

**Chapter 13.10**  
**ZONING REGULATIONS** Amended Ord. 5151 Ord. 5152 Ord. 5160 Ord. 5172

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Code reviser's note: Ord. 3186 adopted the recodification of prior code Chapter 13.04 SCCC. Ord. 3315 renumbered various chapters of the Santa Cruz County Code, including renumbering Chapter [13.04](#) SCCC to Chapter [13.10](#) SCCC.

Prior legislation: Ords. 560, 639, 640, 653, 681, 693, 708, 740, 746, 747, 758, 839, 931, 1019, 1029, 1048, 1080, 1087, 1092, 1118, 1136, 1156, 1188, 1191, 1217, 1219, 1282, 1283, 1418, 1424, 1465, 1508, 1543, 1578, 1581, 1582, 1608, 1639, 1682, 1683, 1703, 1704, 1739, 1786, 1806, 1817, 1834, 1863, 1891, 1907, 1924, 1943, 1985, 2047, 2051, 2066, 2117, 2142, 2171, 2202, 2244, 2245, 2259, 2261, 2263, 2287, 2289, 2294, 2328, 2336, 2349, 2391, 2402, 2428, 2429, 2431, 2449, 2450, 2452, 2459, 2472, 2478, 2493, 2506, 2520, 2540, 2581, 2622, 2661, 2672, 2681, 2750, 2759, 2761, 2762, 2763, 2764, 2769, 2770, 2771, 2775, 2776, 2779, 2787, 2788, 2800, 2801, 2804, 2822, 2823, 2824, 2841, 2848, 2849, 2853, 2857, 2858, 2868, 2872, 2874, 2913, 2946, 2986, 3015, 3035, 3036, 3051, 3058, 3076, 3115, 3116, 3117, 3152, 3164, 3172, 3173, 3182, 3186, 3212, 3223, 3233, 3265, 3266, 3277, 3278, 3311, 3315, 3344 and 3360.

## Part I. AUTHORITY AND PURPOSE

### 13.10.110 Title of chapter.

.....  
This chapter shall be known and cited as "the zoning ordinance of the County of Santa Cruz." [Ord. 3432 § 1, 1983].

### 13.10.120 Purpose.

.....  
The purposes of this chapter are:

- (A) To implement the General Plan and Local Coastal Program Land Use Plan by providing specific regulations as to the allowable uses of land and structures;
- (B) To promote and protect the public health, safety, peace, morals, comfort, convenience, and general welfare;
- (C) To protect the character, stability, and satisfactory interrelationships of residential, commercial, industrial, agricultural, recreational, and open space areas of the County;
- (D) To protect the natural environment in compliance with the California Environmental Quality Act. [Ord. 3432 § 1, 1983].

### 13.10.130 Scope.

.....  
Pursuant to California Government Code Section [65850](#), this chapter contains provisions to:

- (A) Regulate the use of buildings, structures and land as between industry, business, residents, open space, including agriculture, recreation, enjoyment of scenic beauty and use of natural resources, and other purposes.
- (B) Regulate signs and billboards.
- (C) Regulate location, height, bulk, number of stories and size of buildings and structures; the size and use of lots, yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure; and the intensity of land use.
- (D) Establish requirements for off-street parking and loading.
- (E) Establish and maintain building setback lines. [Ord. 3432 § 1, 1983].

### 13.10.140 Applicability. Amended Ord. 5160

.....  
(A) Compliance with Zoning Regulations. No person shall construct, enlarge or move a building, and no person shall establish a new use of land or expand or intensify an existing use unless it conforms to the permitted uses provided in the zone district or conforms to a permit

and regulations authorizing a discretionary use in the zone district in which the land is located. All construction, alteration, reconstruction or enlargement of buildings and all uses of buildings and land shall comply with all provisions of this chapter except as otherwise provided for nonconforming structures and uses.

(B) Conformance by Government Agencies. No government unit whether city, County special district or State agency shall be exempt from the provisions of this chapter, except for State agencies and cities engaged in a sovereign activity or a local public agency exempted by Sections 53090 et seq. of the California Government Code. Where a Coastal Zone permit is required pursuant to Chapter 13.20 SCCC, State and Federal agencies and cities may be required to comply with various provisions of this chapter as a condition of the Coastal Zone permit. [Ord. 4166 § 5, 1991; Ord. 4027 § 2, 1989; Ord. 3432 § 1, 1983].

**13.10.150 Amendment.**

(A) Planning Commission Action. Any amendment to this chapter which changes property from one zone district to another, or imposes any regulation not previously imposed, or removes or modifies any such regulation previously imposed, shall be processed as a Level VII approval pursuant to Chapter 18.10 SCCC, including a public hearing and recommendation by the Planning Commission prior to consideration of the amendment by the Board of Supervisors. Any other amendments to this chapter may be adopted as other ordinances are adopted.

(B) Local Coastal Program Amendment. Any revision to this chapter which applies to the Coastal Zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When a revision constitutes an amendment to the Local Coastal Program such revision shall be processed pursuant to the provisions of Chapter 13.03 SCCC and a Level VII approval pursuant to Chapter 18.10 SCCC and shall be subject to approval by the California Coastal Commission. [Ord. 3432 § 1, 1983].

**13.10.160 Environmental protection.**

All approvals and zoning plan amendments pursuant to this chapter shall be processed in accordance with the California Environmental Quality Act and Guidelines and County environmental impact review guidelines and rules adopted pursuant to Chapter 16.01 SCCC. [Ord. 3432 § 1, 1983].

**13.10.170 General Plan consistency.**

(A) Consistency Requirement. The zoning plan and regulations established by this chapter shall be consistent with the General Plan. "Consistent with" as used in this section means that the allowable uses and development standards established by this chapter and the zoning plan created pursuant to SCCC 13.10.210 are in harmony with and compatible with the County General Plan including the Local Coastal Program Land Use Plan, and that they implement the objectives, policies and programs of the General Plan and do not inhibit or obstruct the orderly attainment of the General Plan within its time frame.

(B) Discretionary Uses. Land uses which are allowed by discretionary approval shall be deemed to be consistent with the General Plan, provided the approving body finds such consistency before approving the use.

(C) Maintaining Consistency. The zoning plan and regulations established by this chapter shall not be amended out of conformity with the General Plan. Whenever an amendment to either the zoning ordinance or the General Plan is considered, a concurrent amendment to the other document shall be considered where necessary to maintain consistency.

(D) Consistent Zone Districts. The following table denotes the basic and combining districts which implement and are consistent with the various General Plan land use, resource and constraint designations. Rezoning of a property to a zone district which is shown in the following zone implementation table as implementing the designation applicable to the property shall not constitute an amendment of the Local Coastal Program, unless it involves rezoning to M-3 in the Coastal Zone.

**ZONING IMPLEMENTATION TABLE**

General Plan/Local Coastal Program Land Use Designation	Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.
<b>All Land Use Designations</b>	
(Except Agricultural Resource Lands)	SU—Special Use

General Plan/Local Coastal Program Land Use Designation	Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.
<b>Agricultural:</b>	
AG—Agriculture	A—Agriculture
	RA—Residential Agriculture
	CA—Commercial Agriculture
	TP—Timber Production
	PR—Parks, Recreation and Open Space
	AP—Agricultural Preserve (for existing AP Districts only)
<b>Commercial:</b>	
C-N—Neighborhood Commercial	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	PA—Professional and Administrative Offices
C-C—Community Commercial	C-2—Community Commercial
	C-1—Neighborhood Commercial
	CT—Tourist Commercial
	VA—Visitor Accommodations
	PA—Professional and Administrative Offices
C-V—Visitor Accommodations	VA—Visitor Accommodations
C-S—Service Commercial/Light Industry	M-1—Light Industrial
	PA—Professional and Administrative Offices
	C-4—Commercial Services
C-O—Professional and Administrative Offices	PA—Professional and Administrative Offices
<b>Public Facility/Institutional:</b>	
P—Public/Institutional Facilities	PF—Public and Community Facilities
<b>Residential:</b>	
R-M—Mountain Residential	RR—Rural Residential
	RA—Residential Agriculture
	TP—Timber Production
	A—Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-R—Rural Residential	RR—Rural Residential
	RA—Residential Agriculture
	A—Agricultural

General Plan/Local Coastal Program Land Use Designation	Zone District pursuant to SCCC 13.10.300 et seq., and SCCC 13.10.400 et seq.
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-S—Suburban Residential	RR—Rural Residential
	RA—Residential Agriculture
	R-1—Single-Family Residential** (5,000 square feet to one acre lot size)
R-UVL—Urban Very Low Residential	R-1—Single-Family Residential*
R-UL—Urban Low Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UM—Urban Medium Residential	R-1—Single-Family Residential*
	RB—Ocean Beach Residential*
	RM—Multifamily Residential*
R-UH—Urban High Residential	R-1—Single-Family Residential*
	RM—Multifamily Residential*
All Residential Designations	PR—Parks, Recreation and Open Space

\* Zone district designations shall be considered consistent with the General Plan and Local Coastal Program Land Use Plan when in conformance with the residential density allowed by Figure 2-3 of the General Plan and Local Coastal Program Land Use Plan.

\*\* This zone district is established for the sole purpose of recognizing as conforming parcels those legal parcels of record located outside the urban services line of the County that, prior to the adoption of the 1994 General Plan and Local Coastal Program Land Use Plan, were zoned R-1-5, R-1-6, R-1-7, R-1-8, R-1-9, R-1-10, R-1-12, R-1-15, R-1-20, R-1-32, R-1-40 or R-1-1 acre and developed with or intended for development of a single-family residence and any permitted accessory structures. Such development, including additions or remodels, is subject to the site and development standards of the specified zone district for the parcel. All land divisions must be consistent with the provisions of the Rural Residential Density Determination Ordinance (Chapter 13.14 SCCC) and with the residential density allowed by Figure 2-2 of the General Plan and Local Coastal Program Land Use Plan.

Open Space Uses:	
O-R—Parks, Recreation and Open Space	PR—Parks, Recreation and Open Space
	TP—Timber Production
O-C—Resource Conservation	PR—Parks, Recreation and Open Space
	TP—Timber Production
	A—Agriculture
O-L—Lakes, Reservoir, Lagoon	PR—Parks, Recreation and Open Space
O-U—Urban Open Space	PR—Parks, Recreation and Open Space
General Plan/Local Coastal Program Land Use Overlay Designations:	
I—Heavy Industry	M-1—Light Industrial

	M-2—Heavy Industrial
Q—Quarry	M-3—Mineral Extraction
PP—Proposed Parks and Recreation	PR—Parks, Recreation and Open Space
	D—Designated Park Site Combining Zone District with any other zone district
<b>General Plan/Local Coastal Program Resource:</b>	
Agricultural Resource Lands	AP—Agricultural Preserve Zone District
	A-P—Agriculture with Agricultural Preserve Zone District
	CA—Commercial Agriculture
	TP—Timber Production
Timber Resource Lands	TP—Timber Production
<b>General Plan/Local Coastal Program Constraint:</b>	
Coastal Bluffs and Beaches	GH—Geologic Hazards Combining Zone District with any other zone district (see SCCC <a href="#">13.10.400</a> )
Fault Zones	
Liquefaction Areas	
Landslide Areas	
Floodplains and Tsunami Inundation Areas	
<b>Other Designation or Condition:</b>	
Designated Assisted Housing Site	H—Assisted Housing Combining District with any other zone district
Property Issued a Statement of Intention	I—Statement of Intention Combining District with any other zone district
Designated Historic Landmark	L—Historic Landmark Combining District with any other zone district
Mobile Home Park	MH—Mobile Home Park Combining District with any other zone district
Property Restricted by an Open Space Contract	O—Open Space Combining District with any other zone district
Santa Cruz Long-Toed Salamander Habitat	SP—Salamander Protection Combining District with any other zone district
Special Residential Design Standards for the Pleasure Point Neighborhood	PP—Pleasure Point Community Design Combining District with any R-1, RM or PR zoned parcel in the Pleasure Point Neighborhood

[Ord. 5063 § 1, 2010; Ord. 4873 § 2, 2007; Ord. 4836 § 3, 2006; Ord. 4577 § 1, 1999; Ord. 4460 § 1, 1997; Ord. 4370 § 1, 1995; Ord. 4346 § 5, 1994; Ord. 3844 § 2, 1987; Ord. 3632 § 2, 1985; Ord. 3432 § 1, 1983].

## Part II. ORDINANCE AND PERMIT ADMINISTRATION

### 13.10.210 Zoning plan.

A zoning plan shall be established pursuant to this chapter containing the designations, locations and boundaries of the various zone

districts delineated on sectional district maps, each map covering one square mile. An index map to the sectional district maps shall be provided. The zoning plan and maps shall be considered an integral part of this chapter. [Ord. 3432 § 1, 1983].

### 13.10.215 Zoning plan amendment.

(A) Amendment Policy. The County zoning plan is intended to be a comprehensive, detailed appraisal of the County's present and future needs for land-use allocations which are shown broadly on the adopted General Plan. In order to maintain a stable, desirable, well-balanced pattern of development throughout the unincorporated County area, amendments to the zoning plan are to be discouraged and made only upon adequate justification.

(1) To further this intention and to address the housing needs of County residents, the County shall require that within the urban services line, any rezoning from a nonresidential zone district to a residential zone district meet the following criteria:

(a) A minimum of 40 percent of all residential units or parcels resulting from the rezoning shall be affordable. At least one-half of the affordable units shall be affordable to low income households. For parcels on which 100 or more units will be created, the units affordable to low income households shall include at least one-half that are affordable to very low income households, resulting in a minimum of 10 percent of the total units being available to very low income households. If more than 10 percent of the units will be constructed for very low income households, the aggregate of very low and low income affordable units must total a minimum of 20 percent of the total units. All required affordable units shall be located on-site. If the calculation of the affordable housing obligation under SCCC [17.10.030\(B\)](#) results in any fractional obligation above a whole unit, the project developer shall contribute funds equivalent to the fractional amount to the Measure J Trust Fund as provided in SCCC [17.10.034](#).

(b) These affordable units shall meet the requirements of Chapter [17.10](#) SCCC, as applicable.

(B) Amendment Initiation. Amendment to the zoning plan may be initiated by a resolution of intention adopted by the Board of Supervisors upon its own motion or upon the recommendation of the Planning Commission, or an application by a property owner or other interested party having the owner's authorization.

(C) Amendment Procedures. Amendments to the County zoning plan shall be processed as an approval Level VII project pursuant to Chapter [18.10](#) SCCC and in accordance with the requirements of this section.

(D) Planning Commission Recommendation. After a public hearing, which may be continued from time to time, the Planning Commission shall send a written recommendation to the Board within 90 days after the first notice of the hearing, unless the time limit has been extended by mutual agreement of the applicant and the Commission. The Commission's recommendation shall include the reasons for the recommendation, the relationship of the proposed zoning amendment to the General Plan, and a statement regarding compliance with the California Environmental Quality Act. The Planning Commission shall recommend approval of a rezoning only if it determines that:

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

(2) The proposed zone district is appropriate to the level of utilities and community services available to the land; and

(3) One or more of the following findings can be made:

(a) The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district;

(b) The proposed rezoning is necessary to provide for a community-related use which was not anticipated when the zoning plan was adopted;

(c) The present zoning is the result of an error; or

(d) The present zoning is inconsistent with designation on the General Plan.

(E) Planning Commission Recommendation Against Amendment. If the Planning Commission recommends against a proposed amendment, their action shall be final unless the matter is subsequently considered upon appeal or special consideration by the Board of Supervisors, or unless the action is being processed concurrently with a project which requires Level VII approval.

(F) Board of Supervisors Action. The Clerk of the Board shall set a public hearing before the Board of Supervisors within 30 days after the receipt of the report recommending a zoning amendment from the Planning Commission. The Board may approve, modify, or disapprove the Planning Commission's recommendation; provided, that any modification of the proposed zoning amendment (including the imposition of regulations which are less restrictive than those proposed by the Commission or changes in proposed dwelling density or use) which was not previously considered by the Planning Commission shall be referred to the Planning Commission for their report and recommendation. The Planning Commission is not required to hold a public hearing on the referral, and their failure to respond within 40 days shall constitute approval. Any hearing may be continued from time to time.

(G) Finality of Action on Amendments. No new application for a zoning amendment shall be filed for the same or substantially the same purpose on the same parcel within one year after its denial without the consent of the Planning Commission if no appeal was made, or without the consent of the Board of Supervisors if denied by the Board. A denial without prejudice shall allow the filing of a new application at any time for the same or substantially the same purpose. [Ord. 5119 § 2, 2012; Ord. 4843 § 1, 2006; Ord. 4817 § 2, 2006; Ord. 4783 § 3, 2005; Ord. 4767 § 3, 2004; Ord. 4764 § 3, 2004; Ord. 3593 § 1, 1984; Ord. 3432 § 1, 1983].

#### **13.10.220 Use approvals.**

(A) Description. A use approval is a discretionary authorization of a land use allowed in accordance with the regulations of the governing zone district and issued as part of a development permit pursuant to Chapter [18.10](#) SCCC. A use approval shall be granted at the approval level specified by the governing zone district for the project property, and may only authorize such development or use of the property as is allowed by the zone district or as otherwise provided in this chapter.

(B) Procedures. All regulations and procedures regarding application, review, approval, appeal, enforcement, etc., for a use approval shall be in accordance with the provisions of Chapters [18.10](#) and [19.01](#) SCCC. [Ord. 4836 § 4, 2006; Ord. 3432 § 1, 1983].

#### **13.10.225 Emergency use approval.**

(A) Emergency use approvals may be granted at the discretion of the Planning Director to allow the temporary relocation of a use when the use has been displaced from its original location as a result of damage or destruction by a natural disaster for which a local emergency has been declared by the Board of Supervisors.

(B) Application for review of the occupancy under the provisions of this chapter and Chapter [18.10](#) SCCC shall be made within 90 days of the date of issuance of the emergency permit or the use shall be terminated. [Ord. 4160 § 1, 1991; Ord. 4030 § 2, 1989].

#### **13.10.230 Variance approvals.**

(A) Description. A variance approval is a discretionary authorization of exceptions to the zoning district site and development standards for a property including design standards and guidelines and regulations for special uses. The power to grant variance approvals does not allow changes in use which are affected only by use approvals pursuant to SCCC [13.10.220](#), rezoning of the property pursuant to SCCC [13.10.215](#), or amendment to the regulations of this chapter. Variances to site area requirements may be approved only in the case where no new additional building sites would thereby be created (relief in which case may be provided only through rezoning of the property), or in any of the following instances:

- (1) To facilitate certificates of compliance.
- (2) To facilitate dedications of rights-of-way or other required improvements for public benefit.
- (3) To allow the consideration of the creation of new lots when the size of the lot is within one percent of the zoning requirement and is consistent with the General Plan.

(B) Procedures. All regulations and procedures regarding application, review, approval, appeal, enforcement, etc., for a variance approval shall be in accordance with the provisions of Chapters [18.10](#) and [19.01](#) SCCC for a Level V approval and "findings" in subsection (C) of this section except that site area variances which create new building sites under the circumstances described in subsection (A) of this section shall be processed at Level VII.

(C) Findings. The following findings shall be made prior to granting a variance approval in addition to the findings required for the issuance of a development permit pursuant to Chapter [18.10](#) SCCC:

- (1) That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- (2) That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in the vicinity.
- (3) That the granting of such variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated. [Ord. 5087 § 1, 2011; Ord. 4836 §§ 5, 6, 2006; Ord. 3632 §§ 3, 4, 1985; Ord. 3432 § 1, 1983].

#### **13.10.235 Minor exceptions.**

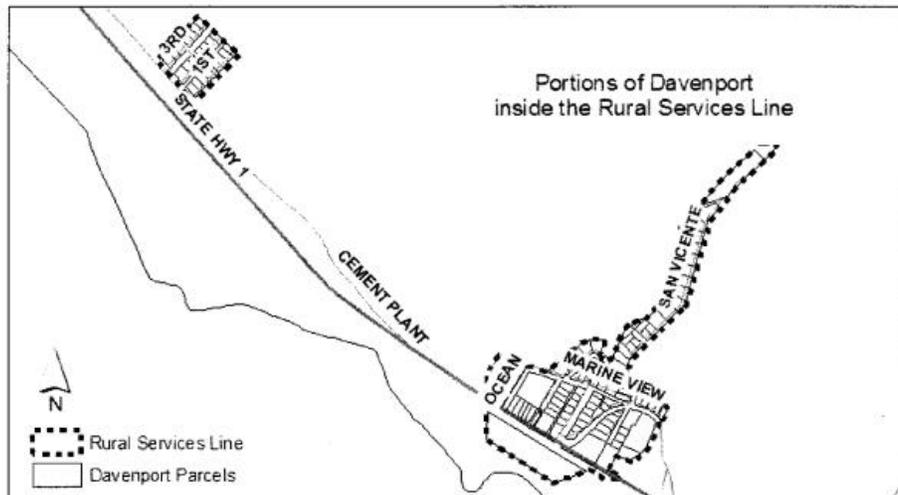
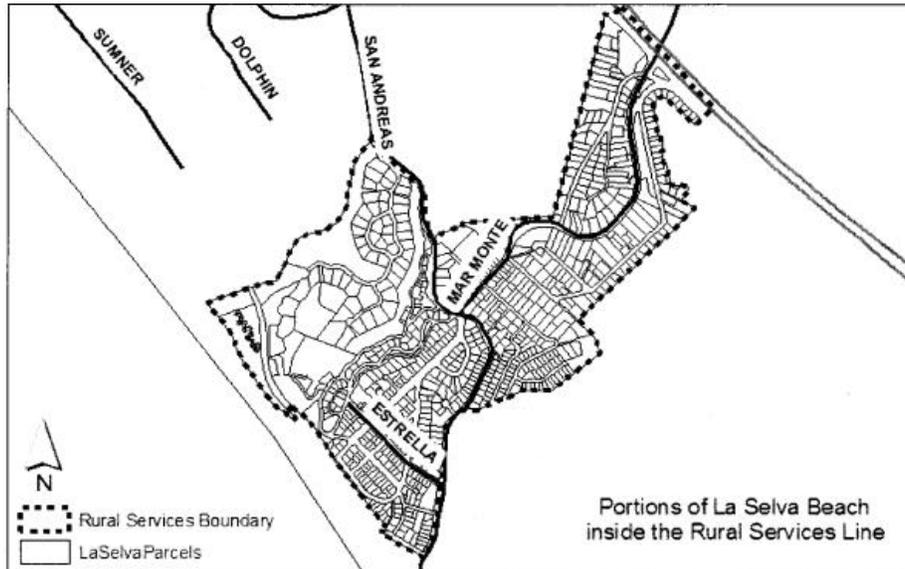
(A) Purpose. To provide a streamlined discretionary review process to allow consideration of minor variations from the zoning district site standards established for height, setbacks, separation between structures on the same property, lot coverage and floor area ratio.

(B) Applicability. Within the Urban Services Line, and within those portions of La Selva Beach and Davenport within the Rural Services

Line as shown in Figure 1 of this subsection (map attached hereto), minor exceptions to the zoning site standards contained in the site and structural dimensions charts may be considered for the following zone districts: agricultural districts (SCCC [13.10.313\(A\)](#)); residential districts (SCCC [13.10.323\(B\)](#) and [13.10.323\(E\)\(6\)\(c\)](#)); commercial districts (SCCC [13.10.333\(A\)](#)); industrial districts (SCCC [13.10.343\(A\)](#)); parks, recreation and open space parks districts (SCCC [13.10.353\(A\)](#)); public and community facilities districts (SCCC [13.10.363\(A\)](#)); timber production districts (SCCC [13.10.373\(A\)](#)); and special use districts (SCCC [13.10.383\(A\)](#)). Minor exceptions do not apply to special site standards contained in combining zone districts, specific plans or PUDs, unless specifically indicated.

Figure 1

**Portions of La Selva Beach and Davenport within the Rural Services Line**



Minor exceptions shall be limited to the following:

- (1) Height. Up to a five percent increase in the allowed height. For example, a 28-foot height limit could be increased by up to 16.8 inches (28 feet times 0.05 = 1.4 feet).
- (2) Setbacks. Up to a 15 percent reduction in the required front, side or rear setback. For example, a five-foot setback may be reduced by up to nine inches (five feet times 0.15 = 0.75 feet).
- (3) Separation Between Structures. Up to a 15 percent exception from the 10-foot separation requirement between structures on the same property, allowing a reduction of up to 1.5 feet, or an 8.5-foot separation.

- (4) Floor Area Ratio. Up to a 7.5 percent increase in the total allowable 50 percent FAR for lots 4,000 square feet or less, allowing up to 57.5 percent FAR.
- (5) Lot Coverage. Up to a 15 percent increase of the total allowable lot coverage, resulting in the following maximum allowable increases:

Allowable Lot Coverage	Maximum Additional Lot Coverage Allowed with a 15% Minor Exception
40%	6%
20%	3%
10%	1.5%

Minor exceptions apply only to the zoning site standards noted above, and do not apply to or supersede limits or building setbacks required in other sections or chapters of the County Code, such as for riparian corridors, geologic hazards, sensitive habitats, or agricultural buffers. If a coastal development permit is required (pursuant to Chapter [13.20](#) SCCC), then the minor exception shall be processed as part of and pursuant to the coastal development permit process, including that hearing requirements, noticing, appeal procedures, etc., shall be as are required for coastal development permits, and all required coastal development permit findings shall also be required.

(C) Procedures.

- (1) Application. The application for the minor exception shall contain such information as required by the Planning Department.
- (2) Application Review. The Planning Director or designee shall review and make a determination on the application for a minor exception. At the discretion of the Planning Director, the project may be referred to the Zoning Administrator or Planning Commission for a public hearing.
- (3) Noticing. Noticing shall be as provided by SCCC [18.10.222](#) and [18.10.224](#).
- (4) Required Findings. Findings shall be in accordance with findings required for variance approvals in SCCC [13.10.230](#)(C), and in accordance with the findings required in SCCC [18.10.230](#) for discretionary approvals. In addition, the following finding shall be required for minor exceptions allowing an increase in lot coverage:
- (a) That there is no increase in stormwater leaving the property as a result of additional impermeable area created by a minor increase in lot coverage. The project as approved incorporates measures or conditions that direct runoff to the landscape, use permeable paving material, reduce existing impermeable area, or incorporate other low impact drainage design practices to control any increase in stormwater runoff.
- (5) Project Conditions. The project may be conditioned as needed to ensure compliance with County policies and ordinances, in accordance with SCCC [18.10.240](#).
- (6) Appeal. The procedures for appeals shall be as provided by SCCC [18.10.310](#) and [18.10.324](#). [Ord. 5126 § 1, 2012; Ord. 5119 §§ 3, 4, 2012; Ord. 5087 § 2, 2011].

**13.10.240 Previous permits.**

Any planned unit development permit, planned development permit, variance, use permit or other approval or permit previously issued by the County pursuant to previous regulations of the zoning ordinance shall continue to be administered in the same manner as existing permits. Actions to amend, review, revoke, or enforce such permits shall be subject to the regulations and procedures of this chapter and Chapter [18.10](#) SCCC, except for existing planned unit development permits which were adopted by ordinance and which must be administered in the same manner as existing ordinances. [Ord. 3432 § 1, 1983].

**13.10.250 Interpretation.**

The Zoning Administrator shall be responsible for the interpretation of the provisions of this chapter for their application to any specific case or situation, interpretation of whether a proposed use is essentially the same as a use allowed in the zone district, or interpretation of the boundary location of a zone district, based on the following guidelines, subject to appeal to the Board of Supervisors pursuant to Chapter [18.10](#) SCCC:

- (A) In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.
- (B) Whenever the district boundary is indicated as being a road or a property line, then, unless otherwise definitely indicated on the zoning plan map, the center line of the road or the property line shall be assumed to be the district boundary.

(C) Where the location of district boundary lines is not indicated by dimensions, the boundaries shall be located by use of the scale to which the map is drawn. [Ord. 3432 § 1, 1983].

### 13.10.260 Nonconforming uses and structures—General provisions.

(A) Purpose. To establish regulations for nonconforming structures and uses that recognize the prevalence of legally established nonconforming uses and structures, the neighborhood benefit of well-maintained buildings, and the need to preserve and improve existing housing stock and commercial space. To allow legal nonconforming uses and structures to continue to exist, and to be improved, within appropriate parameters that address potential impacts to public health, safety and welfare. To establish a threshold for when changes to existing nonconforming uses and structures are subject to discretionary review, and establish findings for approval of discretionary permits to protect public health, safety, welfare and the environment. To establish provisions whereby nonconforming uses that are determined to be detrimental to public health, safety or welfare may be terminated by the Board of Supervisors.

(B) Definitions. The following words and phrases, whenever used in this section, or SCCC [13.10.261](#) or [13.10.262](#), shall have the following meanings:

(1) Intensification of Use, Nonresidential. Any change or expansion of a nonresidential use which will result in both a greater than 10 percent increase in parking need and more than two spaces or which is determined by the Planning Director likely to result in a significant new or increased impact due to potential traffic generation, noise, smoke, glare, odors, hazardous materials, water use, and/or sewage generation shall be an "intensification of use" for the purposes of this chapter.

(2) Intensification of Use, Residential. Any change to a residential use which will result in an increase of its number of bedrooms, as defined in SCCC [13.10.700\(B\)](#), shall be an "intensification of use" for the purposes of this chapter.

(3) "Major structural components" means the foundation, floor framing, exterior wall framing and roof framing of a structure. Exterior siding, doors, window glazing, roofing materials, decks, chimneys and interior elements including but not limited to interior walls and sheetrock, insulation, fixtures, and mechanical, electrical and plumbing elements are not considered major structural components. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors.

(4) "Nonconforming structure" means a structure that was lawfully erected prior to the adoption, revision or amendment of this chapter but that does not conform with standards for lot coverage, setbacks, height, number of stories, distance between structures, or floor area ratio currently prescribed in the regulations for the zoning district in which the structure is located.

(5) "Nonconforming use" means a use of structure or land that was legally established and maintained prior to the adoption, revision or amendment of this chapter, but does not conform to the current use standards, and density standards where applicable, of both the zone district and/or the General Plan/Local Coastal Program land use designation in which the use is located. A nonconforming structure is not a nonconforming use. A legally established use shall not be deemed nonconforming due to the lack of a use permit.

(6) "Reconstruction" means modification or replacement of 65 percent or more of the major structural components (see subsection (B)(3) of this section) of an existing structure within any consecutive five-year period. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors.

(C) General Requirements.

(1) Determination of Nonconforming Status. The property owner shall have the burden of proof in establishing the legal status of any nonconforming use or structure, in accordance with any administrative procedures that may be established by the Planning Director.

(2) Compliance with Other Provisions of the County Code. The permits required in this section and SCCC [13.10.261](#) and [13.10.262](#) are in addition to all other reviews and permits required by the Santa Cruz County Code, including requirements in Chapters [13.11](#), [13.20](#) and [18.10](#) SCCC and in SCCC Title [16](#). Approvals issued pursuant to this section and SCCC [13.10.261](#) and [13.10.262](#) do not alter or supersede the permit and review requirements of other provisions of the Santa Cruz County Code. Work performed on a nonconforming structure or a structure accommodating a nonconforming use shall be pursuant to a building permit as required by Chapter [12.10](#) SCCC, and shall meet the requirements of these nonconforming structures and uses regulations (this section, SCCC [13.10.261](#), and [13.10.262](#)) unless a waiver or exception is granted as provided in these regulations. Except as provided by SCCC [13.10.262\(A\)\(6\)](#), Reconstruction of a nonconforming structure after a catastrophic event, or as specifically authorized by other provisions of the Santa Cruz County Code, relocation of a nonconforming structure that does not result in a conforming structure shall require either variance approval or minor exception in accordance with SCCC [13.10.230](#) or [13.10.235](#).

(3) Regulations in Effect at the Time of Construction. Nothing contained in this section shall be deemed to require any change in the plans, construction, or designated use of any structure upon which actual construction or operation was or will be lawfully initiated in accordance with applicable regulations in effect at the time when a planning or building permit was approved.

(4) Nonconforming Parking. In accordance with the limitations of SCCC [13.10.575](#), no legal existing use of land or structure shall be

deemed to be a nonconforming use solely because of the lack of off-street parking or loading facilities.

(5) Exception for Compliance with Accessibility Requirements. Work performed solely to comply with the Americans with Disabilities Act or with Chapter 11 of the State Building Code shall be excluded from calculations of reconstruction or alteration for the purposes of this section, SCCC [13.10.261](#) and [13.10.262](#).

(6) Exception for Properties That Have Been Designated as Historic Resources Pursuant to Chapter [16.42](#) SCCC, or for Corrective Work on Dangerous Building Elements. Work performed solely to comply with Federal standards for rehabilitation of historic properties or with Chapter [16.42](#) SCCC, or solely to comply with a notice or requirement of the County Building Official to correct dangerous building elements, shall be excluded from calculations of reconstruction or structural alteration for the purposes of this section, SCCC [13.10.261](#) and [13.10.262](#).

(7) Other Regulations Pertaining to Nonconformity. The following code sections establish additional regulations for nonconforming uses or structures:

- (a) Nonconforming Signs. See SCCC [13.10.585](#).
- (b) Nonconforming Greenhouses. See SCCC [13.10.636](#)(C).
- (c) Nonconforming Farm Worker Housing. See SCCC [13.10.631](#).
- (d) Nonconforming Recycling Collection Facilities. See SCCC [13.10.658](#)(B).
- (e) M-1 Zone District Uses Not in Compliance with SCCC [13.10.345](#)(A). Uses in the M-1 Light Industrial Zone District which are not in compliance with the provisions of SCCC [13.10.345](#)(A)(1) through (6) are considered nonconforming uses subject to SCCC [13.10.345](#)(A)(7) and [13.10.345](#)(A)(8).
- (f) Lands designated with a P Combining District. Modification or expansion of uses on lands designated with a P Agricultural Preservation Combining District shall be processed as set forth in SCCC [13.10.473](#).
- (g) Expansion of Organized Camps with Nonconforming Densities. See SCCC [13.10.353](#)(B)(3). [Ord. 5119 § 6, 2012].

### **13.10.261 Nonconforming uses.**

(A) Applicability. This section applies to nonconforming uses in all zone districts.

(B) General Requirements.

(1) Continuation of Nonconforming Uses and Nonconforming Rights. The lawful use of land existing on the effective date of the adoption, revision or amendment of the zoning designation or of the zoning regulations that affect a property may be continued, even if the use no longer conforms to the regulations specified by Chapter [13.10](#) SCCC for the district in which the land is located. A nonconforming use that is not in use for at least three out of the past five years loses its status as a legal nonconforming use, and use of the land or site must conform to current uses allowed by the zone district. If cessation of use is caused involuntarily by fire or other catastrophic event, nonconforming rights are retained for three years after the event, by which time a building permit must be obtained and exercised to repair or reconstruct the nonconforming use in order to retain nonconforming rights. If nonconforming rights are lost due to failure of the use to be continued in three of the past five years or due to the failure to obtain and exercise a building permit within three years after a catastrophic event, and a conforming use has not been subsequently established at the site, the property owner may apply for a conditional use permit (Level V) to reinstate the legal nonconforming use. The conditional use permit for reinstatement shall be subject to the findings required in subsection (F) of this section, as well as to all applicable requirements of the Santa Cruz County Code, and consistent with applicable General Plan and Local Coastal Program policies.

(2) Termination of Use. The Board of Supervisors may order a nonconforming use to be terminated, upon recommendation of the Planning Commission, if such a use represents a threat to public health, safety, welfare, or the environment, or has been determined to be a public nuisance. The Planning Commission shall conduct a public hearing 15 or more days after written notice to the operator of the nonconforming use and the property owner. If the operator and/or property owner has not made a substantial investment in furtherance of the use, or if the investment can be substantially utilized or recovered through a currently permitted use, the order may require complete termination of the nonconforming use within a minimum of one year after the date of the order. If the operator and/or property owner has made a substantial investment in furtherance of the use, or if the investment cannot be substantially utilized or recovered through a currently permitted use, the order may require complete termination of the nonconforming use within a longer reasonable amount of time. Nonconforming uses that are determined to be an imminent threat to public health or safety may be terminated immediately, pursuant to Chapter [1.14](#) SCCC. In making a recommendation or determination, the Planning Commission and the Board of Supervisors shall consider:

- (a) The total cost of land and improvements;

- (b) The length of time the use has existed;
- (c) Adaptability of the land and improvements to a currently permitted use;
- (d) The cost of moving and reestablishing the use elsewhere;
- (e) Compatibility with the existing land use patterns and densities of the surrounding neighborhood;
- (f) The degree of threat to public health, safety or welfare; and
- (g) Other relevant factors.

Failure to comply with a Board of Supervisors order to terminate a nonconforming use shall constitute a violation of this chapter and shall constitute a determination that the use is a public nuisance subject to abatement in accordance with Chapter [1.14](#) SCCC.

(3) Dwelling Groups—Conforming Unit. Where two or more residential dwelling units exist on a parcel of land as nonconforming units because the zoning of the property no longer allows more than one primary dwelling unit, one of the units shall be deemed as conforming to the zone district. The owner may choose, one time only, which unit shall be considered as conforming. Accordingly, that unit may be repaired, structurally altered, enlarged, or reconstructed in accordance with the site and structural dimensions of the zone district in which the parcel is located. The other unit(s) shall be considered nonconforming and subject to the requirements of this section.

(C) Changes to Nonconforming Uses—Permits Required.

(1) Modifications to a Structure Accommodating an Existing Nonconforming Use. The following types of modifications may be allowed to a structure that accommodates a nonconforming use, subject to obtaining the required permit and to the required findings noted in subsection (F) of this section.

<b>Modifications to a Structure Accommodating a Nonconforming Use</b>	<b>Permit Required</b>
Repairs and improvements to an existing structure, altering up to 65 percent of the major structural components.	Permitted upon issuance of a building permit and any approvals that may be required by other sections of the County Code and General Plan/Local Coastal Program.
Reconstruction (as defined in SCCC <a href="#">13.10.260</a> (B)(6)) of an existing structure.	Conditional Use Permit (Level V Approval) (see subsections (E) and (F) of this section)
Conforming additions not exceeding 50 percent of the square footage of the existing building, limited to once within a five-year period.	Administrative Use Permit (Level IV Approval) (see subsections (D) and (F) of this section)
Conforming additions exceeding 50 percent of the square footage of the existing building, limited to once within a five-year period.	Conditional Use Permit (Level V Approval) (see subsections (E) and (F) of this section)
Reconstruction (as defined in SCCC <a href="#">13.10.260</a> (B)(6)) of a structure accommodating a nonconforming use after a catastrophic event.	Administrative Use Permit (Level IV Approval) (see subsections (D) and (F) of this section)

(2) Modifications to an Existing Nonconforming Use. The following changes related to an existing legal nonconforming use may be allowed, subject to obtaining the required permit and to the required findings noted in subsection (F) of this section.

<b>Type of Change to a Nonconforming Use</b>	<b>Permits Required</b>
Expansion of an existing nonconforming use throughout an existing structure, with no intensification of the use	Administrative Use Permit (Level IV Approval) (see subsections (D) and (F) of this section)
Intensification of an existing nonconforming use as defined in SCCC <a href="#">13.10.260</a> (B)(2) for residential uses and SCCC <a href="#">13.10.260</a> (B)(1) for nonresidential uses	Conditional Use Permit (Level V Approval) (see subsections (E) and (F) of this section)
Change of an existing nonconforming use to another nonconforming use with no intensification	Administrative Use Permit (Level IV Approval) (see subsections (D) and (F) of this section)

(D) Procedures for Administrative Use Permit. Procedures for an administrative use permit shall be in accordance with those established for Level IV approvals in Chapter [18.10](#) SCCC. In addition, the findings in subsection (F) of this section shall be required for approval of an administrative use permit.

(E) Procedures for a Conditional Use Permit. Procedures for a conditional use permit shall be in accordance with those established for Level V approvals in Chapter [18.10](#) SCCC, including the requirement for a public hearing. In addition, the findings in subsection (F) of this section shall be required for approval of a conditional use permit.

(F) Findings. Approval of an administrative or conditional use permit pursuant to subsections (D) and (E) of this section is subject to the following findings:

- (1) That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity.
- (2) That the proposed location of the project and the conditions under which it would be operated or maintained will be in substantial conformance with County ordinances.
- (3) That the proposed use will not overload utilities, and will not generate more than an acceptable level of traffic on streets in the vicinity.
- (4) That the proposed project, as it may be conditioned, will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.
- (5) That additional parking requirements created by the project can be met in accordance with SCCC [13.10.551](#).
- (6) That the proposed project will not significantly impair economic development goals or key land use goals of the General Plan.
- (7) For a change of a use to a different nonconforming use of a site, conformance with uses currently allowed for the zone district is not feasible due to conditions on the site and surrounding land uses, or due to economic conditions.
- (8) For a nonconforming commercial, industrial or residential use on a site adjacent to residential property, the proposed modification to the nonconforming use, or the proposed reestablishment of a legal nonconforming use pursuant to subsection (B)(1) of this section, does not unreasonably infringe on adequate light, air, solar access, privacy or the quiet enjoyment of adjacent residences, and does not create excessive noise, vibration, illumination, glare, odors, dust, dirt, smoke or hazards such as noxious fumes to a level that substantially exceeds that of the existing or former legal nonconforming use of the site. [Ord. 5119 § 7, 2012].

#### **13.10.262 Nonconforming structures.**

(A) Changes to Nonconforming Structures—Permits Required. The requirements of this section are in addition to and do not supersede requirements or permit approvals required in other sections of the Santa Cruz County Code, including but not limited to SCCC Titles [12](#), [13](#), [16](#) and [18](#).

- (1) Structural Alterations. Except as noted in subsection (A)(4) of this section, structural alterations to an existing nonconforming structure within a consecutive five-year period that do not constitute reconstruction as defined by SCCC [13.10.260](#)(B)(6) are permitted upon issuance of a building permit and any approvals or permits that may be required by other sections of the County Code.
- (2) Conforming Additions. Conforming additions that do not increase the nonconforming dimensions of the structure are permitted upon issuance of a building permit and any approvals that are required by other sections of the County Code. Nonconforming additions are not permitted unless a variance or minor exception is granted in accordance with SCCC [13.10.230](#) or [13.10.235](#).
- (3) Reconstruction. Reconstruction of a nonconforming structure requires an administrative site development permit (see subsection (B) of this section). Except as provided by subsections (A)(6) and (7) of this section, or as specifically authorized by other provisions of the Santa Cruz County Code, any relocation of a nonconforming structure shall require approval of a variance or minor exception in accordance with SCCC [13.10.230](#) or [13.10.235](#).
- (4) Structural Alteration or Reconstruction of a Nonconforming Structure Located Over a Property Line, Within a Riparian Corridor, Within Five Feet of a Vehicular Right-of-Way or Within Five Feet of a Planned Vehicular Right-of-Way Improvement. Altering more than 50 percent of the major structural components (up to and including reconstruction) within any consecutive five-year period requires an administrative site development permit. The purpose of this review is to provide adequate opportunity to address potential impacts to the environment or public health, safety or welfare. For nonconforming structures located within five feet of a vehicular right-of-way or within five feet of a planned vehicular right-of-way improvement, the Planning Director may waive the requirement for an administrative site development permit for altering more than 50 percent of the major structural components if he or she determines that the proposed

project will not adversely affect the environment or public health, safety or general welfare. If the requirement is waived, then the requirement for an administrative site development permit for reconstruction as specified in subsection (A)(3) of this section shall apply. Nothing in this chapter is intended to allow encroachment without necessary legal authorization, either by easement, quiet title action or other legal means.

