permit (Discretionary)	Public Notice	No public Hearing
CUP: Conditional Use Permit (Discretionary)	Public Notice	Public Hearing
-: Not allowed in the zone district		

Wineries and Beer Manufacturing facilities

AGRICULTURE	Commercial Agriculture	Agriculture
<u>Production only, small</u>	<u>MUP</u>	<u>MUP</u>
<u>Production only, medium- large</u>	<u>MUP</u>	<u>AUP</u>
<u>Production and marketing - small</u>	<u>MUP</u>	<u>MUP</u>
<u>Production and marketing - medium</u>	<u>AUP</u>	<u>AUP</u>
<u>Production and marketing - large</u>	<u>CUP</u>	<u>CUP</u>

RESIDENTIAL	Residential Agriculture
<u>Production only, small</u>	<u>AUP</u>
<u>Production only, medium- large</u>	<u>CUP</u>
<u>Production and marketing - small</u>	<u>CUP</u>
<u>Production and marketing - medium</u>	<u>CUP</u>
<u>Production and marketing - large</u>	<u>=</u>

COMMERCIAL	Neighborhood Commercial	Community Commercial	Commercial Services/ Small Light Industrial
<u>Production only, small</u>	<u>=</u>	<u>=</u>	<u>P</u>
<u>Production only, medium - large</u>	<u>=</u>	<u>=</u>	<u>MUP</u>
<u>Production and marketing - small</u>	<u>AUP</u>	<u>MUP</u>	<u>MUP</u>
<u>Production and marketing - medium</u>	<u>CUP</u>	<u>MUP</u>	<u>MUP</u>
<u>Production and marketing - large</u>	<u>=</u>	<u>AUP</u>	<u>AUP</u>

Brewpubs and microbreweries

<u>COMMERCIAL</u>	<u>Neighborhood Commercial</u>	<u>Community Commercial</u>
<u>Brewpubs and Microbreweries</u>	<u>MUP</u>	<u>MUP</u>