(5) Exceptions. Exceptions to the requirements of subsections (A)(1) through (4) of this section are as follows:

(a) Exception for Structures Designated as Historic Resources. Modifications to a nonconforming structure which has been designated as a historic resource pursuant to Chapter [16.42](#) SCCC are permitted upon issuance of only those building permits and/or development permits that are required by other sections of the County Code, including Chapter [16.42](#) SCCC, if one or more of the following criteria are met:

(i) The proposed alteration, reconstruction or addition conforms to the Secretary of the Interior's Standards for Rehabilitation of Historic Properties, and does not increase the nonconforming dimensions of the structure; or

(ii) The proposed alteration, reconstruction or addition does not conform to the lot coverage, yard setback, floor area ratio or height regulations of the zoning district in which it occurs, but is within the structural outline of the structure and does not expand the perimeter foundation line of the structure. The structural outline of a structure shall include that space which is enclosed by the structural posts, columns, beams, trusses and girders of the structure; or

(iii) The proposed modifications are required to provide access for persons with disabilities to the structure.

(b) Exception for Corrective Work on Dangerous Building Elements. Work performed to comply with a notice or requirement of the County Building Official to correct dangerous building elements shall not count towards overall limits on reconstruction in subsection (A)(3) of this section.

(6) Reconstruction of a Nonconforming Structure After a Catastrophic Event. Except as noted in subsection (A)(7) of this section, reconstruction of a legal nonconforming structure after a catastrophic event is allowed upon issuance of a building permit and any approvals that may be required by other sections of the County Code if the reconstructed structure does not increase the nonconforming dimensions of the structure and is located in substantially the same location as the current/prior structure. New locations on the site may be considered without the need for an administrative site development permit, if the Planning Director finds that the new location results in greater conformance with code requirements. Relocation that does not result in greater conformance with code requirements requires variance approval in accordance with SCCC [13.10.230](#) or minor exception pursuant to SCCC [13.10.235](#). (Note: Additional permits may be required for reconstruction after a catastrophic event by other provisions of the Santa Cruz County Code, including SCCC Title [16](#) and Chapter [13.20](#) SCCC.)

(7) Structural Alteration and Reconstruction After a Catastrophic Event, for a Nonconforming Structure Located Over a Property Line, Within a Riparian Corridor, Within Five Feet of a Vehicular Right-of-Way or Within Five Feet of a Planned Vehicular Right-of-Way Improvement. Structural alteration after a catastrophic event, altering less than 65 percent of the major structural components, is allowed upon issuance of a building permit and permits that may be required by other sections of the County Code.

Reconstruction after a catastrophic event requires an administrative site development permit. The purpose of this review is to provide adequate opportunity to address potential impacts to the natural environment or public health, safety or welfare. New locations on the site may be considered as part of the administrative site development permit, if it is determined that the new location results in greater conformance with code requirements. Relocation that does not result in greater conformance with code requirements shall require approval of a variance or minor exception in accordance with SCCC [13.10.230](#) or [13.10.235](#).

For nonconforming structures located within five feet of a vehicular right-of-way or within five feet of a planned vehicular right-of-way improvement, the Planning Director may waive the requirement for an administrative site development permit for reconstruction if he or she determines that the proposed project will not adversely affect the natural environment or public health, safety or general welfare. If the requirement is waived, then reconstruction shall conform to the requirements noted in subsection (A)(6) of this section.

(Note: Additional permits may be required for reconstruction after a catastrophic event by other provisions of the Santa Cruz County Code, including SCCC Title [16](#) and Chapter [13.20](#) SCCC. Nothing in this chapter is intended to allow encroachment without necessary legal authorization, either by easement, quiet title action or other legal means.)

(B) Procedures for a Nonconforming Structure Administrative Site Development Permit. Procedures for an administrative site development permit as required pursuant to this section shall be in accordance with those established for Level IV approvals in Chapter [18.10](#) SCCC, subject to the additional findings in subsection (C) of this section.

(C) Findings. The following findings apply to site development permits for nonconforming structures as required under subsection (A) of this section:

- (1) That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not be materially injurious to properties or improvements in the vicinity.
- (2) That the proposed location of the project and the conditions under which it would be operated or maintained will be in substantial conformance with County ordinances and the purpose of the zone district in which the site is located.
- (3) That the proposed structure and use is in substantial conformance with the County General Plan and with any specific plan which has been adopted for the area.
- (4) That the proposed use will not overload utilities, and will not generate more than the acceptable level of traffic on the streets in the vicinity.
- (5) That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.
- (6) Any additional parking requirements created by the project can be met in accordance with SCCC [13.10.551](#).
- (7) The proposed project will not significantly impair economic development goals or key land use goals of the General Plan.
- (8) For nonconforming commercial, industrial or residential structures adjacent to residential property, the nonconforming structure does not unreasonably infringe on adequate light, air, solar access, privacy or the quiet enjoyment of adjacent residences.
- (9) For nonconforming structures over a property line, within a riparian corridor, or within five feet of an existing or planned right-of-way, the proposed project has been conditioned to require greater conformance to current site development standards, or has been required to eliminate the nonconformity where feasible, considering economic factors and site conditions including size, shape, topography, existing development or improvements, and environmental constraints.
- (10) For projects within a riparian corridor, a condition of approval of the site development permit has been imposed to require riparian protection, preservation and/or enhancement on the site, as reasonably related to the project and in accordance with General Plan Policy 5.2.2. [Ord. 5119 § 8, 2012].

### **13.10.265 Nonconforming structures.**

*Repealed by Ord. 5119.* [Ord. 4921 § 1, 2008; Ord. 4836 §§ 9, 10, 2006; Ord. 4771 § 3, 2004; Ord. 4642 § 1, 2001; Ord. 4525 § 4, 1998; Ord. 4368 § 1, 1995; Ord. 4160 § 2, 1991; Ord. 4024 § 1, 1989; Ord. 3927 § 1, 1988; Ord. 3746 § 4, 1986; Ord. 3432 § 1, 1983].

### **13.10.270 Appeals.**

All appeals of actions taken pursuant to the provisions of this chapter shall be made in conformance with the procedures of Chapter [18.10](#) SCCC. [Ord. 3432 § 1, 1983].

### **13.10.275 Violations of zoning use regulations.**

- (A) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand, intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the CA Commercial Agriculture Zone District, in the A Agriculture Zone District, or in the AP Agricultural Preserve Zone District unless that use is either (1) listed in SCCC [13.10.312](#) as a permitted use in the agricultural zone district in which the land is located; or (2) is listed in such section as a discretionary use in the agriculture zone district in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#).
- (B) It shall be unlawful for any person to establish, cause or permit a new use of land, or intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the RA Residential Agricultural Zone District, in the RR Rural Residential Zone District, in the R-1 Single-Family Residential Zone District, in the RB Ocean Beach Residential Zone District, or in the RM Multifamily Residential Zone District unless that use is either (1) listed in SCCC [13.10.322](#) as a permitted use in the residential zone district in which the land is located; or (2) is listed in such section as a discretionary use in the residential zone district in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#).
- (C) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand or intensify an existing use of land, or construct, enlarge, or move a building for a use of land, located in the PA Professional Administrative Office Zone District, in the VA Visitor Accommodations Zone District, in the C-1 Neighborhood Commercial Zone District, in the CT Tourist Commercial Zone District, in the C-2 Community Commercial Zone District, or in the C-4 Commercial Services Zone District unless that use is either (1) listed in SCCC [13.10.332](#) as a permitted use in the commercial zone district in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (2) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#)

and [13.10.262](#).

(D) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand, intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the M-1 Light Industrial Zone District, in the M-2 Heavy Industrial Zone District, or in the M-3 Mineral Extraction Industrial Zone District unless that use is either (1) listed in SCCC [13.10.342](#) as a permitted use in the industrial zone district in which the land is located; or (2) is listed in such section as a discretionary use in the industrial zone district in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#).

(E) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand, intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the PR Parks, Recreation and Open Space Zone District unless that use is either (1) listed in SCCC [13.10.352](#) as a permitted use in the Parks, Recreation and Open Space Zone District in which the land is located; or (2) is listed in such section as a discretionary use in the Parks, Recreation and Open Space Zone District in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#).

(F) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand, intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the PF Public and Community Facilities Zone District unless that use is either (1) listed in SCCC [13.10.362](#) as a permitted use in the Public and Community Facilities Zone District in which the land is located; or (2) is listed in such section as a discretionary use in the Public and Community Facilities Zone District in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#).

(G) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand, intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the TP Timber Production Zone District unless that use is either (1) listed in SCCC [13.10.372](#) as a permitted use in the Timber Production Zone District in which the land is located; or (2) is listed in such section as a discretionary use in the Timber Production Zone District in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#).

(H) It shall be unlawful for any person to establish, cause or permit a new use of land, or expand, intensify or continue an existing use of land, or construct, enlarge or move a building for a use of land, located in the SU Special Use Zone District unless that use is either (1) listed in SCCC [13.10.382](#) as a permitted use in the Special Use Zone District in which the land is located; or (2) is listed in such section as a discretionary use in the Special Use Zone District in which the land is located and a development permit has been obtained and is in effect which authorizes that discretionary use; or (3) is a legal nonconforming use or structure in conformance with SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#). [Ord. 5119 §§ 9—16, 2012; Ord. 4496-C §§ 3, 4, 1998; Ord. 4390A, 1996; Ord. 4346 § 6, 1994; Ord. 3451-A § 6, 1983].

#### **13.10.276 Violations of conditions of development permits authorizing uses and variances.**

(A) It shall be unlawful for any person to exercise any development permit which authorizes uses under this chapter without complying with all of the conditions of such permit.

(B) It shall be unlawful for any person to exercise any development permit which authorizes a variance under this chapter without complying with all of the conditions of such permit. [Ord. 3451-A § 7, 1983].

#### **13.10.277 Violations of development standards.**

(A) **Yard Setback Requirements.** It shall be unlawful for any person to do, cause, permit, aid, abet or furnish equipment or labor for any construction of structures within the yard setback areas required by the regulations of the zone district in which the site is located unless a development permit has been obtained and is in effect which authorizes a variance for such construction.

(B) **Height Limitations.** It shall be unlawful for any person to do, cause, permit, aid, abet or furnish equipment or labor for construction of a structure of a height in excess of the maximum height limitation of the zone district in which the site is located unless a development permit has been obtained and is in effect which authorizes a variance for such construction.

(C) **Lot Coverage Limitations.** It shall be unlawful for any person to do, cause, permit, aid, abet or furnish equipment or labor for construction of a structure which exceeds the maximum percentage of lot coverage of the zone district in which the site is located unless a development permit has been obtained and is in effect which authorizes a variance for such construction. [Ord. 3451-A § 8, 1983].

#### **13.10.278 Violations of density limitations.**

It shall be unlawful for any person to do, cause, permit, aid, abet or furnish equipment or labor to construct, enlarge, or modify a building or otherwise make a new use of a building for an additional dwelling unit on a single parcel of land within any zone district unless a development permit has been obtained and is in effect which authorizes such an additional dwelling unit. [Ord. 5061 § 3, 2009; Ord. 4836

§ 11, 2006; Ord. 3451-A § 9, 1983].

#### **13.10.279 Continuing violations.**

(A) **Unlawful Actions.** It shall be unlawful for any person to allow a situation to continue contrary to the provisions of this chapter or to any permit conditions required pursuant to this chapter, regardless of whether the violation was originally committed by a prior owner or other third person.

(B) **Declaration as Nuisance.** Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained, contrary to the provisions of this chapter, and/or any use of any land or premises, established, conducted, operated, or maintained contrary to the provisions of this chapter, shall be, and the same is hereby declared to be, unlawful and a public nuisance and the District Attorney or the County Counsel shall, upon written request of the Planning Director or upon order of the Planning Commission or the Board of Supervisors, immediately commence actions or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law. [Ord. 4390A, 1996].

#### **13.10.280 Enforcement penalties, remedies and procedures for violations.**

(A) **Permit Issuance.** All departments, officials, and public employees of the County of Santa Cruz which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no such permits or licenses for uses, buildings, or purposes where the same would be in conflict with the provisions of this chapter, and any such permits or licenses, if issued in conflict with the provisions of this chapter, shall be null and void.

(B) **Compliance with Authorized Privilege.** If any portion of a privilege authorized by a modification, variance, discretionary use, planned unit development permit, rezoning approval, design review approval or other conditional permission granted under any provision of the County Code relating to land use is used or exercised by any person entitled to use or exercise such privilege, any and all conditions of such privilege shall immediately become effective and must be strictly complied with. The violation of any such condition shall constitute a violation of this chapter and shall be subject to the same penalties and remedies as any other violation of the Santa Cruz County Code. [Ord. 4390A, 1996; Ord. 3891 § 1, 1988; Ord. 3432 § 1, 1983].

### **Part III. DISTRICTS**

#### **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 commercial agricultural lands within Santa Cruz County which are a limited and irreplaceable natural resource, to maintain the economic integrity of the economic farm units comprising the commercial agricultural areas of the County, to implement the agricultural preservation policy of SCCC [16.50.010](#), and to maintain and enhance the general welfare of the County as a whole by preserving and protecting agriculture, one of the County's major industries. Within the CA Commercial Agriculture Zone District, commercial agriculture shall be encouraged to the exclusion of other land uses which may conflict with it.

(B) **A Agriculture.** The purposes of the A Agriculture Zone District are to encourage and provide for noncommercial agricultural uses, such as family farming and animal raising, and to allow limited 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 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 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 long-term commercial agricultural operations on said parcels or adjoining or

nearby parcels. [Ord. 3432 § 1, 1983].

### 13.10.312 Uses in agricultural districts. [Amended Ord. 5151](#) [Ord. 0152](#)

#### (A) Principal Permitted Uses.

(1) In the Coastal Zone, 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 the commercial raising of animals, including grazing and livestock production, and apiculture and accessory 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, excepting those agricultural activities listed as discretionary uses requiring a Level V or higher approval.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter P in the agricultural use chart contained in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter [13.20](#) SCCC relating to Coastal Zone permits, and in some cases, as specified in Chapter [13.20](#) SCCC, any development is appealable.

(B) Allowed Uses. The uses allowed in the agricultural districts shall be as provided in the agricultural uses chart below. A discretionary approval for an allowed use is known as a "use 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 permits and for the various approval levels are detailed in Chapter [18.10](#) SCCC, 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 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 in SCCC [18.10.230](#).

#### 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)
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 <a href="#">13.20.073</a>
****	=	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)

**KEY:**

BP2 = Approval Level II (administrative, plans required)

BP3 = Approval Level III (administrative, field visit required)

USE	CA	A	AP
<b>Agricultural activities: crops and livestock</b>			
Agricultural custom work occupations subject to the provisions of SCCC <a href="#">13.10.638</a>	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 100 square feet per acre on-site** (whichever is greater) subject to the provisions of SCCC <a href="#">13.10.632</a> . 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 SCCC <a href="#">13.10.633</a> (see SCCC <a href="#">13.10.700-A</a> definition)	—	5	—
Apiculture (beekeeping)	P	P	P
Aquaculture and aquacultural facilities	5	5	5
Biomedical livestock operations (subject to SCCC <a href="#">13.10.647</a> )	5	5	—
Berry and other vine crops	P	P	P
Commercial dairying, subject to the provisions of SCCC <a href="#">16.22.060</a>	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 SCCC <a href="#">16.22.060</a>	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 acre (see also "Barn" below)	P	P	P
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
<b>Agricultural Support and Related Facilities</b>			

USE	CA	A	AP
Barns, corrals, or pens used for animal husbandry, subject to the provisions of SCCC <a href="#">16.22.060</a>	BP3	BP3	BP3
Caretaker's quarters, permanent, subject to the provisions of SCCC <a href="#">13.10.631</a>	5	5	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P	P	P
Commercial boarding of animals, subject to the provisions of SCCC <a href="#">13.10.641(B)</a>	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 SCCC <a href="#">13.10.314</a>			
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 SCCC <a href="#">13.10.314</a>			
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 SCCC <a href="#">13.10.314</a> and <a href="#">13.10.325</a>	5	5	5
Dwelling units, accessory to the main dwelling used as agricultural caretakers' quarters subject to SCCC <a href="#">13.10.631</a>			
1—4 units	5	5	5
5—19 units	6	6	6
20+ units	7	7	7
Dwelling units, dwelling groups subject to the provisions of SCCC <a href="#">13.10.313(E)</a> , <a href="#">13.10.313(F)</a> and <a href="#">13.10.314</a>			
2—4 units	5	5	5
5—19 units	6	6	6
20+ units	7	7	7
Energy facilities, community, subject to the provisions of SCCC <a href="#">13.10.661</a> and <a href="#">13.10.700-E</a> (definition)	5	5	5
Facilities for fish and wildlife enhancement and preservation	P	P	P
Farm worker housing subject to SCCC <a href="#">13.10.631</a> (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 or equipment with or without a single room containing lavatory facilities	BP3	BP3	BP3
Fences, subject to the provisions of SCCC <a href="#">13.10.525</a>	P/3/5	P/3/5	P/3/5
Fire protection facilities	—	5	—

USE	CA	A	AP
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 SCCC <a href="#">13.10.700-F</a> definition)	P	P	P
Foster homes for eight or more children, not including those of the proprietary family (see SCCC <a href="#">13.10.700-F</a> 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
Greenhouse structures, outside the Coastal Zone, subject to the provisions of SCCC <a href="#">13.10.636(A)</a>			
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 <a href="#">13.10.636(A)</a> and <a href="#">13.20.073</a>			
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 <a href="#">13.10.636(A)</a> and <a href="#">13.20.073</a>	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 <a href="#">13.10.636(B)</a> 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 <a href="#">13.10.611</a>	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 <a href="#">13.10.313(A)</a> and <a href="#">13.10.611</a> )	BP/4/5	BP/4/5	BP/4/5
Home occupations subject to the provisions of SCCC <a href="#">13.10.613</a>	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 <a href="#">13.10.323</a>	5	5	5
Farm worker camps subject to the provisions of SCCC <a href="#">13.10.631</a>			
1—4 units	5	5	5
5—19 units	6	6	6
20+ units	7	7	7
Lumber mills	—	5	—
Manufactured homes, as farm labor housing, subject to the provisions of SCCC <a href="#">13.10.631</a>			
1—4 units	5	5	5
5—19 units	6	6	6

USE	CA	A	AP
20+ units	7	7	7
Manufactured home, as a single-family dwelling unit, subject to the provisions of SCCC <a href="#">13.10.682</a>			
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 SCCC <a href="#">13.10.631</a>	3	3	3
Mushroom farms and other agriculture within structures, subject to the provisions of SCCC <a href="#">13.10.634</a>			
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 SCCC <a href="#">13.10.700-E</a> definition)	—	5	—
Publicly owned and operated sanitary landfill either by contract or by public forces, subject to the provisions of SCCC <a href="#">13.10.639</a>	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 SCCC <a href="#">13.10.635</a>	7	7	7
Reservoirs or ponds	3	3	3
Residential care home serving 6 or fewer residents (see SCCC <a href="#">13.10.700-R</a> definition)	P	P	P
Riding academies or public stables, subject to the provisions of SCCC <a href="#">13.10.641</a>	5	5	5
Second units, outside the Coastal Zone, subject to the provisions of SCCC <a href="#">13.10.681</a>	4	4	—
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter <a href="#">7.42</a> SCCC and that are located outside the Coastal Zone	—	4	—
Signs in conjunction with principal permitted uses as described in SCCC <a href="#">13.10.580(A)</a> and (B)	P	P	P
Signs in conjunction with nonprincipal permitted uses as described in SCCC <a href="#">13.10.580(C)</a> and (D)	BP2	BP2	BP2
Stands for the display and sale of agricultural commodities produced on-site**	BP2	BP2	BP2
Vacation rentals (subject to SCCC <a href="#">13.10.694</a> )	2P	2P	2P
Timber harvesting and associated operations (outside the Coastal Zone only)	P	—	—
Veterinary offices and animal hospitals subject to the provisions of SCCC <a href="#">13.10.642</a>	5	5	5

USE	CA	A	AP
Visitor accommodations, such as: bed and breakfast inns (subject to SCCC <a href="#">13.10.691</a> )	—	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***
Wineries under 1,000 gallons annual production as a home occupation, subject to the provisions of SCCC <a href="#">13.10.637</a>	P	P	P
Wineries, subject to the provisions of SCCC <a href="#">13.10.637</a>			
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 SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5	5	5
Zoos and natural science museums	—	5	—

[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.** Amended [Ord. 5151](#) [Ord. 5152](#)

(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 for Agricultural Structures	Maximum Height for Residential Structures
	Side	Rear		
A	20'	20'	40'	28'
A	20'	20'	40'	28'
CA	20'	20'	40'	28'
AP	20'	20'	40'	28'

(2) Size and Design of Structures—Exceptions. No residential structure shall be constructed or enlarged which will result in 7,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of SCCC [13.10.325](#).

(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) Buffer Requirements. Nonagricultural uses involving habitable spaces including residential development, farm labor housing, commercial or industrial establishments, etc., adjacent to parcels zoned Commercial Agriculture CA, or Agricultural Preserve AP 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 requirement of that section.

(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.

(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 as agricultural land use and not as commercial agricultural land shall be issued only upon documentation that:

(1) Residential use of the parcel will not conflict with on-site or adjacent agricultural activities; 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.

(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	<a href="#">13.10.510</a> , et seq.
Signs	<a href="#">13.10.580</a> , et seq.
Parking	<a href="#">13.10.550</a> , et seq.
Fences	<a href="#">13.10.525</a>
Minimum parcel sizes	<a href="#">13.10.510</a> (G)
Use of nondevelopable land	<a href="#">13.10.671</a>
Trip reduction requirements (development projects for 50 or more employees)	<a href="#">13.10.591</a>
Design review	<a href="#">13.11.010</a> , et seq.
Agricultural buffers/setbacks	<a href="#">16.50.095</a>

[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 listed under SCCC [13.10.312](#) which requires a Level V or higher approval except agricultural buffer determinations:

- (1) That the establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.
- (2)(a) That the use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel, 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](#); or
- (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) Residential Uses in the 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, or 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, such as an agricultural easement.
- (2) That the residential use will meet 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 use permit.

(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. 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 parcel divisions in the CA or AP Zone Districts shall be subject to a public hearing and approval at approval Level VII pursuant to Chapter [18.10](#) 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 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.

(1) 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:

- (a) That the use is for exclusive agricultural use.
- (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.
- (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 existed prior to January 23, 1979, for a parcel proposed to be divided under this section, said contract shall constitute evidence of a long-term commitment to continued agricultural use and shall satisfy the requirement for this finding.
- (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. With respect to parcels restricted by an Agricultural Preserve 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.
- (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 division is for exclusive agricultural purposes.
- (2) That the division will result in agriculturally viable parcels; in no case shall the parcel size be less than 20 arable acres.
- (3) That no conflicts with adjacent or nearby commercial agricultural uses will result from the division.

(D) Type 3 Parcels.

(1) 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.

- (a) That the division is necessary for continued commercial agricultural use of the subject parcels.
- (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.
- (c) That the division is for exclusive agricultural purposes.
- (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.
- (e) That no conflicts with adjacent agricultural operations shall result from the division.
- (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).
- (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].

## Article II. Residential Districts

### 13.10.321 Purposes of residential districts.

(A) General Purposes. In addition to the general objectives of this chapter (SCCC [13.10.120](#)) the residential districts are included in the zoning ordinance in order to achieve the following purposes:

- (1) To provide areas of residential use in locations and at densities consistent with the County General Plan.
- (2) To preserve areas for primarily residential uses in locations protected from the incompatible effects of nonresidential land uses.
- (3) To establish a variety of residential land use categories and dwelling unit densities which provide a choice of diversified housing opportunities consistent with public health and safety.
- (4) To achieve patterns of residential settlement that are compatible with the physical limitations of the land and the natural resources of the County and that do not impair the natural environment.
- (5) To ensure adequate light, air, privacy, solar access, and open space for each dwelling unit.
- (6) To maximize efficient energy use and energy conservation in residential districts, and to encourage the use of locally available renewable energy resources.
- (7) To provide adequate space for off-street parking of automobiles.
- (8) To provide areas of residential use consistent with the capacity of public services, the urban services line and rural services line and the reserve capacity policy of the Local Coastal Program Land Use Plan for tourist services. To minimize traffic congestion and avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them.
- (9) To protect residential properties from nuisances, such as noise, vibration, illumination, glare, heat, unsightliness, odors, dust, dirt, smoke, traffic congestion, and hazards such as fire, explosion, or noxious fumes.

(B) Specific RA Residential Agricultural District Purposes. To provide areas of residential use where development is limited to a range of non-urban densities of single-family dwellings in areas outside the urban services line and rural services line; on lands suitable for development with adequate water, septic system suitability, vehicular access, and fire protection; with adequate protection of natural resources; with adequate protection from natural hazards; and where small-scale commercial agriculture, such as animal-keeping, truck farming and specialty crops, can take place in conjunction with the primary use of the property as residential.

(C) Specific RR Rural Residential District Purposes. To provide areas of residential use where development is limited to a range of non-urban densities of single-family dwellings in areas having services similar to RA areas, but which are residential in character rather than agricultural due to the pattern of development and use in the area and/or the presence of constraints which would preclude the use of the property for agriculture.

(D) Specific R-1 Single-Family Residential District Purposes. To provide for areas of predominantly single-family residential development in areas which are currently developed to an urban density or which are inside the urban services line or rural services line and have a full range of urban services, or are planned for a full range of urban services.

(E) Specific RB Single-Family Ocean Beach Residential District Purposes. To accommodate single-family dwellings on existing lots of record in the vicinity of the cliffs and the ocean beach; where lots abut on and obtain access from a street which is generally parallel to both the beach and the cliff, and which has an elevation of not more than 20 feet above sea level; and where either the seaward right-of-way line of the street or the seaward boundary line of the lots on the ocean side of the street abut open beachlands which are unobstructed to the mean high tide line.

(F) Specific RM Multifamily Residential District Purposes. To provide for areas of residential uses with a variety of types of dwellings in areas which are currently developed to an urban density or which are inside the urban services line or rural services line and have a full range of urban services. [Ord. 4496-C § 5, 1998; Ord. 4416 §§ 4, 5, 1996; Ord. 4406 §§ 4, 5, 1996; Ord. 4346 §§ 10, 11, 1994; Ord. 3501 § 1, 1984; Ord. 3432 § 1, 1983].

#### **13.10.322 Residential uses.** Amended Ord. 5152

##### (A) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the residential districts shall be as follows:

RA single-family residential and agricultural (rural);

RR single-family residential (rural);

R-1 single-family residential (urban, rural);

RB single-family residential (oceanfront, urban);

RM multiple-family residential (urban) including appurtenant accessory uses and structures.

(2) Principal permitted uses are all denoted uses requiring a Level IV or lower approval or as otherwise denoted with the letter P in the footnotes to the residential uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve other than permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter [13.20](#) SCCC relating to Coastal Zone permits, and in some cases, as provided in Chapter [13.20](#) SCCC, any development is appealable.

##### (B) Allowed Uses.

(1) The uses allowed in the residential districts shall be as provided in the following residential uses chart. A discretionary approval for an allowed use is known as a "use 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 residential zone districts is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter [18.10](#) SCCC, 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](#).

(2) Timber harvesting and associated operations, requiring approval of a timber harvesting plan by the California Department of Forestry, are not allowed uses in the residential zone districts.

## RESIDENTIAL 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)
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
BP	= Building Permit Only
BP1	= Approval Level I (administrative, no plans required)
BP2	= Approval Level II (administrative, plans required)
BP3	= Approval Level III (administrative, field visit required)

USE	RA	RR	R-1	RB	RM
<b>Accessory structures and uses, including:</b>					
One accessory structure, habitable (subject to SCCC <a href="#">13.10.323</a> and <a href="#">13.10.611</a> )	BP/4/5	BP/4/5	BP/4/5	BP/4/5	BP/4/5
Accessory structures, nonhabitable, subject to SCCC <a href="#">13.10.323</a> and <a href="#">13.10.611</a> , comprised of:					
Animal enclosures: barns, stables, paddocks, hutches and coops (subject to the provisions of SCCC <a href="#">13.10.641</a> , stables and paddocks; <a href="#">13.10.643</a> , animal keeping in the RA Zone; <a href="#">13.10.644</a> , family animal raising; <a href="#">13.10.645</a> , bird and small animal raising; <a href="#">13.10.646</a> , turkey raising; these provisions require Level V in some cases. Also subject to SCCC <a href="#">13.10.611(C)(3)</a> ).	BP/4/5	BP/4/5	BP/4/5	—	—
Carports, detached; garages, detached; garden structures; storage sheds (subject to SCCC <a href="#">13.10.323</a> and <a href="#">13.10.611</a> )	BP/4/5	BP/4/5	BP/4/5	BP/4/5	BP/4/5
Air strips (see SCCC <a href="#">13.10.700-A</a> definition)	7	7	—	—	—
Parking, including:					
<b>Parking, on-site, for principal permitted uses (subject to SCCC <a href="#">13.10.550</a> et seq.)</b>	BP2	BP2	BP2	BP2	BP2
<b>Parking, on-site, for nonprincipal permitted uses (subject to SCCC <a href="#">13.10.550</a> et seq.)</b>	4	4	4	4	4
Recycling collection facilities in association with a permitted community or public facility, subject to SCCC <a href="#">13.10.658</a> , including:					

USE	RA	RR	R-1	RB	RM
<b>Reverse vending machines</b>	BP1	BP1	BP1	BP1	BP1
<b>Small collection facilities</b>	3	3	3	3	3
Signs, including:					
<b>Signs for nonprincipal permitted uses (subject to SCCC <a href="#">13.10.580</a>, et seq.)</b>	4	4	4	4	4
<b>Signs for principal permitted uses (subject to SCCC <a href="#">13.10.580</a>, et seq.)</b>	P	P	P	P	P
Storage tanks, water or gas, for use of persons residing on-site					
<b>Less than 5,000 gallons</b>	BP2	BP2	BP2	—	—
<b>More than 5,000 gallons</b>	BP3	BP3	BP3	—	—
Swimming pools, private and accessory equipment	BP3	BP3	BP3	—	—
<b>Agricultural uses, including:</b>					
Agriculture, small-scale commercial, such as the raising of specialty crops (see also animal keeping)	P	—	—	—	—
Agriculture, with on-site retail sales, such as Christmas tree farms	5	—	—	—	—
Beekeeping, commercial (see SCCC <a href="#">13.10.700</a> -B definition)	5	—	—	—	—
Gardening, family (see SCCC <a href="#">13.10.700</a> -G definition)	P	P	P	P	P
Greenhouse, one private of 500 square feet or smaller	BP2	BP2	BP2	BP2	BP2
Greenhouses, private, larger than 500 square feet	5	5	5	—	—
Greenhouse replacement, reconstruction, or structural alteration (see SCCC <a href="#">13.10.636</a> (B) and (C))	BP2	BP2	BP2	—	—
Nurseries, commercial	5	—	—	—	—
<b>Animal-related uses, including:</b>					
Animal keeping (subject to SCCC <a href="#">13.10.643</a> ) (see also "animal enclosures" above)	P	—	—	—	—
Animal-raising, family (subject to SCCC <a href="#">13.10.644</a> ) (see also "animal enclosures" above) (Minimum parcel size: 6,000 square feet gross)	P	P	P	—	—
Cats and dogs	P: 4 cats or dogs or combo	P: 4 cats or dogs or combo	P: 2 cats and 2 dogs per unit	P: 2 cats and 1 dog per unit	P: 2 cats and 1 dog per unit
Kennels for five or more dogs or cats over the age of four months (subject to SCCC <a href="#">13.10.642</a> )	5	—	—	—	—
Stables, private, and paddocks (subject to SCCC <a href="#">13.10.641</a> ) (see also "animal enclosures" above)	P	5	P: ABOVE R-1-32 5: up to R-1-32	—	—
<b>Commercial uses, including:</b>					
Nursing homes; convalescent care hospitals (see SCCC <a href="#">13.10.700</a> -N definition)	5	5	5	—	5
Radio and TV transmission tower (subject to SCCC <a href="#">13.10.655</a> )	5	5	5	5	5
Tract offices	5	5	5	5	5

USE	RA	RR	R-1	RB	RM
<b>Community facilities, including</b>					
Churches and other religious centers	5	5	5	—	5
Community centers	5	5	5	—	5
Day-care centers (see SCCC <a href="#">13.10.700-D</a> definition)	5	5	5	—	5
Schools: preschools and K-12 including church schools, and incidental art, craft, music or dancing schools but not including business, professional or trade schools or colleges	5	5	5	—	5
Energy systems, community (see SCCC <a href="#">13.10.700-E</a> definition and subject to SCCC <a href="#">13.10.661</a> )	5	5	5	5	5
Facilities, public structures and facilities	5	5	5	5	5
<b>Open space and recreation uses, including:</b>					
Clubs, private, such as garden clubs, fraternal lodges, community service organizations	5	5	5	—	5
Conference centers (subject to the provisions of the PR District, SCCC <a href="#">13.10.351</a> et seq.)	5	5	5	—	5
Country clubs, private, associated with residential development; including such facilities as club houses, golf courses, tennis courts, swimming pools	5	5	5	—	5
Fish hatcheries	5	5	5	—	—
Organized camps (subject to the provisions of the PR District, SCCC <a href="#">13.10.351</a> et seq.)	5	5	5	—	5
Open space uses, private, noncommercial, not involving structures, such as:	P	P	P	P	P
<b>Beach uses</b>					
<b>Ecological preserves; wildlife and biotic habitat reserves</b>					
<b>Hiking and horseback riding trails</b>					
<b>Open space</b>					
<b>Picnicking facilities</b>					
<b>Playgrounds, nonpaved</b>					
<b>Sports fields, nonpaved</b>					
<b>Watershed management</b>					
Parks, local, public, and associated facilities	5	5	5	5	5
Stables, boarding and public riding (subject to SCCC <a href="#">13.10.641</a> )	5	—	—	—	—
<b>Residential uses:</b>					
Child care homes, large family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P	P	P	P	P
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P	P	P	P	P
Congregate senior housing					
<b>2—19 units</b>	—	—	—	—	6
<b>20+ units</b>	—	—	—	—	7

USE	RA	RR	R-1	RB	RM
Day-care homes, family (see SCCC <a href="#">13.10.700-D</a> definition)	P	P	P	P	P
Dwelling unit, one detached single-family per parcel, 7,000 square feet or larger, exclusive of accessory structures, but specifically excluding barns or similar accessory structures subject to the provisions of SCCC <a href="#">13.10.325</a>	5	5	5	5	—
Dwelling unit, one detached single-family per parcel	BP3	BP3	BP3	BP3	BP3
Dwelling unit, one semi-detached (in RB and RM in groups of 6 units or less; in R-1 only in R-1-4 or R-1-3.5 with maximum of 2 units per group)					
<b>2—4 units</b>	—	—	5	5P	5P
<b>5—19 units</b>	—	—	6	6P	6P
<b>20+ units</b>	—	—	7	7P	7P
Dwelling units, dwelling groups (subject to rural residential density determinations, Chapter <a href="#">13.14</a> SCCC; in R-1: detached units only)					
<b>2—4 units</b>	5	5	5	—	5P
<b>5—19 units</b>	6	6	6	—	6P
<b>20+ units</b>	7	7	7	—	7P
Dwelling units, multifamily					
<b>2—4 units</b>	—	—	—	—	5P
<b>5—19 units</b>	—	—	—	—	6P
<b>20+ units</b>	—	—	—	—	7P
Foster homes for 7 or fewer children, not including those of the proprietary family (see SCCC <a href="#">13.10.700-F</a> definition)	P	P	P	P	P
Foster homes for 8 or more children, not including those of the proprietary family (see SCCC <a href="#">13.10.700-F</a> definition)	5	5	5	5	5
Home occupations (subject to SCCC <a href="#">13.10.613</a> : Level V approval required in certain cases)	P	P	P	P	P
Lodging houses; boarding houses (see SCCC <a href="#">13.10.700-L</a> definition)	—	—	—	—	5
Manufactured home as a single-family dwelling on the property (subject to SCCC <a href="#">13.10.682</a> )	BP3	BP3	BP3	5	BP3
Mobile home parks (subject to SCCC <a href="#">13.10.684</a> )					
<b>2—4 units</b>	—	—	—	—	5
<b>5—19 units</b>	—	—	—	—	6
<b>20+ units</b>	—	—	—	—	7
Residential care homes for 7 or fewer persons (see SCCC <a href="#">13.10.700-R</a> definition)	P	P	P	P	P
Residential care homes for 8 or more persons (see SCCC <a href="#">13.10.700-R</a> definition)	5	5	5	5	5
Second unit, subject to SCCC <a href="#">13.10.681</a>	BP3	BP3	BP3	BP3	BP3
<b>Visitor accommodations</b> , such as					
Bed and breakfast inns (subject to SCCC <a href="#">13.10.691</a> )	4	4	4	—	4

USE	RA	RR	R-1	RB	RM
Vacation rentals (subject to SCCC <a href="#">13.10.694</a> )	2P	2P	2P	2P	2P
Visitor accommodations, small-scale, in special communities in the Coastal Zone (subject to Chapter <a href="#">13.20</a> SCCC and VA District regulations, SCCC <a href="#">13.10.331</a> , et seq.)	—	—	5	—	5
Visitor accommodations, small scale, in the Coastal Zone, upon conversion of existing structure (subject to Chapter <a href="#">13.20</a> SCCC and VA District regulations, SCCC <a href="#">13.10.331</a> , et seq.)	5	5	—	—	—
Wineries, under 1,000 gallons annual production as a home occupation, subject to the provisions of SCCC <a href="#">13.10.613</a>	P	P	P	P	P
Wineries, subject to the provisions of SCCC <a href="#">13.10.637</a> :					
<b>Under 1,000 gallons and not a home occupation</b>	3	3	—	—	—
<b>Over 1,000 gallons and under 20,000 gallons annual production:</b>					
<b>On parcels under 2.5 acres in size</b>	5	5	—	—	—
<b>On parcels 2.5 acres or larger</b>	3	5	—	—	—
<b>Over 20,000 gallons and under 50,000 gallons annual production on any size parcel</b>	5	5	—	—	—
<b>Over 50,000 gallons annual production on any size parcel</b>	6	6	—	—	—
<b>Wireless communication facilities</b> , subject to SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5	5	5	5	5

[Ord. 5092 § 2, 2011; Ord. 5061 §§ 9—12, 2009; Ord. 5018 §§ 1, 7, 2008; Ord. 4921 § 5, 2008; Ord. 4836 §§ 48—66, 2006; Ord. 4808 §§ 7, 8, 2005; Ord. 4770 § 2, 2004; Ord. 4751 § 5, 2003; Ord. 4744 § 2, 2003; Ord. 4737 § 1, 2003; Ord. 4727 § 4, 2003; Ord. 4715 § 2, 2003; Ord. 4646 § 2, 2001; Ord. 4641 § 2, 2001; Ord. 4577 §§ 2, 3, 1999; Ord. 4496-C § 6, 1998; Ord. 4495 §§ 3—5, 1998; Ord. 4460 § 2, 1997; Ord. 4457-A §§ 1, 2, 1997; Ord. 4346 § 12, 1994; Ord. 4099 § 3, 1990; Ord. 4097 § 4, 1990; Ord. 4036 § 4, 1989; Ord. 3925 § 1, 1988; Ord. 3895 § 1, 1988; Ord. 3843 § 3, 1987; Ord. 3756 § 1, 1986; Ord. 3632 § 6, 1985; Ord. 3593 § 4, 1984; Ord. 3461 § 2, 1983; Ord. 3432 § 1, 1983].

**13.10.323 Development standards for residential districts.** Amended Ord. 5152

(A) Site Area for the Creation of New Sites.

(1) In RA and RR Residential Districts, the minimum land areas in net developable acres required for each dwelling unit on each site shall be as established by the rural residential density determination matrix (Chapter [13.14](#) SCCC) outside the USL and rural services line or shall be one acre inside the rural services line and shall be consistent with the General Plan, Local Coastal Program Land Use Plan, the geological hazards ordinance (Chapter [16.10](#) SCCC), and the minimum parcel size standards in SCCC [13.10.510](#)(G).

(2) The R-1 and RM Residential Districts shall be combined with a number which shall indicate the minimum land area in thousands of net developable square feet required for each dwelling unit on each site in the district. For example: “R-1-6” means a minimum land area of 6,000 net developable square feet per dwelling unit; “RM-3” means a minimum land area of 3,000 net developable square feet per dwelling unit. Definitions of “developable land” and “net developable area” are to be found in SCCC 13.10.700-D and 13.10.700-N. District designations shall be consistent with the adopted General Plan, Local Coastal Program Land Use Plan, and the geologic hazards ordinance (Chapter [16.10](#) SCCC), and the minimum parcel size standards in SCCC [13.10.510](#)(G).

The R-1 Single-Family Residential District located outside the urban services line recognizes as conforming parcels those parcels which are generally less than one acre in size, and that, prior to the effective date of the 1994 General Plan/Local Coastal Program Land Use Plan, were legal lots of record and developed with or intended for development of a single-family residence.

(3) The Ocean Beach RB Residential District shall have a minimum site area of 4,000 net developable square feet.

(4) In the zone districts listed in subsections (A)(1) through (3) of this section, one single-family dwelling is permitted on existing parcels regardless of the site area standards if other infrastructure requirements can be met, such as water and sewer, and if all other

applicable LCP requirements are met.

(B) Site and Structural Dimensions. The following single-family and multifamily charts show site area per dwelling unit, setbacks, maximum allowable lot coverages, building height limits, allowable floor area to lot area ratios, maximum number of stories, minimum site widths and minimum site frontages for residential zone districts. These standards shall apply within all residential R zone districts, except as noted elsewhere in this section, and uses inconsistent therewith shall be prohibited absent a variance approval.

**R-1 SINGLE-FAMILY RESIDENTIAL ZONE DISTRICTS**

**SITE AND STRUCTURAL DIMENSIONS CHART**

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Second units—within USL	*	*	*	*	17	*	1 story	*	*
	Second units—outside USL	*	*	*	*	28	*	2	*	*
RB > or = 4,000 sq. ft.	General requirements	10	0&5	10	40%	25; on beach side: 17	0.5:1	2; on beach side: 1	40	40
	Corner lots	10	0&10	10	40%	See above	0.5:1	See above	40	40
	Lots on beach side of street	10	0&5	0	40%	See above	0.5:1	See above	40	40
	Semi-detached dwellings and dwellings adjacent to pedestrian rights-of-way	10	0&5	10						
R-1-3.5 to R-1-4.9 0 to <5,000 sq. ft.	General requirements	15	5&5	15	40%	28	0.5:1	2	35	35
	Corner lots—existing parcels —creating new parcels	15	5&10 5&15	15	40%	28	0.5:1	2	35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	35	35
R-1-5 to R-1-5.9	General requirements	20	5&8	15	40%	28	0.5:1	2	50	50

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE***	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO****	MAXIMUM NUMBER STORIES**	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
		5,000 to <6,000 sq. ft.	Corner lots—existing parcels —creating new parcels	20						
	Parcels 4 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1	2	50	50
R-1-6 to R-1-9.9 6,000 to <10,000 sq. ft.	General requirements	20	5&8	15	40%	28	0.5:1	2	60	60
	Corner lots—existing parcels —creating new parcels	20	5&10 5&20	15	40%	28	0.5:1	2	60	60
	Parcels >4,800 to <5,999 sq. ft.	20	5&8	15	40%	28	0.5:1	2		
R-1-10 to R-1-15.9 10,000 to <16,000 sq. ft.	General requirements	20	10&10	15	40%	28	0.5:1	2	60	60
	Creating new corner lots	20	10&20	15	40%	28	0.5:1	2	60	60
R-1-16 to R-1-<1 acre 16,000 sq. ft. to <1 acre	General requirements	30	15&15	15	20%	28	N/A	2	90	60
RR, RA and R-1-1 >1 acre	General requirements—1 to <5 acres	40	20&20	20	10%	28	N/A	2	100	60
	General requirements—5 acres or more	40	20&20	20	10%	28	N/A	2	150	100

NOTE: This chart contains the multifamily residential zone district standards and some of the most commonly used exceptions. For additional exceptions relating to parcels, see SCCC [13.10.323\(D\)](#). For additional exceptions relating to structures, see SCCC [13.10.323\(E\)](#). Variations from maximum structural height, maximum number of stories and maximum floor area as defined by FAR may be approved with a residential development permit by the appropriate approving body for affordable housing units built on-site or off-site in accordance with Chapter [17.10](#) SCCC and SCCC [13.10.681](#) and [13.10.685](#).

\* All site standards for the applicable zone district must be met.

\*\* Number of stories is limited outside the urban services line by the General Plan.

\*\*\* For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter [16.42](#) SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance.

\*\*\*\* For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter [16.42](#) SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance.

## RM MULTIFAMILY RESIDENTIAL ZONE DISTRICTS

## SITE AND STRUCTURAL DIMENSIONS CHART

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE**	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO***	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
All Districts	Minimum to garage/carport entrance	20	20	20						
	Parcels <60 feet wide (except for corner lots)		5&5							
	Second units — within USL	*	*	*	*	17	*	1 story	*	*
	Second units — outside USL	*	*	*	*	28	*	2	*	*
RM-1.5 to RM-4.9 0 to <5,000 sq. ft.	General requirements for all parcels within these zone districts	15	5&5	15	40%	28	0.5:1	Per use permit or 2	35	35
	Corner lots—existing parcels	15	5&10	15	40%	28	0.5:1		35	35
	—creating new parcels	15	5&15	15	40%	28	0.5:1		35	35
	Parcels >5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		35	35
RM-5 to RM-5.9 5,000 to <6,000 sq. ft.	General requirements and for parcels >6,000 sq. ft.	20	5&8	15	40%	28	0.5:1	Per use permit or 2	50	50
	Corner lots—existing parcels	20	5&10	15	40%	28	0.5:1		50	50
	—creating new parcels	20	5&10	15	40%	28	0.5:1		50	50
	Parcels >4,000 to <5,000 sq. ft.	20	5&8	15	40%	28	0.5:1		50	50
RM-6 to RM-9.9	General requirements	20	5&8	15	40%	28	0.5:1	Per use permit or 2	60	60

ZONE DISTRICT AND MINIMUM NET SITE AREA PER DWELLING UNIT	PARCEL SPECIFIC CONDITION	SETBACKS (FEET)			MAXIMUM PARCEL COVERAGE**	MAXIMUM HEIGHT (FEET)	FLOOR AREA RATIO***	MAXIMUM NUMBER STORIES	MINIMUM SITE WIDTH (FEET)	MINIMUM SITE FRONTAGE
		FRONT	SIDE	REAR						
		6,000 to <10,000 sq. ft.	Corner lots—existing parcels	20						
	—creating new parcels	20	5&20	15	40%	28	0.5:1	60	60	

NOTE: This chart contains the multifamily residential zone district standards and some of the most commonly used exceptions. For additional exceptions relating to parcels, see SCCC [13.10.323\(D\)](#). For additional exceptions relating to structures, see SCCC [13.10.323\(E\)](#). Variations from maximum structural height, maximum number of stories and maximum floor area as defined by FAR may be approved with a residential development permit by the appropriate approving body for affordable housing units built on-site or off-site in accordance with Chapter [17.10](#) SCCC and SCCC [13.10.681](#) and [13.10.685](#).

\* All site standards for the applicable zone district must be met.

\*\* For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter [16.42](#) SCCC standards, the maximum parcel coverage shall be 1.25 times that of the applicable zone district. Development shall be consistent with State Office of Historic Preservation guidance.

\*\*\* For parcels where there is an historic resource that has been designated consistent with the California Register of the State Office of Historic Preservation and Chapter [16.42](#) SCCC standards, the floor area ratio (FAR) shall be 0.6:1 in any zone district where the standard FAR is 0.5:1. Development shall be consistent with State Office of Historic Preservation guidance.

(C) Calculating Allowable Gross Building Area. When determining the maximum allowable gross building area for a specific parcel, it is necessary to know the zoning and net site area of the parcel. Definitions of net site area, gross building area, floor area, floor area ratio, story, attic, basement, underfloor, and mezzanine appear in SCCC 13.10.700-A through 13.10.700-Z.

Net Site Area x Floor Area Ratio (FAR) = Total Allowable Gross Building Area for All Buildings on Site

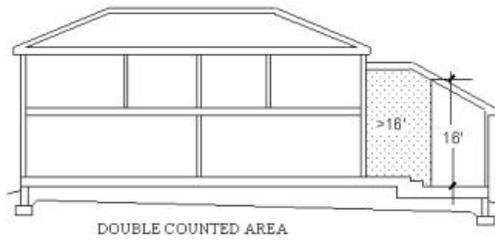
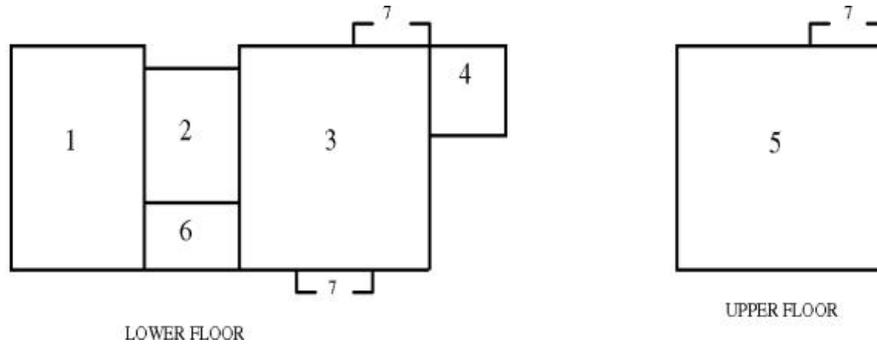
Net Site Area x Maximum Parcel Coverage Percentage = Maximum Allowable Parcel Coverage

**AREAS INCLUDED IN GROSS**

**BUILDING AREA CALCULATION**

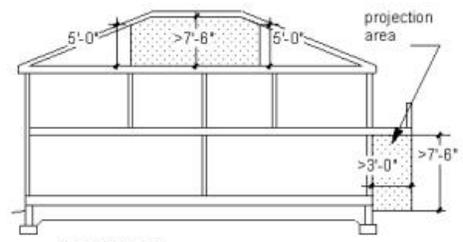
- All floor areas; areas with ceiling heights greater than 16 feet zero inches are counted twice, and greater than 24 feet zero inches are counted three times (2, 3, 4, 5).
- Garage (credit for one parking space—225 square feet not counted (1)).
- Covered and enclosed area (6).
- Stairs and landing at each floor.
- Basements, attics and under floor area which reach a ceiling height of seven feet six inches or higher, then all areas greater than five feet zero inches in height shall count as area for FAR calculations.

- Areas under building projections greater than three feet from the exterior wall, or cumulatively greater than one-third the length of that side of the building.



DOUBLE COUNTED AREA

Floor areas which contain ceiling heights greater than 16 feet shall be counted twice, greater than 24 feet shall be counted three times.



ATTIC SPACE

If attic areas contain ceiling heights 7 ft. 6 in. or higher, then all areas greater than 5 ft. 0 in. in height shall count as area for F.A.R.

**AREAS NOT INCLUDED IN CALCULATIONS**

- First 140 square feet and then one-half of all covered, unenclosed porch areas (7)
- Uncovered decks (covered decks count)
- Uncovered balconies (covered balconies count)
- Areas beneath three feet of roof overhang

SAMPLE PARCEL of 3,783 net square feet, R-1-4 Zone District from Site and Structural Dimensions Chart:

Floor Area Ratio = 0.5:1

Maximum Parcel Coverage = 40%

3,783 sq. ft. x 0.5 = 1,892 sq. ft. Total Floor Area

3,783 sq. ft. x 0.40 = 1,513 sq. ft. Maximum First Floor Area (Round to Nearest Foot)

Total Floor Area = 1,892 sq. ft.

Less: Maximum First Floor Area = 1,513 sq. ft.

Second Level Area = 379 sq. ft.

The total floor area may be divided equally between floors.

(D) Site and Structural Dimensions Exceptions Relating to Parcels.

(1) Parcels Created from New Land Divisions.

(a) Within any new land division project, all development standards on all lots or parcels which abut the periphery of the project site are subject to all the restrictions stated in this section unless a variance is obtained. No parcel shall be created smaller than 3,500 square feet in area. On individual lots or parcels within any land division project not abutting the periphery of the project site, site and structural dimensions may vary from the general requirements for the zone district; provided, that the approved standards and dimensions for each new lot or parcel are specifically indicated on the approved tentative map.

(2) Nonconforming Parcels.

(a) On a lot which contains less than 80 percent of the minimum site area required in the applicable zone district, or has less than 80 percent of the minimum width, or frontage, the building setbacks required shall be equal to those in the zone district having a minimum site area or dimensions which most closely correspond to those of the substandard lot.

(3) Parcels Reduced Due to Right-of-Way Dedications.

(a) A site area variance approval shall not be required for a new single-family dwelling or additions to an existing single-family dwelling on an existing lot of record which is reduced in size to less than the minimum site area required in the applicable zone district due to requirements for a public dedication of right-of-way.

(b) For a new or existing single-family dwelling on an existing lot of record which becomes nonconforming due to a public dedication of right-of-way, variances to building setback and structural dimension requirements shall not be required; provided, that the front yard is not less than 15 feet and the street side yard is not less than six feet.

(4) Parcels with Agricultural, Geological or Environmental Resources and/or Constraints. For setbacks from fault zones, floodplains/floodways and coastal bluffs and beaches, see SCCC [16.10.070](#). For setbacks from riparian corridors see SCCC [16.30.040](#). For setbacks from sensitive habitats see SCCC [16.32.090](#). For setback/buffer requirements for parcels abutting commercial agricultural, CA zoned parcels, see SCCC [16.50.095](#).

(5) Parcels with Steep Slopes.

(a) In all residential zone districts, if the elevation of the lot at a point 50 feet from the center line of the traveled roadway is seven feet or more above or below the elevation of said center line, an attached or detached carport which (in the interest of public safety) is unenclosed on all sides may be built to within five feet of the front property line or edge of right-of-way of the lot. Open safety railings no more than 42 inches in height may be constructed to the property line without a development permit, except that in the Coastal Zone a coastal development permit will be required for all such development unless it is exempt from coastal development permit requirements pursuant to SCCC [13.20.060](#) or [13.20.070](#).

(b) In the RB District, where the site abuts an existing street, road, or easement for road purposes recorded in the County Recorder's Office before March 25, 1969, and where the front 30 feet of the site exceeds a slope of 25 percent, no front yard is required.

(6) Parcels with Double Frontage. When both the front and rear property lines of a parcel abut on a right-of-way to which it has legal access, the required front yards shall be measured from both rights-of-way. Only one of the front yards shall be required to meet the off-street parking criteria described in this chapter.

(E) Site and Structural Dimension Exceptions Relating to Structures.

(1) Structural Encroachments. Eaves, chimneys, bay windows (less than 60 inches in height), uncovered, unenclosed porches, decks, stairways and landings may extend into required front and rear yard six feet; provided, that balconies, or decks must be cantilevered in order to encroach. Eaves, chimneys and uncovered, unenclosed stairways and landings may extend into required side yards three feet. Decks less than 18 inches high may be constructed to property lines. Second story rooftop decks and landings are not

permitted.

(2) Structures Designed for Solar Access.

(a) Criteria for New Construction. In cases where it is not possible to orient a new building southward within the applicable yard requirements for the purpose of incorporating an active or passive solar energy system, a reduction in such yard requirements may be authorized as a Level III approval pursuant to Chapter [18.10](#) SCCC; provided, that:

- (i) The purpose of the reduction is to incorporate an active or passive solar energy system into the new building;
- (ii) The building envelope would comply with all zoning provisions if oriented parallel to the lot lines;
- (iii) The reduced yard requirement will not restrict emergency access or present a fire hazard; and
- (iv) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks.

(b) Criteria for Structural Additions. In cases where it is not possible to make additions to an existing structure within the applicable yard requirements for the purpose of attaching an active or passive solar energy system, reduction in such yard requirements may be authorized as a Level III approval pursuant to Chapter [18.10](#) SCCC; provided, that:

- (i) The reduced yard requirement will not restrict emergency access, or present a fire hazard;
- (ii) The reduced yard requirement will not be detrimental or injurious to property or improvements in the neighborhood, and will not limit solar energy access on neighboring property to a greater extent than if the building envelope complied with the required setbacks; and
- (iii) The portion of the addition within the required setback is designed for the primary purpose of collecting solar energy.

(3) Structures Larger Than 7,000 Square Feet. No residential structure shall be constructed which will result in 7,000 square feet of floor area or larger, exclusive of accessory structures, unless a Level V approval is obtained pursuant to the provisions of SCCC [13.10.325](#).

(4) Structures Exceeding Two Stories. Outside the urban services line, the number of stories in a residential structure shall not be limited by the provisions of subsection (E)(2)(b) of this section.

(5) Structures Exceeding 28 Feet.

(a) With Increased Yards. Building heights which exceed those specified in subsection (E)(2)(b) of this section are allowable if all required yards are increased five feet for each foot over the permitted building height and planning approvals are obtained according to the following table:

Parcel Size (Net Site Area)	Maximum Height Above Existing Grade	Planning Approvals Required
Less than 2-1/2 acres	Over 28 feet	Level IV approval
2-1/2 acres or larger	Over 28 feet up to 35 feet	Level III approval
	Over 35 feet	Level IV approval

(b) With Design Review. Building heights up to a maximum of 33 feet may be allowed without increased yards or variance approval, subject to review and recommendation by the Urban Designer or Planning Director (or designee), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter [18.10](#) SCCC.

(6) Accessory Structures.

(a) Water Tanks and Propane Tanks. Water tanks which are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Service. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

(b) Side and Rear Yards.

- (i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure;
  - (ii) A detached accessory structure which is located entirely within the required rear yard and which is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines;
  - (iii) Garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.
- (c) Separation. The minimum distance between any two detached structures shall be 10 feet with the following exceptions:
- (i) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation;
  - (ii) No separation is required between water tanks located on the same parcel;
  - (iii) No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.
- (d) On Reversed Corner Lots. On a reversed corner lot, accessory structures shall be located not closer to the rear property line than the required side yard on the adjoining key lot, and not closer to the side property line adjoining the street than the required front yard of the adjoining key lot.
- (e) Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.
- (f) Garages Located in Required Rear and Side Yards.
- (i) Applicability. This subsection applies to residentially zoned parcels within the Urban Services Line, and to residentially zoned parcels within those portions of La Selva Beach and Davenport inside the Rural Services Line as shown in Figure 1 of SCCC [13.10.235](#).
  - (ii) Provisions. The following provisions apply to garages located in required rear and side yards:
    - A. On residentially zoned parcels smaller than 10,000 square feet in the applicable areas noted above, an attached or detached garage ("garage" as defined under SCCC 13.10.700-G but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:
      - 1. There shall be no windows, doors or other openings on garage walls that are less than five feet from the side or rear property lines.
      - 2. The garage shall be located a minimum of 40 feet from the front property line.
      - 3. Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Building Code (CRC).
      - 4. The garage shall have a maximum depth of 30 feet.
    - B. On residential parcels 10,000 square feet or larger in size, an attached or detached garage may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections (E)(6)(f)(i)(A) through (D) of this section; and provided, that a minor exception is obtained in accordance with SCCC [13.10.235](#).
    - C. On residential parcels less than 10,000 square feet, a garage may be located up to zero feet from the rear or interior side property line if a Level IV approval is obtained pursuant to the provisions of Chapter [18.10](#) SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.
    - D. A garage located within a required rear or side setback area shall not exceed 17 feet in height or one story, unless a Level IV approval is obtained pursuant to the provisions of Chapter [18.10](#) SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(7) Front Yard Averaging.

- (a) On a site situated between sites improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average depth of the front yards on the improved sites adjoining the side lines of the site but in no case shall be less than 10 feet.
- (b) Where a site is not situated between sites improved with buildings and where sites comprising 40 percent of the frontage on a block are improved with buildings, the minimum front yard for the first floor of structures other than garages or carports may be the average of the existing front yard depths on the block but in no case shall be less than 10 feet.
- (c) In computing average front yard depths, the figure 30 feet shall be used in lieu of any front yard depth greater than 30 feet.
- (d) Proposed garages or carports shall meet the minimum front yard setbacks shown in this section, site and structural dimensions charts, or as allowed by subsection (D)(5) of this section, Parcels with Steep Slopes. The required front yard setback for other accessory structures may be reduced as allowed by subsection (E)(6) of this section.

(F) Usable Open Space. In RM Districts, group or private usable open space or a combination thereof shall be provided for each dwelling unit on the site according to the following table:

Type of Space	Minimum Total Area per Dwelling Unit	Restrictions on Any Portion of Usable Open Space
For Group Use	300 square feet (200 square feet on sites less than 6,000 square feet)	Minimum size: 200 square feet Minimum dimension: 15 feet
For Private Use	200 square feet	Ground level: Minimum size: 150 square feet Minimum dimension: 10 feet Above ground: Minimum size: 50 square feet Minimum dimension: 6 feet Minimum distance from interior lot line: 10 feet Shall be directly accessible from the dwelling units served and not from other units

All Required Usable Open Space:

- (1) Shall be planted with lawn or ground cover, or surfaced with dust-free material.
- (2) Shall be screened from streets and adjacent sites.
- (3) If above ground, shall be open on at least one side.
- (4) Shall not be located in a parking area, driveway, service area, or required front yard.
- (5) Shall not have a slope of more than 10 percent.
- (6) Shall not be obstructed except by improvements that enhance its usability, such as swimming pools, fountains, sunshades, and plantings.
- (7) If at ground level, shall not be covered more than 50 percent by a building overhang or balcony.

(G) Residential Uses on Coastal Zone Nonprime Agricultural Land. Building permits for residential uses on parcels designated in the Local Coastal Program Land Use Plan as agricultural land use and not as prime agricultural land shall be issued only upon documentation that the Agricultural Policy Advisory Commission has made the following determinations:

- (1) Residential use of the parcel will not conflict with on-site or adjacent activities; and
- (2) The building site has approved agricultural buffer setbacks; and
- (3) The residents and owner of the subject parcel have executed a binding hold-harmless covenant with adjacent agricultural operators and owner which shall run with the land and be recorded prior to occupancy.

(H) Other Regulations. Other development standards applicable to residential zone districts are contained in the following sections of the County Code:

	SCCC
Agricultural buffers/setbacks	<a href="#">16.50.095</a>
Design review	<a href="#">13.11.010</a> , et seq.
Fences	<a href="#">13.10.525</a>
General site standards	<a href="#">13.10.510</a> , et seq.
Minimum parcel sizes	<a href="#">13.10.525</a>
Parking	<a href="#">13.10.550</a> , et seq.
Signs	<a href="#">13.10.580</a> , et seq.
Trip reduction requirements (residential developments of 25 or more housing units)	<a href="#">13.10.592</a>
Use of nondevelopable land	<a href="#">13.10.671</a>
Use of land designated urban open space in the General Plan	<a href="#">13.10.672</a>

[Ord. 5126 § 2, 2012; Ord. 5124 § 1, 2012; Ord. 5119 §§ 17, 18, 2012; Ord. 5115 § 1, 2012; Ord. 5095 § 1, 2011; Ord. 5087 §§ 3, 4, 2011; Ord. 5042 §§ 1, 2, 2009; Ord. 5018 §§ 1, 8—15, 2008; Ord. 4921 §§ 7, 8, 2008; Ord. 4850 §§ 1, 2, 2007; Ord. 4836 §§ 67—76, 2006; Ord. 4808 §§ 9—16, 2005; Ord. 4782 § 3, 2005; Ord. 4751 § 6, 2003; Ord. 4737 § 2, 2003; Ord. 4727 § 5, 2003; Ord. 4646 § 3, 2001; Ord. 4641 § 3, 2001; Ord. 4496-C §§ 7, 8, 9, 1998; Ord. 4495 § 6, 1998; Ord. 4460 § 3, 1997; Ord. 4416 § 6, 1996; Ord. 4406 § 6, 1996; Ord. 4371 § 1, 1995; Ord. 4346 § 13, 1994; Ord. 4324A § 1, 1994; Ord. 4314 § 2, 1994; Ord. 4312 § 2, 1994; Ord. 4286 § 2, 1993; Ord. 4281 § 1, 1993; Ord. 4194 §§ 1, 4, 5, 1992; Ord. 4159 § 1, 1991; Ord. 4122 § 3, 1991; Ord. 4119 § 3, 1991; Ord. 4097 § 5, 1990; Ord. 4095 §§ 1—6, 1990; Ord. 3746 §§ 1—3, 1986; Ord. 3632 §§ 7, 8, 1985; Ord. 3593 §§ 5—7, 1984; Ord. 3501 § 2, 1984; Ord. 3432 § 1, 1983].

### 13.10.324 Design and operating criteria for congregate senior housing. Amended Ord. 5172

(A) All provisions of Chapter [13.11](#) SCCC, Site, Architectural and Landscape Design Review, and SCCC [13.10.323](#) (residential site standards), shall be met. Additional requirements are as follows.

(B) Minimum Unit Size.

- (1) Studio: 400 square feet.
- (2) One-bedroom: 550 square feet.
- (3) Two-bedroom: 700 square feet.

(C) Kitchen Facilities. Minimum kitchen facilities shall contain 10 cubic feet cabinet storage area, a small one-basin sink, a half-size refrigerator, and a two-burner stove.

(D) Individual bathrooms shall be required and meet the following standards:

- (1) Handrail shall be provided;
- (2) Nonskid surfaces for floors and tubs shall be provided;
- (3) An emergency button or pull cord shall be provided near tub or toilet.

(E) Handrails shall be provided the full length of the hallways.

(F) Transportation Services. Full daytime van service shall be provided and the program shall be approved by the Planning Department.

(G) Free bus passes shall be provided to any resident upon request by the residents.

(H) Amenities.

- (1) Adequate organized physical activity or social activities must be provided. Activity program shall be reviewed by the Seniors Commission and approved by the Human Resources Agency.
- (2) Easy access shall be provided to outdoor recreational areas.
- (3) Adequate programs shall be established for the delivery of personal services such as maid and linen services, sundries,

beautician and/or barber, banking, and other similar services. These programs shall be approved by the Planning Department.

- (4) Signing. To be consistent with SCCC [13.10.580](#).
- (5) Security.
  - (a) Peep holes in doors.
  - (b) Twenty-four-hour security staff on site.
  - (c) Appropriate facility security system including building exterior to be approved by the Planning Department.
  - (d) Building exterior shall be well lighted, but glare shall not be directed onto adjacent properties or the road.
  - (e) Minimum of two emergency pull cords or buttons to alert security staff shall be provided for each unit. One shall be located in the bathroom.
- (6) Management. Proposed management to be reviewed by the Planning Department with assistance from other agencies as needed. Management must possess a thorough knowledge of the needs of the elderly as well as property management.
- (7) Twenty-four-hour on-site management shall be provided.
- (8) Meals. Minimum two hot meals per day shall be provided.
- (9) Special Services.
  - (a) A combination of interior and exterior areas and rooms of suitable size to accommodate the majority of the residents must be provided for group meeting, social interaction, exercising and other activities.
  - (b) A covered or enclosed pedestrian access shall be provided from all residential buildings to the dining and recreation buildings. A covered walkway shall also be included to provide covered access to passenger loading and unloading areas which shall also be covered.
  - (c) All entrances and exits shall be wheelchair accessible.
- (10) All services, requirements, financial arrangements, amenities, and other features of the facility must be disclosed in writing to a prospective resident. This information shall be reviewed by the Planning Director.
- (11) Only one water meter shall be permitted per site.
- (12) All projects shall be compatible with surrounding land uses.
- (13) All projects shall be consistent with California Administrative Code Title 24 and Section 310 of the Uniform Building Code.
- (14) All facilities shall be reviewed by the Planning Department on a yearly basis.
- (15) Separate public areas shall be provided for both smokers and nonsmokers. [Ord. 4496-C §§ 10, 11, 1998; Ord. 4159 §§ 2—4, 1991; Ord. 4133 §§ 2, 6, 1991; Ord. 4126 § 3, 1991; Ord. 4122 §§ 5—7, 1991; Ord. 4119 §§ 5—7, 1991; Ord. 3756 § 2, 1986; Ord. 3632 § 9, 1985; Ord. 3501 §§ 3—6, 1984; Ord. 3490 § 1, 1984; Ord. 3432 § 1, 1983].

#### **13.10.324.1 Public facilities requirements for residential districts.**

- (A) All regulations of the local Fire Department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection. A letter indicating all Fire Department requirements shall be submitted with the project application.
- (B) All requirements of the local sanitation district and water district shall be met. Letters indicating adequate sewer and water service to the project shall be submitted with the project application. Within the Coastal Zone, adequate system capacity shall be reserved for priority coastal uses as per SCCC [17.02.070](#).
- (C) All improvement requirements and fees shall be met for drainage districts, transportation improvement zones, and roadside improvement districts where required by district or County regulations (SCCC Title [15](#)).
- (D) Park dedication in-lieu fees prior to recordation of a parcel or final map, or at the time of building permit issuance, whichever occurs first. Impacted school district fees are required at the time of building permit issuance. Dedications of land for park or school sites shall be made in conformance with General Plan and Local Coastal Program Land Use Plan requirements and applicable chapters of the County Code (SCCC Title [15](#)).
- (E) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit

facilities. For residential projects of five or more units, a letter indicating the Transit District's recommendation shall be submitted with the project applications.

(F) Residential Street Lighting. Except as provided in subsection (F)(4) of this section, residential street lighting improvement standards apply to all residential development located within the County urban services line; and on a County road, or on a road to be offered for dedication to the County for road maintenance purposes. Residential development may also be required to construct off-site street lighting improvements.

(1) A residential street lighting plan shall be prepared by a licensed civil engineer or other appropriately licensed individual for approval by the County. The plan and design shall be in accordance with published Pacific Gas and Electric standards or the Association of Illumination Engineers standards. The plan shall also be consistent with County Service Area 9—Highway Safety Lighting, and/or County Service Area 9 (Zone A), Residential Street Lighting Standards, before being approved by the County.

(2) The developer shall install appropriate lights according to the approved street lighting plan at the developer's expense. The developer shall enter into a private agreement with Pacific Gas and Electric for power costs when lights are not taken into the County Service Area 9, Highway Safety Lighting, or County Service Area 9 (Zone A), Residential Street Lighting, at the time of acceptance of development improvements.

(3) All maintenance and liability for the street lighting shall remain with the property owner until such time as the County may exercise its discretion to accept the street lighting into County Service Area for Highway Safety Lighting, or the County Residential Street Lighting Service Area, Zone A.

(4) The developer of property, within an area which does not currently have residential street lighting because of the historical opposition of the residents of the area to the installation of residential street lighting, may seek an exception from the residential street lighting requirements. An exception in these areas shall be granted only if the applicants' engineer can satisfactorily document to the Planning Department that the failure to install residential street lighting will not create a dangerous condition of public property that could have been avoided by the installation of residential street lighting. [Ord. 4836 § 77, 2006; Ord. 4496-C § 12, 1998; Ord. 4346 § 14, 1994; Ord. 4263 § 1, 1993].

### 13.10.325 Large dwelling permit requirements and design guidelines. Amended Ord. 5152 Ord. 5160

(A) Approvals. No residential structure shall be constructed which will result in 7,000 square feet of floor area or larger, exclusive of accessory structures associated with the residential use, unless a Level V approval is obtained pursuant to the provisions of this section.

(B) Findings. All applications subject to this section shall be approved only if one or more of the following findings can be made:

(1) The proposed structure is compatible with its surroundings given the neighborhood, locational or environmental context and its design is consistent with the large dwelling design guidelines in subsection (D) of this section; or

(2) The proposed structure, due to site conditions, or mitigation measures approved as part of the application, will be adequately screened from public view and will not adversely impact public viewsheds, neighboring property privacy or solar access, and its design is consistent with the large dwelling design guidelines set forth in subsection (D) of this section. (For structures within the Coastal Zone requiring a coastal permit approval, additional findings shall be made pursuant to SCCC [13.20.110.](#))

(C) Conditions. Conditions of project approvals made pursuant to this section may include mitigation measures necessary to preserve the neighborhood character in which the proposed structure(s) will be located, to preserve neighboring property privacy or solar access, and/or to screen the structure(s) from the road. Such measures may include, but are not limited to: house and accessory structure resiting, additional landscape screening and house redesign, including possible reduction in floor area.

(D) Large Dwelling Design Guidelines. New large dwellings and related accessory structures regulated by this section are subject to the following design guidelines. The intent of these guidelines is to assist the applicant in meeting the requirements of the large dwelling regulations, and to assist the Urban Designer, Planning Director and Zoning Administrator in reviewing applications.

Large dwellings and their related accessory structure should be designed so that:

- (1) Changes in the natural topography of the building site are minimized.
- (2) Grading cuts and fills are minimized, and when allowed, are balanced.
- (3) House design and accessory structure horizontal elements follow hillside contours, where applicable.
- (4) Colors and material are used to reduce the appearance of building bulk. Use of earthtone colors is encouraged.
- (5) Building height appearance is minimized by varying the height of roof elements and setting back higher portions of the structure from prominent viewpoints.

- (6) Ridgeline silhouettes remain unbroken by building elements. Building envelopes should be allocated to the lower portions of hillside lots, where feasible.
- (7) The structure(s) is compatible in terms of proportion, size, mass and height with homes within the surrounding neighborhood.
- (8) Architectural features break up massing. This can be accomplished by varying roof lines, puncturing large wall expanses with bay windows or recessed wall planes, or using a combination of vertical and horizontal architectural elements.
- (9) Landscaping helps blend the structure(s) with the natural environmental setting of the site. This can be done by preserving existing vegetation as much as possible, siting the structure(s) to take advantage of existing trees and land forms, and by planting fast-growing, native landscaping to screen elements visible from viewpoints located off the parcel on which the structure is located.
- (10) The view to adjacent properties is controlled. This can be done by minimizing second-story windows facing close neighboring properties, orienting upper floor balconies and decks toward large yard areas, locating the structure on the site as far from property lines as possible, and using landscaping to enhance privacy.
- (11) The location of the structure(s) on the site minimizes view blockage within public viewsheds. [Ord. 5119 § 19, 2012; Ord. 4312 § 1, 1994; Ord. 4286 § 1, 1993; Ord. 4122 § 4, 1991; Ord. 4119 § 4, 1991; Ord. 4097 § 6, 1990].

#### **13.10.326 Residential density bonus for affordable housing.**

The approving body (or the Coastal Commission on appeal) may approve a density greater than that allowed by the underlying land use and zone district and zone district designations for affordable residential projects if the following criteria are met:

- (A) The proposed increased density is consistent with Coastal Act Section [30604\(f\)](#), Government Code Section [65915](#) and Chapter 17.12 SCCC;
- (B) Any affordable requirements applicable to the project, such as inclusionary units under Chapter [17.10](#) SCCC, nonresidential to residential designation conversion requirements of SCCC [13.01.060\(D\)](#), combining district or specific General Plan policies are first met. A project will qualify for density bonus when adding affordable units beyond those required for the project; and
- (C) If located within the Coastal Zone, the project is found to be in conformity with the Local Coastal Program (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access and open space protections), with the exception of the density provisions. [Ord. 5055 § 2, 2009].

### **Article III. Commercial Districts**

#### **13.10.331 Purposes of commercial districts.**

In addition to the general objectives of this chapter, the commercial districts are included in the zoning ordinance in order to achieve the following purposes:

- (A) General Purposes.
  - (1) To provide for retail stores, offices, service establishments, recreational establishments, and wholesale businesses offering a range of commodities and services adequate to meet the needs of County residents and visitors, of different geographical areas in the County and of their various categories of patrons.
  - (2) To contain commercial facilities in appropriately located areas, avoiding new freeway oriented development and new strip commercial uses, and providing opportunities for commercial uses to concentrate for the convenience of the public and in mutually beneficial relationships to each other.
  - (3) To ensure that commercial facilities and uses are compatible with the level of available public facilities and services, minimizing traffic congestion and preventing the overloading of utilities and public services.
  - (4) To ensure that commercial development is compatible with natural resource protection, environmental quality, and the scenic setting of the County.
  - (5) To ensure that commercial facilities are constructed and operated such that they are compatible with adjacent development, and that high standards of urban design are maintained, minimizing impacts on residential areas and providing for adequate site layout, protection of solar access to adjacent property, landscaping, sign and building design and size, and on-site parking, loading, and circulation.
  - (6) To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses, and from fire, explosion, noxious fumes and other hazards.

- (7) To provide space for community facilities and institutions which appropriately may be located in commercial areas.
- (8) To provide for a mixture of commercial and residential uses where the advantages of such a mixture, such as convenience, atmosphere, and low energy use, can be maximized, and the conflicts, such as noise, traffic, and lack of adequate visual amenities, can be reduced to an acceptable level. Residential uses are intended to be incidental or secondary to commercial use of a site, or as otherwise provided by a village design plan.
- (9) To maximize efficient energy use and energy conservation in commercial uses, and to encourage the use of locally available renewable energy resources.

(B) Specific PA Professional-Administrative Office District Purposes. To provide for professional and administrative office uses in areas where such use is designated on the General Plan, or in areas designated for neighborhood, community or service commercial use, particularly where an office use can provide a buffer use between residential areas and the more intensive commercial or industrial activities. Professional and administrative office uses are intended to be low impact, nonretail activities. The PA District is intended to allow a compatible collection of related services within a development and may include a variety of retail and service uses where they are ancillary and incidental to office uses on a site.

(C) Specific VA Visitor Accommodations District Purposes. To provide areas specifically reserved for visitor accommodations and limited appurtenant uses. To allow a broad range of such overnight or extended stay lodging for visitors and to recognize these as commercial uses. The Visitor Accommodations District is intended to be located primarily in areas designated visitor accommodation or in areas designated as community commercial on the General Plan, and in locations where there are existing or approved (at the date of this section) visitor accommodations developments. All visitor accommodations are intended to be located where adequate access and public services and facilities are available, and to be designed and operated to be compatible with adjacent land uses, utilize and complement the scenic and natural setting of the area, and provide proper management and protection of the environment and natural resources.

(D) Specific CT Tourist Commercial District Purposes. To encourage and recognize a narrow range of visitor serving uses in appropriate locations in the County on major transportation corridors or in commercial centers where properties have a land use designation on the General Plan of neighborhood or community commercial. Visitor serving uses allowed in this zone district include primarily food services, auto fueling, visitor accommodations, and related accessory uses.

(E) Specific C-1 Neighborhood Commercial District Purposes. To provide compact and conveniently located shopping and service uses to meet the limited needs within walking distance of individual urban neighborhoods or centrally located to serve rural communities. Neighborhood commercial uses and facilities are intended to be of a small scale, with a demonstrated local need or market, appropriate to a neighborhood service area, and to have minimal adverse traffic, noise, or aesthetic impacts on the adjacent residential areas.

(F) Specific C-2 Community Commercial District Purposes. To provide centers of concentrated commercial uses accommodating a broad range and mixture of commercial activities, serving the general shopping and service needs of community-wide service areas, and including visitor accommodations. This district is intended to be applied to areas designated on the General Plan as community commercial. The Community Commercial Districts are intended to have definite boundaries to promote the concentration of commercial uses.

(G) Specific C-4 Commercial Services District Purposes. To meet the commercial services needs of the various communities in the County by allowing a broad range of commercial services uses in areas reserved for and designated as commercial services on the General Plan. Commercial service uses are intended primarily to be nonretail in nature, such as building material suppliers, auto repair, or freight terminals, and to be nonpolluting. These uses usually need large sites, proximity to major streets to handle truck traffic, and in some cases need access to rail transportation. The Commercial Services Districts are intended to be located in areas where the impacts of noise, traffic, and other nuisances and hazards associated with such uses will not adversely affect other land uses. Commercial recreational uses needing large sites and good access, such as drive-in theaters or indoor arenas, are also included in this district. [Ord. 4836 § 78, 2006; Ord. 4346 § 15, 1994; Ord. 3501 § 7, 1984; Ord. 3432 § 1, 1983].

### 13.10.332 Commercial uses.

#### (A) Principal Permitted Uses.

- (1) In the Coastal Zone, the principal permitted uses in the commercial districts shall be as follows:

PA professional and administrative offices;

VA visitor accommodations;

CT visitor serving uses and facilities;

C-1 neighborhood-serving, small-scale commercial services and retail uses;

C-2 community-serving, large-scale retail uses and small-scale commercial services;

C-4 commercial services of all types and uses needing large sites or outdoor use areas; including appurtenant uses and structures.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval unless otherwise denoted with the letter P in the commercial uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 SCCC relating to Coastal Zone permits, and in some cases, as provided in Chapter 13.20 SCCC, any development is appealable.

(B) Allowed Uses.

(1) The uses allowed in the commercial districts shall be as provided in the following commercial uses chart. A discretionary approval for an allowed use is known as a “use 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 commercial zone districts is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter 18.10 SCCC, 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.

(2) Timber harvesting and associated operations, requiring approval of a timber harvesting plan by the California Department of Forestry, are not allowed uses in the commercial zone districts.

**COMMERCIAL 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)
- 2 = Approval Level II (administrative, plans required)
- 3 = Approval Level III (administrative, field visit required)
- 4 = Approval Level IV (administrative, public notice required)
- 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 5,000 square feet  
 Level V for projects of 5,000 to 20,000 square feet  
 Level VI for projects of 20,000 square feet and larger

USE	PA	VA	CT	C-1	C-2	C-4
<b>Accessory structures and uses (not principal permitted uses unless associated with a principal permitted use), including:</b> Accessory structures, nonhabitable, not including warehouses						
<b>Less than 500 square feet</b>	3	3	3	3	3	3
<b>500—2,000 square feet</b>	4	4	4	4	4	4
<b>Greater than 2,000 square feet</b>	5	5	5	5	5	5

USE	PA	VA	CT	C-1	C-2	C-4
Outdoor storage, incidental to an allowed use, and screened from public streets and adjacent property						
<b>Less than 500 square feet</b>	3A	3A	3A	3A	3A	3A
<b>500—2,000 square feet</b>	4A	4A	4A	4A	4A	4A
Parking, on-site, in accordance with SCCC <a href="#">13.10.550</a> , et seq.	4	4	4	4	4	4
Parking facilities for off-site uses when developed according to SCCC <a href="#">13.10.550</a> , et seq.	4	4	4	4	4	4
Recycling collection facilities in accordance with SCCC <a href="#">13.10.658</a> :						
<b>Reverse vending machines</b>	1	1	1	1	1	1
<b>Small collection facilities</b>	4	4	4	4	4	4
Signs in accordance with SCCC <a href="#">13.10.581</a>	4	4	4	4	4	4
Signs, for change of use pursuant to a master use permit	1	1	1	1	1	1
<b>Adult entertainment</b> , subject to SCCC <a href="#">13.10.621</a> , <a href="#">13.10.622</a> and <a href="#">13.10.623</a> including adult bookstores; adult motion picture theaters, bath establishments	—	—	—	—	5/6*	—
<b>Agricultural service establishments</b> not engaged in hazardous chemicals	—	—	—	—	—	5/6*
<b>Animal services</b> (subject to SCCC <a href="#">13.10.642</a> ), including:						
Animal grooming services and other animal services where the animals do not stay overnight	—	—	—	4/5/6*	4/5/6*	4/5/6*
Boarding kennels, veterinarian's offices, small animal hospitals, animal shelters and pounds, including the short-term boarding of animals	—	—	—	—	4/5/6*	—
Outdoor exercise yards in connection with the above	—	—	—	—	—	5/6*
Veterinary clinics or offices with no overnight boarding of animals	—	—	—	—	4/5/6*	4/5/6*
<b>Automobile service stations</b> ; subject to the provisions of SCCC <a href="#">13.10.656</a> and <a href="#">13.10.657</a>						
Gas stations with car washes, service bays and/or vehicle repair services	—	—	5/6*	—	5/6*	5/6*
Gas stations or gas pumps with no service bays nor vehicle repair service	—	—	5/6*	5/6*	5/6*	5/6*

USE	PA	VA	CT	C-1	C-2	C-4
<b>Banks</b> , including:	4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	—
Automated bank teller facilities						
Savings and loan companies						
<b>Boat and marine services</b> , such as:	—	—	—	—	—	4/5/6*
Boat building						
Boat rentals, sales, and services						
Boat storage						
Commercial fishing facilities						
Marine services and launching facilities						
<b>Clubs, private</b> , including garden clubs, fraternal lodges, community service organizations, meetings halls and conference rooms	4/5/6*	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*
<b>Commercial change of use</b> within existing structures:						
Change of use in accordance with an approved master occupancy program	1	1	1	1	1	1
Change of use subject to the Felton or Ben Lomond Town Plan, the Boulder Creek Specific Plan, or the Soquel, Seacliff or Aptos Village Plan, to a use in conformance with the applicable plan and not resulting in an intensification of use	1	1	1	1	1	4
Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will not result in an intensification of use	1	1	1	1	1	4/5/6*
Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will result in an intensification of use	4	4	4	4	4	4/5/6*
Change from a use not approved by a valid development (use) permit, to another use allowed in the zone district for projects of:						
<b>Under 5,000 square feet</b>	4	4	4	4	4	4
<b>5,000—20,000 square feet</b>	4	4	4	4	4	5
<b>Over 20,000 square feet</b>	4	5	5	5	5	6
(For legal, nonconforming uses, see SCCC <a href="#">13.10.260</a> and <a href="#">13.10.261</a> for additional requirements)						

USE	PA	VA	CT	C-1	C-2	C-4
<b>Commercial recreation and entertainment, indoor</b> , subject to SCCC <a href="#">13.10.654</a> , such as: Auditoriums, indoor Bowling alleys Card rooms Dancing establishments; dance halls; discos Game establishments; pinball and video game rooms (see SCCC <a href="#">13.10.700-G</a> , <a href="#">13.10.700-V</a> definitions) Nightclubs Pool halls Theaters, indoor	—	4/5/6*A	4/5/6*A	—	4/5/6*	4/5/6*
<b>Commercial recreation</b> , general, involving outdoor facilities, public assembly, or large sites, such as: Flea markets Miniature golf course; putting greens; par 3 golf; driving ranges Skateboard parks Skating rinks Sports arenas, stadiums Swimming pools, public Theaters, drive-in (subject to SCCC <a href="#">13.10.622</a> )	—	—	—	—	—	5/6*
<b>Commercial services, personal</b> , such as: Barber shops Beauty shops	4/5/6*A	4/5/6*A	—	4/5/6*	—	4/5/6*
<b>Commercial services, neighborhood</b> , such as: Copy and duplicating services Dressmakers Dry cleaners using nonflammable nonexplosive solvents Film processing, ancillary and incidental to a permitted retail or service use Food lockers Laundries; self-service laundries Locksmiths Picture framing shops Printing shops, light; duplicating services	—	—	—	4/5/6*	4/5/6*	4/5/6*

USE	PA	VA	CT	C-1	C-2	C-4
Repair shops, for the repair of small appliances; radio, stereo, and television repair						
Shoe repair shops						
Tailors						
Tool or cutlery sharpening or grinding services						
<b>Commercial services, community,</b> such as:	—	—	—	—	4/5/6*	4/5/6*
Auction rooms						
Catering services						
Gunsmiths						
Mortuaries (not including crematories)						
Rental shops: medical, clothing, household goods, etc; indoor						
Taxidermists						
Upholstery shops (auto upholstery allowed only in C-4)						
<b>Commercial services, general, indoor,</b> such as:	—	—	—	—	—	4/5/6*
Commercial cleaning services, including: linen services; dry cleaning and dyeing plants; carpet cleaning shops; diaper supply services; mattress reconditioning						
Contractor's shops including: glass shops; plumbing shops; sheet metal shops; heating and ventilating shops						
Exterminators						
Laboratories and related facilities for research, experimentation, testing, film processing						
Printing, lithographing, engraving, book binding						
Repair shops, including household and office equipment repair; safe and vault repair						
Storage buildings for household goods, mini-storage						
<b>Commercial services, general, involving outdoor use, heavy trucking,</b> or vehicle use and storage, such as:	—	—	—	—	—	4/5/6*
Automobile repair and service shops operated partly out of doors						
Automobile rental enterprises						

USE	PA	VA	CT	C-1	C-2	C-4
Automobile washing, polishing, and detailing services						
Parcel shipping and delivering services						
Taxi company with vehicle parking and storage						
Contractors' and heavy equipment storage and rental yards, including storage yards for commercial vehicles; bus or transit service yards for the storage, servicing and repair of transit vehicles						
Outdoor storage yards for recreational vehicles, trailers, boats						
Recycling centers, including large collection facilities and processing facilities						
Shipping terminals, including trucking terminals, packing and crating services, shipping services, freight forwarding terminals						
Storage facilities, including cold-storage plants; ice storage warehouses, excluding the storage of fuel or flammable liquids						
<b>Community facilities, such as:</b>	4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	4/5/6*
Bus or transit stations (storage, servicing or repair of vehicles allowed only in C-4)						
Churches and other religious centers or institutions						
Community centers						
Day-care centers (see SCCC <a href="#">13.10.700-D</a> definition)						
Energy systems, community (subject to SCCC <a href="#">13.10.661</a> and <a href="#">13.10.700-E</a> definition)						
Fire stations						
Libraries						
Museums						
Post offices						
Restrooms, public						
Utilities, public, structures and uses, energy facilities (see SCCC <a href="#">13.10.700-E</a> definition)						
<b>Cottage industry</b> (see SCCC <a href="#">13.10.700-C</a> definition)	—	—	—	4/5/6*	4/5/6*	4/5/6*

USE	PA	VA	CT	C-1	C-2	C-4
<b>M-1 Districts, all allowed uses; provided, that</b> not more than 20 persons shall be engaged in the production, repair, or processing of materials on any one shift; and provided further, that regulations for the M-1 District as stated in SCCC <a href="#">13.10.345</a> shall apply to every use	—	—	—	—	—	4/5/6*
<b>Offices</b> (not to exceed 50% of building area in C-1) such as:						
Administrative offices	4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	4/5/6*A
Travel agencies						
Addressing services	4/5/6*	—	—	4/5/6*	4/5/6*	4/5/6*A
Business offices, general						
Catalog sales offices						
Dental offices						
Duplicating shops						
Editorial offices						
Executive offices						
Finance offices						
Fortune tellers						
Insurance offices						
Interior decoration studios						
Laboratories, medical, optical, and dental, not including the manufacture of pharmaceutical or other similar products for general sale or distribution						
Medical offices and clinics						
Message services; answering services						
Optical offices						
Photographers; photographic studios						
Professional offices						
Radio and television programming stations, without transmitting towers						
Real estate offices						
Telegraph offices						
Title companies						
<b>Open space</b> uses according to the PR District chart (SCCC <a href="#">13.10.352</a> )	—	P	P	—	—	—
<b>Physical culture facilities</b> , such as:	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*
Bath establishments; hot tubs, sauna establishments (subject to Chapter <a href="#">5.08</a> SCCC)						

USE	PA	VA	CT	C-1	C-2	C-4
Fitness centers						
Gymnasiums						
Massage establishments (subject to Chapter <a href="#">5.08</a> SCCC)						
Physical culture studios						
Racquet clubs, indoor						
Spas						
<b>Radio and television broadcasting stations</b> including transmitting towers, subject to SCCC <a href="#">13.10.655</a>	4/5/6*	—	—	4/5/6*	4/5/6*	4/5/6*
<b>Residential uses</b> , such as:						
Dwelling units, single-family and multifamily, up to 50% (67% if project is 100% affordable) of the floor area of the entire development, developed according to development standards of urban high residential						
<b>1—4 units</b>	5		—	5	5	—
<b>5—19 units</b>	6		—	6	6	—
<b>20+ units</b>	7		—	7	7	—
Child care homes, large family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.686</a> and <a href="#">13.10.700-C</a> definition)	5	—	—	5	5	—
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P	—	—	P	P	—
Convalescent hospitals	4/5/6*	—	—		—	
Nursing homes (see SCCC <a href="#">13.10.700-N</a> definition)	4/5/6*	—	—		—	—
Residential care homes serving 6 or fewer residents (see SCCC <a href="#">13.10.700-R</a> definition)	P	P	P	P	P	P
<b>Restaurants; bars, food service</b> subject to SCCC <a href="#">13.10.651</a> in the PA Zone District; such as:						
Bar, micro-breweries, brew pubs, subject to SCCC <a href="#">13.10.654</a> (ancillary to restaurants in C-1)						
Bakeries; baked foods stores						
Candy stores						
Cheese stores						
Delicatessens						
Donut shops						
Ice cream shops						

USE	PA	VA	CT	C-1	C-2	C-4
Restaurants						
Sandwich shops						
Other food specialty outlets						
<b>In buildings of 500 square feet or less</b>	4A	4A	4	4	4	4
<b>In buildings of larger than 500 square feet</b>	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*	—
<b>Outdoor food service</b>	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*	—
<b>Retail sales, neighborhood, such as:</b>	—	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*A
Antique stores						
Art and handicraft sales and service						
Art galleries						
Bicycle rentals						
Bicycle shops						
Bookstores						
Candy stores						
Clock and watch sales and repair						
Clothing stores						
Flower shops						
Food stores; grocery stores, limited to 20,000 square feet in the C-1 District						
Gift shops						
Hardware stores						
Jewelry stores						
Liquor stores						
Luggage stores						
Musical instrument and recordings sales and repair						
Newspaper and magazine sales						
Pet shops						
Photographic equipment and supplies						
Plant shops, for indoor sales of plants in containers						
Produce markets						
Recreational equipment sales, rentals and services, such as sporting goods, bait and tackle, marine hardware and supplies, diving equipment, bicycles, roller skates, surfboards, windsurfers						
Shoe stores						
Sporting goods stores						

USE	PA	VA	CT	C-1	C-2	C-4
Stationery stores						
Toy stores						
Tobacco shops						
Variety stores						
Video sales and rentals						
Wine tasting and sales rooms						
Drug stores; pharmacies, medical appliances and supplies	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*A
<b>Retail sales, community, such as:</b>	—	—	—	—	4/5/6*	4/5/6*A
Appliance showrooms						
Automobile supply stores						
Business machine stores						
Computer sales and service						
Department stores						
Fabric and sewing materials stores						
Floor covering showrooms						
Food stores; grocery stores						
Furniture stores						
Garden supply stores						
Home furnishing and decorating stores						
Household appliances stores						
Kitchen/bath/housewares stores						
Orthopedic and appliances sales and rentals						
Paint stores						
Pawnshops						
Scientific instrument stores						
Secondhand stores						
Stamp and coin stores						
Stores for display and retail sales of lighting, plumbing, heating, refrigeration, ventilation, fixtures and equipment						
Warehouse stores selling to members of the general public						
<b>Retail sales, requiring large sites, large showrooms, or outdoor sales areas, such as:</b>	—	—	—	—	—	4/5/6*

USE	PA	VA	CT	C-1	C-2	C-4
Automobile sales and service, including automobile repair and service garages operated entirely within enclosed buildings or screened from public streets; automobile sales; automobile upholstery installers, indoor; tire stores, including installation; used car sales lots.						
Building materials yards, including: lumber yards, not including planing mills or sawmills; building materials yards other than gravel, rock or cement yards; storage, bulk, or rock, gravel, sand, and aggregates in bins not to exceed a capacity of 5 yards each, limited to a maximum of 10 bins per site						
Feed and farm supply stores						
Firewood processing and sales						
Mobilehome sales and service						
Motorcycle sales and services						
Nurseries selling plants in containers; garden centers						
Recreational vehicle and trailer sales and service						
Retail sales of large appliances or equipment needing large showrooms						
Wholesale suppliers						
<b>Schools, studios and conference facilities, such as</b>	4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	4/5/6*
Arts and crafts studios or schools						
Conference and seminar facilities without overnight accommodations						
Dance studios or schools						
Music studios or schools						
Preschool, elementary, secondary and college facilities						
Professional, trade, business and technical schools						
<b>Temporary uses</b> (See SCCC <a href="#">13.10.700</a> -T definition), such as:						
Carnivals and circuses	—	—	—	—	3	3
Christmas tree sales lots	—	—	—	3	3	3
Outdoor sales not to exceed 4 per year on any site	—	—	—	3	3	3
<b>Visitor accommodations</b> , subject to SCCC <a href="#">13.10.335</a> (B), such as:						

USE	PA	VA	CT	C-1	C-2	C-4
Time-share, visitor accommodations subject to SCCC <a href="#">13.10.693</a>						
<b>1—4 units</b>	—	5	—	—	—	—
<b>5—19 units</b>	—	6	—	—	—	—
<b>20+ units</b>	—	7	—	—	—	—
Type A uses: Hotels; inns, pensions, lodging houses, “bed and breakfast” inns, motels, recreational rental housing units (see SCCC <a href="#">12.02.020</a> (10))						
<b>1—4 units</b>	—	5P	5	—	5	—
<b>5—19 units</b>	—	6P	6	—	6	—
<b>20+ units</b>	—	7P	7	—	7	—
Type B uses: Organized camps; group camps; conference centers (subject to SCCC <a href="#">13.10.692</a> ); hostels; recreational vehicles camping parks; tent-camping parks						
<b>1—4 units</b>	—	5	5	—	—	—
<b>5—19 units</b>	—	6	6	—	—	—
<b>20+ units</b>	—	7	7	—	—	—
<b>Wineries</b> (see definition in SCCC <a href="#">13.10.700-W</a> )	—	—	—	—	—	4/5/6*
<b>Wireless communication facilities,</b> subject to SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5	5	5	5	5	5

[Ord. 5169 § 4, 2013; Ord. 5119 §§ 20—22, 2012; Ord. 5090 § 2, 2011; Ord. 5061 § 13, 2009; Ord. 4921 § 8, 2008; Ord. 4836 §§ 79—84, 2006; Ord. 4814 § 2, 2006; Ord. 4808 § 17, 2005; Ord. 4770 § 4, 2004; Ord. 4744 § 4, 2003; Ord. 4715 § 4, 2003; Ord. 4577 § 4, 1999; Ord. 4525 §§ 5, 6, 1998; Ord. 4496-C §§ 13—20, 1998; Ord. 4426 §§ 1, 2, 1996; Ord. 4346 § 16, 1994; Ord. 4285 § 1, 1993; Ord. 4217 § 2, 1992; Ord. 3965 § 1, 1988; Ord. 3943 § 1, 1988; Ord. 3843 §§ 1, 2, 1987; Ord. 3767 § 1, 1986; Ord. 3669 § 1, 1985; Ord. 3632 § 10, 1985; Ord. 3593 § 8, 1984; Ord. 3588 § 5, 1984; Ord. 3432 § 1, 1983].

**13.10.333 Development standards for commercial districts.**

(A) Site and Structural Dimensions. The following minimum parcel size, frontage, yard dimensions, and building height limits shall apply within all commercial zone districts, except as noted elsewhere in this section or in the general exceptions as noted in SCCC [13.10.510](#), et seq.

**COMMERCIAL SITE AND STRUCTURAL DIMENSIONS CHART<sup>1,2</sup>**

District Designation	Minimum Site Area per Parcel (net developable square feet)	Minimum Parcel Frontage (feet)	Minimum Yards (feet)			Maximum Building Height Limit (feet) <sup>3</sup>
			Front	Side	Rear	
PA	10,000	60	10	Interior: 0 Street: 10	10	3 stories, but not to exceed 35 feet
VA	10,000	60	10	10	10	3 stories, but not to exceed 35 feet

District Designation	Minimum Site Area per Parcel (net developable square feet)	Minimum Parcel Frontage (feet)	Minimum Yards (feet)			Maximum Building Height Limit (feet) <sup>3</sup>
			Front	Side	Rear	
CT	10,000	60	10	0	0	3 stories, but not to exceed 35 feet
C-1	10,000	60	10	0	0	3 stories, but not to exceed 35 feet
C-2	10,000	60	10	0	0	3 stories, but not to exceed 35 feet
C-4	10,000	60	10	0	0	3 stories, but not to exceed 35 feet

Footnotes:

- (1) See also general site standards exceptions in SCCC [13.10.510](#), [13.10.520](#) and [13.10.521](#).
- (2) Subject to exceptions as provided in subsections (B) and (C) of this section.
- (3) See also Chapter [12.28](#) SCCC, Solar Access Protection; subject to solar access requirements in SCCC [13.11.072](#).
- (B) Yards, Exceptions.
  - (1) See Chapter [16.50](#) SCCC regarding setback/buffer requirements for parcels abutting agricultural uses.
  - (2) Subject to exceptions as provided in subsections (B) and (C) of this section.
  - (3) Reversed Corner Lots. On a reversed corner lot adjoining a key lot in an R or A District, the minimum side yard adjoining the street shall be not less than one-half of the required front yard on the key lot.
  - (4) Abutting an R or A District. The minimum side or rear yard, in feet, abutting any residential or any agricultural district shall be as follows:

PA	VA	CT	C-1	C-2	C-4
Same as the abutting R or A District	Same as the abutting R or A District	30	30	30	30

- (5) Across a Street from an R or A District. The minimum side or rear yard on a street or alley across from any residential or any agricultural district shall be 10 feet.
- (C) Stories, Exception. In any applicable commercial zone district, a proposal to exceed three stories in a hotel or motel may be considered in conjunction with a proposal to increase the height limit by up to five feet pursuant to SCCC [13.10.510\(D\)\(2\)](#).
- (D) Other Regulations. Other development standards applicable to commercial zone districts are contained in the following sections of this code:

	SCCC
Agricultural buffers/setbacks	<a href="#">16.50.095</a>
Design review	<a href="#">13.11.010</a> , et seq.
Fences	<a href="#">13.10.525</a>
General site standards	<a href="#">13.10.510</a> , et seq.
Minimum parcel sizes	<a href="#">13.10.510(g)</a>
Parking	<a href="#">13.10.550</a> , et seq.
Signs	<a href="#">13.10.580</a> , et seq.

	SCCC
Trip reduction requirements (development projects for 50 or more employees)	5.52
Use of nondevelopable land	<a href="#">13.10.671</a>
Use of urban open space land	<a href="#">13.10.672</a>

[Ord. 5171 §§ 1, 2, 2014\*; Ord. 4836 § 85, 2006; Ord. 4496-C § 21, 1998; Ord. 4346 § 17, 1994; Ord. 4314 § 3, 1994; Ord. 4217 § 3, 1992; Ord. 3501 § 8, 1984; Ord. 3432 § 1, 1983].

\* Code reviser's note: Section VI of Ord. 5171 provides: "Outside the Coastal Zone this Ordinance shall take effect on the 31st day after the date of final passage. Inside the Coastal Zone it shall take effect on the 31st day after the date of final passage or upon certification by the California Coastal Commission, whichever date is later."

### 13.10.334 Public facilities requirements for commercial districts.

(A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection. A letter indicating all Fire Department requirements shall be submitted with the project application.

(B) All requirements of the local sanitation district and water district shall be met. Letters indicating adequate sewer and water service to the project shall be submitted with the project application. Within the Coastal Zone, adequate system capacity shall be reserved for priority coastal uses as per SCCC [17.02.070](#).

(C) All improvement requirements and fees shall be met for drainage districts, transportation improvement zones, and roadside improvement districts where required by district or section regulations (SCCC Title [15](#)).

(D) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For commercial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications. [Ord. 4346 § 18, 1994; Ord. 4263 § 2, 1993].

### 13.10.335 Special standards and conditions for commercial districts.

(A) C-1, C-2 and C-4 Use Standards.

(1) In the C-1 or C-2 Districts, all business, services and processes shall be conducted entirely within a completely enclosed structure except for outdoor food and drink establishments, recycling collection facilities, off-street parking and loading areas, gasoline stations, garden supply stores, Christmas tree lots, bus depots, transit stations, public utility uses, and radio and television transmission towers. Outside storage of stock-in-trade may be allowed pursuant to a Level IV approval; provided, that the storage area is adequately screened from view from adjacent parcels.

(2) In the C-1 District, all products produced on the site of any of the permitted uses shall be sold, primarily at retail only, on the site where produced.

(3) In the C-1 District not more than five persons, and in a C-2 District not more than 10 persons, shall be engaged in the production, repair or processing of materials on any one site, except that this provision shall not apply to bars, restaurants and soda fountains.

(4) In the C-4 District, all office and retail uses that are required to be ancillary and incidental shall be related to the main use of the site such as business offices to operate the permitted use or the retail sale of goods produced or served as a part of the primary permitted use.

(B) Visitor Accommodations Use Standards. Visitor accommodations referenced in this section are as defined in SCCC 13.10.700-V, under "Visitor accommodations (VA) unit" and "Visitor accommodations, Types A and B."

(1) Allowed Densities.

(a) Type A visitor accommodations are not subject to a maximum density standard.

(b) Type B Visitor Accommodations.\*

(i) RV or tent camps: one site/1,300 net developable square feet.

(ii) Hostels: one bed/325 net developable square feet.

(iii) Group quarters: two beds/1,300 net developable square feet.

\* Each square foot of net developable area shall be counted only once for the purpose of calculating the number of beds or

the number of sites.

(c) Employee Housing. All on-site residential units shall be reserved for exclusive use by owners and employees, shall not substantially reduce or degrade the use of the site for visitor accommodations, and shall comply with the following requirements:

(i) Employees for Type A units: Maximum of one employee dwelling unit per site.

(ii) Employees for Type B units: The number of employee dwelling units shall be based on a demonstrated need for residential employees and approval of such shall be stated as a permit condition. Permanent residential units for site personnel shall be in place of density credits for Type B visitor accommodations units at the rate of one kitchen and up to five permanent residents per 3,000 net developable square feet.

(d) Density Determinations.

(i) All values given in SCCC [13.10.335\(B\)\(1\)\(b\)](#) are maximums and may be reduced as follows:

A. When Type A uses are combined with Type B uses on a site, the total number of visitor accommodations rooms or units shall reflect service and access constraints, parking availability, environmental impact mitigation and compliance with Chapter [13.11](#) SCCC.

B. Inside the Coastal Zone, the performance standards in Figure 2-5 in the Local Coastal Program Land Use Plan for priority accommodations sites also apply.

(2) Permit Review.

(a) Development permits for visitor accommodations shall be evaluated for consistency with the following policies:

(i) A diversity of all types of visitor accommodations shall be provided in the Coastal Zone consistent with Local Coastal Program Land Use Plan policy.

(ii) Visitor accommodation projects on priority sites shall serve primarily the general public, rather than any particular group or organization.

(iii) Visitor accommodations development in areas designated for neighborhood or community commercial use shall not adversely affect the integrity of retail commercial centers.

(iv) Lower cost visitor-serving uses shall, as feasible, be protected, encouraged and provided.

(b) The following standards shall apply to all visitor accommodations projects and shall be incorporated into conditions of approval:

(i) All visitor accommodations projects shall be managed for short-term occupancy with occupancy limited to not more than 29 consecutive days and limited to 29 days in any one calendar year by an individual or group of occupants, except that single-ownership units may be occupied by the owner(s) up to 45 days in any one calendar year.

A. Notwithstanding the foregoing, visitor accommodations described as follows may be occupied by the owner(s) up to 90 days in one calendar year: units located on coastal bluff property which has been the subject of litigation in which a remittitur was issued by the California Court of Appeal on or before April 25, 1983, in a decision requiring the County of Santa Cruz to grant either "compensating densities" in excess of "the base densities" thereon, or to grant "some other transfer of development rights," and which litigation has been settled by "Stipulation for Judgment and Judgment Thereon."

(ii) Centralized, on-site management shall be provided at all times for the maintenance and operation of the visitor accommodations, related facilities, and the property. Such management may be provided by the property owner or by a separate management firm under contract. Plans for management shall be submitted to and approved by the Planning Director and a transient occupancy tax permit obtained from the Treasurer-Tax Collector by such management prior to the issuance of building permits.

(iii) Deed restrictions running with the property and limiting use to short-term occupancy and providing for the maintenance of centralized rental and management of the facility shall be recorded prior to issuance of building permits.

(iv) All visitor accommodations shall be subject to any County uniform transient occupancy tax ordinance or a special tax on time-share units, camping units, or other visitor accommodations. Reports of the occupancy of visitor accommodations together with payment of transient occupancy taxes or any other taxes due from the use of visitor accommodations shall be made in accordance with SCCC [4.24.080](#).

## (C) Master Occupancy Program Requirements.

(1) Master Occupancy Program Requirements. When requested by a property owner, or prior to or concurrently with the approval of any new or expanded use for which a Level V or VI approval is required in any of the Commercial Use Zone Districts, a development permit for a master occupancy program may be approved by the Zoning Administrator or Planning Commission. Such approval shall be accompanied by a finding of General Plan consistency pursuant to Section [65402](#) of the California Government Code.

(2) Master Occupancy Program Elements. The master occupancy program shall establish all allowed occupancies and shall include provisions for adequate site improvements for each occupancy.

(3) Environmental Review. The adoption or amendment of a master occupancy program is a "project" within the meaning of CEQA and the County Environmental Review Guidelines and is subject to environmental review.

(4) Development Permit Approval. Occupancy permits, when applied for pursuant to an approved master occupancy program, shall be processed as a Level I approval or other level as specified by the conditions of the master occupancy program development permit.

See also regulations for visitor accommodations special uses in SCCC [13.10.691](#) et seq. [Ord. 5171 § 3, 2014\*; Ord. 4496-C §§ 22, 23, 1998; Ord. 4346 §§ 19—21, 1994; Ord. 3994, 1989; Ord. 3843 § 4, 1987; Ord. 3432 § 1, 1983].

\* Code reviser's note: Section VI of Ord. 5171 provides: "Outside the Coastal Zone this Ordinance shall take effect on the 31st day after the date of final passage. Inside the Coastal Zone it shall take effect on the 31st day after the date of final passage or upon certification by the California Coastal Commission, whichever date is later."

#### Article IV. Industrial Districts

##### 13.10.341 Purposes of industrial districts.

In addition to the general objectives of this chapter, the M Industrial Districts are included in the zoning ordinance to achieve the following purposes:

## (A) General Purposes.

(1) To reserve appropriately located areas for mineral extraction and for industrial plants and related activities, so as to encourage the productive utilization of the County's natural resources and provide employment for County residents.

(2) To protect areas appropriate for industrial use from intrusion by dwellings and other inharmonious uses.

(3) To minimize the impact of industrial plants on nearby residential, agricultural and commercial properties by encouraging nuisance-free, nonhazardous industrial uses through the control of noise, odor, dust, dirt, smoke, vibration, heat, glare, truck and rail traffic and other objectionable influences and from fire, explosion, noxious fumes, radiation and other hazards associated with certain industrial uses.

(4) To provide locations for certain types of industrial plants to concentrate in mutually beneficial relationships.

(5) To provide adequate space to meet the needs of modern industrial development, including areas for off-street parking, truck and rail loading, and landscaping.

(6) To minimize traffic congestion and to avoid the overloading of utilities by preventing the development of excessively intense industrial uses or the construction of buildings of excessive size in relation to available public facilities.

(7) To maximize efficient energy use and energy conservation in industrial districts, and to encourage the use of locally available renewable energy resources.

(B) Specific M-1 Light Industrial District Purposes. To provide areas for light industrial facilities such as assembly and other types of manufacturing which have no potential for major pollution, adverse visual impacts, or nuisance or hazard factors.

(C) Specific M-2 Heavy Industrial District Purposes. To provide areas for heavy industrial facilities such as lumber mills and major manufacturing or processing plants; to provide standards for their establishment and operation; and to ensure their compatibility with the environment, supporting public services, and adjacent land uses.

(D) Specific M-3 Mineral Extraction Industrial District Purposes.

(1) To identify the location of rock, sand, gravel and other mineral resources within the County of Santa Cruz which are valuable to the orderly and economic development of the County and region.

(2) To conserve mineral resources for future use; and to ensure that the recovery of these resources is not preempted by other uses of the land on which they are located, or by the introduction of noncompatible uses on other lands in the immediate vicinity.

(3) To give public notice of the intent to preserve and plan for the continued or ultimate use of mineral resources and proposed access thereto.

(4) To allow the orderly economic extraction of minerals by designating the sites of existing and potential mines and allowing for the establishment, operation, expansion and reclamation of mineral extraction facilities and sites with minimum adverse impacts on aquifers, streams, scenic values, and surrounding land uses. [Ord. 3501 § 12, 1984; Ord. 3432 § 1, 1983].

### 13.10.342 Uses in industrial districts.

#### (A) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the industrial districts shall be as follows:

M-1 small light industrial facilities;

M-2 light industrial facilities in general;

M-3 mining, agriculture, and timber harvesting including appurtenant accessory uses and structures.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or a mining permit (M) in the industrial uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter [13.20](#) SCCC relating to Coastal Zone permits, and in some cases pursuant to Chapter [13.20](#) SCCC, any development is appealable.

#### (B) Allowed Uses.

(1) The uses allowed in the industrial districts shall be as provided in the following industrial uses chart. A discretionary approval for an allowed use is known as a "use 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 industrial zone districts is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter [18.10](#) SCCC, 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](#). For purposes of this chapter, a mining approval is a use approval.

(2) Timber harvesting and associated operations, requiring approval of a timber harvesting plan by the California Department of Forestry, are not allowed uses in the industrial zone districts, except in the M-3 Zone District pursuant to the uses chart.

### INDUSTRIAL USES CHART

#### KEY: M-1, M-2 AND M-3 ZONE DISTRICTS

P	=	Principal permitted use (see subsection (A) of this section); no use approval necessary if P appears alone
A	=	Use must be ancillary and incidental to a principal permitted use on the site
F	=	Subject to the additional findings require in SCCC <a href="#">13.10.345</a> (B)
M	=	Mining permit required (Level VI; see Chapter <a href="#">16.54</a> SCCC, Mining Regulations)
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)
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 over 20,000 square feet

## INDUSTRIAL USES CHART

USES	M-1	M-2	M-3
Accessory structures, nonhabitable, including: Outdoor storage, incidental, screened from public streets Parking, on-site, developed in accordance with SCCC <a href="#">13.10.550</a> et seq. Signs in accordance with SCCC <a href="#">13.10.581</a> , Storage, incidental, or nonhazardous materials within an enclosed structure	4/5/6*	4/5/6*	4/5/6*
Accessory structures, habitable, including: Watchman's living quarters, one, located on the same site and incidental to an allowed use	4	4	4
<b>Agricultural service establishments</b>	5	5	—
<b>Automobile services</b> , including: Automobile service stations Automobile and truck repair shops, including body work, painting, and overhauling minimum Level V required if operated partly out-of-doors and not screened from public streets) Gasoline stations Tire retreading and recapping services	4/5/6*	4/5/6*	—
<b>Commercial services</b> , general, indoor, as allowed in the C-4 District (see chart, SCCC <a href="#">13.10.332</a> (B))	4/5/6*	4/5/6*	—
<b>Commercial services</b> , general, involving outdoor use or heavy trucking, as allowed in the C-4 District (see chart SCCC <a href="#">13.10.332</a> (b)), and also including: Blacksmith shops Boat building (not including ship building)	4/5/6*	4/5/6*	—
<b>Community facilities</b> , such as: Bus depots and transit stations, including repair or servicing of vehicles Community energy systems (subject to the provisions of SCCC <a href="#">13.10.661</a> and <a href="#">13.10.700</a> -E definition) Utilities, public, structures and uses, including:	4/5/6*	4/5/6*	4/5/6*
<b>Public service pumping stations</b>			
<b>Public utility service yards</b>			
<b>Power substations and transmission facilities</b>			
<b>Energy facilities (see SCCC <a href="#">13.10.700</a>-E definition)</b>			
<b>Hatcheries</b> , poultry (see SCCC <a href="#">13.10.700</a> -H definition)	4/5/6*	—	—
<b>Industry, heavy</b> , involving hazardous chemicals or possible adverse impacts beyond the site, such as: Manufacturing of hazardous chemical products including: acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating potash, pyroxyline, rayon yarn, and carbolic, hydrochloric, picric, and sulphuric acids	4/5/6*F	4/5/6*	—

USES	M-1	M-2	M-3
Manufacture of: asphalt, cement, explosives, fertilizer, film, fireworks, fish products, fuel briquettes, gelatine, glue, lard, paint products, paper, plaster, rubber, soap, vinyl floor covering			
Fat rendering			
Foundries, metal smelting, reduction, refining, alloying, rolling, drop forges			
Incinerators			
Petroleum products refining			
Rubber processing			
Steam plants			
Slaughter houses, stockyards			
Stone mills			
Storage of potentially objectionable or hazardous materials including: explosives, fireworks, flammable liquids, gas, junk yards, manure, petroleum products, slag piles, rawhides, used building materials			
<b>Tanneries</b>			
Wood processing, including planing mills, sawmills and treatment plants			
Wood pulp reduction and distillation			
<b>Manufacturing, light, and assembly, such as:</b>	4/5/6*	4/5/6*	—
Manufacturing, assembling, compounding, packaging, and processing of articles of merchandise from previously prepared materials			
Manufacturing and assembly of:			
Appliances, medical and orthopedic			
Appliances, small electric, such as lighting fixtures, irons, fans, toasters and electric toys (not including refrigerators, washing machines, dryers, dishwashers, and similar large appliances)			
Ceramic products, small, such as pottery, figurines, and small glazed tile, using only previously pulverized clay and kilns fired only by electricity or gas			
Cosmetics, perfumed toilet soap (not including refining or rendering of fats or oils), or toiletries			
Electrical equipment, such as radio and television receivers, phonographs and home motion picture equipment (not including electrical machinery)			
Electrical supplies, such as coils, condensers, crystal holders, insulation, lamps, switches, and wire cable assembly; provided, that no noxious or offensive fumes, odors or particles are released outside the building.			
Electronics equipment and precision instruments, involving assembly of previously prepared materials			
Ice			
Instruments: scientific, medical, dental, and drafting			
Mattresses			
Musical instruments			
Optical goods			

USES	M-1	M-2	M-3
Photographic equipment (except film) and cameras			
Signs, electric and neon, billboards, commercial advertising structures			
Sheet metal products, light, including heating and ventilating ducts, cornices and eaves			
Watches and clocks			
<b>Manufacturing, heavy</b> , and processing, such as:	4/5/6*	4/5/6*	—
Manufactured, fabrication, and assembly of the following products; provided, that no environmental hazard is created: products of cement, ceramics, nonhazardous chemicals, clay, graphite, leather, metal, paper, rubber, stone, wood			
Manufacturing and processing of:			
<b>Aircraft</b>			
<b>Automobiles</b>			
<b>Batteries</b>			
<b>Boilers</b>			
<b>Boxes</b>			
<b>Building materials</b>			
<b>Business machines</b>			
<b>Cans</b>			
<b>Candles</b>			
<b>Carpets</b>			
<b>Feed</b>			
<b>Fibers</b>			
<b>Firearms</b>			
<b>Glass</b>			
<b>Machinery</b>			
<b>Metal alloys: cable,</b>			
<b>Foil sheets, and wire</b>			
<b>Wire</b>			
<b>Motors and generators</b>			
<b>Railroad equipment</b>			
<b>Electrical appliances</b>			
<b>Fabrics</b>			
<b>Textiles, knitting and hosiery mills</b>			
<b>Tires</b>			
Manufacturing involving chemicals, such as:			
<b>Drugs and pharmaceuticals, manufacturing, assembling, compounding, packaging and processing of</b>			
<b>Laboratories</b>			
<b>Photographic developing and printing plants</b>			
<b>Textile bleaching and dyeing</b>			
Electronics, manufacture of such products as semiconductors or other components involving hazardous substances			

USES	M-1	M-2	M-3
Food processing, and packaging, including:			
<b>Bottling works</b>			
<b>Breweries, distilleries and wineries</b>			
<b>Cold storage plants</b>			
<b>Dairy products plants</b>			
<b>Foods and food products, manufacturing, canning and packing, or including fruits and vegetables (not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining fats or oils)</b>			
Metal products, manufacturing of, such as:			
<b>Cutlery, hardware and hand tools; die and pattern making; metal stamping and extrusion of small products such as costume jewelry, pins and needles, razor blades, bottle caps, buttons and kitchen utensils</b>			
<b>Machine shops (involving the use of drop hammers, automatic screw machines or punch presses with a rated capacity of over 20 tons)</b>			
<b>Metal casting, painting and sandblasting</b>			
<b>Metal finishing and plating</b>			
<b>Welding shops</b>			
Woodworking, such as:			
<b>Cabinet-making shops</b>			
<b>Furniture manufacture</b>			
Woodworking shops, sash and door manufacturing, including only incidental mill work, operated within a completely enclosed structure			
<b>Mining uses, such as:</b>			
Mining, quarrying, and commercial extraction of rock, sand, gravel, earth, clay and similar materials, and the storage, stockpiling, processing, distribution and sale thereof; including the installation and operation of facilities and apparatus to process, store, and ship rock, sand, gravel and other mineral products; shops and garages for the repair and maintenance of equipment and warehouses for the storage of equipment or supplies as are necessary to conduct the uses permitted.	—	—	MP
Mine reclamation or reuse, uses and operations related to, such as backfilling with inert materials			
Industrial uses related to processing or fabrication of a finished product from quarried or mined materials, where associated with the principal use of the property for quarry purposes, located on the same site, and included in the provisions of a mining permit, including:			
<b>Concrete batching plants</b>			
<b>Manufacture of cement</b>			
<b>Manufacture of concrete products and pressed structural units in conjunction and concurrent with excavation on the site</b>			
<b>Mixing plants for asphaltic concrete</b>			
<b>Other similar uses relating to the extraction or processing of rock, sand, gravel, or minerals</b>			

USES	M-1	M-2	M-3
Mine-related concurrent uses, such as: sanitary land fills; septage disposal; retail sales of mine related products; offices; public utility facilities; fire protection facilities			
Mine site interim uses, such as:			
<b>(1) Agricultural uses subject to the regulations of the A District</b>	Allowed at approval levels required by SCCC <a href="#">13.10.312</a>		
<b>(2) Timber harvesting</b>	—	—	P
<b>Motor vehicle wrecking yards</b>	4/5/6*F	4/5/6*	—
<b>Mushroom growing in structures</b>	4/5/6*F	4/5/6*	—
<b>Offices, incidental to an allowed use</b>	4/5/6*	4/5/6*	4/5/6*
<b>Railroad stations</b>	4/5/6*	4/5/6*	—
<b>Railroad freight stations, repair shops, and yards</b>	4/5/6*	4/5/6*	—
<b>Residential uses:</b>			
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700</a> -C definition)	P	P	P
<b>Retail sales, incidental to an allowed use</b>	4/5/6*	4/5/6*	4/5/6*
<b>Temporary uses</b> (see SCCC <a href="#">13.10.700</a> -T definition), such as:	3	3	—
Carnivals and circuses			
Christmas tree sales lots			
Outdoor sales, not to exceed 4 per year on any site			
<b>Warehouses</b> (except for the storage of flammable liquids), storage and baling of metal, paper or rags within an enclosed structure	4/5/6*	4/5/6*	4/5/6*
<b>Wireless communications facilities</b> , subject to SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5	5	5

[Ord. 5119 §§ 23, 24, 2012; Ord. 4921 §§ 9, 10, 2008; Ord. 4873 § 3, 2007; Ord. 4836 § 86, 2006; Ord. 4808 § 18, 2005; Ord. 4770 § 5, 2004; Ord. 4744 § 5, 2003; Ord. 4715 § 5, 2003; Ord. 4577 §§ 5, 6, 1999; Ord. 4525 § 7, 1998; Ord. 3767 § 2, 1986; Ord. 3593 § 9, 1984; Ord. 3432 § 1, 1983].

**13.10.343 Development standards for industrial districts.**

(A) Site and Structural Dimensions. The following minimum site area, parcel frontage yard dimensions, and building height limit shall apply within all industrial zone districts, except as noted elsewhere in this section or in the general exceptions as noted in SCCC [13.10.510](#) et seq.

**INDUSTRIAL SITE AND STRUCTURAL DIMENSIONS CHART<sup>1</sup>**

District Designation	Minimum Site Area per Parcel (net developable area)	Minimum Parcel Frontage (feet)	Minimum Yards <sup>2</sup> (feet)			Maximum Structure Height Limit <sup>4</sup> (feet)
			Front	Side	Rear	
M-1	10,000 square feet	60	15	10	10	3 stories but not to exceed 35 feet
M-2	1 acre	60	25	20	20	35 feet if within 200 feet of an R or A District
M-3	Minimum economic unit for mineral extraction	60	20 <sup>3</sup>	20 <sup>3</sup>	20 <sup>3</sup>	40 <sup>3</sup>

Footnotes:

- (1) See also general site standards exceptions in SCCC [13.10.510](#), [13.10.520](#), and [13.10.521](#).
- (2) Subject to exceptions as provided in subsections (B) and (C) of this section.
- (3) Except when pursuant to a mining permit.
- (4) See also Chapter [12.28](#) SCCC, Solar Access Protection; subject to solar access requirements in SCCC [13.11.072](#).

(B) Front Yards—Exceptions.

(1) Structures Over 16 Feet in Height. One foot shall be added to the required front yard for each three feet of height above 16 feet of height of any structure.

(2) Across the Street from an R or A District. On sites across a street from any residential or any agricultural district, the minimum front yards are as follows:

District:	M-1	M-2	M-3
Feet:	30	50	50, except as pursuant to a mining permit

(C) Side and Rear Yards—Exceptions.

(1) Adjoining a Street. The minimum side and rear yards adjoining a street are as follows:

District:	M-1	M-2	M-3
Feet:	15	25	25, except as pursuant to a mining permit

(2) Abutting an R or A District. The minimum side and rear yards adjoining any residential or any agricultural district are as follows:

District:	M-1	M-2	M-3
Feet:	50	100	100, except as pursuant to a mining permit

(3) Across a Street from an R or A District. The minimum side and rear yards across a street or alley from any residential or any agricultural district are as follows:

District:	M-1	M-2	M-3
Feet:	25	50	50, except as pursuant to a mining permit

(D) Other Regulations. Other development standards applicable to industrial zone districts are contained in the following sections of this code:

	SCCC
General site standards	<a href="#">13.10.510</a> , et seq.
Signs	<a href="#">13.10.581</a> , et seq.
Parking	<a href="#">13.10.550</a> , et seq.
Fences	<a href="#">13.10.525</a>
Minimum parcel size	<a href="#">13.10.510</a> (G)
Use of nondevelopable land	<a href="#">13.10.671</a>
Use of urban open space land	<a href="#">13.10.672</a>
Trip reduction requirements (development projects for 50 or more employees)	<a href="#">13.10.591</a>
Design review	<a href="#">13.11.010</a> , et seq.

	<b>SCCC</b>
Agricultural buffers/setback	<a href="#">16.50.095</a>

[Ord. 4496-C § 24, 1998; Ord. 4314 § 4, 1994; Ord. 3501 § 13, 1984; Ord. 3432 § 1, 1983].

#### **13.10.344 Public facilities requirements for industrial districts.**

- (A) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection. A letter indicating all Fire Department requirements shall be submitted with the project application.
- (B) All requirements of the local sanitation district and water district shall be met. Letters indicating adequate sewer and water service to the project shall be submitted with the project application. Within the Coastal Zone, adequate system capacity shall be reserved for priority coastal uses as per SCCC [17.02.070](#).
- (C) All improvement requirements and fees shall be met for drainage districts, transportation improvement zones, and roadside improvement districts where required by district or ordinance regulations (SCCC Title [15](#)).
- (D) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For industrial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications. [Ord. 4346 § 22, 1994; Ord. 4263 § 3, 1993].

#### **13.10.345 Special standards and conditions.**

- (A) M-1 and M-2 Districts—Required Conditions.
- (1) Air Pollution. In an M-1 or M-2 District no use shall be permitted which emits any air pollution beyond the boundaries of the site which is detectable by the human senses without the aid of instruments. The provisions of this section relating to air pollution shall not apply to any use maintained in compliance with the conditions of a use permit issued after January 1, 1964, and prior to May 18, 1965.
  - (2) Smoke. In an M-1 District no use shall be permitted which emits smoke. In an M-2 District no use shall emit visible gray smoke of a shade equal to or darker than No. 2 on a standard Ringlemann Chart issued by the United States Bureau of Mines or smoke of an equivalent opacity, except that smoke of a shade equal to No. 3 on a Ringlemann Chart, or smoke of an equivalent opacity, may be emitted for four minutes in any 30-minute period. The provisions of this section relating to smoke shall not apply to any use maintained in compliance with the conditions of a use permit issued after January 1, 1964, and prior to May 18, 1965.
  - (3) Solid and Liquid Wastes. No solid or liquid wastes shall be discharged into a public or private sewerage system except in compliance with the regulations prescribed by the Board of Supervisors or by the governing boards of other governmental agencies or in compliance with the regulations of the owner of the system.
  - (4) Odor. In an M-1 District no use except a temporary construction operation shall be permitted which creates odor beyond the boundaries of the site which is detectable by the human senses without the aid of instruments. In an M-2 District no use except a temporary construction operation or a seasonal fruit or vegetable dehydrating or processing plant shall be permitted which creates odor beyond the boundaries of the site which is found by the Planning Commission to be offensive or which is detectable beyond the boundaries of the M-2 District without the aid of instruments.
  - (5) Noise. In an M-1 or M-2 District no use except a temporary construction operation shall be permitted which creates noise which is found by the Planning Commission not to conform to the noise parameters established by the Land Use Compatibility Chart for Exterior Community Noise (General Plan Figure 6-1) beyond the boundaries of the M-1 or M-2 District at standard atmospheric pressure.
  - (6) Vibration, Heat and Cold, Glare, Electrical Disturbance. No use except a temporary construction operation shall be permitted which creates vibration, changes in temperature, direct or sky-reflected glare, or electrical disturbance which is detectable by the human senses without the aid of instruments beyond the boundaries of the site in an M-1 District or beyond the boundaries of the district in an M-2 District.
  - (7) Nonconformance with Provisions of Subsection (A) of This Section. Any use listed in SCCC [13.10.342\(B\)](#) which is located in an M-1 District which is found by the Planning Commission not to comply with the requirements of subsection (A) of this section shall constitute a nonconforming use. The Planning Commission's determination that such use is nonconforming shall be made after public hearing is held more than 15 days after written notice to the user.
  - (8) Actions Necessary to Make a Nonconforming Use Conform. In order for a nonconforming use to be made conforming, a use approval processed at the appropriate level as indicated in the use chart shall be obtained pursuant to SCCC [13.10.220](#). Application for the use approval must be made within three months of the date the Planning Commission determines the use to be nonconforming. If an application for a use approval has not been filed within the three-month period, the nonconforming use shall thereafter be subject to the abatement proceedings set forth in Chapter [1.14](#) SCCC; provided, that no additional public hearing shall be required by the

Planning Commission prior to making its recommendation to the Board of Supervisors.

(B) Special Findings for High Impact Uses in the M-1 District. Any uses listed as allowed in the M-2 District may be allowed as discretionary uses in the M-1 District; provided, that the approving body makes the following findings in addition to the findings required for a development permit pursuant to Chapter [18.10](#) SCCC.

(1) That consideration of all the determinable characteristics of the use which is the subject of the application indicates that the use has the same essential characteristics as the permitted uses in an M-1 District with respect to method of operation, type of process, materials, equipment, structures, storage and appearance.

(2) That the use will not create significantly more vehicular or rail traffic than the volumes normally created by the permitted uses in an M-1 District.

(3) That the use will not generate odor, fumes, dust, smoke, particles, dirt, refuse, water-carried wastes, noise, vibration, glare, heat, or any other objectionable factor beyond the boundaries of the site, or be unsightly or create a hazard of fire or explosion.

(C) M-3 Districts—Required Findings for Uses Other Than Mineral Extraction. In addition to findings required for a development permit, the approving body shall find that the proposed use is located, or will be conducted in a manner so as to not preempt the ultimate extraction or use of any rock, sand, gravel or mineral resource. Special use requirements and standards for mining and related uses in the M-3 Zone District are found in Chapter [16.54](#) SCCC, Mining Regulations.

(D) Prohibitions. The following uses and activities are prohibited in industrial districts:

(1) Asbestos. In an M-1, M-2 or M-3 District, no use shall be permitted which produces or uses asbestos in any manufacturing process. [Ord. 4836 §§ 87—89, 2006; Ord. 4496-C §§ 25, 26, 1998; Ord. 3479 § 1, 1983; Ord. 3432 § 1, 1983].

#### **Article V. Parks, Recreation and Open Space PR District**

##### **13.10.351 Purposes of the Parks, Recreation and Open Space PR District.**

In addition to the general objectives of this chapter, the PR District is included in the zoning ordinance to achieve the following purposes:

(A) General. To preserve the County's undevelopable lands and public park lands as open space; and to protect open space in the County by allowing commercial recreational uses which preserve open space by means of large acreage sites with low intensity uses which are compatible with the scenic values and natural setting of the County; and to preserve agriculture as an open space use.

(B) Commercial Recreation. To provide for commercial recreation facilities and uses which aid in the conservation of open space in the County; to recognize and encourage these uses as a major component in the County's economy; to provide standards for their development and operation so as to ensure the preservation of open space, an appropriate intensity of uses, adequate public access and services, and proper management and protection of the environment and the natural resources of the County.

(C) State and Federal Parks, Preserves, and Biotic Research Stations. To provide for the State and Federal park lands, preserves and biotic research facilities in the County; to provide density and development standards for such uses consistent with the availability of adequate access and services, land development capacities, agricultural protection, and the preservation of open space.

(D) Local Parks. To recognize existing park sites and to designate and protect those locations designated by the adopted County General Plan for local park use, and to provide development and operation standards for such uses.

(E) Open Space. To designate and to preserve, through careful and limited development and use, those lands designated on the General Plan which are not appropriate for development due to the presence of one or more of the following resources or constraints:

- (1) Coastal bluffs and beaches;
- (2) Coastal lagoons, wetlands and marshes;
- (3) Riparian corridors and buffer areas;
- (4) Flood ways and floodplains;
- (5) Wooded ravines and gulches which separate and buffer areas of development;
- (6) Slopes over 30 percent inside the urban services line; over 50 percent outside the urban services line;
- (7) Sensitive wildlife habitat areas and biotic resource areas. [Ord. 3432 § 1, 1983].

##### **13.10.352 Parks, recreation and open space uses.**

(A) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the Parks, Recreation and Open Space District shall be as follows: open-space uses not involving permanent structures and public and private open-space recreational uses, including appurtenant uses and structures, on developable lands.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower approval or as otherwise denoted with the letter P in the footnotes to the PR uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 SCCC relating to Coastal Zone permits, and in some cases, pursuant to Chapter 13.20 SCCC, any development is appealable.

(B) Allowed Uses. The uses allowed in the Parks, Recreation and Open Space District shall be as provided in the parks, recreation, and open space uses chart below. A discretionary approval for an allowed use is known as a "use 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 the zone district is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter 18.10 SCCC, 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.

**PR 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)
- 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
- BP = Building permit

**USE**

**PR**

Accessory structures, pursuant to a master site plan according to SCCC 13.10.355, such as:

- Accessory structures, nonhabitable
- Parking, on-site, for an allowed use, in accordance with SCCC 13.10.550 et seq.
- Signs, in accordance with SCCC 13.10.582

Accessory structures, when incidental to a residential use on a site where a park, recreational or open space use does not exist (subject to SCCC 13.10.322(B), 13.10.353, and 13.10.611)

BP—5\*

**Agricultural uses:**

<b>USE</b>	<b>PR</b>
All CA Zone District uses (SCCC <a href="#">13.10.312</a> )	Same approval as in CA Zone District
<b>Commercial retail and service uses</b> , such as:	5A
Art galleries	
Boat sales, rentals, and services	
Day-care centers	
Food stores; delicatessens	
Gift shops	
Laundries, self-service	
Marine services	
Recreational equipment sales, rentals and services	
Restaurants; sandwich shops; snack bars; cafes	
<b>Community facilities and utilities uses</b> , such as:	5
Community centers	
Drainage and flood-control facilities	
Energy systems, community (subject to SCCC <a href="#">13.10.661</a> and <a href="#">13.10.700-E</a> definition)	
Museums	
Radio, television and communications antennas, transmission towers and related equipment	
Restrooms, public	
Utilities, public, structures and facilities	
Wireless communication facilities, subject to SCCC <a href="#">13.10.660</a> et seq.	
<b>Manufactured home</b> , subject to the provisions of park site review process pursuant to SCCC <a href="#">15.01.090(C)</a> and SCCC <a href="#">13.10.682</a>	5
<b>Open space uses</b> , not involving permanent structures, such as:	P
Beach uses	
Ecological preserves; wildlife and biotic habitat reserves	
Hiking and horseback riding trails	
Open space	
Parks, State, local and private	
Picnicking facilities	
Playgrounds, nonpaved	
Sports fields, nonpaved	
Watershed management	
<b>Parking lots for off-site recreational uses</b> , developed in accordance with SCCC <a href="#">13.10.550</a> et seq.	5
<b>Recreational support facilities</b>	
(Level IV when pursuant to a master site plan as per SCCC <a href="#">13.10.355</a> ) such as:	5AP
Group meeting facilities, including educational and religious facilities	
Maintenance facilities	
Management offices	
Recreational facilities, including swimming pools and appurtenant facilities, picnic shelters, indoor sports facilities, gymnasiums, spas, dressing rooms, club houses, tennis courts and other paved sports areas	

<b>USE</b>	<b>PR</b>
See also: Visitor accommodations item below for lodging facilities	
<b>Recreational uses, public and private</b> , pursuant to SCCC <a href="#">13.10.355</a> , such as:	5P
Country clubs	
Golf courses	
Golf driving ranges	
Low intensity commercial recreation facilities primarily involving open space uses, including historic theme parks	
Organized camps; group camps; and conference centers pursuant to SCCC <a href="#">13.10.692</a>	
Stables, boarding and riding	
<b>Research facilities</b> for biotic and wildlife observation and research	5P
<b>Residential uses</b> , permanent, such as:	
Child care homes, large family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.686</a> and SCCC <a href="#">13.10.700-C</a> definition)	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P
One single-family dwelling, subject to the park site review process pursuant to Chapter <a href="#">15.01</a> SCCC	3
One single-family dwelling on property designated urban open space, subject to SCCC <a href="#">13.10.672</a> and the park site review process pursuant to Chapter <a href="#">15.01</a> SCCC	5
Dwelling units, associated with an open space or private recreational facility for the owner or lessee of the land or for staff, a caretaker, watchman, or manager of the property, pursuant to SCCC <a href="#">13.10.353(B)</a>	5A
Dwelling units for State or County park operating personnel, pursuant to SCCC <a href="#">13.10.353(B)</a>	5A
Expansion of dwelling units in organized camps and recreational facilities up to a cumulative total of an additional 500 square feet per dwelling unit	3
<b>Timber growing</b>	P
<b>Timber harvesting</b> , outside the Coastal Zone	P
<b>Visitor accommodations</b>	
Type A, pursuant to SCCC <a href="#">13.10.353(B)</a> , such as: hotels, inns, motels, "bed and breakfast inns," recreational rental units with kitchens	5A
Type B, pursuant to SCCC <a href="#">13.10.353(B)</a> , such as: group quarters, tent camping, recreational vehicle camping	5AP
Vacation rentals (subject to SCCC <a href="#">13.10.694</a> )	2P
<b>Wireless communication facilities</b> , subject to SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5

[Ord. 5092 § 3, 2011; Ord. 4921 § 11, 2008; Ord. 4873 § 4, 2007; Ord. 4814 § 3, 2006; Ord. 4808 § 19, 2005; Ord. 4770 § 7, 2004; Ord. 4744 § 7, 2003; Ord. 4715 § 7, 2003; Ord. 4577 § 7, 1999; Ord. 4496-C §§ 27, 28, 1998; Ord. 4346 § 23, 1994; Ord. 4099 § 4, 1990; Ord. 4036 § 5, 1989; Ord. 3968 § 1, 1988; Ord. 3593 § 10, 1984; Ord. 3432 § 1, 1983].

### **13.10.353 Development standards in the Parks, Recreation and Open Space PR District.**

(A) Site and Structural Dimensions. The following site width, frontage, yard dimensions, and building height limit shall apply within the PR District.

**PR SITE AND STRUCTURAL DIMENSIONS CHART**

District	Minimum Site Area (net developable acres)	Minimum Site Width (feet)	Minimum Site Frontage (feet)	Yards (Front, Side and Rear) (feet)	Maximum Height (feet)
PR	20	100	60	all yards 30	28

Footnote:

- (1) For single-family dwellings and accessory structures, the district development standards shall be the same as those contained in SCCC [13.10.323](#) pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying SCCC [13.10.323](#)(B).
- (B) Density Regulations for Visitor Accommodations.

(1) Allowed Densities Chart.

Type	Urban	Rural
A, with kitchens	3 VA units/ developable acre	5 habitable rooms/ matrix unit
A, without kitchen	3 VA units/ developable acre	6 habitable rooms/ matrix unit
B, RV or tent camps	3 sites/developable acre	5 sites/matrix unit
B, hostels	24 beds/acre	20 beds/matrix unit
B, group quarters (organized camps)	unlimited temporary occupancy: 12 beds/developable acre	unlimited temporary occupancy: 10 beds/matrix unit
	limited temporary occupancy: 4,380 user days/ developable acre	limited temporary occupancy: 3,650 user days/matrix unit
		limited temporary occupancy/day use only: 10,950 user days/matrix unit

(2) Density Calculations.

- (a) A visitor accommodations (VA) unit shall not exceed four rooms, one of which is a bathroom, one of which may be either a kitchen or an additional bathroom, and not exceeding 600 square feet overall. A studio with bath and kitchenette counts as three-quarters unit.
- (b) "Habitable room" is any room in a VA unit which can be used for sleeping accommodations, including living rooms, but not including bathrooms and kitchens. A unit over 400 square feet in total square footage, including bathrooms and kitchens, creates a presumption of more than one habitable room.
- (c) Combining Types of VA Facilities. Types of visitor accommodations may be combined; however, combined densities may not exceed the maximum allowed for the total number of acres (urban) or matrix units allowed (rural).
- (d) Reducing Density Based on Impacts. All values given above are maximums and may be reduced based on services and access constraints, compatibility with adjacent land uses and the character of the area, or adverse environmental impacts.
- (e) Calculating Permanent Residential Units. Permanent residential units for site personnel shall be in place of density credits for visitor accommodations use at the rate of one kitchen and up to five permanent residents/developable acre (urban) or matrix unit (rural).
- (f) Determining Matrix Units for Organized Camps. For organized camps and conference centers, the Planning Commission may establish residential densities based on a precise mathematical interpolation of the matrix table values.
- (g) Calculating Density for Limited Temporary Occupancy. Use the following formula:

$$\frac{(\text{developable acres}) \times (\text{allowed user days/matrix unit})}{(\text{days of occupancy}) \times (\text{occupants})}$$

= number of bed spaces permitted

(h) Calculating Day Use Temporary Occupancy. Use the following formula:

$$\frac{(\text{limited temporary occupancy}) \times 3}{\text{number of day users permitted}}$$

(3) Expansion of Organized Camps with Nonconforming Densities. For expansion of existing camps with use permits and nonconforming density, the densities of new facilities shall be calculated independent of existing nonconforming densities and shall be based solely on the number of matrix units the new land acquisition merits. Where the new land acquisition is contiguous with the parcel containing the nonconforming use, the facilities resulting from the matrix units for the land acquisition may, at the discretion of the Planning Commission and the Board of Supervisors, be located anywhere on the applicant's holdings. These provisions shall not be construed to prevent the Board of Supervisors from abating nonconforming uses or structures pursuant to SCCC [13.10.260](#), [13.10.261](#) and [13.10.262](#) where such facilities are found to create a public health hazard or a public nuisance or to be environmentally degrading.

(C) Minimum Site Area for Commercial Recreation. The minimum area for the development of new commercial recreation uses shall not be less than 20 acres. For the purposes of this section commercial recreation includes such uses as: organized and group camps, conference centers, amusement parks such as Roaring Camp, golf courses, commercial stables, commercial beaches, and visitor accommodations such as RV parks.

(D) Other Regulations. General exceptions to site standards are found in SCCC [13.10.510](#) et seq. Agricultural setback/buffer standards are found in SCCC [16.50.095](#). Fence regulations are found in SCCC [13.10.525](#). General requirements for organized camps and conference centers are found in SCCC [13.10.692](#). Parking regulations are found in SCCC [13.10.550](#) et seq. Sign regulations are found in SCCC [13.10.582](#). Regulations regarding minimum parcel sizes are found in SCCC [13.10.510](#)(G). Regulations regarding the use of nondevelopable land are found in SCCC [13.10.671](#) and regarding the use of urban open space land in SCCC [13.10.672](#). [Ord. 5119 § 25, 2012; Ord. 4836 § 90, 2006; Ord. 4496-C § 29, 1998; Ord. 4416 § 7, 1996; Ord. 4406 § 7, 1996; Ord. 3968 § 2, 1988; Ord. 3432 § 1, 1983].

### **13.10.354 Design criteria for the Parks, Recreation and Open Space PR District.**

(A) Applicability.

- (1) The design criteria found in Chapter [13.11](#) SCCC shall apply to all projects in the PR District.
- (2) All required site development standards of SCCC [13.10.353](#) and all required special standards and conditions of SCCC [13.10.355](#) shall be met.

(B) Criteria for Agricultural Land Conservation. The following conditions shall apply to all development plans and projects within the PR District in the Coastal Zone.

- (1) The maximum amount of prime agricultural land shall be retained in agricultural production.
- (2) A site-specific justification with regard to maximum public benefit shall be required for removing agricultural lands from production or for not offering lands capable of farm production for lease.
- (3) The regulations and requirements of Chapter [16.50](#) SCCC, Agricultural Land Preservation and Protection, and the General Plan and Local Coastal Program Land Use Plan policies pertaining to agricultural resource lands, shall apply to all agricultural resource lands within the PR District.

(C) Criteria for Retention of Open Space.

- (1) The purpose of the PR District to preserve open space in the County shall be strictly adhered to.
- (2) Except as provided in SCCC [13.10.353](#)(A), Footnote (1), development in the PR District shall be allowed as follows:
  - (a) Ten percent of the net developable acreage of the property may be disturbed by improvements of a structural nature, including all habitable buildings and accessory structures.
  - (b) Twenty percent of the gross acreage of the property may be disturbed by improvements of a nonstructural nature involving impervious surfaces, including roads, paved play areas, tennis courts, patios, and swimming pools.
  - (c) Eighty percent of the gross acreage of the property shall be retained in open space, which may include nonpaved RV sites, paddocks, nonpaved play fields, picnic areas, and hiking and horseback riding trails. [Ord. 4496-C § 30, 1998; Ord. 4016 § 1, 1989; Ord. 3432 § 1, 1983].

**13.10.355 Special standards and conditions.****(A) Master Site Plan Requirements.**

(1) Master Site Plans. Prior to or concurrently with the approval of any new or expanded use for which a Level V approval is required in the Parks, Recreation and Open Space PR District, a development permit for a master site plan shall be approved by the Zoning Administrator or Planning Commission. Master site plans for public agency facilities shall be subject to approval by the Planning Commission. Such approval shall be accompanied by a finding of General Plan consistency pursuant to Section [65402](#) of the California Government Code.

(2) Master Site Plan Elements. The master site plan shall include:

- (a) A description of all proposed uses;
- (b) Proposed immediate and future phases of construction;
- (c) Anticipated future boundary expansions, if any;
- (d) Provisions for adequate access and public services;
- (e) A management plan for the conservation and use of the open space resource.

(3) Environmental Review. The adoption or amendment of a master site plan is a "project" within the meaning of CEQA and the County Environmental Impact Guidelines and is subject to environmental review.

(4) Development Permit Approval. Site and facility development permits, when applied for pursuant to an approved master site plan, may be processed as a Level IV approval or according to an over-the-counter staff review specified by the conditions of the master site plan planned development permit approval.

**(B) Permit Review.**

(1) Permits for Type A facilities and tent and RV camping sites shall be reviewed and conditioned as provided in SCCC [13.10.335\(B\)\(2\)](#).

(2) Permit conditions for hostels and group quarters shall be as follows:

- (a) This permit shall run with the property owner and shall not be transferred without a permit amendment.
- (b) A management plan shall be submitted to the Planning Director for review and approval prior to the issuance of a building permit or occupancy of an existing structure for this use.
- (c) An annual report shall be prepared and submitted by the owner or his agent to the Planning Director to substantiate the occupancy and other conditions of this permit.
- (d) This site is subject to an annual inspection for which a fee, set by the Board of Supervisors, may be charged. [Ord. 5171 § 4, 2014\*; Ord. 3432 § 1, 1983].

\* Code reviser's note: Section VI of Ord. 5171 provides: "Outside the Coastal Zone this Ordinance shall take effect on the 31st day after the date of final passage. Inside the Coastal Zone it shall take effect on the 31st day after the date of final passage or upon certification by the California Coastal Commission, whichever date is later."

**Article VI. Public and Community Facilities PF District****13.10.361 Purposes of the Public and Community Facilities PF District.**

In addition to the general objectives of this chapter, the Public and Community Facilities PF District is included in the zoning ordinance to achieve the following purposes:

(A) To provide areas for public and quasi-public community facilities, including public and private institutions and public services and facilities.

(B) To regulate the use of land for public and community facilities with regard to their locations, design, service areas, and range of uses, so that they will be compatible with adjacent development, will maintain high standards of urban design, and will be compatible with and will protect the natural resources and environmental quality of the County.

(C) To provide a master plan review and approval process for public and community facility projects and, where appropriate, service areas, in order to implement the adopted County General Plan and Local Coastal Program Land Use Plan and ordinances and to facilitate subsequent processing and issuance of permits for development projects for these uses. [Ord. 3432 § 1, 1983].

**13.10.362 Public and community facilities uses.**

(A) Principal Permitted Uses.

(1) In the Coastal Zone, the principal permitted uses in the Public and Community Facilities District shall be public and private institutional uses and public facilities, such as day-care centers, churches, hospitals, libraries, community centers, schools, fire stations, private clubs and lodges, and public administrative buildings, including appurtenant uses and structures.

(2) Principal permitted uses are all listed as uses requiring a Level V or lower approval in the PF uses chart, subsection (B) of this section. In the Coastal Zone, actions to approve principal permitted uses are not appealable to the Coastal Commission in accordance with the provisions of Chapter [13.20](#) SCCC relating to Coastal Zone permits, and in some cases, pursuant to Chapter [13.20](#) SCCC, any development is appealable.

(B) Allowed Uses.

(1) The uses allowed in the Public and Community Facilities District shall be as provided in the public and community facilities use chart below. A discretionary approval for an allowed use is known as a "use 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 the zone district is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter [18.10](#) SCCC, 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](#).

(2) Timber harvesting and associated operations, requiring approval of a timber harvesting plan by the California Department of Forestry, are not allowed uses in the Public and Community Facility Zone District.

**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)
- 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

**PF USES CHART**

USE	APPROVAL LEVEL
Accessory structures, nonhabitable	4
Administrative offices, public	4/5/6*
Animal-related uses, indicating: animal keeping subject to SCCC <a href="#">13.10.643</a> (see also animal enclosures, SCCC <a href="#">13.10.641</a> )	4/5/6A
Art galleries	4/5/6*
Cemeteries, crematories, columbariums, pet cemeteries, and accompanying facilities	4/5/6*

<b>USE</b>	<b>APPROVAL LEVEL</b>
Churches and religious institutions, not including schools	4/5/6*
Clubs and lodges, private fraternal	4/5/6*
Community centers	4/5/6*
Day-care centers (see definitions, SCCC <a href="#">13.10.700-D</a> )	4/5/6*
Energy systems, community (subject to SCCC <a href="#">13.10.661</a> and <a href="#">13.10.700-E</a> definitions)	4/5/6*
Emergency shelters, as defined in SCCC <a href="#">13.10.700-E</a>	P/5
Fairgrounds and related facilities	4/5/6*
Fire stations	4/5/6*
Hospitals	4/5/6*
Institutional housing and group quarters	4/5/6*
Libraries	4/5/6*
Medical clinics and laboratories	4/5/6*
Meeting halls; auditoriums	4/5/6*
Museums	4/5/6*
Nursing homes; convalescent hospitals (see definition, SCCC <a href="#">13.10.700-N</a> )	4/5/6*
Parking areas, for off-site uses, subject to SCCC <a href="#">13.10.550</a> et seq.	5
Parking areas, for on-site uses, subject to SCCC <a href="#">13.10.550</a> et seq.	4
Parks, local public	4/5/6*
Police stations	4/5/6*
Recreational facilities and accessory uses, including:	4/5/6*
County clubs	
Fitness centers	
Golf driving ranges	
Gymnasiums	
Racquet clubs	
Spas	
Swim facilities	
Tennis clubs	
<b>Residential Uses</b>	
Child care homes, large family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.686</a> and <a href="#">13.10.700-C</a> definition)	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P
Residential uses pursuant to a master use permit	5/6/7A
Temporary mobile home or manufactured housing for watchman, caretaker, manager or staff, for a period of not more than 3 years	5A
Schools and colleges, not including business or trade schools	4/5/6
Signs, subject to SCCC <a href="#">13.10.580</a> et seq.	4
Utilities, public; energy facilities (see SCCC <a href="#">13.10.700-E</a> definitions)	4/5/6*
Waste disposal facilities, including refuse processing, recycling, transfer and disposal	4/5/6*
Wireless communication facilities, subject to SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5

[Ord. 5083 § 1, 2010; Ord. 4814 § 4, 2006; Ord. 4808 § 20, 2005; Ord. 4770 § 8, 2004; Ord. 4744 § 8, 2003; Ord. 4715 § 8, 2003; Ord. 4577 § 8, 1999; Ord. 4346 § 24, 1994; Ord. 3432 § 1, 1983].

**13.10.363 Development standards in the Public and Community Facilities PF District.**

(A) Site and Structural Dimensions. The following minimum parcel size, frontage, yard dimensions, and building height limit shall apply within the Public and Community Facilities PF Zone District, except as noted in the general exceptions in SCCC [13.10.510](#) et seq.

**PF SITE AND STRUCTURAL DIMENSIONS CHART**

Minimum Site Area (net developable square feet)	Minimum Parcel Frontage (feet)	Minimum Yards (feet)			Maximum Building Height (feet)
		Front	Side	Rear	
As necessary to accommodate use	60	10	10	10	3 stories, but not to exceed 35 feet

(B) Yards—Exceptions.

(1) Adjacent to or Across the Street from an A, CA, or AP District. On parcels adjacent to or across the street from an agricultural district, all minimum yards shall be 20 feet. Also, see Chapter [16.50](#) SCCC, Agricultural Land Preservation and Protection, regarding setback/buffer requirements for parcels abutting agricultural uses.

(2) Adjacent to or Across the Street from an R District. On parcels adjacent to or across the street from any residential district, all minimum yards shall be 20 feet.

(3) Emergency shelters shall be permitted without additional discretionary review, subject to the following conditions:

(a) The maximum number of clients that may be served on a nightly basis shall be that number which can be accommodated in the facility while meeting the requirements of the California Fire Code, and in no case shall this number exceed 75.

(b) No individual or household may be denied emergency shelter because of an inability to pay for accommodation.

(c) Parking shall be provided at a rate of one space per seven beds, plus one space for each awake overnight staff person.

(i) A lower parking requirement may be approved under the provisions of SCCC [13.10.553](#).

(d) The client intake area must provide a minimum of two square feet of space per client based on the number of clients expected on a nightly basis. Intake areas shall be oriented toward the interior of the site whenever possible, so as to minimize spillover of waiting clients to neighboring properties or the public street, and may include a combination of both indoor and outdoor space.

(e) On-site management shall be provided during all hours of operation as described below, and all operators must ensure that an operations manual that includes, at a minimum, the following components is available to staff at all times:

(i) Awake overnight supervision procedures and practices.

A. A minimum of one awake overnight staff person for every 45 clients shall remain on site during operation hours. If shelters serve fewer than 45 clients on a given night, a minimum of one awake overnight staff person shall be required. Additionally, all supervision staff shall be trained in first aid and CPR.

(ii) Emergency evacuation procedures.

(iii) Client intake procedures.

(iv) Process for providing referrals to other agencies or organizations serving the client population including drug treatment, mental health, hygiene and healthcare services not otherwise provided on site.

(v) Facility maintenance and site management.

(f) Interior and exterior lighting shall provide for the safety of staff and clients, while minimizing impacts on neighboring properties:

(i) All exterior lighting shall include cut-offs that prevent light from extending beyond the boundaries of the property.

(ii) Interior lighting shall include exit-path lighting in sleeping and living areas, and full lighting of all bathroom and washroom areas.

(g) Emergency shelter facilities shall maintain a safe and secure environment, ensuring the safety of all staff and clients, as well

as a secure location for valuables, such as a locker for each client or a locked room for storing valuables and medication during sleeping hours, including a location for medications that must be refrigerated.

(h) New emergency shelters with proposed building envelopes within 50 feet of a mapped scenic resource or a slope exceeding 30 percent will require a Level V use approval. Existing structures converted to use as emergency shelters will not be subject to this requirement.

(i) Exceptions to the above standards for emergency shelters may be considered as part of a Level V use approval.

(C) Other Regulations. Other development standards applicable to the Public and Community Facilities Zone District are contained in the following sections of this code:

	SCCC
Agricultural buffers/setbacks	<a href="#">16.50.095</a>
Design review	<a href="#">13.11.010</a> , et seq.
Fences	<a href="#">13.10.525</a>
General site standards	<a href="#">13.10.510</a> , et seq.
Minimum parcel sizes	<a href="#">13.10.510</a> (G)
Parking	<a href="#">13.10.550</a> , et seq.
Signs	<a href="#">13.10.580</a> , et seq.
Trip reduction requirements (development projects for 50 or more employees)	5.52
Use of nondevelopable land	<a href="#">13.10.671</a>
Use of urban open space land	<a href="#">13.10.672</a>

[Ord. 5083 § 4, 2010; Ord. 4836 § 91, 2006; Ord. 4496-C § 31, 1998; Ord. 4314 § 5, 1994; Ord. 3432 § 1, 1983].

**13.10.364 Design criteria for the Public and Community Facilities PF District.**

(A) Applicability.

- (1) The design criteria found in Chapter [13.11](#) SCCC shall apply to all projects in the PF District.
- (2) All required site development standards of SCCC [13.10.363](#) and all required special use standards and conditions of SCCC [13.10.365](#) shall be met. [Ord. 4496-C § 32, 1998; Ord. 3432 § 1, 1983].

**13.10.365 Special standards and conditions.**

(A) Master Site Plan Requirements.

- (1) Master Site Plans. Prior to or concurrently with the approval of any new or expanded use for which a Level V approval is required in the Public and Community Facilities PF Zone District, a development permit for a master site plan shall be subject to approval by the Zoning Administrator or Planning Commission. Master site plans for public agency facilities, including special districts and public utilities, shall be approved by the Planning Commission. Such approval shall be accompanied by a finding of General Plan consistency pursuant to Section [65402](#) of the California Government Code.
- (2) Master Site Plan Elements. The master site plan shall include all proposed immediate and future phases of construction and shall include provisions for adequate access and public services for each phase. Applications for new or expanded public utility facilities shall include present and future service area boundaries related to the facility. Service needs projections related to the General Plan land use allocations and the urban services line, and the phases of facility construction necessary to serve each phase of service area expansion shall be included in the application. Within the Coastal Zone, utility and special district master site plans shall include system capacity reserved for priority coastal uses pursuant to SCCC [17.02.070](#).
- (3) Environmental Review. The adoption or amendment of a master site plan is a "project" within the meaning of the County environmental impact guidelines and is subject to environmental review.
- (4) Development Permit Approval. Site and facility development permits, when applied for pursuant to an approved master site plan development permit, may be processed as a Level IV approval or according to an over-the-counter staff review specified by the conditions of the master site plan approval. [Ord. 3432 § 1, 1983].

**Article VII. Timber Production TP District**

**13.10.371 Purposes of the Timber Production TP District.**

In addition to the general objectives of this chapter, the TP District is included in the zoning ordinance to achieve the following purposes:

(A) To protect and maintain the timberland of the County through regulation of timberland use; to establish a zone district consistent with the mandates of the California Timberland Productivity Act of 1982; to protect the health, safety and welfare of the people of Santa Cruz County; and to preserve agriculture and other open space uses where compatible with timberland uses. [Ord. 4873 § 5, 2007; Ord. 3632 § 11, 1985; Ord. 3432 § 1, 1983].

**13.10.372 Uses in the Timber Production TP District.**

(A) Principal Permitted Uses in the Coastal Zone.

(1) In the Coastal Zone, the principal permitted uses in the Timber Production TP District shall be the growing and harvesting of timber, watershed management, fish and wildlife habitat management, agriculture, and one single-family dwelling per parcel including appurtenant uses and structures.

(2) Principal permitted uses are all listed as uses requiring a Level IV or lower approval, or as otherwise denoted with the letter P in the TP uses chart in subsection (B) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 SCCC relating to Coastal Zone permits, and in some cases, pursuant to Chapter 13.20 SCCC, any development is appealable.

(B) Allowed Uses. The uses allowed in the Timber Production Districts shall be as provided in the timber production uses chart below. A discretionary approval for an allowed use is known as a "use 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 the district is indicated in the chart. The processing procedures for development permits and for the various approval levels are detailed in Chapter 18.10 SCCC, Permit and Approval Procedures. The approval levels given in the 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.

**TP USES CHART**

- 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
- F = Subject to the additional findings required in SCCC 13.10.345(B)
- M = Mining permit required (Level VI; see Chapter 16.54 SCCC, Mining Regulations)
- 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)
- 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 over 20,000 square feet
- \*\* = BP only or Level V based on code section cited with the use
- BP = Building Permit Only

USE	PERMIT REQUIRED
Accessory structures, habitable, when incidental to a residential use (subject to SCCC 13.10.611, 13.10.322(B), and 13.10.373)	BP/5**

USE	PERMIT REQUIRED
Accessory structures, nonhabitable, when incidental to a residential use (subject to SCCC <a href="#">13.10.611</a> , <a href="#">13.10.322(B)</a> and <a href="#">13.10.373</a> )	BP/5**
Accessory structures, nonhabitable, when incidental to timber production or agricultural use, subject only to the provisions of SCCC <a href="#">16.22.060</a>	BP Only
Agriculture:	
(1) Agricultural uses on that portion of the land not under timber production:	
* All permitted uses in the CA District (SCCC <a href="#">13.10.312</a> )	P
* All discretionary uses in the CA District (SCCC <a href="#">13.10.312</a> )	5
(2) Conversion of timberland to agricultural uses not exceeding 10 percent of the total of the timber area on the parcel	5
Energy systems; community (subject to SCCC <a href="#">13.10.661</a> and <a href="#">13.10.700-E</a> definition)	5
Habitat management, fish and wildlife, in addition to timber harvesting	P
Mining: mineral production and quarry operations	M
Manufactured home, subject to the provisions of SCCC <a href="#">13.10.682</a>	3
Organized camps and facilities for outdoor recreational, educational, religious activities (subject to SCCC <a href="#">13.10.351</a> et seq., PR District; and SCCC <a href="#">13.10.692</a> , organized camp requirements)	5
Research facilities for wildlife observation and research	5
Residential: one single-family dwelling per existing parcel of record	3
Dwelling groups of single-family dwelling (subject to the density and other requirements in SCCC <a href="#">13.10.373</a> , <a href="#">13.10.374</a> , and <a href="#">13.10.375</a> )	5 (2 dwelling units) 7 (more than 2 dwelling units)
Child care homes, large family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.686</a> and SCCC <a href="#">13.10.700-C</a> definition)	5
Child care homes, small family (must be in conjunction with residential use) (see SCCC <a href="#">13.10.700-C</a> definition)	P
Mobile home, temporary, for not more than five years for a caretaker or watchman in isolated areas on a minimum of 10 acres	5
Septic tank sludge disposal sites that are approved by the Health Officer pursuant to Chapter <a href="#">7.42</a> SCCC and that are located outside the Coastal Zone	4
State parks (subject to SCCC <a href="#">13.10.351</a> et seq., PR)	5
Timber: Growing, harvesting: the cutting and removal of timber and other forest products, and work incidental thereto	P
Utilities: gas, electric, water, or communications transmission facilities; energy facilities (see SCCC <a href="#">13.10.700-E</a> definition)	5
Visitor accommodations, such as:	
Bed and breakfast inns (subject to SCCC <a href="#">13.10.691</a> , and only one inn per 40 acres and having an access road approved by the responsible fire-protection agency)	5
Small-scale, in the Coastal Zone, upon conversion of an existing structure (subject to Chapter <a href="#">13.20</a> SCCC and VA District regulations, SCCC 13.10.330 et seq.)	5
Vacation rentals (subject to SCCC <a href="#">13.10.694</a> )	2P
Watershed management, in addition to timber harvesting	P
Wireless communication facilities, subject to SCCC <a href="#">13.10.660</a> through <a href="#">13.10.668</a> , inclusive	5

[Ord. 5092 § 4, 2011; Ord. 4873 § 6, 2007; Ord. 4836 §§ 92, 93, 2006; Ord. 4814 § 5, 2006; Ord. 4808 § 21, 2005; Ord. 4770 § 9, 2004; Ord. 4744 § 9, 2003; Ord. 4715 § 9, 2003; Ord. 4577 § 9, 1999; Ord. 4496-C § 33, 1998; Ord. 4099 § 5, 1990; Ord. 4036 § 6, 1989; Ord. 3893 § 2, 1988; Ord.

3842 § 2, 1987; Ord. 3747 § 1, 1986; Ord. 3632 § 11, 1985; Ord. 3593 § 11, 1984; Ord. 3432 § 1, 1983].

**13.10.373 Development standards for the Timber Production TP District.**

(A) Site and Structural Dimensions. The following site width, frontage, yard dimensions, lot coverage, and building height limit shall apply within the TP District:

**TP SITE AND STRUCTURAL DIMENSIONS CHART**

Minimum Site Width (feet)	Minimum Parcel Frontage (feet)	Minimum Yards (feet)			Maximum Lot Coverage	Maximum Building Height (feet)
		Front	Side	Rear		
100	60	40	20	20	10%	28

Footnote:

(1) Exceptions to these standards for residential development may be found in SCCC [13.10.323](#).

(B) Minimum Parcel Size.

(1) Parcels zoned as timber production under this chapter may not be divided into parcels containing less than 160 acres unless the owner submits a joint timber management plan prepared or approved as to content by a registered professional forester. The individual designated as possessor of timber rights on the property, as required under subsection (E) of this section, shall enter into a binding contract with the Board of Supervisors to manage and harvest timber on the timberland and to abide by the provisions of the timber management plan. Any such division shall require approval by a four-fifths vote of the Board of Supervisors. (See chart below.)

(2) Outside the Coastal Zone, no land division shall create parcels smaller than 40 acres, and inside the Coastal Zone smaller than 160 acres, except pursuant to a Level VII approval that conforms to the conditional densities and special findings required by this section and SCCC [13.10.375](#). (See chart below.)

(3) Other regulations regarding minimum parcel sizes are found in SCCC [13.10.510](#)(G).

(C) Maximum Residential Density. Residential density shall not exceed:

1 dwelling unit per 10 acres outside the Coastal Zone

1 dwelling unit per 40 acres inside the Coastal Zone

and shall conform to the General Plan and Chapter [13.14](#) SCCC, rural residential density determination matrix. (See chart below.)

**Summary Parcel Size and Density Chart**

	Outside Coastal Zone	Inside Coastal Zone
Timber management plan required if parcels will be smaller than	160 acres	160 acres
Smallest parcels allowed without clustering and Level VII approval	40 acres	160 acres
Highest density allowed with clustering and Level VII approval	10 ac/du	40 ac/du

(D) Clustering. Dwellings built as part of a dwelling group shall be clustered within 200 to 300 feet of each other, where feasible, to facilitate timber harvesting and to preserve the rural character of the land.

(E) Timber Rights. In a clustered development, that portion of the property not included within the area of clustered parcels shall be held in common ownership and timber rights shall be held by a designated property owner or individual.

(F) Other Regulations. Regulations regarding the use of nondevelopable land are found in SCCC [13.10.671](#) and regarding the use of urban open space land in SCCC [13.10.672](#). [Ord. 4416 § 8, 1996; Ord. 4406 § 8, 1996; Ord. 3747 §§ 2, 3, 1986; Ord. 3632 § 11, 1985; Ord. 3432 § 1, 1983].

**13.10.374 Design criteria for the Timber Production TP District.**

- (A) Residential Uses. The design criteria found in Chapter [13.11](#) SCCC shall apply to all projects of three or more units.
- (B) Other Uses. The design criteria to be applied to all uses other than those subject to a timber harvesting or mining permit shall be as provided in Chapter [13.11](#) SCCC. [Ord. 4496-C §§ 34, 35, 1998; Ord. 3632 § 11, 1985; Ord. 3432 § 1, 1983].

### **13.10.375 Special standards and conditions for the Timber Production TP District.**

(A) Required Special Findings for Nontimber Growing and Harvesting Uses. The following special findings shall be made in addition to the findings required by Chapter [18.10](#) SCCC:

- (1) The proposed uses will be physically compatible with the growing and harvesting of Productivity Act of 1982 and the purposes of SCCC [13.10.371](#).
- (2) The proposed use is supported by a compatibility analysis, as defined in SCCC 13.10.700-C, submitted as a part of the application for such proposed use, and which compatibility analysis has been approved as submitted, or as amended by the County, as a condition upon any permit granted.

(B) Agricultural Resource Protection. The regulations and requirements of Chapter [16.50](#) SCCC, Agricultural Land Preservation and Protection, and the General Plan and Local Coastal Program Land Use Plan policies pertaining to agricultural resource lands shall apply to all agricultural resource lands designated pursuant to Chapter [16.50](#) SCCC and located within the TP District.

(C) Zoning to the TP District. An owner may petition to rezone land to the Timber Production District. The Board of Supervisors shall, by ordinance, upon the advice of the Planning Commission pursuant to Government Code Section [51110.2](#), and after public hearings, zone as Timber Production parcels submitted to it by petition pursuant to Government Code Section [51113](#), which meet all of the following criteria:

- (1) Submittal of a map with the legal description or assessor's parcel number of the property to be zoned.
- (2) Submittal of a timber management plan for the property that has been prepared, or approved as to content, by a registered professional forester. Such plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.
- (3) The parcel must either currently meet the timber stocking standards as set forth in Section [4561](#) of the Public Resources Code and the Forest Practice Rules adopted by the Board of Forestry for the Southern Subdistrict of the Coast Forest District, or the owner must enter into an agreement with the Board of Supervisors that the parcel shall meet such stocking standards and Forest Practice Rules by the fifth anniversary of the signing of the agreement. Failure to meet such stocking standards and Forest Practice Rules within this time period shall constitute grounds for rezoning the parcel.
- (4) Upon the fifth anniversary of the signing of the agreement, the Board shall determine whether the parcel meets the timber stocking standards in effect on the date that the agreement was signed. If the parcel fails to meet the timber stocking standards, the Board shall immediately rezone the parcel and specify a new zone for the parcel, which is in conformance with the General Plan/Local Coastal Program Land Use Plan and whose primary use is other than timberland.
- (5) The parcel is timberland as defined in subdivision (f) of Government Code Section [51104](#).
- (6) Use of the parcel complies with the Timber Production Zone uses set forth in SCCC [13.10.372](#).
- (7) The land area to be rezoned shall be in the ownership of one person, as defined in Section [38106](#) of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels consisting of at least 40 acres in area.

(D) Rezoning to Another District. Rezoning of the land from Timber Production (TP) to another zone district shall conform to the requirements of the Forest Taxation Reform Act of 1976, in addition to any other applicable rezoning requirements. [Ord. 5015 § 1, 2008; Ord. 4873 §§ 7, 8, 2007; Ord. 4577 § 10, 1999; Ord. 4496-C § 36, 1998; Ord. 3632 § 11, 1985; Ord. 3432 § 1, 1983].

### **13.10.376 Public notification requirements.**

(A) A seller of real property which is located adjacent to land included in the Timber Production (TP) Zone as shown on the County Assessor's parcel maps shall disclose to the prospective purchaser that:

- (1) Santa Cruz County has established the Timber Production Zone to protect and maintain timberland for growing and harvesting timber, and for compatible uses. This property adjoins land included in the Timber Production Zone as designated on the County Assessor parcel maps. Residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to the growing and harvesting of timber or other uses permitted within the Timber Production Zone.

(B) The following statement shall be included in the seller's disclosure statement in the form set forth in subdivision (b) of Section [1102.6a](#) of the California Civil Code for the transfer of real property adjacent to land included in a Timber Production Zone as designated on the County Assessor parcel maps and shall be recorded as part of any deed conveying the property:

The property described herein is adjacent to land included in the Timber Production Zone as designated on the County Assessor Parcel Maps. Santa Cruz County has established the Timber Production Zone to protect and maintain timberland for growing and harvesting timber, and for compatible uses. Residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to growing and harvesting of timber or other uses permitted within the Timber Production Zone.

(C) The County Building Official shall require, prior to issuance of building permits on parcel(s) adjacent to a Timber Production Zone, either:

(1) Recordation of the following statement of acknowledgement by the owners of the property on a form approved by the Building Official:

The undersigned \_\_\_\_\_ do hereby certify to be the owner(s) of the hereinafter legally described real property located in the County of Santa Cruz, State of California \_\_\_\_\_ and do hereby acknowledge that the property described herein is adjacent to land included in the Timber Production Zone as designated on the County Assessor Parcel Maps. Santa Cruz County has established the Timber Production Zone to protect and maintain timberland for growing and harvesting timber, and for compatible uses. Residents of the property occasionally may experience increased traffic, noise, dust, change in the viewshed and/or other activities related to growing and harvesting of timber or other uses permitted within the Timber Production Zone.

This statement of acknowledgement shall be recorded and shall be binding upon the undersigned, and future owners, encumbrances, their successors, heirs or assignees. The information contained in this statement of acknowledgement is required to be disclosed to prospective purchasers of the property described herein, and is required to be included in the seller's disclosure statement for the purchase of the property, and in any deed conveying the property.

or

(2) Evidence that the above statement or a disclosure statement in compliance with subsection (B) of this section has been recorded in the official records of Santa Cruz County as part of the deed of the parcel. [Ord. 4197 § 1, 1992].

#### **13.10.378 Timber harvest related helicopter operations.**

Staging and loading activities, and service areas, for timber operations involving the use of helicopters shall be prohibited unless the staging, loading or service area:

- (A) Is on the parcel or on a parcel which is contiguous to the parcel from which the timber is being harvested;
- (B) Is within a parcel that is either zoned TP or is zoned in another zone district where timber harvesting is permitted; and
- (C) Is within the boundaries of the timber harvest plan (THP) or the nonindustrial timber management plan (NTMP), and the THP or NTMP is approved by the California Department of Forestry and Fire Protection. [Ord. 4578 § 3, 1999; Ord. 4572 § 1, 1999].

### **Article VIII. Special Use SU District**

#### **13.10.381 Purposes of the Special Use SU District.**

In addition to the general objectives of this chapter, the SU District is included in the zoning ordinance to achieve the following purposes:

- (A) General. To provide for and regulate the use of land for which flexibility of use and regulation are necessary to ensure consistency with the General Plan, and to encourage the planning of large parcels to achieve integrated design of major developments, good land use planning, and protection of open space, resource, and environmental values.
- (B) Lands with a Variety of Physical Constraints. To provide for the development of lands with a variety of physical hazard constraints or about which there is a lack of sufficient information about the particular characteristics of the land or where some unusual feature of the known characteristics of the land precludes effective use and regulation of such land under any other zone district.
- (C) Mixed Uses. To provide for the development of lands which are designated on the General Plan for mixed uses, and where the specific portions of the land reserved for each use have not yet been specified or determined in detail. [Ord. 3432 § 1, 1983].

#### **13.10.382 Uses in the Special Use SU District.**

(A) Allowed Uses.

- (1) All uses allowed in the RA and R-1 Zone District shall be allowed in the Special Use SU District where consistent with the General Plan and when authorized at the highest approval levels specified in the uses chart in SCCC [13.10.322\(B\)](#) for those districts.
- (2) All uses allowed in zone districts other than RA and R-1 shall be allowed in the Special Use SU District where consistent with the General Plan and when authorized at the highest approval level required by all such districts but no lower than Level V.
- (3) Timber harvesting and associated operations, requiring approval of a timber harvesting plan by the California Department of

Forestry, are not allowed uses in the Special Use SU Zone District.

(4) Vacation rentals are allowed in the Special Use SU District where the underlying General Plan land use designation allows residential uses with no requirement to have any other use. The applicable General Plan land use designations that allow residential uses with no requirement to have any other use are the Agricultural (AG) land use designation, the Existing Park, Recreation and Open Space (O-R) land use designation, the Urban Open Space Lands (O-U) land use designation, and all residential land use designations (R-M, R-R, R-S, R-UVL, R-UL, R-UM, and R-UH).

(B) Principal Permitted Uses. The allowed uses in the Special Use SU District are not principal permitted uses, except for a single-family dwelling on an existing parcel of record and agricultural uses, for the purposes of Coastal Zone appeals pursuant to Chapter 13.20 SCCC, Coastal Zone Regulations. Actions to approve these uses in the Coastal Zone are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 SCCC.

(C) Densities.

(1) Residential densities allowed in the Special Use Zone District shall be consistent with those specified in the General Plan and Local Coastal Program Land Use Plan, and in Chapter 13.14 SCCC, Rural Residential Density Determinations.

(2) Visitor accommodations densities shall be consistent with SCCC 13.10.335 when the General Plan designation is visitor accommodations or coastal commercial; and consistent with SCCC 13.10.353 when the General Plan designation is parks and recreation or proposed park and recreation. [Ord. 5092 § 5, 2011; Ord. 4577 § 11, 1999; Ord. 3632 § 12, 1985; Ord. 3432 § 1, 1983].

**13.10.383 Development standards for the Special Use SU District.**

(A) Site and Structural Dimensions. For single-family dwellings and accessory structures, the district development standards shall be the same as those contained in SCCC 13.10.323 pertaining to residential districts and shall further be based on the size of the parcel for purposes of applying SCCC 13.10.323(B). For structures other than single-family dwellings and accessory structures, the building height limits, required site area, required yards, and other regulations for any permitted use shall be in keeping with the requirements, restrictions or regulations provided in this chapter for the most restrictive district within which the use is allowed.

(B) Other Regulations. Other development standards applicable to the Special Use Zone District are contained in the following sections of this code:

	SCCC
General site standards	<a href="#">13.10.510</a> , et seq.
Signs	<a href="#">13.10.580</a> , et seq.
Parking	<a href="#">13.10.550</a> , et seq.
Fences	<a href="#">13.10.525</a>
Minimum parcel size	<a href="#">13.10.510</a> (G)
Use of nondevelopable land	<a href="#">13.10.671</a>
Use of urban open space land	<a href="#">13.10.672</a>
Trip reduction requirements (development projects for 50 or more employees)	<a href="#">13.10.591</a>
Trip reduction requirements (residential development of 25 or more housing units)	<a href="#">13.10.592</a>
Design review	<a href="#">13.11.010</a> , et seq.
Agricultural buffers/setback	<a href="#">16.50.095</a>

[Ord. 4314 § 6, 1994; Ord. 3432 § 1, 1983].

**13.10.384 Design criteria for the Special Use SU District.**

(A) Residential Uses. The design criteria found in Chapter 13.11 SCCC shall apply to all projects of three or more units, involving apartments, townhouses, condominiums, groups of single-family dwellings, and combinations thereof.

(B) Other Uses. The design criteria for all other uses shall be as provided in this chapter for the most restrictive district within which the use is listed as a permitted use, or in the event the use is not listed as a permitted use, the most restrictive district which the use is listed as

one requiring a discretionary permit. [Ord. 4496-C § 37, 1998; Ord. 3432 § 1, 1983].

**13.10.385 Special standards and conditions for the Special Use SU District.**

(A) Divisions. Division of any parcel in the Special Use SU District shall be allowed only pursuant to the following approvals: two to 19 lots or five to 19 units as a Level VI approval; and 20 or more lots or units as a Level VII approval. [Ord. 4496-C § 38, 1998; Ord. 3632 § 13, 1985; Ord. 3432 § 1, 1983].

**13.10.390 Residential density bonuses and affordability incentives.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**13.10.391 Density bonus authorized.**

*Repealed by Ords. 4815 and 5055. [Ord. 4836 §§ 94, 95, 2006; Ord. 4346 § 25, 1994].*

**13.10.392 Alternative incentives in place of bonus.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**13.10.393 Additional concessions or incentives.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**13.10.394 Waiver or modification of standards.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**13.10.395 Determination of feasibility.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**13.10.396 Additional application and notice requirements.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**13.10.397 Enforcement of affordability.**

*Repealed by Ords. 4815 and 5055. [Ord. 4346 § 25, 1994].*

**Part IV. COMBINING ZONE DISTRICTS**

**13.10.400 Combining zone districts.**

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

SCCC	Designation	Summary of Limitations Imposed
<a href="#">13.10.416</a> through <a href="#">13.10.418</a>	D (Designated Park Site)	Denotes parcels designated in the General Plan and Local Coastal Program Land Use Plan in whole or part as proposed park sites.
<a href="#">13.10.421</a> through <a href="#">13.10.432</a>	GH (Geologic Hazards)	Denotes the presence of a particular physical hazard on the property; use and development is subject to the geologic hazard ordinance (Chapter <a href="#">16.10</a> SCCC) regulations.
<a href="#">13.10.431</a> through <a href="#">13.10.433</a>	H (Assisted Housing)	General Plan and Local Coastal Program Land Use Plan policies regarding affordable housing priority sites apply.
<a href="#">13.10.441</a> through <a href="#">13.10.443</a>	I (Statement of Intention)	Board of Supervisors has agreed not to rezone the property in the foreseeable future.

SCCC	Designation	Summary of Limitations Imposed
<a href="#">13.10.444</a> through <a href="#">13.10.448</a>	PP (Pleasure Point Community Design)	Denotes parcels subject to special residential design standards and guidelines specific to the Pleasure Point neighborhood, to be applied in addition to the residential site standards found in SCCC <a href="#">13.10.323(B)</a> .
<a href="#">13.10.451</a> through <a href="#">13.10.453</a>	L (Historic Landmark)	Property/structure has been designated a historic landmark and is subject to the regulations of the historic resources ordinance (Chapter <a href="#">16.42</a> SCCC).
<a href="#">13.10.456</a> through <a href="#">13.10.458</a>	MH (Mobile Home Park)	Denoted property upon which a mobile home park has been established pursuant to an approved development permit or legally established prior to the requirement for a development permit; mobile home park development, operation, rental, sale and conversion are subject to all provisions of Federal, State and County regulations.
<a href="#">13.10.461</a> through <a href="#">13.10.463</a>	O (Open Space Easement)	Owner has executed an open space easement contract with the County to maintain the land in its natural state for a period of 10 years. The 10-year period is renewed every year.
<a href="#">13.10.471</a> through <a href="#">13.10.473</a>	P (Agricultural Preserve)	Owner has executed an agricultural preserve contract with the County to maintain the land in agricultural and open space use for a period of 10 years. The 10-year period is renewed every year.
<a href="#">13.10.481</a> through <a href="#">13.10.483</a>	SP (Salamander Protection)	The regulations of the sensitive habitat protection ordinance (Chapter <a href="#">16.32</a> SCCC) apply and require special site development standards to protect the endangered species.

[Ord. 5063 § 2, 2010; Ord. 4836 § 96, 2006; Ord. 4370 § 3, 1995; Ord. 4346 § 26, 1994; Ord. 3432 § 1, 1983].

#### Article I. "D" Designated Park Site Combining District

##### 13.10.416 Purposes of the "D" Designated Park Site Combining Zone District.

The Designated Park Site Combining District is established to denote those parcels which have been designated in whole or part by the County General Plan to be acquired and/or developed for future neighborhood, community or regional public recreational facilities. [Ord. 3844 § 4, 1987].

##### 13.10.417 Designation of the "D" Designated Park Site Combining District.

Parcels which have been designated by the County General Plan for future acquisition and/or development in whole or part for neighborhood, community, or regional parks shall be placed in a Designated Park Site "D" Combining District. Other properties designated in the County General Plan for any other type of future public recreational use may be placed in a Designated Park Site "D" Combining District at the discretion of the Board of Supervisors following a recommendation from the Planning Commission. [Ord. 3844 § 4, 1987].

##### 13.10.418 Use and development standards in the "D" Designated Park Site Combining District.

(A) Any project located within the "D" Combining District for which an application for one or more of the following permits or approvals is submitted in accordance with Chapter [18.10](#) SCCC may, at the discretion of the Director of Parks, Open Space and Cultural Services, be submitted to the County Parks and Recreation Commission for a park site review pursuant to SCCC [15.01.090\(C\)](#):

- (1) A building permit for a new single-family dwelling or a new second unit;
- (2) A coastal development permit for a new single-family dwelling or a new second unit;
- (3) A land division permit;
- (4) A commercial development permit;
- (5) A policy amendment; or

- (6) Any other development permit processed at Level V or greater.

Each member of the Board of Supervisors shall be notified by the Director in writing if the determination of the Director is not to proceed with the review, and a member shall have 10 calendar days following receipt of such notification by the Board to refer the application to the Parks and Recreation Commission. The Parks and Recreation Commission shall consider possible County acquisition of the land and appropriate recreational development and use of it, pursuant to Chapter [15.01](#) SCCC.

- (B) If the Parks and Recreation Commission recommends the acquisition of a designated park site which would preclude development of the proposed project in any form, the project application shall be forwarded directly to the Board of Supervisors to consider acquiring the property according to the procedures established to implement General Plan policies for park land acquisition.
- (C) If the Parks and Recreation Commission recommends acquisition of only a part of a parcel and/or development of the land in a manner which would allow the project to proceed in the proposed form or a modified form, their recommendation shall be incorporated into the design of the project. Failure to incorporate the Parks and Recreation Commission's recommendations into the proposed project shall constitute grounds for denial of the project application.
- (D) If the Parks and Recreation Commission, or subsequently the Board of Supervisors, determines that the acquisition and/or development of a designated park site in whole or in part for park and recreation use is not appropriate or feasible, the proposed project shall be subject only to the regulations of the basic zone district.
- (E) Determinations of the Parks and Recreation Commission regarding the acquisition of designated park sites are appealable to the Board of Supervisors pursuant to Article VI of Chapter [18.10](#) SCCC. [Amended during 9/07 supplement; Ord. 4772 § 3, 2004; Ord. 3844 § 4, 1987].

## **Article II. GH Geologic Hazards Combining District**

### **13.10.421 Purposes of the Geologic Hazards GH Combining District.**

The purposes of the GH Combining District are:

- (A) To designate those lands which are located in areas containing geologic hazards which constitute a threat to life and property.
- (B) To facilitate implementation of the requirements of the geologic hazards ordinance, Chapter [16.10](#) SCCC, to reduce the loss of life, injury, damage to public and private property, and public costs for rescue operations, disaster relief and cleanup which are associated with the natural physical hazards of earthquakes, tsunamis, floods, and landslides. [Ord. 3432 § 1, 1983].

### **13.10.422 Designation of the Geologic Hazard GH Combining District.**

(A) The Geologic Hazards GH Combining District may be applied to properties where appropriate to facilitate the planning and regulation of land use and development where one or more of the following geologic hazards exist:

- (1) Coastal bluffs and beach areas;
- (2) Active and potentially active fault zones;
- (3) Areas of high or very high liquefaction potential;
- (4) Active and potentially active landslide areas;
- (5) One-hundred-year floodplains and tsunami inundation areas.

These hazards are mapped on documents filed with the Planning Department.

(B) The Geologic Hazards Combining District shall usually be applied to the entire parcel on which the geologic hazard is located in order to provide early notice of the development constraint and to allow precise determination of the presence and location of the hazard at the time of development project review. [Ord. 3432 § 1, 1983].

### **13.10.423 Use and development standards in the Geologic Hazards GH Combining District.**

In addition to the regulations for development and use imposed by the basic zone district, all projects shall be subject to the provisions of the geologic hazards ordinance, Chapter [16.10](#) SCCC, as appropriate based on the type of specific geologic hazard(s) which are present on the property and the location of the project. [Ord. 3432 § 1, 1983].

## **Article III. H Assisted Housing Combining District**

### **13.10.431 Purposes of the Assisted Housing H Combining District.**

The purpose of the Assisted Housing H Combining District is to increase the supply of housing affordable to low and moderate income

households by means of the designation of sites for 100 percent affordable housing projects which are to be developed in accordance with the affordable housing policies of the Local Coastal Program Land Use Plan. [Ord. 3432 § 1, 1983].

#### **13.10.432 Designation of the Assisted Housing H Combining District.**

The Housing H Combining District shall be applied to those parcels designated as "assisted housing sites" in the Local Coastal Program Land Use Plan. [Ord. 3432 § 1, 1983].

#### **13.10.433 Use and development standards in the Assisted Housing H Combining District.**

Applications for development projects comprised of 100 percent affordable housing shall be processed by the County on a priority basis. Applications for projects for other than 100 percent affordable housing shall be processed in accordance with the housing site review procedures of the County's housing development fund program guidelines. The County shall have 12 months from the date of application to decide whether to acquire the site for assisted housing. If the County decides not to acquire the property, the owner may proceed with development consistent with the land uses and densities indicated by the General Plan and Local Coastal Program Land Use Plan; provided, that 35 percent of the units will be affordable. [Ord. 3432 § 1, 1983].

### **Article IV. I Statement of Intention Combining District**

#### **13.10.441 Purposes of the Statement of Intention I Combining District.**

The Statement of Intention Combining District denotes those lands for which the Board of Supervisors has adopted a statement of intention in accordance with Section 1630 of the State Revenue and Taxation Code. The statement of intention constitutes a rebuttable presumption that the Board of Supervisors intends to refrain from rezoning the subject property in the predictable future. [Ord. 3432 § 1, 1983].

#### **13.10.442 Designation of the Statement of Intention I Combining District.**

Those parcels for which the Board of Supervisors has granted a statement of intention are designated with an I Combining District. [Ord. 3432 § 1, 1983].

#### **13.10.443 Uses and development standards in the Statement of Intention I Combining District.**

This zoning classification imposes no restrictions beyond those of the basic zoning district. [Ord. 3432 § 1, 1983].

### **Article IV-A. PP Pleasure Point Community Design Combining District**

#### **13.10.444 Purposes of the Pleasure Point Community Design PP Combining District.**

The purposes of the Pleasure Point Community Design PP Combining District are to:

- (A) Reduce the visual and shading impacts of new and expanded houses on neighboring parcels and houses;
- (B) Encourage community interaction and orientation towards the street by providing an incentive for the creation of more front porches in Pleasure Point; and
- (C) Reduce the visual impact of automobile-oriented features on residential building facades and in front yards. [Ord. 5063 § 3, 2010].

#### **13.10.445 Designation of the Pleasure Point Community Design PP Combining District.**

The Pleasure Point Community Design PP Combining District shall apply to all R-1 and RM zoned parcels and residential development on PR zoned parcels in the Pleasure Point neighborhood, an area bounded by Portola Drive on the north, 41st Avenue on the east, Monterey Bay on the south, and the eastern shore of Corcoran Lagoon on the west. [Ord. 5063 § 3, 2010].

#### **13.10.446 Residential development standards in the Pleasure Point Community Design PP Combining District.**

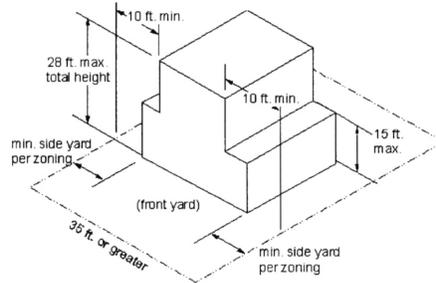
In addition to the residential site standards found in SCCC [13.10.323\(B\)](#), the following standards and incentives apply to residential development in the Pleasure Point Community Design PP Combining District. Where there are differences between this section and SCCC [13.10.323\(B\)](#), the provisions of this section shall apply:

- (A) Standards and Incentives Regarding Residential Building Mass and Height, and Access to Sun and Light.
  - (1) Second Story Setbacks. For new two-story residential structures or second story additions, or any new single-story structure or addition that exceeds 15 feet in height, the second story exterior side walls, or the portion of the single-story exterior side wall exceeding 15 feet in height, shall be set back from the side yard property line as follows:
    - (a) Lot Width of 35 Feet or Greater. Second story exterior side walls, or the portion of the single-story exterior side wall exceeding 15 feet in height, shall be set back at least 10 feet from the side yard property line. Residential buildings on such lots shall comply with the minimum and maximum dimensions of the building volume envelope limit diagram illustrated in Figure

13.10.446-1. Plans shall graphically demonstrate that new construction fits entirely within the building volume envelope as shown in Figure 13.10.446-1.

**Figure 13.10.446-1**

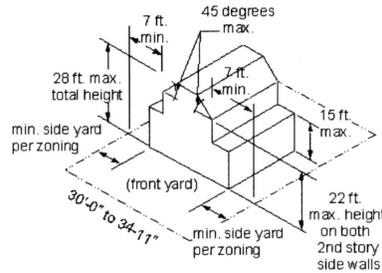
**Building Envelope Limits for Lots 35 Feet or Greater in Width**



(b) Lot Widths of 30 Feet or Greater, But Less Than 35 Feet. Second story exterior side walls, or the portion of the single-story exterior side wall exceeding 15 feet in height, shall be set back at least seven feet from the side yard property line. In addition, side walls shall not exceed 22 feet in height (as measured from finished grade). The peak roof height limit is 28 feet at the center of the structure. A roof slope not exceeding 45 degrees (1:1 rise over run ratio) is allowed between the 22-foot outer portion of the roof and the 28-foot peak roof height. Residential buildings on such lots shall comply with the minimum and maximum dimensions of the building volume envelope limit diagram illustrated in Figure 13.10.446-2. Plans shall graphically demonstrate that new construction fits entirely within the building volume envelope as shown in Figure 13.10.446-2.

**Figure 13.10.446-2**

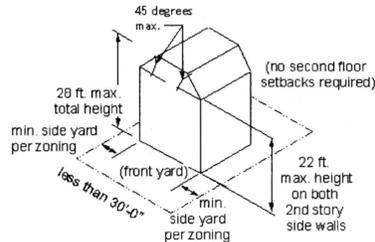
**Building Envelope Limits for Lots 30 Feet, Zero Inches to 34 Feet, 11 Inches in Width**



(c) Lot Widths Less Than 30 Feet. Second floor setbacks are not required; however, the outer side wall shall not exceed 22 feet in height (as measured from finished grade). The peak roof height limit is 28 feet at the center of the structure. A roof slope not exceeding 45 degrees (1:1 rise over run ratio) is allowed between the 22-foot outer portion of the roof and the 28-foot peak roof height. Residential buildings on such lots shall comply with the minimum and maximum dimensions of the building volume envelope limit diagram illustrated in Figure 13.10.446-3. Plans shall graphically demonstrate that new construction fits entirely within the building volume envelope as shown in Figure 13.10.446-3.

**Figure 13.10.446-3**

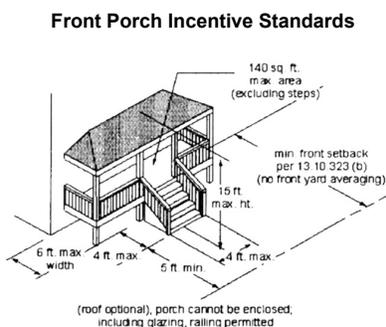
**Building Envelope Limits for Lots Less Than 30 Feet in Width**



(d) First Floor Wall Height Limitation for Lot Widths of 30 Feet or Greater. The height of the first story walls shall be limited to 15 feet as measured from finished grade, as illustrated in Figures 13.10.446-1 and 13.10.446-2.

- (e) Decks/Walkways Allowed in Second Floor Setback. Decks or walkways are permitted in the second floor setback area on top of the first floor roof so long as the top of the hand railing does not exceed 15 feet in height from finished grade.
- (f) Eaves and Chimneys Allowed in Second Floor Setback. Eaves and chimneys may extend up to three feet into the required second floor setback area.
- (g) Attached Townhouse or Condominium Units. Attached townhouse or condominium units that do not have a required side yard and are not located at the perimeter of a project site are exempt from providing second story setbacks.
- (2) Increased Allowed Lot Coverage for Small Lots. On lots less than 3,500 net square feet in size, the maximum lot coverage shall be 45 percent.
- (a) On lots less than 3,500 net square feet in size, where the maximum lot coverage exceeds 40 percent, roof drainage downspouts shall be directed to vegetated areas or other nonerosive permeable surfaces, unless the applicant can demonstrate that such an action is infeasible.
- (B) Standards and Incentives Regarding Residential Structure Facades, Front Yards and Parking.
- (1) Front Porches. For front porches on new houses, and on existing houses that do not exceed FAR or lot coverage standards, the following criteria shall apply, as illustrated in Figure 13.10.446-4:
- (a) Front porches may extend up to six feet into the required front yard setback as established by SCCC [13.10.323\(B\)](#);
- (b) Up to 140 square feet of front porch area shall be excluded in lot coverage or FAR calculations;
- (c) The height of any front porch roof subject to this subsection shall not exceed 15 feet from finished grade;
- (d) A stairway to the front porch may extend up to four additional feet into the required front yard setback (i.e., for a total of 10 feet with porch and stairs combined) if the stairs are no more than four feet wide. To minimize reduction of line-of-sight visibility, stair railings must be nonopaque (i.e., partially see-through);
- (e) Any front porch subject to these incentives shall remain unenclosed (i.e., including glass);
- (f) If a proposed front porch does not meet the standards in subsection (B)(1)(a) through (e) of this section, as illustrated in Figure 13.10.446-4, it will be subject to the site regulations found in SCCC [13.10.323\(B\)](#).
- (g) For any front porches constructed pursuant to this provision, all roof drainage downspouts from said porch shall be directed to vegetated areas or other nonerosive permeable surfaces, unless the applicant can demonstrate that such an action is not reasonably practicable.

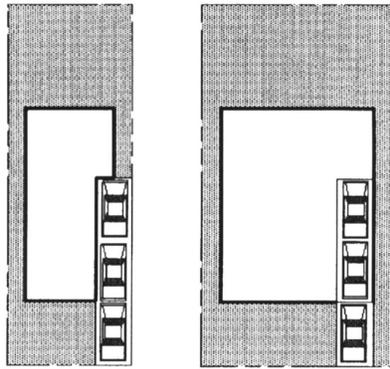
Figure 13.10.446-4



- (2) Reduce Prominence of Garage Doors. Combined garage door width shall occupy no more than 50 percent of the building facade width facing a street and shall be limited to a maximum of two car-widths wide (i.e., no more than 18 feet wide) for all new or expanded residential garages. Three or more car-width garages are not allowed if located on the building facade facing a street. Single one car-width garage doors (i.e., no more than nine feet wide) are allowed regardless of building facade width.
- (3) Reduce Amount of Front Yard Area Devoted to Parking. On-site three-car tandem parking shall be allowed by right, with car one behind the other, three in a row, either within a garage or in the front yard setback, as illustrated in Figure 13.10.446-5.

Figure 13.10.446-5

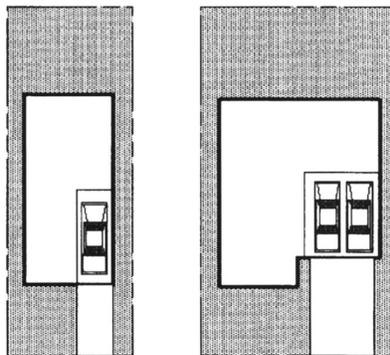
**Three-Car Tandem Parking Allowed**



(4) Garages Shall Not Protrude Beyond the Rest of the Facade. To reduce the visual impact of garages as viewed from the street, for new houses or garage additions, garages shall be flush with, or preferably behind, the rest of the house/building facade, as illustrated in Figures 13.10.446-6 and 13.10.446-7.

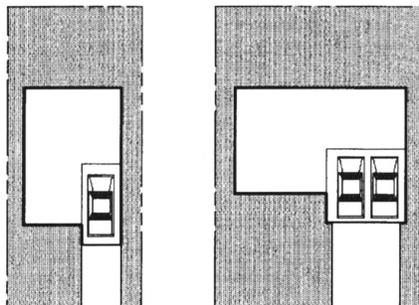
**Figure 13.10.446-6**

**Allowed Configurations**



**Figure 13.10.446-7**

**Prohibited Configurations**



[Ord. 5063 § 3, 2010].

**13.10.447 Exceptions.**

An applicant may request a Level V exception to the requirements of SCCC [13.10.446](#) for applicable residential projects, subject to approval by the Zoning Administrator following a public hearing, pursuant to the following:

(A) Exceptions to the Pleasure Point residential development standards may be granted if the project is found to be consistent with the Pleasure Point Community Design "PP" Combining District purposes, found in SCCC [13.10.444](#), the findings found in SCCC [18.10.230\(A\)](#), and at least one of the following additional findings:

- (1) There are special existing site or improvement characteristics or circumstances, including but not limited to the absence of adjacent residential parcels that could potentially be shaded by the proposed development, that appropriately excuses the proposed

development from meeting one or more of the development standards; or

(2) The Pleasure Point Community Design "PP" Combining District purposes, found in SCCC [13.10.444](#), are better achieved by an alternative design; or

(3) The granting of an exception will result in a superior residential design that is consistent with the Pleasure Point Community Design "PP" Combining District purposes, found in SCCC [13.10.344](#).

(B) Any decision on an exception shall not establish a precedent for future applications. [Ord. 5063 § 3, 2010].

#### **13.10.448 Nonconforming structures.**

In the event of fire, natural disaster or act of the public enemy, destroyed or partially destroyed existing residences that have become nonconforming due to institution of the Pleasure Point residential design standards, applied through the Pleasure Point "PP" Community Design Combining Zone District, shall be allowed to reconstruct to their previous configuration. The extent of allowed reconstruction for nonconformity to other residential site standards, as set forth in this chapter, is governed by SCCC [13.10.265](#)(G). [Ord. 5063 § 3, 2010].

### **Article V. L Historic Landmark Combining District**

#### **13.10.451 Purposes of the Historic Landmark L Combining District.**

The purposes of the Historic Landmark L Combining District are:

(A) To preserve, protect, enhance, and perpetuate those structures, objects, sites and areas of historic, archaeological, cultural, architectural, engineering, or aesthetic significance, importance, and value as part of the development, heritage or cultural characteristics of the County, State or nation.

(B) To identify those structures, objects, sites and districts which have been designated as historic resources by the Board of Supervisors pursuant to the provisions of Chapter [16.42](#) SCCC, Historic Resource Preservation.

(C) To regulate alterations, new construction, relocations, demolitions, and excavations which affect historic structures, objects, and sites or districts in accordance with the provisions of Chapter [16.42](#) SCCC, Historic Resource Preservation. [Ord. 3927 § 3, 1988; Ord. 3632 § 14, 1985; Ord. 3432 § 1, 1983].

#### **13.10.452 Designation of the Historic Landmark L Combining District.**

The Historic Landmark L Combining District shall be utilized to denote those properties which have been designated by the Board of Supervisors as historic resources pursuant to the provisions of Chapter [16.42](#) SCCC, Historic Resources Preservation. [Ord. 3927 § 4, 1988; Ord. 3432 § 1, 1983].

#### **13.10.453 Use and development standards in the Historic Landmark L Combining District.**

In addition to the regulations for development and use of the site imposed by the basic zone district, use, alterations, new construction, relocations, demolitions, and excavations which affect historic structures, objects, sites or districts in the Historic Landmark L Combining District shall be subject to the regulations set forth in Chapter [16.42](#) SCCC, Historic Resource Preservation. [Ord. 3927 § 5, 1988; Ord. 3632 § 14, 1985; Ord. 3432 § 1, 1983].

### **Article VI. MH Mobile Home Park Combining District**

#### **13.10.456 Purpose of the Mobile Home Park MH Combining District.**

The Mobile Home Park MH Combining District is established to denote and regulate those properties upon which mobile home parks have been legally established in order to promote, secure and protect a variety of housing choices and opportunities in the County. [Ord. 4370 § 4, 1995].

#### **13.10.457 Designation of the Mobile Home Park MH Combining District.**

The Mobile Home Park MH Combining District shall be applied to those properties upon which mobile home parks have been authorized or established pursuant to a development permit approved by the County, or were legally established prior to the requirement for County approval of a development permit. [Ord. 4370 § 4, 1995].

#### **13.10.458 Use and development standards in the Mobile Home Park MH Combining District.**

All properties in the Mobile Home Park MH Combining District shall be maintained for mobile home park use and shall be subject to all of the regulations governing mobile home park development, operation, rental, sale and conversion as provided by State and Federal statutes and regulations, and the provisions of the County Code. The location, design and approval of new mobile home parks shall be consistent with SCCC [13.10.684](#). Each mobile home installed on or after March 8, 2003, outside the California Coastal Zone and each mobile home

installed on or after September 10, 2003, inside the California Coastal Zone shall be required to meet the off-street parking requirements of SCCC [13.10.552](#). Conversion of a mobile home park to another use shall be subject to the provisions of Chapter [13.30](#) SCCC, Mobile Home Park Conversions, and shall require amendment of the County Code zoning plan to remove the Mobile Home Park Combining District from the property. The regulatory provisions of this section are in addition to any existing requirements for a coastal development permit under Chapter [13.20](#) SCCC. [Ord. 5018 § 16, 2008; Ord. 4723 § 3, 2003; Ord. 4664 § 1, 2002; Ord. 4628 § 1, 2001; Ord. 4623 § 1, 2001; Ord. 4370 § 4, 1995].

#### **Article VII. O Open Space Easement Combining District**

##### **13.10.461 Purposes of the Open Space Easement O Combining District.**

The Open Space Easement Combining District is established to denote those lands for which an open space easement has been established in accordance with the provisions of Section 51050 of the State Government Code. [Ord. 3432 § 1, 1983].

##### **13.10.462 Designation of the Open Space Easement O Combining District.**

Those parcels which are restricted by an open space easement shall be designated with an O Combining District. When a contract expires or is canceled, the O Combining District shall be removed from the property. [Ord. 3432 § 1, 1983].

##### **13.10.463 Use and development standards for the Open Space Easement O Combining District.**

In addition to the regulations on development imposed by the basic zoning district, no building or grading permit shall be issued for any development which would be in violation of the open space easement contract. [Ord. 3432 § 1, 1983].

#### **Article VIII. P Agricultural Preserve and Farmland Security Combining District**

##### **13.10.471 Purposes of the Agricultural Preserve and Farmland Security P Combining District.**

The Agricultural Preserve Combining District is established to denote those lands which are restricted to agricultural, open space and compatible uses by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section [51240](#)) or Article 7 (commencing with Government Code Section [51296](#)) of the California Land Conservation Act of 1965 and amendments thereto. [Ord. 4563 § 1, 1999; Ord. 4562 § 1, 1999; Ord. 4528 § 1, 1998; Ord. 3432 § 1, 1983].

##### **13.10.472 Designation of the Agricultural Preserve and Farmland Security P Combining District.**

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section [51240](#)) or Article 7 (commencing with Government Code Section [51296](#)) of the California Land Conservation Act of 1965, shall be designated with a P Combining District. The designation shall remain on the property until the contract expires or is canceled. [Ord. 4563 § 1, 1999; Ord. 4562 § 1, 1999; Ord. 4528 § 1, 1998; Ord. 3432 § 1, 1983].

##### **13.10.473 Use and development standards in the Agricultural Preserve and Farmland Security P Combining District.**

Lands designated as P Combining District shall also be classified in the CA District (except for those lands designated AP) and shall be subject to the regulations of that district, with the modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the CA District (see SCCC [13.10.312](#)) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Level V approval. [Ord. 4563 § 1, 1999; Ord. 4562 § 1, 1999; Ord. 4528 § 1, 1998; Ord. 3432 § 1, 1983].

#### **Article VIII-A. Regional Housing Need R Combining District**

##### **13.10.475 Purposes of the Regional Housing Need R Combining District.**

The purpose of the Regional Housing Need R Combining District is to increase the supply of affordable housing by designating sites for development at 20 units per acre in order to meet the requirements of the regional housing needs allocation as required by State Government Code Section [65584](#). Development projects on sites designated with the Regional Housing Need R Combining District shall be required to provide 40 percent of the units as affordable housing, as defined in SCCC [17.10.030](#)(B)(1) and (B)(6). [Ord. 4878 § 1, 2007].

##### **13.10.476 Designation of the Regional Housing Need R Combining District.**

The Regional Housing Need R Combining District shall only be applied to those parcels designated by the Board of Supervisors in advance of housing element adoption, as part of the housing element or as part of the implementation of housing element policies. [Ord. 4878 § 1, 2007].

##### **13.10.477 Use and development standards in the Regional Housing Need R Combining District.**

(A) Site Selection Criteria. For sites to be designated under the Regional Housing Need R Combining District, the site must meet the following criteria:

(1) Site must be identified by the County to satisfy the regional housing need. A private landowner may not apply for designation under the Regional Housing Need R Combining District without the concurrence of the Board of Supervisors prior to application.

(B) Development Standards.

(1) Density. Sites designated under the Regional Housing Need R Combining District shall be developed at 20 units per acre. For the purposes of calculating density under these provisions, the developable area of each site designated under the Regional Housing Need R Combining District shall be determined at the time the site is designated. Such developable acreage shall be calculated in accordance with SCCC 13.10.700-D definition of "developable land" and SCCC 13.10.700-S definition of "site area, net" except that roadways and driveways shall be included in the developable acreage calculation for the purposes of determining net developable acreage. The number of potential units will be determined by multiplying the developable acreage by 20. Where such calculation results in a fractional number, the number of units shall be determined by rounding down to the nearest whole number.

(2) Master Planning. Where contiguous or adjacent parcels are designated under the Regional Housing Need R Combining District, any development proposal for one parcel may be required to include a master plan for development of all contiguous or adjacent parcels which are also designated under the Regional Housing Need R Combining District. The purpose of the master plan is to define interior circulation patterns, exterior site access, fire access to all parcels, infrastructure improvements, common area location and amenities.

(3) Incentives and Concessions. Development projects proposed under the Regional Housing Need R Combining District will be entitled to all of the following alternative development standards:

- (a) Parking requirements: 1.5 spaces per studio or one-bedroom units; 2.0 spaces for two-bedroom units; 2.5 spaces for three-bedroom units; 3.0 spaces per four-bedroom units. An additional 20 percent of the total number of parking spaces is required to accommodate guest parking. Modifications of these standards can be approved for individual sites in the R Combining District as part of an approved PUD for each site, based on unique site and design factors;
- (b) Height (up to 35 feet measured from pre-construction natural grade) and up to three stories exclusive of subsurface parking. Modifications of these standards can be approved for individual sites in the R Combining District as part of an approved PUD for each site, based on unique site and design factors;
- (c) Lot coverage and floor area ratio do not apply; and
- (d) Reduced size of affordable units (see SCCC [17.10.032\(A\)\(4\)](#)), and reduction in number of bedrooms (see SCCC [17.10.032\(A\)\(3\)](#));
- (e) Clustering of affordable units;
- (f) Where garages are provided for market rate units, garages are not required for affordable units, but in such cases affordable units shall have a minimum of 218 cubic feet of private storage space per unit which shall be accessed from the outside of the unit;
- (g) Maintain standard riparian buffer but eliminate 10-foot additional riparian construction buffer;
- (h) For projects eligible for concessions under State density bonus law, a project developer may request additional concessions as set forth in Chapter [17.12](#) SCCC.

(4) Affordability Requirements under the Regional Housing Need R Combining District. All development proposals on parcels designated under the Regional Housing Need R Combining District shall be required to provide 40 percent of the total number of units as affordable: 15 percent shall be affordable under the requirements for all development projects in SCCC [17.10.030\(B\)\(1\)](#) and an additional 25 percent shall be affordable under the requirements for enhanced affordable units as described in SCCC [17.10.030\(B\)\(6\)](#). The number of affordable units at each affordability level will be calculated upon determination of the developable acreage of a site. Where fractional numbers result, a fractional in lieu fee will be required for the fractional amount that is attributable to the 15 percent affordability requirement. For fractional numbers in the 25 percent enhanced affordable category, affordable housing obligation will be derived by rounding to the nearest whole number, such that 0.5 will be rounded up.

(5) Encourage energy efficiency, and environmentally sensitive design and building materials. [Ord. 4878 § 1, 2007].

**13.10.478 By-right development.** Amended Ord. 5160

When required by State law, notwithstanding the requirements of the residential uses chart in SCCC [13.10.322](#), in the event that the current adopted housing element includes a program to rezone sites to appropriate densities to address the inadequacy of suitably zoned sites required to meet the regional housing need, those sites identified to fulfill that program shall be developed by right, in that the use and density for the site are not discretionary. For these sites, the following standards and alternative process shall also apply:

- (A) The developable acreage of the site will be determined and the site will be assigned a number of units equivalent to 20 units per acre

at the time the site is designated under the Regional Housing Need R Combining District.

(B) Environmental review, as required by the California Environmental Quality Act, will be completed as part of the process for rezoning of such sites into the Regional Housing Need R Combining District. No further environmental review is necessary except for development projects requiring a coastal permit or those requiring approval of a tentative map (see subsection (E)(1) and (2) of this section).

(C) A planned unit development permit outlining site-specific development standards and any CEQA mitigation measures will be adopted, in accordance with SCCC [18.10.180](#) et seq., for each site at the time the site is rezoned.

(D) Development proposals shall undergo a design review process and public hearing limited to design issues only. No discretionary permit is necessary for the density or use of the site. For development proposals under these "by-right" provisions, applicants must apply for a Level VII design review.

(E) If a coastal permit or tentative map approval is required, it must be included in the application.

(1) Coastal Permit Requirements. Where a site is located in the Coastal Zone and requires a coastal permit for development, the provisions of Chapter [13.20](#) SCCC apply. Wherever possible, the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the coastal permit.

(2) Subdivisions. Development that includes approval of a tentative map is subject to the provisions of the Subdivision Map Act and Chapter [14.01](#) SCCC. Where a tentative map is proposed, the public hearing may be expanded to address findings necessary under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the Regional Housing Need R Combining District will be utilized in the processing of the subdivision. [Ord. 4878 § 1, 2007].

#### **Article IX. SP Salamander Protection Combining District**

##### **13.10.481 Purposes of the Salamander Protection SP Combining District.**

The purposes of the Salamander Protection or SP Combining District are:

(A) To designate those lands which are located in the Santa Cruz Long-Toed Salamander's breeding ponds and terrestrial habitats.

(B) To ensure the survival of this State and Federally designated endangered animal subspecies through protection of its natural habitat.

(C) To regulate the use of such lands in accordance with the provisions of the sensitive habitat protection ordinance, Chapter [16.32](#) SCCC, which apply to the protection of the habitat of the salamander. [Ord. 3432 § 1, 1983].

##### **13.10.482 Designation of the Salamander Protection SP Combining District.**

The Salamander Protection SP Combining District shall be used to denote those properties which are located within the breeding ponds and terrestrial habitat of the Santa Cruz Long-Toed Salamander. [Ord. 3432 § 1, 1983].

##### **13.10.483 Use and development standards in the Salamander Protection SP Combining District.**

Use and development standards for the Salamander Protection SP Combining District shall be as set forth in the sensitive habitat protection ordinance, SCCC [16.32.090](#)(C)(2)(a), Santa Cruz Long-Toed Salamander. [Ord. 4496-C § 39, 1998; Ord. 3432 § 1, 1983].

##### **13.10.484 Establishment of Special Review (SP) Overlay Zoning District with specific review criteria.**

*Repealed by Ord. 4346.* [Ord. 4122 § 2, 1991; Ord. 4119 § 2, 1991; Ord. 4113 § 2, 1991].

#### **Article IX-A. W Watsonville Utility Prohibition Combining District**

##### **13.10.491 Purposes of the Watsonville Utility Prohibition W Combining District.**

The purpose of the Watsonville Utility Prohibition or W Combining District is to prevent the provision of urban services to undeveloped/rural areas west of the City of Watsonville, so as to discourage urban development in the farmlands, wetlands and other environmentally sensitive areas in the Coastal Zone west of Watsonville. The Watsonville Utility Prohibition or W Combining District establishes a one-foot-wide wastewater and potable water utility prohibition strip upon parcels and public road rights-of-way to the west of, and abutting, the western edge of the Highway 1 right-of-way, and the Watsonville city limits where the city extends west of Highway 1. The utility prohibition strip shall extend north to Buena Vista Drive and south to the Monterey County line, directly adjacent to the western edge of Highway 1 right-of-way. The utility prohibition strip shall be located along the parcel boundary closest to the Watsonville city limits or the Highway 1 right-of-way, as applicable. Wastewater and/or potable water utility pipelines or pipeline extensions will not be permitted through or across the one-foot-wide utility prohibition strip, with certain exceptions as set forth in SCCC [13.10.493](#). Any amendments to this and the following sections, including revocation, require a super-majority vote of the Board of Supervisors. [Ord. 4750 § 1, 2003; Ord. 4656C § 1, 2002; Ord. 4609A § 1, 2001; Ord. 4609 § 1, 2001; Ord. 4193 § 1, 1992].

**13.10.492 Designation of the Watsonville Utility Prohibition W Combining District.**

The utility prohibition strip shall extend north to Buena Vista Drive and south to the Monterey County line, directly adjacent to the western edge of Highway 1 right-of-way. The utility prohibition strip shall be located along the parcel boundary closest to the Watsonville city limits or the Highway 1 right-of-way, as applicable. The Watsonville Utility Prohibition W Combining District designation, establishing the one-foot-wide utility prohibition strip, shall be applied to:

- (A) Where the city limits of Watsonville lie west of State Highway 1, those properties and public road rights-of-way directly bordering the city limits of Watsonville (and also to parcels abutting any County right-of-way that is contiguous with the Watsonville city limits west of Highway 1);
- (B) Where the city limit of Watsonville is coterminous with the western edge of the Highway 1 right-of-way, or where the city limit of Watsonville is east of Highway 1, those properties and public road rights-of-way bordering the western edge of the Highway 1 right-of-way, along the stretch of Highway 1 between Buena Vista Drive to the north and the Monterey County line to the south;
- (C) Where the city limit of Watsonville is modified subsequent to the effective date of the ordinance codified in this section through annexation to include either County lands located west of Highway 1, or County lands located east of Highway 1 and abutting the Highway 1 right-of-way, those properties and/or public road rights-of-way on the County side of the so annexed area. In the event of such an annexation, the annexation shall be conditioned for the affected County properties on the County side of the so annexed area to be rezoned with the W Combining Zone District. [Ord. 4750 § 1, 2003; Ord. 4656C § 1, 2002; Ord. 4609A § 1, 2001; Ord. 4609 § 1, 2001; Ord. 4193 § 1, 1992].

**13.10.493 Use and development standards in the Watsonville Utility Prohibition W Combining District.**

(A) In addition to the regulations for development and use imposed by the basic zone district, all properties with a W Combining Zone designation, as set forth in SCCC [13.10.492](#), shall contain a one-foot-wide wastewater and potable water utility prohibition strip. The utility prohibition strip shall be located contiguous to the parcel boundary for all portions of the parcel abutting any part of the Watsonville city limits west of Highway 1. For parcels abutting the Highway 1 right-of-way, the utility prohibition strip shall be located contiguous to the parcel boundary for all portions of the parcel abutting any part of the Highway 1 right-of-way. The utility prohibition strip shall extend north of Watsonville to Buena Vista Drive and south to the Monterey County line, to the points where Buena Vista Drive and the County line each intersect the western edge of the Highway 1 right-of-way. For the applicable County road right-of-way areas, the one-foot-wide utility prohibition strip shall run parallel to the city limits and/or along the edge of the right-of-way closest to the city limits. Placement of wastewater or potable water utility pipelines will not be permitted through, over, or under the utility prohibition strip, except for one wastewater and one water line to serve permitted high school development on City of Watsonville Coastal Zone Area C.

(B) Any such wastewater or potable water supply pipeline(s) allowed by exception in the W Combining Zone District shall be limited in size to the minimum capacity necessary to serve the so excepted use. The limitations in the W Combining Zone District shall not restrict the repair, replacement, maintenance, refurbishment, or functional improvements of existing water and sewer pipelines insofar as necessary to maintain existing capacity without physical expansion of such existing pipelines.

(C) Any additional exceptions to the W Combining District wastewater and potable water utility pipeline prohibition shall be prohibited without an LCP amendment, subject to all LCP amendment and CEQA analysis and approval standards. If such an amendment adds any exception(s) to the W Combining District prohibitions, development shall not commence pursuant to the certified exception(s) unless and until all applicable regulatory views have been completed, and all required approvals, including but not limited to an appealable coastal development permit, have been granted. Without prejudice as to their appropriateness, further exceptions that may be pursued through normal and required LCP amendment and CEQA processes in the future include:

- (1) Potable water and wastewater service to the Gilbertson parcel (APN 052-011-46), and the agricultural uses principally and conditionally permitted under the present County Commercial Agricultural Zoning District, including agricultural worker housing;
- (2) Leachate lines to and from the city and County landfill and the city wastewater treatment plant; and
- (3) Pipelines to distribute water for environmental restoration, maintenance or enhancement. [Ord. 4750 § 1, 2003; Ord. 4656C § 1, 2002; Ord. 4609A § 1, 2001; Ord. 4609 § 1, 2001; Ord. 4193 § 1, 1992].

**Article X. General Site Standards****13.10.510 Application of site standards.**

(A) Subsequent Divisions. No parcel shall be divided so as to reduce the building site area, width, depth or frontage below those required by this chapter, except as indicated in SCCC [13.10.323\(D\)\(1\)](#).

(B) No yard or other open space provided about any building on one site shall be considered as providing a yard or open space for a building on any other site.

(C) Exceptions to Site Standards. Site area, width, depth and frontage requirements of this chapter shall not apply to sites used for tract offices, public utility structures and uses, power stations, radio and television transmission towers, drainageways, and similar structures which require a use approval, but appropriate requirements shall be determined by conditions of each use approval granted for each use. Flat plate solar collectors on existing structures shall be exempt from lot coverage and setback provisions.

(D)(1) Height Limit. The allowable height of a structure is determined by a plane which parallels the topography of the site at the height limit established for each zone district, subject to exceptions for increased setbacks, discretionary design review, and certain exempt architectural elements. Excavations within the building perimeter do not lower the allowable height plane.

(a) A topographic map must be a part of each project submittal, unless determined to be unnecessary by the Planning Director, or his/her designee. The map must be prepared by a civil engineer, licensed surveyor, or architect. The plans must show the finish floor elevation at each floor and must show spot elevations at the high and low exterior grade elevations and the highest point of the building elevations.

(b) Prior to foundation inspection approval, the required spot elevations shown on the approved plans must be verified by a civil engineer, licensed surveyor, or architect, unless determined by the Building Official to be unnecessary.

(2) Height Exceptions. Chimneys, church spires and steeples, water tanks, cooling towers, elevators, flagpoles, monuments, noncommercial radio and television antennas, fire towers, and similar structures not used for human habitation and not covering more than 10 percent of the ground area covered by the structure may be erected to a height of not more than 25 feet above the height limit allowed in any district. Parapets (a low screen or barrier wall) for nonresidential buildings located at least five feet from the edge of any exterior wall that are constructed for the purpose of screening mechanical equipment or other building features may exceed the height limit by up to 3.5 feet. Firewall parapets for non-residential buildings that are upward extensions of an exterior wall and are required by the building code for fire safety purposes may exceed the height limit by up to three feet. Utility and commercial poles and towers may not be subject to the height limits prescribed in the district regulations. Height limits on windpowered generators shall be as established in Chapter [12.24](#) SCCC. Noncommercial radio and television towers or freestanding antennas may exceed the height limits above by 25 feet with the approval of a Level IV use approval. Flat plate solar collectors on existing structures shall be permitted to exceed height restrictions by four feet.

In an RM-5 to RM-9 district, for multiple dwelling projects of five or more units which are designed to contain all the required parking spaces under the dwelling structures, a maximum height of 35 feet is permitted; provided, that one foot of additional side yard beyond the 10-foot required minimum side yard is added for every foot of height above 28 feet. Solar access on neighboring sites shall not be obstructed.

In any commercial or industrial zone district, a building may exceed the height limit as established by the zone district by up to five feet, subject to review and recommendation by the Urban Designer and approval by the Zoning Administrator following a public hearing. In addition to the findings required in Chapter [18.10](#) SCCC for discretionary approvals, the project shall be subject to the following additional findings:

(a) The additional height complements or completes the architectural design.

(b) For properties located in the Coastal Zone, the proposed project complies with LCP policies, including policies protecting scenic corridors and public viewsheds.

(E) Plan Lines. Where an official plan line has been established as a part of the circulation element of the General Plan, or any area plan, village plan or specific plan, the required yards on the street side shall be measured from the official plan line. In no case shall the provisions of this chapter be construed as permitting any structure to extend beyond such official plan line. However, where an official plan line or street widening has reduced the depth or the width of a site to less than the minimum required depth or width, the front yard may be reduced by the amount that the site depth was reduced, but in no case to less than 10 feet. The side yard adjoining the street may be reduced by the amount that the site width was reduced, but in no case to less than six feet.

(F) *Repealed by Ord. 5087.*

(G) Minimum Parcel Sizes and Maximum Density. Minimum parcel size and maximum density requirements of the General Plan and Local Coastal Program Land Use Plan shall be met based on the land use designation, Figure 2.2 of the General Plan and Local Coastal Program Land Use Plan, and Chapter [13.14](#) SCCC.

(H) *Repealed by Ord. 4525.*

(I) Reductions in the Front Setback to Protect the Environment or Public Safety.

(1) Within the Urban Services Line, and within those portions of La Selva Beach and Davenport inside the Rural Services Line as shown in Figure 1 of SCCC [13.10.235](#), up to a 25 percent reduction in the required setback established by the zone district for front

yards or other yards fronting on a street or vehicular right-of-way may be allowed, subject to review and approval by the Planning Director (Level III approval), for any of the following purposes:

- (a) To minimize grading on steep lots;
- (b) To protect environmentally sensitive resources such as significant trees or sensitive habitats such as riparian corridors; or
- (c) To facilitate conformance with regulations for geologic hazards (Chapter [16.10](#) SCCC).

(2) In addition to the findings required in SCCC [18.10.230](#) for discretionary approvals, the following additional findings shall be required:

- (a) The reduced setback would result in an environmentally superior outcome or improved public safety, either by minimizing grading, affording better protection to an environmentally sensitive habitat or resource, or resulting in greater conformance with geologic hazard regulations.
- (b) The proposed project shall not unreasonably infringe on adequate light, air, or privacy of adjacent residential property. [Ord. 5087 §§ 5, 6, 7, 2011; Ord. 4525 § 8, 1998; Ord. 4496-C § 40, 1998; Ord. 4346 § 30, 1994; Ord. 4194 § 3, 1992; Ord. 4159 § 5, 1991; Ord. 4122 § 8, 1991; Ord. 4119 § 8, 1991; Ord. 3593 §§ 12, 13, 1984; Ord. 3524 § 1, 1984; Ord. 3432 § 1, 1983].

#### **13.10.520 Site frontage.**

(A) **Minimum Frontage on a Cul-De-Sac.** On a cul-de-sac or a curved street with a radius of curvature of 200 feet or less, a site may have a frontage of not less than 40 feet in any zone district, unless a lesser frontage is allowed in the zone district.

(B) **Corridor Access Lots.** A corridor access lot shall be permitted in any district. The corridor shall have a frontage and width of not less than 20 feet, and a length not to exceed 150 feet; the area of the access corridor shall not be included in the determination of site area. [Ord. 4836 § 97, 2006; Ord. 3432 § 1, 1983].

#### **13.10.521 Site access.**

(A) **Right-of-Way Access.** A parcel, newly created by a tentative map or conditional certificate of compliance, may not be used as a building site unless it has its principal frontage on a public street or on a private right-of-way at least 40 feet wide nor may a new vehicular right-of-way be created less than 40 feet in width unless a Level V use approval is obtained for principal frontage and access on a narrower right-of-way. For any project requiring a subdivision or minor land division tentative map approval, or a conditional certificate of compliance, use of streets not meeting the minimum County standard shall require approval of a roadway exception processed pursuant to SCCC [15.10.050\(F\)](#). [Ord. 4921 § 12, 2008; Ord. 4836 § 98, 2006; Ord. 3432 § 1, 1983].

#### **13.10.525 Regulations for fences and retaining walls within required yards.**

(A) The purposes of fence and/or retaining wall regulations for yards abutting on streets are:

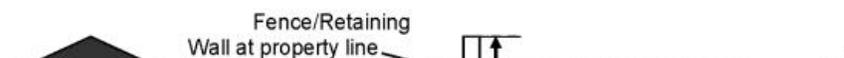
- (1) To ensure adequate visibility of vehicles entering the street from driveways, adequate sight distance from such vehicles, and adequate sight distance at street corners.
- (2) To ensure adequate light and air for the street area.
- (3) To preserve a harmonious and compatible street front appearance.

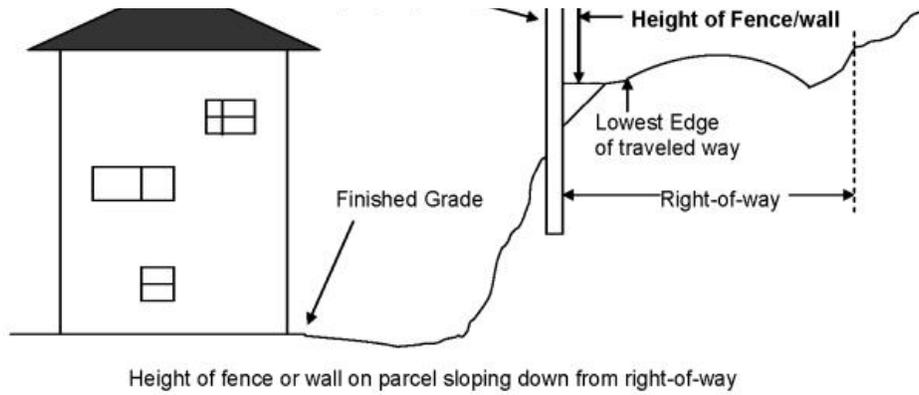
(B) The purposes of fence and/or retaining wall regulations for side and rear yards which do not abut on streets are:

- (1) To provide for privacy screening of these yard areas.
- (2) To ensure that light and air of abutting properties are protected from excessively high manmade structures.

(C) The height regulations for fences and/or retaining walls are:

- (1) The height of fences and/or retaining walls is determined as follows:
  - (a) By measuring the exposed face of the fence and/or wall at its tallest point, from finished grade at the base, to the top of the fence and/or wall, except as provided in subsections (C)(4) and (5) of this section.
  - (b) Where a parcel slopes down from a public or private right-of-way, the height of a fence or retaining wall shall be measured from the lowest elevation of the traveled portion of the right-of-way nearest the fence or retaining wall to the top of the fence and/or wall as shown in the diagram below, except as provided in subsections (C)(4) and (5) of this section.





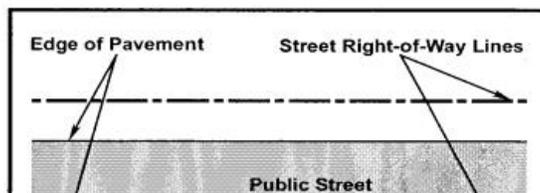
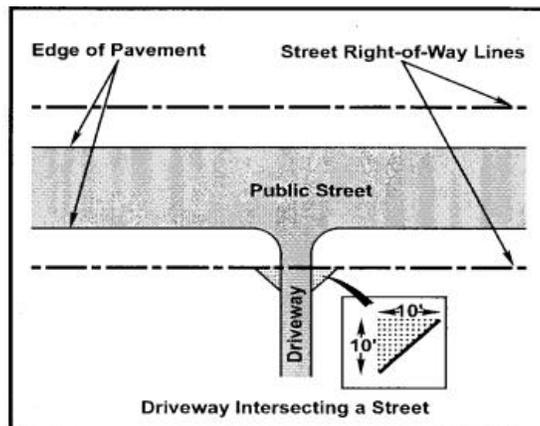
(2) Maximum Fence and Retaining Wall Heights.

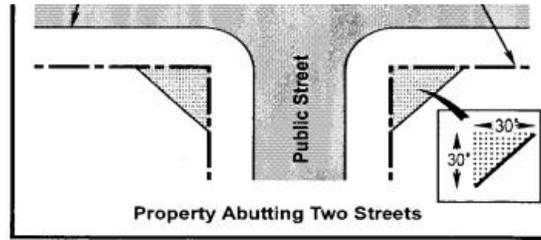
(a) In agricultural zone districts, fencing for agricultural purposes may have heights up to six feet in all yards; provided, that such fencing, including gates, is: (i) six feet or less in height; and (ii) made of wire which is spaced a minimum of six inches apart (i.e., typical field fencing), or made of horizontally oriented wooden members which are spaced a minimum of one foot apart (i.e., typical wooden corral fencing). Such fencing meeting these criteria shall be exempt from development permit approval unless such fencing is located on property adjacent to Highway One, in which case a development permit is required. In the Coastal Zone, a coastal development permit will be required for all such fencing unless it is excluded from coastal development permit requirements pursuant to SCCC [13.20.060](#) or [13.20.070](#).

(b) Except as provided in SCCC [13.10.323\(D\)\(5\)\(a\)](#), maximum heights for fences and retaining walls not located in a corner sight clearance triangle are shown on the fence location and height table given in subsection (C)(3) of this section. Examples of corner sight clearance triangles are shown in the diagrams below.

(c) Except as provided in SCCC [13.10.323\(D\)\(5\)\(a\)](#), within corner sight clearance triangles no fence or retaining wall shall exceed three feet in height, if the fence or retaining wall is:

- (i) Located in a corner sight clearance triangle on a parcel located at the intersection of two local neighborhood streets for a distance of 30 feet along each street right-of-way; or
- (ii) Located in a residential driveway or alley corner sight clearance triangle for a distance of 10 feet along the street right-of-way on each side of the driveway or alley; or
- (iii) Located in a corner sight clearance triangle determined to be applicable by the County based on professional standards established by the American Association of State Highway and Transportation Officials (AASHTO) or other applicable technical publications. Greater sight clearance triangles may be required for front and side yards adjacent to roads that allow vehicular travel speeds of more than 25 miles per hour.





**Corner Sight Clearance Triangles for Local Residential Neighborhood Streets**

(3) Fence Location and Height Table.

Property and Fence Location	Maximum Height without Permit Outside of Corner Sight Distance Triangles**, ***	Maximum Height with Over-Height Fence Certification outside of Corner Sight Distance Triangles**, ***	Maximum Height with a Level IV or above Permit ***
Front Yard inside Urban Services Line (USL) and Rural Services Line (RSL)	3 feet*	6 feet	As determined through permit process
Front Yard outside USL and RSL	3 feet*	8 feet	As determined through permit process
Side/Rear Yard Abutting on a Street	6 feet	8 feet if fence at least 5 feet back from property line	As determined through permit process
Side/Rear Yard Not Abutting on a Street	8 feet	N/A: already at 8 feet; would need Level IV to go higher	As determined through permit process

The following would be allowed without any discretionary approval in all locations, except for

Property and Fence Location	Maximum Height without Permit Outside of Corner Sight Distance Triangles**, ***	Maximum Height with Over-Height Fence Certification outside of Corner Sight Distance Triangles**, ***	Maximum Height with a Level IV or above Permit ***	
corner sight clearance triangles: 1. Archways/trellises/ pergolas up to 8 feet tall associated with a walkway through a fence and not making up more than 25% of the length of the fence along the applicable property line. 2. Open decorative features such as lattice that do not exceed the given maximum fence heights by more than 6 inches.				*Except as allowed by SCCC <a href="#">13.10.323(D)</a> (5)(a) **County Public Works Department guidelines establish applicable corner sight clearance triangle requirements *** In the coastal zone, a coastal development permit will be required for all fence and retaining wall development unless it is exempt from coastal development permit requirements pursuant to SCCC <a href="#">13.20.060</a> or <a href="#">13.20.070</a> .

(4) Walkway fence openings, with or without gates, may have associated archways/trellises/pergolas up to a maximum height of eight feet without a discretionary approval, except in corner sight clearance triangles, where no fence or retaining wall shall exceed three feet in height. Archways/trellises/pergolas may not make up more than 25 percent of the length of the fence along a given property line without a Level IV development permit. Notwithstanding the above exceptions for discretionary approval and development permits, in the coastal zone all such archways/trellises/pergolas shall require a coastal development permit unless exempt from coastal development permit requirements pursuant to SCCC [13.20.060](#) or [13.20.070](#).

(5) Open architectural, decorative, and ornamental features such as lattice may exceed the given maximum fence heights by no more than six inches without a discretionary approval, except in corner sight clearance triangles, where no fence or retaining wall shall exceed three feet in height. Open means that no more than 50 percent of the feature may be opaque. Notwithstanding the above exceptions for discretionary approval and development permits, in the coastal zone all such archways/trellises/pergolas shall require a coastal development permit unless exempt from coastal development permit requirements pursuant to SCCC [13.20.060](#) or [13.20.070](#).

(D) Over-Height Fence Certification. An over-height fence certification may be issued upon the Planning Director making the findings required by SCCC [18.10.230\(A\)](#) and, if in the Coastal Zone, the finding that the subject development will not adversely impact public views and scenic character. [Ord. 5124 § 2, 2012; Ord. 5115 § 2, 2012; Ord. 5095 § 2, 2011; Ord. 4921 § 13, 2008; Ord. 4836 § 99, 2006; Ord.

4496-C § 41, 1998; Ord. 4098 § 1, 1990; Ord. 4035 § 2, 1989; Ord. 3632 § 15, 1985; Ord. 3432 § 1, 1983].

**13.10.530 Merger of contiguous parcels.**

*Repealed by Ord. 3524. [Ord. 3432 § 1, 1983].*

**13.10.550 Off-street parking and loading facility regulations.**

In order to alleviate or to prevent traffic congestion and shortage of curb spaces, off-street parking and loading facilities are required to be provided incidental to new land uses and major alterations and enlargements of existing land uses. The number of parking spaces and the number of loading berths prescribed in this chapter or to be prescribed by the Zoning Administrator shall be in proportion to the need for such facilities which is created by the particular type of land use. Off-street parking and loading areas are to be laid out in a manner which will ensure their usefulness, protect the public safety and where appropriate, insulate surrounding land use from their impact. [Ord. 3432 § 1, 1983].

**13.10.551 Off-street parking facilities required.**

(A) In all districts, in connection with every use, there shall be provided at the time of initial occupancy of a site, or construction of a structure, or major alteration or enlargement of a site or structure, off-street parking spaces for automobiles and bicycles in accordance with requirements prescribed in this chapter, except as otherwise provided in this subsection and as provided in subsection (C) of this section for historic resources, as defined in SCCC [16.42.030](#). For the purposes of this chapter, "parking space" shall mean a space conforming to the standards set forth in SCCC [13.10.554](#) and maintained open, clear and available for the parking of motor vehicles. Also, for the purpose of this chapter the term "major alteration or enlargement" shall mean an addition, remodel or change of residential use which would increase the number of parking spaces required by more than 10 percent of the total required; or an addition, remodel or change of nonresidential use which would increase the number of required parking spaces by both more than 10 percent and more than two spaces. The term "bicycle" shall include mopeds as defined in the California Vehicle Code. If, in the application of the requirements of this chapter, a fractional number is obtained, one parking space shall be provided for a fraction of one-half or more, and no parking spaces shall be required for a fraction of less than one-half.

For any major alteration or enlargement affecting a nonresidential structure or use for which the existing parking is or would become nonconforming, additional off-street parking shall be required only for the additional increment of square footage or use.

The planning director may authorize a reduction in the number of parking spaces in an existing parking area, to the extent necessary and appropriate to provide accessibility upgrades to existing buildings or parking areas in accordance with building code requirements.

(B) If more than one use is located on a site, the number of parking spaces provided shall be equal to the sum of the requirements prescribed in this chapter for each use.

(C) The parking requirements of SCCC [13.10.550](#) et seq. may be modified in connection with an application involving an historic resource designated in conformance with the California Register of the State Office of Historic Preservation and as defined in SCCC [16.42.030](#). Modification of parking requirements shall be subject to approval at Level III. The approving body shall make the following findings:

- (1) Existing traffic and parking on adjacent and nearby streets and properties will not be adversely affected; and one of the following:
  - (a) Provision of additional parking would adversely affect the historic or architectural significance of the historic resource; or
  - (b) Provision of additional parking would create exceptional hardship such that preservation of the historic resource would be infeasible. [Ord. 5119 § 26, 2012; Ord. 4850 § 3, 2007; Ord. 4771 § 4, 2004; Ord. 3748 § 1, 1986; Ord. 3432 § 1, 1983].

**13.10.552 Schedule of off-street parking space requirements.**

(A) Off-street parking spaces for residential uses shall be provided according to the type and size of residence as described below:

- (1) Resident Parking.

Number of Bedrooms	Parking Spaces Required for Single-Family Dwellings and Mobile Homes Used as SFDs Outside of Mobile Home Parks Pursuant to SCCC <a href="#">13.10.682</a>	Parking Spaces Required for Multifamily Dwellings
1	2	2
2	3	2.5
3	3	2.5
4	3	3

Number of Bedrooms	Parking Spaces Required for Single-Family Dwellings and Mobile Homes Used as SFDs Outside of Mobile Home Parks Pursuant to SCCC <a href="#">13.10.682</a>	Parking Spaces Required for Multifamily Dwellings
Additional	1 each	0.5 each

**Mobile Homes in Mobile Home Parks**

Size	Parking Spaces Required
1,570 square feet or less	2
Greater than 1,570 square feet and not more than 2,500 square feet	3
Greater than 2,500 square feet	4

Replacement Mobile Homes in Mobile Home Parks
No additional parking spaces are required if the replacement mobile home is no more than 120 percent of the size of the existing mobile home. If the replacement mobile home is more than 120 percent of the size of the existing mobile home, then parking is required according to the size of the replacement unit, as given above.

- (2) In order to meet the parking requirements for a mobile home located within a mobile home park, one off-street parking space may be a compact space, three cars may park in tandem, and one space may overhang a landscaped area.
- (3) No replacement mobile home may be installed in a mobile home park prior to approval of a parking certification or an exception. No mobile home transport permit for the movement of a replacement mobile home over County-maintained roads to a mobile home park in the unincorporated portion of the County shall be approved or issued by the Department of Public Works prior to approval of a parking certification or an exception.
- (4) Guest Parking for Multifamily Residential Developments. In addition to providing the required amount of residential parking, additional, separate guest parking shall be provided, in an amount equal to 20 percent of the required resident parking, for all multifamily residential uses. Where it can be demonstrated that abutting, on-street curb space is available for guest parking, the required number of guest parking spaces can be reduced in the amount of one space per 18 feet of this available curb.
- (5) Guest Parking for Mobile Home Parks. In addition to providing the required amount of residential parking, additional, separate guest parking shall be provided as required by its development approval or as established pursuant to a legal nonconforming use. Guest spaces may be located along interior streets within the mobile home park; provided, that street width is in conformity with the provisions of Section 1106, Title 25 of the California Code of Regulations.
- (6) Bicycle Parking for Residential Uses.

Use	Bicycle Parking Spaces
Single-Family Dwelling	0.0
Multifamily Dwelling	1 lockable storage shed or lockable garage space capable of holding 1 bicycle per unit, plus 0.2 spaces per unit as set forth in SCCC <a href="#">13.10.560</a> .
Mobile Home	0.2 per unit

- (7) Second Units. One parking space is required for each bedroom in a second unit.
- (B) Off-street parking for nonresidential uses shall be provided according to the use and size as described in the table below:

USE	REQUIREMENTS	
	Auto Parking Spaces	Bicycle Parking Spaces
Motels, hotels, lodging houses, visitor accommodations Types A and B, with or without kitchens (except Type A as below)	1 per habitable room as defined by SCCC <a href="#">13.10.700-H</a>	0.2 per unit and storage necessary to accommodate them; 2 minimum

USE	REQUIREMENTS	
	Auto Parking Spaces	Bicycle Parking Spaces
Motels, hotels, and visitor accommodations Type A only, in the C-2, VA or CT districts	1 per visitor accommodations (VA) unit, as defined by SCCC <a href="#">13.10.700-V</a> but not including lodging houses. For parking purposes, VA studio units shall count as no less than one visitor accommodations unit in the C-2, VA and CT districts.	0.2 per unit and storage necessary to accommodate them; 2 minimum
Day-care homes, foster family homes, residential care homes	1 per every 5 children or adults for whom care is provided, plus 1 for the resident owner or manager	0.2 per employee
Day-care center	1 per every 5 children or adults for whom care is provided, plus 1 per employee	0.2 per employee
Elementary school and junior high school	0.3 per employee	0.2 per employee and student
Emergency shelters	0.15 per bed, plus 1 per employee	0.2 per employee
High school	0.3 per employee, 0.1 per student	0.2 per employee and student
College, university, professional or trade school	0.3 per employee and student	0.2 per employee and student
Places of public assembly: churches, community centers, private clubs, auditoriums	0.25 per seat or 30 per 1,000 square feet (92.9 square meters) if no fixed seating	0.1 per seat or 10 per 1,000 square feet (92.9 square meters)
Sanitariums, nursing homes, institutions, providing sleeping accommodations	0.3 per bed	0.2 per employee
Hospitals	1.5 per bed and 1 per 200 square feet (18.6 square meters) of office	0.2 per bed
Business offices	1 per 300 square feet of gross floor area*	1 per 1,000 square feet of gross floor area*; 2 minimum
Medical offices	1 per 225 square feet of gross floor area*; 2 minimum	1 per 1,000 square feet of gross floor area*; 2 minimum
Libraries, museums, art galleries	1 per 300 square feet of gross floor area*	1 per 1,000 square feet of gross floor area*; 2 minimum
Retail stores and service establishments	1 per 300 square feet of gross floor area*	1 per 1,000 square feet of gross floor area*; 2 minimum
Supermarkets, convenience stores	1 per 200 square feet of gross floor area*	1 per 1,000 square feet of gross floor area*; 2 minimum
Restaurants, bars, soda fountains, and similar establishments	1 per 100 square feet (9.3 square meters) of gross floor area*, and 0.3 per employee	1 per 400 square feet (37.2 square meters) of gross floor area*
Commercial service enterprises, repair shops, wholesale establishments and bulky merchandise retail (e.g., furniture, motor vehicles)	1 per 300 square feet (27.9 square meters) of gross floor area*; 2 minimum	1 per 1,000 square feet (92.9 square meters) of gross floor area*; 2 minimum
Warehouses, storage buildings and storage facilities combined with commercial or industrial uses	1 per 1,000 square feet (92.9 square meters) of gross floor area; 2 minimum	1 per 3,000 square feet (278.8 square meters) of gross floor area; 2 minimum

USE	REQUIREMENTS	
	Auto Parking Spaces	Bicycle Parking Spaces
Open uses, commercial and industrial uses conducted outside of buildings	0.3 per employee and 1 per 600 square feet (55.8 square meters) of land area devoted to such use.	1 per 1,000 square feet (92.9 square meters) of land devoted to such use
Manufacturing plants and other industrial uses	1 per 600 square feet (55.0 square meters) of gross floor area*; 2 minimum	1 per 2,000 square feet (185.9 square meters) of gross floor area*; 2 minimum
Public buildings and grounds	1 per 200 square feet (18.6 square meters) of gross floor area* plus 30 per 1,000 square feet of public assembly area	1 per 1,000 square feet (92.9 square meters) of gross floor area*
Public utility structures and installations	0.5 per employee plus additional spaces as prescribed by the approval body	0.2 employee

\* Exclude any floor area used only for storage or truck loading.

(C) Other Uses. Any use not specified in this schedule shall require the same number of spaces as the most similar use, as determined by the approval body, or, if it can be shown that a use is not expected to utilize the required number of spaces, and assurance is given by recorded indenture, or other means, that the required number of spaces will be provided when the use or circumstances of occupancy change, then a different parking requirement may be authorized by a Level IV approval.

(D) Maximum. The maximum number of parking spaces allowed shall not exceed by 10 percent the requirements as established above unless determined by the approving body to be necessary due to special circumstances of the use intended.

(E) Accessible Parking. Parking spaces specifically designed, located and reserved for vehicles licensed by the State for use by persons with disabilities shall be provided in each parking facility of one or more spaces according to the following table:

Total Spaces Required	Maximum Number of Accessible* Spaces Required
1—25**	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	***
1,001 and over	****

\* Van space(s). One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide, minimum, and shall be designated van accessible. All such spaces shall be grouped on one level of any parking structure.

\*\* Less than five spaces. When less than five spaces are provided at buildings and facilities subject to these regulations, one shall be 14 feet wide and lined to provide a nine-foot parking area and a five-foot loading and unloading area. However, there is no requirement that the space be reserved exclusively or identified for use by persons with disabilities only.

\*\*\* Two percent of the total.

\*\*\*\* Twenty plus one for each 100, or fraction thereof over 1,001.

The approving body may determine additional spaces to be necessary due to the special circumstances of the use intended. [Ord. 5171 § 5, 2014\*; Ord. 5119 §§ 27, 28, 2012; Ord. 5083 § 2, 2010; Ord. 5061 § 14, 2009; Ord. 4836 § 100, 2006; Ord. 4786 § 3, 2005; Ord. 4723 § 3, 2003; Ord. 4642 § 2, 2001; Ord. 4496-C §§ 42, 43, 1998; Ord. 3748 § 2, 1986; Ord. 3432 § 1, 1983].

\* Code reviser's note: Section VI of Ord. 5171 provides: "Outside the Coastal Zone this Ordinance shall take effect on the 31st day after the date of final passage. Inside the Coastal Zone it shall take effect on the 31st day after the date of final passage or upon certification by the California Coastal Commission, whichever date is later."

### 13.10.553 Alternate parking requirements.

The off-street parking requirements of this chapter may be satisfied or modified in alternate ways:

(A) **Parking Plan.** A specific parking plan initiated by the County and approved by the appropriate approving body may supersede those parking standards contained in SCCC [13.10.552](#), if the purpose of this section is met, or in order to permit or preserve significant public amenities, and for either case in the Coastal Zone, a specific finding is made and supported that visitor access and parking will not be preempted.

(B) **Shared Parking.** Parking reductions for two or more uses that share parking may be authorized by a Level IV use approval. The total number of spaces required for all uses sharing the parking may be reduced to no less than the number of spaces required for the single use among those proposed which is required to provide the most parking. Where the shared parking involves two or more separately owned properties, the owners of the properties shall enter into a legal agreement that describes access, use and maintenance of the shared parking. The reduction(s) shall be quantitatively justified by one or more of the following criteria applied to the participating uses:

- (1) The uses occur at separate times of day.
- (2) The uses overlap, but their peak hours occur at different times of day.
- (3) The uses are complementary or foster multipurpose trips.
- (4) The uses serve seniors, youth or other demographic groups known for below-average rates of vehicle ownership.
- (5) Valid statistical parking data from the site, neighborhood or applicable larger area indicate an appropriate level for shared parking.
- (6) The parking reduction is commensurate with the level of vehicle activity typically associated with the proposed use(s), site location or incremental change in site floor area or intensity of use.

Any applicant proposing a parking reduction pursuant to this subsection (B) shall submit a parking study prepared by a qualified, independent, professional transportation planner or transportation engineer. The analysis shall: (1) recommend an appropriate parking reduction based on the above criteria, and (2) where the shared parking involves separately owned properties, recommend terms of the associated parking agreement. The requirement for a parking study may be waived by the Planning Director if the proposed parking reduction is clearly proportionate to the proposed and possible future uses involved.

(C) **Housing for the Elderly.** The total number of automobile spaces may be reduced by as much as 75 percent when, in the judgment of the approving body, reduction will be commensurate with the reduced parking demand created by the facility, including visitors and accessory facilities. Land area required for provision of deferred parking spaces shall be maintained in reserve, and shall be landscaped according to approved landscaping plans.

Congregate senior housing shall be required to provide a minimum of 0.5 spaces per unit. Land area required for the provision of 0.25 deferred parking spaces per unit shall be landscaped according to approved landscaping plans. Bicycle storage shall be provided at the rate of one space for every 10 units.

(D) **Transportation and Parking Demand Management.** Parking requirements prescribed for any use or combination of uses on the same or adjoining sites may be reduced by the approving body based upon a detailed alternate transportation and parking demand management program supplied by the applicant, and certified by the County, which may include, but is not limited to, provision of special transit incentives for employees, the operation of effective pooling programs, priority parking for carpools, charter buses, club buses, company cars, employer's contribution to bus service cost, home delivery services or flexible work hours. Any proposed reduction greater than 20 percent shall include adequate evidence supporting the validity of a larger reduction.

In evaluating the request, the approving body shall consider, among other factors:

- (1) Projected effectiveness of carpool, vanpool, staggered work hours or similar transportation programs.
- (2) Proximity to public transportation facilities serving a significant portion of employees and/or customers.
- (3) Evidence that employees and/or customers utilize, on a regular basis, transportation alternatives to the automobile.
- (4) Evidence of land owned, leased or otherwise guaranteed for use by developer that can be held in contingency reserve to be used for supplying additional parking in the event that the program does not reduce parking demand by the required amount.

Where an alternate transportation and parking program is employed and plans approved which reduce the number of required off-street

parking spaces for a development, a written agreement between the landowner(s) and the County must be approved. Such an agreement must be in satisfactory form and content to County Counsel and is subject to approval by all appropriate approving bodies. This agreement shall be in a form capable of and subject to being recorded to constitute a covenant running with the land. The agreement shall include:

- (a) A guarantee that the program will not be diminished, suspended, eliminated, or in any way be operated at a lower level of effort on the part of those responsible for its implementation without prior County approval.
- (b) A provision for bi-annual certification of the program by the County which will include, among other things, review of past year's effort to encourage employee's and customer's use of alternative transportation, and an accounting of the number of persons targeted by the program that actually and regularly employ techniques promoted by the program. Such a report shall update that section of the plan outlining efforts to increase participation in the program during the coming years. The County shall retain the option to require changes, including, but not limited to, the uses' intensity and program as are needed to achieve the required reduction in peak parking demand.

(E) Compact Car Parking. Except for mobile homes in mobile home parks, where one required parking space may be a compact space, a proportion of the total spaces otherwise required by the schedule of off-street parking requirements may be designed and marked for compact car use according to the following table:

Total Spaces Required	Allowable Percentage of Compact Car Spaces
0—5	0
6—50	10%
51—80	30%
81 or more	40%

(F) Parking Requirements for Small Recycling Collection Facilities. Small recycling collection facilities may not locate where existing parking capacity is already fully utilized. Otherwise, a reduction of available parking spaces in an established parking facility by the placement of a small recycling collection facility may be allowed under the following circumstances. (Note: In areas zoned CT Tourist Commercial the number of available parking spaces used as the basis to determine the allowable parking space reduction must be increased by 10 percent).

(1) For a business use:

Number of Available Parking Spaces	Maximum Reduction in Number of Parking Spaces
0—25	0
26—35	2
36—50	3
50—100	4
100+	5

(2) For a community facility use: maximum of five spaces when not in conflict with parking needs of the community facility use. [Ord. 5119 §§ 29—31, 2012; Ord. 4836 § 101, 2006; Ord. 4786 § 4, 2005; Ord. 4496-C § 44, 1998; Ord. 3843 § 5, 1987; Ord. 3756 § 3, 1986; Ord. 3748 § 3, 1986].

**13.10.554 Standards of off-street parking facilities.**

Off-street parking facilities for autos shall conform with the following standards:

(A) Size of Parking Spaces.

- (1) Each standard size parking space shall be not less than 18 feet (5.5 meters) in length and eight and one-half feet (2.7 meters) in width, exclusive of aisles and access drives.
- (2) Each compact car parking space shall be not less than 16 feet (4.9 meters) long and seven and one-half (2.3 meters) wide.
- (3) All parking spaces shall have a vertical clearance of not less than seven and one-half feet (2.3 meters).

(4) Accessible parking spaces shall be located as near as practical to a primary entrance. Where single spaces are provided, they shall be 14 feet wide and outlined to provide a nine-foot parking area and a five-foot loading and unloading access aisle on the passenger side of the vehicle. When more than one space is provided, in lieu of providing a 14-foot-wide space for each parking space, two spaces can be provided within a 23-foot area lined to provide accessible parking as required by this section. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities which do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. Such parking space shall be located in an area with a slope not exceeding two percent, and shall be near or convenient to a level or ramped entrance, with a slope not exceeding five percent. Accessible parking spaces shall be assigned and restricted for use by persons with disabilities only.

(B) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this chapter. For single-family dwelling units, either attached or detached, and for multifamily dwellings where garages are within, attached or immediately adjacent to the dwelling units, tandem parking spaces must be entirely within the subject property and shall consist of no more than two spaces. For mobile homes located within mobile home parks, tandem parking spaces shall consist of no more than three parking spaces in line. For hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use, tandem spaces shall be limited to that number in the approved valet parking plan. Such a valet parking plan shall be approved by the appropriate body and be guaranteed to operate full-time during established business hours for the life of the use.

(C) Entrances and exits from or onto a public right-of-way shall be provided at locations approved by the Public Works Director according to encroachment permit procedures. Backing out movements onto the street shall be discouraged. Backing out movements onto major streets shall not be allowed where a reasonable alternative exists to do otherwise.

(D) The parking area, aisles and access drives shall be paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dustless surface, and shall be graded and drained so as to prevent erosion and disperse surface water. Parking areas, aisles and access drives together shall not occupy more than 50 percent of any required front yard setback area for any residential use, except for parking spaces located on an individual mobile home lot, which does not front on an exterior street, in a mobile home park.

Variations to this rule can only be granted, pursuant to subsection (L) of this section, if locating parking areas, aisles or access drives in front yard setbacks result in less environmental damage than at all alternative locations.

(E) On-site drainage percolation or detention shall be provided so as not to exceed predevelopment runoff levels, and designed for a 10-year storm, unless waived by the Public Works Director. Drainage shall be filtered to reduce urban contamination of downstream drainage. The installation and maintenance of traps for oil, grease, and silt is required for all parking lots for 20 spaces or more and for all commercial and industrial projects. The requirement for the collection of runoff water for filtration may be waived by the approving body in rural areas where appropriate.

(F) Wheel stops and bumper rails shall be provided where needed for safety or protection of property.

(G) If the parking area is illuminated, lighting shall be deflected away from the abutting residential sites so as not to cause annoying glare.

(H) Landscaping requirements for projects subject to the design standards found in Chapter [13.11](#) SCCC shall conform to SCCC [13.11.074\(C\)](#). Projects not subject to the design standards found in Chapter [13.11](#) SCCC shall conform to the following standards:

(1) A comprehensive landscape plan shall be submitted for review and approval for developments requiring five automobile parking spaces or more. A minimum of one tree for each five parking spaces shall be provided. The plan shall indicate existing and proposed trees, shrubs and ground cover and delineate species, size, placement and irrigation methods. The plan shall include species from the recommended species list (or other approved equivalent species) for the specific plant community of the project. Landscape plans shall be required to be prepared by the project architect, a registered landscape architect, or other qualified individual.

(2) Trees shall be provided in sufficient size and quantity to adequately screen and soften the effect of the parking area within the first year.

(3) Landscaping shall be planted in the ground or in approved planters.

(4) Where a site adjoins a residential zone district, landscaping shall be used to ensure privacy and screen unsightliness.

(5) Hose bibs shall be conveniently located for hand watering, or an irrigation system shall be installed to ensure that all landscaping is permanently maintained.

(I) No repair work or servicing of vehicles shall be conducted on a parking area.

(J) Maintenance. Parking areas shall be maintained in good condition, and kept free of trash, debris, display or advertising uses. No changes shall be made in the number of parking spaces designated on the parking plan without review of the complete development permit by the approving body.

(K) Provisions shall be made for pedestrian movement in all parking areas. Projects subject to the provisions of Chapter [13.11](#) SCCC shall meet the requirements of SCCC [13.11.074\(A\)\(2\)](#).

(L) A request for a variance from the provisions of this section may be considered according to Chapter [18.10](#) SCCC at Level V. This request for variance must state in writing the provision from which it is to be varied, the proposed substitute provisions, when it would apply, and its advantages. In granting a variance, the Zoning Administrator shall be guided by the following criteria:

- (1) That there are special circumstances or conditions affecting the property.
- (2) That the variance is necessary for the proper design and/or function of a reasonable project for the property.
- (3) That adequate measures will be taken to ensure consistency with the purpose of this section. [Ord. 4786 § 5, 2005; Ord. 4642 § 3, 2001; Ord. 4496-C §§ 45—49, 1998; Ord. 3748 §§ 3—6, 1986; Ord. 3432 § 1, 1983. Formerly 13.10.553].

### **13.10.555 Location of off-street parking facilities.**

(A) In an RA, RR, R-1, RM, or PR District, off-street parking facilities prescribed in this chapter shall be located on the same site as the use for which the spaces are required, or on an adjoining site separated only by an alley from the use for which the spaces are required.

(B) In a CT, C-1, C-2, C-4, PF, PA, VA, M-1, M-2 or M-3 District, off-street parking facilities prescribed in this chapter shall be located within 300 feet (91.4 meters) of the use for which the spaces are required, measured by the shortest route of pedestrian access.

(C) Off-Site Parking Facilities. Where parking cannot be provided on-site to meet the requirements of this chapter, the requirements for parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in either a shared-use or in an exclusive-use off-site parking facility. An easement in perpetuity, attached to the land for which the application is being made, granting such off-site parking rights shall be recorded in the office of the County Recorder. The easement shall designate the off-street parking facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the easement shall not be terminated and that the off-street parking facility shall not be used for any other purpose unless a development permit amendment has been approved pursuant to Chapter [18.10](#) SCCC either eliminating the requirement for the parking facility or approving alternative parking facilities.

(D) Shared, In-Lieu Parking in a Parking and Business Improvement Area. In a CT, C-1, C-2, C-4, PF, PA, VA, M-1, or M-3 District, within the boundaries of business improvement district or parking and business improvement area which provides for shared, managed, public parking, the requirement for parking facilities may be satisfied by the provision of shared, in-lieu parking spaces if approved by the Board of Supervisors, acting as the Board of Directors of the business district or improvement area. Such spaces shall be assigned pursuant to an in-lieu parking program adopted by the Board of Supervisors.

(E) Compact Car Stalls. When designing the location of compact car stalls the developer shall take all necessary steps to ensure that stalls will not cause traffic jams and confusion for drivers. In long-term facilities, compact stalls should be located close to entrances, while in facilities with high turnover stalls should be scattered throughout the facility. [Ord. 4346 §§ 31, 32, 1994; Ord. 4195 § 1, 1992; Ord. 3748 §§ 3, 7, 1986; Ord. 3432 § 1, 1983. Formerly 13.10.554].

### **13.10.556 Outdoor storage of personal property and materials.**

(A) No portion of any undeveloped or vacant site and, for any developed residential parcel, no portion of any front yard or any required side yard setback, or any required rear yard of corner or double frontage lots shall be used for the storage of any of the following:

- (1) Building or construction materials, except those materials, bins, and dumpsters reasonably required for work under construction on the premises pursuant to a valid and effective building permit.
- (2) Storage of construction or commercial equipment, machinery, chemicals, or materials.
- (3) Inoperative vehicles or parts thereof.
- (4) Household appliances, equipment, machinery, furniture, salvage materials, or boxes.

(B) Items and materials identified in subsection (A) of this section may be stored in rear yards provided such is screened from public view or stored within an approved storage structure constructed in accordance with applicable building and zoning regulations.

(C) Operative vehicles in excess of those allowed in the front yard pursuant to SCCC [13.10.554\(D\)](#) must be parked in side or rear yards; provided, that the vehicle is screened from public view or stored within an approved structure constructed with the required building and zoning permits. Only one recreational vehicle or travel trailer may be stored on a property, pursuant to SCCC [13.10.683\(I\)](#). [Ord. 5061 § 15,

2009; Ord. 4496-C § 50, 1998; Ord. 4338 § 1, 1994].

#### **13.10.560 Bicycle parking provisions.**

Parking spaces for bicycles shall meet the following conditions:

- (A) Each parking space shall be no less than six feet (1.8 meters) long and two feet (0.6 meters) wide, exclusive of pedestrian and auto aisles and access areas. Storage sheds for bicycles shall be no less than three feet (0.9 meters) by six feet (1.8 meters) by four feet (1.2 meters).
- (B) Each space shall have a parking rack capable of supporting bicycles of various sizes in a vertical position.
- (C) Parking racks shall be securely fastened to the lot surface and shall be of sufficient structural strength to resist vandalism and theft.
- (D) Parking spaces shall be clustered in lots not to exceed 10 spaces each. Bicycle parking lots shall be dispersed throughout the development. [Ord. 3748 § 8, 1986; Ord. 3432 § 1, 1983].

#### **13.10.570 Off-street loading facilities required.**

All retail business uses, wholesale or warehousing establishments and industrial uses shall provide one loading space for each 5,000 square feet (464.7 square meters) of floor area. Each mortuary shall provide one loading space for hearses regardless of the amount of floor area devoted to said use, and one additional loading space for each 5,000 square feet (464.7 square meters) over the initial 5,000 square feet devoted to said use. [Ord. 3432 § 1, 1983].

#### **13.10.571 Standards for and location of off-street loading facilities.**

Off-street loading facilities provided in compliance with SCCC [13.10.570](#) shall conform to the following standards:

- (A) Each loading berth shall be not less than 45 feet (13.7 meters) long and 12 feet (3.7 meters) wide and shall have an overhead clearance of not less than 14 feet (4.3 meters), except that for mortuaries, a loading berth used exclusively for hearses shall be not less than 24 feet (7.3 meters) long and 10 feet (3.0 meters) wide, and shall have an overhead clearance of not less than eight feet (2.4 meters).
- (B) Sufficient room for turning and maneuvering vehicles shall be provided on the site.
- (C) Each loading berth shall be accessible from a street or alley.
- (D) Entrances and exits shall be provided at locations approved by the Public Works Director according to encroachment permit procedures.
- (E) The loading areas, aisles and access drives shall be paved with two inches of asphalt concrete over five inches of Class II base rock or equivalent, so as to provide a durable, dustless surface, and shall be graded and drained so as to disperse surface water.
- (F) Wheel stops and bumper rails shall be provided where needed for safety or to protect property.
- (G) If the loading area is illuminated, lighting shall be deflected away from the abutting residential sites so as not to cause annoying glare.
- (H) A loading area shall not be located in a required front, side or rear yard.
- (I) No repair work or servicing of vehicles shall be conducted in a loading area.
- (J) Maintenance. Loading areas shall be maintained in good condition, and kept free of trash, debris, and display or advertising uses. No changes shall be made in the number of loading spaces designated on the parking plan without review of the complete development permit by the Zoning Administrator.
- (K) Off-street loading facilities prescribed in SCCC [13.10.570](#) shall be located on the same site as the use for which the berths are required or on an adjoining site. [Ord. 3432 § 1, 1983].

#### **13.10.575 Existing uses.**

No existing use of land or structure shall be deemed to be a nonconforming use or a nonconforming structure solely because of the lack of off-street parking facilities or off-street loading facilities prescribed in this chapter; provided, that facilities being used for off-street parking and off-street loading at the time of the adoption of this chapter shall not be reduced in capacity to less than the number of spaces or berths prescribed in this chapter or reduced in area to less than the minimum standards prescribed in this chapter. [Ord. 3432 § 1, 1983].

#### **13.10.576 Reduction of off-street parking and loading facilities.**

Except as provided in SCCC [13.10.553](#)(F), no off-street parking facility provided for a use of land or structure in compliance with SCCC [13.10.551](#) or [13.10.570](#) shall be reduced in capacity or in area without sufficient additional capacity being provided elsewhere to comply with

the regulations of this chapter. No off-street parking space or off-street loading berth provided for a use of land or a structure in compliance with the requirements of this chapter shall be deemed to provide an off-street parking space or an off-street loading berth for a use or a structure on another site, except as otherwise provided in this chapter. [Ord. 3843 § 6, 1987; Ord. 3432 § 1, 1983].

**13.10.577 Designation of off-site loading facilities.**

The requirements for off-street loading facilities may be satisfied by the permanent allocation of the required number of loading berths for each use on an adjoining site. An easement in perpetuity, attached to the land for which the application is being made, granting such loading rights, shall be recorded in the office of the County Recorder. The easement shall designate the off-street loading facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the easement shall not be terminated and that the off-street loading facility shall not be used for any other purpose unless a development permit amendment has been approved pursuant to Chapter 18.10 SCCC, either eliminating the requirement for the loading facility or approving alternative loading facilities. [Ord. 4195 § 2, 1992; Ord. 3432 § 1, 1983].

**13.10.578 Off-street parking and off-street loading.**

In any C or M District on a site of width of 60 feet (18.3 meters) or less situated between sites improved with buildings, or where sites comprising 40 percent of the frontage on a block are improved with buildings, the off-street parking and off-street loading regulations of this chapter may be waived by the approving body upon finding that no parking problem exists in the area or will result from such a waiver. [Ord. 3748 § 9, 1986; Ord. 3432 § 1, 1983].

**13.10.580 Signs in R-1, RB, RR, RA, RM, A, AP, and CA Districts.**

No signs or outdoor advertising structure or display of any kind shall be permitted in the R-1, RB, RR, RA, RM, A, AP, or CA Districts except the following:

- (A) One nonilluminated sign or nameplate not larger than one square foot in area pertaining to a home occupation.
- (B) One nonilluminated sign not larger than six square feet in area pertaining to the sale, lease, rental, or display of a structure or land.
- (C) One identification sign, not directly illuminated, not larger than 12 square feet in area, located on the site of a discretionary use and included in the development permit for said use.
- (D) One or two nonilluminated signs, single- or double-faced, with a total area not larger than 50 square feet, pertaining to the sale of subdivision lots and included in the permit for said subdivision. [Ord. 3432 § 1, 1983].

**13.10.581 Signs in C, CT, VA, PA, PF and M Districts. Amended Ord. 5172**

- (A) No sign, outdoor advertising structure or display of any kind shall be permitted except the following:
  - (1) One business or identification sign and one small pedestrian-oriented sign per site as provided below. A variance to allow more than one business sign may be considered under the provisions of SCCC 13.10.230 if justified by special circumstances such as limited visibility or unusually large size of a structure, location on a corner, historic preservation concerns, or consistency with a village design plan.
  - (2) Signs pertaining to a use conducted on the site, with aggregate areas according to the following table. The following formulas for calculating sign area shall be used unless a variance is obtained under the provisions of SCCC 13.10.230.

**TOTAL SIGN AREA ALLOWED**

**(Includes All Signs Displayed)**

Basis for Calculation	Total Sign Area* Allowed
Front width of building on an interior lot	1/2 square feet (72 square inches) of sign area per
OR	foot of building width
Front width plus street side width of building on a corner lot	
Width of site along the street (interior or corner lot)	1/4 square feet (36 square inches) of sign area per
	foot of site width
Maximum allowable area on an interior lot less than 40 feet wide at the street	20 square feet
Maximum allowable area	50 square feet

\* "Sign area" is defined as: The area within a well-defined border; or, the area of one side of a double-sided sign, or on a sign with no defined

border, the area within the perimeter which encloses the letters, symbols or logo.

- (3) Direction signs for off-street parking and loading facilities not exceeding four square feet.
  - (4) One sign pertaining to the sale, lease, rental or display of a structure or land, not exceeding six square feet.
- (B) Permanent and temporary window signs are each limited to a maximum of 20 percent of the window area of the building. Temporary window signs not displayed for more than two weeks are not included in the total sign size limitation.
- (C) Signs directly across the street from a residential zone district shall be limited to 30 square feet in area and shall not be directly illuminated or flashing.
- (D) A freestanding sign detached from a building shall be of a design consistent with the architectural character of the building and shall be designed as an integral part of the landscaped area. Freestanding signs shall not exceed seven feet in height, measured from the existing grade at the edge of the road. Where on-street parking limits the visibility of freestanding signs, such signs may be erected to a maximum height of 12 feet, measured from the existing grade at the edge of the road.
- (E) Signs located on a wall or on a roof fascia shall be designed as an integral part of the building design. Building signs shall be located on or below the upper line of the roof fascia.
- (F) Signs and supports shall be set back a minimum of five feet from the edge of the right-of-way or roadway, whichever is greater, and shall not obstruct vehicular sight distance or pedestrian/bicycle circulation.
- (G) No sign other than a directional sign shall project more than 12 inches into a required rear yard or required interior side yard.
- (H) Visibility of signs within a scenic corridor shall be minimized by the use of appropriate material, size, location, and orientation. No illuminated signs shall be permitted within a scenic corridor.
- (I) Where sign lighting is permitted, only indirect illumination or low-intensity interior illumination shall be used. It is preferred that lighted signs be designed with light-colored translucent letters and logos, on a semi-opaque dark background. Any permitted sign lighting shall be unobtrusive to adjacent properties and any glare shall be directed onto the site.
- (J) Moving signs, flags, banners, sandwich board signs or flashing signs shall not be permitted.
- (K) Shopping Centers.
- (1) A sign program shall be developed for any shopping center or any group of business uses with shared sign facilities. The program shall include a name sign containing the name of the center, a directory sign either separate or combined with the name sign, and one small pedestrian-oriented sign for each shop. The sign program shall specify sign designs, dimensions, materials, colors, lighting, if any, and placement.
  - (2) A variance to allow more than one name sign for the center may be considered under the provisions of SCCC [13.10.230](#) if justified by special circumstances such as limited visibility or unusually large size of structure, location on a corner, historic preservation concerns, or consistency with a village design plan.
  - (3) The total area of the center's name sign(s) and directory sign shall not exceed 50 square feet. The area of each individual shop sign shall not exceed one-half square foot per foot of building width measured across the front of the building, and shall not exceed a maximum of 18 square feet, whichever is smaller. [Ord. 4346 § 33, 1994; Ord. 3432 § 1, 1983].

#### **13.10.582 Signs in the PR District.**

- (A) No signs or outdoor advertising structure or display of any kind shall be permitted in the PR District except the following:
- (1) One identification sign, not directly illuminated, not larger than 12 square feet in area, located on the site of the use and included in the permit for said use.
  - (2) Direction signs for off-street parking or other facilities not exceeding four square feet.
- (B) Sign design in the PR District shall follow SCCC [13.10.581](#)(D) through (F), commercial signs. [Ord. 3432 § 1, 1983].

#### **13.10.583 Temporary signs in all districts.**

- (A) Temporary signs, not including political signs, that are to be used in conjunction with a special event or an approved temporary use are permitted subject to the following restrictions.
- (1) Maximum sign area permitted shall be six square feet in a residential zone district and 18 square feet in all other zone districts.
  - (2) Temporary signs shall not be placed so as to constitute a traffic hazard.

(3) Temporary signs shall be removed not more than 10 days after the special event or temporary use to which they refer.

(B) Political signs are allowed without restriction; provided, that they shall not be placed so as to constitute a traffic hazard and that they shall be removed not more than 10 days after the election to which they refer. [Ord. 4228 § 1, 1992; Ord. 3432 § 1, 1983].

#### **13.10.584 Directional signs.**

(A) Regardless of any other provision of this chapter to the contrary, directional and informational signs of a public or quasi-public nature, including signs identifying specific village areas and signs giving directions to properties not situated adjacent to the street from which such signs are visible, are allowed with a use permit; provided, that no individual sign shall be larger than 12 inches by 42 inches and no individual village directional sign shall be larger than 12 square feet. Such signs shall contain only the name of the use with an appropriate arrow indicating the direction.

(B) No sign established under the provisions of this section shall be illuminated by artificial light which is not maintained stationary and constant in intensity and color at all times when in use.

(C) It is the intent of these regulations to discourage indiscriminate placing of signs along the public highways and streets of this County and to encourage the joint use of single structures upon which signs may be displayed. Multiple use of a single structure to display signs is allowed with one use permit; provided, that where one structure is used to display multiple signs, the outside dimensions of the structure shall not exceed 10 feet by 10 feet and shall be designed so as not to obstruct traffic visibility.

(D) Temporary off-site directional signs of a larger size shall be permitted for seasonal produce sales, subject to securing a use permit. The signs shall only be permitted for direct sale to the public of produce grown on the same site. The information on the signs shall be limited to the type of produce, the farm name and the directions to the farm site. Individual signs shall not exceed 16 square feet in area. [Ord. 3432 § 1, 1983].

#### **13.10.585 Nonconforming signs.**

Owners of nonconforming signs, except those signs which have been designated as historic resources pursuant to Chapter [16.42](#) SCCC, shall have the following times within which to remove, alter, or otherwise make such signs conform to this chapter:

(A) Except as otherwise provided, all signs shall be removed, altered or otherwise made to comply with this chapter on or before January 1, 1981, except that any sign, other than a portable sign, which was installed or maintained pursuant to a use permit or planned development permit issued since September 20, 1974, shall be removed, altered, or otherwise made to conform to this chapter by December 31, 1985; unless a variance is obtained under the provisions of SCCC [13.10.230](#).

(B) Portable signs, sandwich boards, movable freestanding signs, tire stacks, window signs, wind signs, signs painted on buildings, walls or fences, rotating or flashing signs, and all signs of less than \$100.00 in replacement value shall be removed, altered, or otherwise made to comply with this chapter within 30 days after the effective date of the ordinance codified in this section. "Portable sign" includes, but is not limited to, any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric or plastic, cardboard, wallboard or other light material, with or without a frame.

(C) Signs appurtenant to any use shall be removed within 30 days of the discontinuance of said use.

(D) Failure to remove, alter or otherwise make a nonconforming sign conform to the requirements of this chapter within the time allowed shall be deemed to be in violation of this chapter and a public nuisance subject to abatement in accordance with Chapter [1.14](#) SCCC. The owner of the land on which a sign is displayed shall be held responsible for rendering such a sign conforming. [Ord. 4496-C § 51, 1998; Ord. 3927 § 6, 1988; Ord. 3432 § 1, 1983].

#### **13.10.586 Historic identification plaques.**

Regardless of any other provision of this chapter to the contrary, nonilluminated historic identification plaques as approved by the Historic Resources Commission not exceeding two square feet in size are permitted to be installed on structures designated as historic resources pursuant to Chapter [16.42](#) SCCC. [Ord. 3927 § 7, 1988].

#### **13.10.587 Sign exceptions.** Added [Ord. 5172](#)

#### **13.10.591 Trip reduction requirements for development projects to be occupied by 50 or more employees.**

Nonresidential or mixed use developments to be occupied by 50 or more employees shall meet the trip reduction requirements set forth in SCCC [5.52.080](#). [Ord. 4314 § 7, 1994].

#### **13.10.592 Trip reduction requirements for residential development projects of 25 or more housing units.**

Residential development projects of 25 or more housing units shall meet the trip reduction requirements set forth in SCCC [5.52.090](#). [Ord. 4314 § 7, 1994].

**Part V. RESERVED**

**Part VI. REGULATIONS FOR SPECIAL USES**

**Article I. Accessory Structures and Uses**

**13.10.611 Accessory structures.**

(A) Purpose. It is the purpose of this section to provide for the orderly regulation of residential accessory structures allowed as a use in any zone district, to ensure that accessory structures are subordinate and incidental to the main structure or main use of the land, and to provide notice to future and current property owners that illegal conversion of any accessory structure is subject to civil penalties.

(B) Application Requirements.

- (1) The proposed use of the structure shall be specified.
- (2) Applications for habitable accessory structures and nonhabitable accessory structures shall be processed as specified in Tables 13.10.611-1 and 13.10.611-2.

(C) Restriction on Accessory Structures.

- (1) Any accessory structure shall be clearly appurtenant, subordinate and incidental to the main structure or main use of the land as specified in the purposes of the appropriate zone district.
- (2) Regulations on amenities for accessory structures on parcels with a main residence are as indicated in Table 13.10.611-1:

**Table 13.10.611-1**

**AMENITIES REGULATIONS**

<b>Amenity</b>	<b>Nonhabitable</b>	<b>Habitable</b>
Sink	Allowed	Allowed
Toilet	Pool cabanas: Allowed All other uses: Not allowed unless a Level IV use approval is obtained (see subsection (C)(6) of this section)	Not allowed unless a Level IV use approval is obtained (see subsection (C)(6) of this section)
Shower and/or bathtub	Pool cabanas: Allowed All other uses: Not allowed	Not allowed
Washer/dryer and water heater	Allowed	Allowed
Insulation/sheet rock or other finished wall covering	Both allowed	Both required
Built-in heating/cooling	Not allowed	Heating: Required Cooling: Allowed
Kitchen facilities, excluding sink, as defined in SCCC <a href="#">13.10.700-K</a>	Not allowed	Not allowed
Electrical service maximum	100A/220V/single phase maximum unless a Level IV use approval is obtained	100A/220V/single phase maximum unless a Level IV use approval is obtained
Separate electric meter	Not allowed unless a Level IV use approval is obtained	Not allowed unless a Level IV use approval is obtained
Use for sleeping purposes	Not allowed	Allowed
Rent, let or lease as an independent dwelling unit	Not allowed	Not allowed

(3) Regulations for level of review, size, number of stories and locational restrictions for accessory structures are as indicated in Table

13.10.611-2:

Table 13.10.611-2

## LEVEL OF REVIEW, SIZE, HEIGHT, NUMBER OF STORIES AND LOCATIONAL REGULATIONS

	Nonhabitable	Habitable
Size, story and height restrictions and permit required	Within the urban services line (USL): building permit only for up to 640-square-foot size, two story and 28-foot height  Outside the USL: building permit only for up to 1,000-square-foot size, three story and 28-foot height	Building permit only for up to 640-square-foot size, one story and 17-foot height
Permit required if exceeds size restrictions	Outside the urban services line (USL): Level IV use approval  Inside the USL: Level V use approval	Level V use approval
Permit required if exceeds height restrictions (See SCCC <a href="#">13.10.323(E)(5)</a> for exceptions)	Variance	Level V use approval for structures exceeding 17 feet, up to 28 feet  Variance to exceed 28 feet
Permit required if exceeds story restrictions	Variance	Inside the USL: Level V use approval for two stories Variance for exceeding two stories  Outside the USL: Level V use approval for two or three stories Variance for exceeding three stories
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district	One with building permit only Maximum of two with Level V use approval
Locational restrictions	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless a Level IV use approval is obtained

(4) No habitable accessory structure incidental to a residential use shall be located more than 100 feet from the main dwelling, or be accessed by a separate driveway or right-of-way, or be constructed on a slope greater than 30 percent unless a Level V use approval is obtained.

(5) No accessory structure shall be mechanically heated, cooled, humidified or dehumidified unless the structure or the conditioned portion thereof meets the energy conservation standards of the California Energy Code, Title 24, as adopted by Chapter [12.10](#) SCCC.

(6) No accessory structure (other than a pool cabana) shall have a toilet installed. An exception may be granted to allow a toilet and appropriately sized drain lines, subject to a Level IV use approval, for structures smaller than those defined as habitable under the State Building Code (less than 70 square feet), or where required under the particular circumstance; for example, facilities required for employees.

(7) An accessory structure shall not have any waste lines installed which are larger than one and one-half inches in size. An exception to allow two-inch drain lines may be granted, subject to Level IV use approval, when more than one plumbing fixture is needed in the structure, including, for example, a washer and an utility sink in a garage.

(8) Any building permit for the construction of or conversion to an independent dwelling unit shall require an allocation for one housing unit as provided in SCCC [12.02.030](#) and shall comply with the dwelling density allowed for the zone district in which the parcel is located, except as provided by SCCC [13.10.681](#).

(D) Required Conditions.

(1) Any building or development permit issued for the construction or renovation of a nonhabitable accessory structure shall include a condition requiring an agreement not to convert the structure into a dwelling unit or into any structure for human habitation in violation of this code. Any building or development permit issued for the construction, conversion to or renovation of a habitable accessory structure shall include a condition requiring an agreement not to convert the structure into a dwelling unit or into any other independent habitable structure in violation of this code. Each agreement required by this subsection shall provide the recovery by the County of reasonable attorney's fees and costs in bringing any legal action to enforce the agreement together with recovery of any rents collected for the illegal structure or, in the alternative, for the recovery of the reasonable rental value of the illegally converted structure or, in the alternative, for the recovery of the reasonable rental value of an illegally converted structure from the date of construction. The amount of any recovery of rents or of the reasonable rental value of an illegally converted structure shall be deposited into a fund designated by the Board of Supervisors. The agreement shall provide for periodic condition compliance inspections by Planning Department staff. Nothing in this section or the agreement shall be deemed to be a waiver of any property owner's rights to due process or to avoid unreasonable searches. The agreement shall be written so as to be binding on future owners of the property, include a reference to the deed under which the property was acquired by the present owner, and shall be filed with the County Recorder. Proof that the agreement has been recorded shall be furnished to the County prior to the granting of any building permit permitting construction on the property.

(2) The Planning Director may charge a fee, as stated in the uniform fee schedule, for the cost of periodic condition compliance inspections. [Ord. 5061 §§ 16, 17, 2009; Ord. 4921 § 14, 2008; Ord. 4496-C § 52, 1998; Ord. 4457-A § 3, 1997; Ord. 4324A § 4, 1994; Ord. 4282 § 4, 1993; Ord. 4099 § 1, 1990; Ord. 3996 § 1, 1989; Ord. 3749 § 1, 1986; Ord. 3632 § 16, 1985; Ord. 3593 §§ 14, 15, 1984; Ord. 3432 § 1, 1983].

**13.10.613 Home occupations.**

(A) Purposes. The purposes of regulations for home occupations are:

- (1) To allow persons to carry on limited, income-producing activities on their residential property.
- (2) To protect nearby residential properties from potential adverse effects of the allowed activity by not allowing home occupations that would create excessive noise, traffic, public expense or any nuisance.

(B) Restrictions on Home Occupations.

- (1) The home occupation shall be carried on entirely within the dwelling, or in an accessory structure normally allowed in the zone district in which the site is located.
- (2) There shall be no visible or external evidence of the home occupation other than one unlighted sign not exceeding one square foot in area, which shall be affixed to the dwelling or building in which the home occupation is conducted. If both the dwelling and the building are set back more than 40 feet from the front property line, the sign may be affixed to the mailbox. No outdoor storage, operations or activity is allowed unless a Level V use approval is obtained, in which case the allowed outdoor use shall be completely screened from the street and adjoining properties.
- (3) The home occupation shall be carried out primarily by a full-time inhabitant of the dwelling. Not more than five additional employees may also be used for a home occupation if a Level V use approval is obtained.
- (4) The home occupation shall not involve the use of more than one room, or floor area equal to 20 percent of the total floor area of the dwelling, whichever is less, unless a Level V use approval is obtained.
- (5) Home occupations involving personal services (beauty shop, barber shop, massage studio, etc.) or training (swimming lessons, musical instrument lessons, band practice, yoga, or philosophy, etc.) may involve no more than one person at a time, unless a Level V use approval is obtained.
- (6) Sales of goods are allowed only if the goods to be sold are produced or assembled entirely on the premises, or if sales are by mail order, unless a Level V use approval is obtained.

- (7) Only one vehicle, no larger than a three-quarter-ton pickup, may be used for the home occupation unless a Level V use approval is obtained. All deliveries and shipments of equipment, supplies, and products shall be made only with this one vehicle. An off-street parking space shall be provided for this vehicle. Additional off-street parking shall be provided for employees or customers.
- (8) No equipment with a motor of more than one-half horsepower may be used unless a Level V use approval is obtained.
- (9) All noise shall be contained within the boundaries of the site.
- (10) Home occupations involving the handling of hazardous materials, as defined by SCCC [7.100.020](#), or of any amount of an acutely hazardous substance, as defined by State or Federal law, shall require a Level V use approval. "Hazardous materials" refer to materials defined in Chapter [7.100](#) SCCC. [Ord. 4836 § 102, 2006; Ord. 4100 § 1, 1990; Ord. 3432 § 1, 1983].

#### Article II. Adult Uses

##### 13.10.621 Adult bookstores and adult motion picture theaters.

(A) Definitions. As used in this chapter:

- (1) "Adult bookstore" means a building or portion thereof used by an establishment having, as a substantial or significant portion of its stock in trade for sale to the public, books, magazines or other publications, which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.
- (2) "Adult motion picture theater" means a building or portion thereof, or area, whether open or enclosed, regularly used for the presentation of motion pictures distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons or customers.
- (3) "Specified sexual activities" shall mean any of the following:
- (a) Human genitals in a state of sexual stimulation or arousal;
  - (b) Acts of human masturbation, sexual intercourse, sodomy or bestiality; or
  - (c) Fondling or other erotic handling of human genitals.
- (4) "Specified anatomical areas" shall mean any of the following:
- (a) Less than completely and opaquely covered human genitals; or
  - (b) Human male genitals in a discernibly turgid state.
- (5) "Substantial or significant portion of its stock in trade for sale" shall mean 10 percent of the titles on display for sale. Nonincidental materials with the same title shall be considered separate items.

In order for the County to ensure that no more than 10 percent of the titles for sale are books, magazines or other publications distinguished or characterized by their emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas, the County shall have the right, upon reasonable notice to an applicant or property owner, to inventory stock in trade of "adult material" as herein defined, and regular material.

(B) Location Restrictions. No development permit shall be granted for the purpose of operating an adult bookstore or adult motion picture theater, as defined, unless in addition to satisfying all other requirements imposed by this chapter, the applicant can establish the following facts:

- (1) The property, or any portion thereof, on which the proposed use would be located is not within 500 feet of any property or portion thereof used for an elementary school, junior high school, high school, or public playground; and
- (2) The property, or any portion thereof, on which the proposed use would be located is not within 100 feet of any property or portion thereof on which an adult bookstore or an adult motion picture theater, as hereinabove defined, or a bath or massage establishment, as defined in SCCC [13.10.623](#), is located and doing business; and
- (3) The property, or any portion thereof, on which the proposed use would be located shall not be within 400 feet, measured from the frontage of the building where there is no rear access, or 400 feet from a rear access, of any lot or parcel of property which is designated as a residential zone district.

(C) Reports. Environmental impact documents prepared in accordance with Chapter [16.01](#) SCCC and the County environmental impact guidelines adopted pursuant thereto shall be submitted by each applicant for a permit pursuant to this section. [Ord. 3432 § 1, 1983].

##### 13.10.622 Exhibition of adult films at outdoor motion picture theaters.

- (A) Prohibition. It shall be unlawful to present or exhibit, or to permit the presentation or exhibition of, any motion picture which is distinguished or characterized by an emphasis on matter displaying, depicting or describing specified sexual activities or specified anatomical areas, as defined in SCCC [13.10.621](#), at any outdoor motion picture theater.
- (B) Definition. "Outdoor motion picture theater" means any unenclosed land or premises, if each of the following conditions exist:
- (1) A stage or screen is located thereon which is used for the presentation or exhibition of motion pictures; and
  - (2) Said stage or screen is visible from any public street or highway, public place, or private residential dwelling; and
  - (3) The premises on which the stage or screen is located are open to the public upon payment of a fee or admission charge.
- (C) Penalty. In addition to all civil remedies which may be provided for by this code or State law, any person, firm, or corporation which violates the provisions of this section shall be guilty of an infraction, and upon conviction thereof shall be punishable by a fine of not more than \$100.00; provided, however, that any offense which would otherwise be an infraction is a misdemeanor if the defendant has been convicted of three or more violations of this section within the 12-month period immediately preceding the commission of the offense and such prior convictions are admitted by the defendant or alleged in the accusatory pleading. For this purpose, a bail forfeiture shall be deemed to be a conviction of the offense charged. Each person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of this section is committed, continued or permitted. [Ord. 3432 § 1, 1983].

### **13.10.623 Massage and bath establishments.**

- (A) Purpose. It is the purpose of this section to provide for the orderly regulation of bath or massage establishments in the County of Santa Cruz in order to protect the public health and welfare by establishing certain minimum standards for the conduct of this type of business and by restricting the permitted locations thereof. This title is adopted pursuant to Sections [51030](#) through [51034](#) of the California Government Code.
- (B) Definitions.
- (1) "Bath" shall mean the activity of providing facilities for the following: steam bath, electric light bath, electric tub bath, sponge bath, sun bath, mineral bath, Russian, Swedish, or Turkish bath; or any other type of public bathing, which has in connection therewith a steam room, dry hot room or shower bath.
  - (2) "Massage" shall mean any method of pressure on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating the external parts of the human body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances, and with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments or other similar preparations commonly used in this practice.
  - (3) "Masseur/masseuse" shall mean a person who, for compensation, administers or assists in the administration of baths or massages.
  - (4) "Bath or massage establishment" shall mean any establishment having a fixed place of business where any individual, firm, association, partnership, corporation, or combination of individuals engages in, conducts, carries on, or permits the providing of baths or massages.
- (C) Location Restriction. No person shall operate a bath or massage establishment at any location if the property, or any portion thereof, on which the bath or massage establishment would be located is:
- (1) Within 1,000 feet of any property or portion thereof on which another bath or massage establishment is located and doing business; or
  - (2) Within 500 feet of any property or portion thereof which is used for an elementary school, junior high school or public playground.
- (D) Prohibitions.
- (1) A masseur/masseuse shall not administer or offer to administer any bath or massage to any person under 18 years of age unless such person is accompanied by a parent or guardian.
  - (2) No person under 18 years of age shall work or be permitted to work on the premises of any bath or massage establishment.
  - (3) No food or beverage shall be sold or served, nor shall any business activity other than baths or massages be conducted on the premises of a bath or massage establishment.
- (E) Operating Requirements.
- (1) A list of services available and cost of such services shall be posted in an open and conspicuous public place on the premises of

each bath or massage establishment. No owner, operator, responsible managing employee or manager in charge of, or in control of, the bath or massage establishment shall permit, and no masseur/masseuse shall offer to perform, any services other than those posted.

(2) *Repealed by Ord. 5061.*

(F) **Applicability of Chapter to Existing Facilities.** Any person, association, partnership or corporation lawfully engaging in or carrying on the operation of a bath or massage establishment on the effective date of the ordinance codified in this chapter shall comply with all of the provisions of this chapter, except those of subsection (C) of this section within 180 days of the effective date thereof.

(G) **Exemptions.** This chapter shall not apply to athletic team trainers, cosmetologists, barbers, or persons licensed to practice any healing art under the provisions of Division 2 (commencing with Section [500](#)) of the California Business and Professions Code when engaging in such practice within the scope of his or her license.

(H) **Penalties for Violations.** Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of an infraction, and upon conviction thereof shall be punishable by a fine of not more than \$100.00; provided, however, that any offense which would otherwise be an infraction is a misdemeanor if the defendant has been convicted of three or more violations of this chapter within the 12-month period immediately preceding the commission of the offense and such prior convictions are admitted by the defendant or alleged in the accusatory pleading. For this purpose, a bail forfeiture shall be deemed to be a conviction of the offense charged. Each person shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, firm or corporation and shall be punishable therefor as provided by this chapter. [Ord. 5061 § 18, 2009; Ord. 3432 § 1, 1983].

### **Article III. Agricultural Uses**

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

(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 SCCC 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 ([SCCC 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](#) SCCC) 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 SCCC [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 SCCC [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](#) SCCC.

(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 SCCC [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 SCCC [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].

### **13.10.632 Agricultural processing 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].

**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 SCCC [16.50.095](#). [Ord. 3787-C § 3, 1986; Ord. 3768 § 2, 1986; Ord. 3432 § 1, 1983].

**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 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].

### **13.10.636 Greenhouses.** Amended Ord. 5151

(A) **New Greenhouse Development.** New greenhouses over 500 square feet in area, where allowed pursuant to a use permit in the basic zone district, shall be developed and maintained to the following standards:

- (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 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](#) SCCC).
- (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].

**13.10.638 Agricultural custom work occupations.**

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

- (1) To allow persons to conduct agricultural support activities on a property with a primary use of agricultural production.
  - (2) To protect nearby agricultural and residential properties from the potential adverse effects of the allowed activity by not allowing agricultural custom work occupations that would create excessive traffic, public expense or nuisances to nearby properties.
- (B) Restrictions on Agricultural Custom Work Occupations.
- (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. [Ord. 3768 § 3, 1986].

#### **13.10.639 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].

### **Article IV. Animal Regulations**

#### **13.10.641 Animal enclosures—Stables and paddocks.**

- (A) Regulations for Private Stables. The following regulations shall apply in all cases for the maintenance of a private stable:
  - (1) The minimum lot area upon which a horse may be kept is one gross acre and two horses may be kept on such area. An additional horse may be kept for each 20,000 gross square feet by which the parcel of land exceeds one acre.
  - (2) Except in the RA District, stables shall be located midway between the side lot lines and in no case closer than 20 feet from the side lines, and not closer than 50 feet to the front lot line, unless a Level V use approval is obtained.
  - (3) Paddocks shall be located on the rear half of the lot and not closer than 20 feet to any property lines, nor closer than 40 feet to any dwelling on the same or adjacent property, unless a Level V use approval is obtained.

(4) The provisions of SCCC [16.22.060](#), pertaining to erosion control, shall apply.

(B) Regulations for Commercial Boarding.

(1) Where horses, ponies, burros or other animals are boarded at a density greater than two per acre, a Level V use approval shall be required.

(2) The use of stables, paddocks, or corrals must be accompanied by an erosion control plan prepared pursuant to SCCC [16.22.060](#). [Ord. 4836 § 103, 2006; Ord. 3432 § 1, 1983].

#### **13.10.642 Animal hospitals and kennels.**

The following regulations shall apply in all cases for the maintenance of kennels, small animal hospitals, veterinarians' offices, animal shelters and pounds:

(A) The premises where kennels or small animal hospitals are maintained shall be entirely enclosed by a closed nontransparent fence of a minimum of six feet in height.

(B) The actual enclosure in which animals are treated or maintained shall be at least 75 feet from any residence.

(C) The premises shall be kept in a neat and sanitary manner by the daily removal of excrement and the use of sprays and disinfectants, as determined to be necessary by the Environmental Health Service, to prevent an accumulation of flies, the spread of diseases, offensive odor, or excessive dust.

(D) In the C-4 District with a Level IV approval, this use may include the incidental care of animals such as bathing and trimming and shall be operated entirely within a completely enclosed building which is sound-proofed to standards approved by the County Building Official; in the C-4 District with a Level V approval, animals may be allowed in outdoor exercise yards, but only between the hours of 7:00 a.m. and 7:00 p.m. [Ord. 4496-C § 54, 1998; Ord. 3432 § 1, 1983].

#### **13.10.643 Animal keeping in the Residential-Agricultural Zone District.**

(A) The following minimum acreage standards are required when keeping animals in the Residential-Agricultural Zone District:

(1) On a minimum site of one acre, not more than two per acre of horses, cows, or hogs, or a combination thereof; or

(2) On a minimum site of one-half acre, not more than four per acre of sheep, goats, or a combination thereof; or 100 per acre of fowl, rabbits, or similar small animals except mink; beehives;

(3) On a minimum site of 10 acres, the number of animals permitted is not limited, except that no more than six brood sows may be kept on any site.

(B) The provisions of SCCC [16.22.060](#), pertaining to erosion control, shall apply.

(C) For purposes of interpretation, a cow, llama, pig, or other large animal may equal a horse. [Ord. 3432 § 1, 1983].

#### **13.10.644 Animal raising—Family.**

The following regulations shall apply in all cases where family animal raising (as defined in SCCC 13.10.700-A) is allowed:

(A) Family animal raising shall be conducted in a manner that prevents the accumulation of excrement or spread of disease, flies, dust and erosion or offensive odors.

(B) Animals, poultry, and other fowl shall be enclosed, and the enclosures shall be set back at least 20 feet from any property line and 40 feet from any dwelling on parcels of 15,000 square feet or more. For parcels of less than 15,000 square feet, the required setbacks shall be 10 percent of the lot width or five feet, whichever is greater, from any property line, and 25 feet from any dwelling. Enclosures shall be located on the rear one-third of the lot, or on other portions of the lot if a use permit is obtained.

(C) The minimum parcel size for family animal raising is 6,000 square feet.

(D) The provisions of SCCC [16.22.060](#), pertaining to erosion control, shall apply.

(E) In R-1 and RR districts, a cow, llama, pig, or other large animal may equal a horse. [Ord. 3432 § 1, 1983].

#### **13.10.645 Animal raising—Poultry, bird, rabbit or fur-bearing.**

The following regulations shall apply in all cases where poultry, birds, rabbits, or fur-bearing animals in any number and for any purpose are raised, kept or maintained:

(A) All dead animals or birds and excrement should be removed and disposed of, and sprays and disinfectants shall be used, as determined to be necessary by the Environmental Health Service, so as to prevent the accumulation or spread of disease, flies, or offensive odors. The provisions of SCCC [16.22.060](#), pertaining to erosion control, shall apply. [Ord. 3432 § 1, 1983].

#### **13.10.646 Animal raising—Turkeys.**

The following regulations shall apply in all cases for the raising, maintenance or fattening of turkeys:

(A) All dead animals and excrement shall be disposed of, and chemicals and sprays shall be used, as determined to be necessary by the Environmental Health Service, to prevent the accumulation or spreading of flies, disease, or offensive odors, and where in excess of 50 birds are maintained in one flock within a distance of one-fourth of a mile from any residence, ground sprays or groundcover shall be used to prevent the accumulation and spread of dust. The provisions of SCCC [16.22.060](#), pertaining to erosion control, shall apply. [Ord. 3432 § 1, 1983].

#### **13.10.647 Biomedical livestock operations. Amended Ord. 5160**

(A) Purpose. It is the purpose of this section to provide for and regulate biomedical livestock operations, as defined in SCCC 13.10.700-L, which may be established in zone districts where it is an allowed use on the relevant uses chart. It is a further purpose of this section to define and regulate a new and evolving land use type while protecting the public health, safety and welfare; to provide notice to adjacent land owners; to implement the policies of the Santa Cruz County General Plan and Local Coastal Program; and to preserve and protect agricultural land in the County.

(B) Only Livestock Permitted on Agricultural Land. On agriculturally zoned land, the animals used in the biomedical livestock operation shall be limited to livestock as defined in SCCC 13.10.700-L.

(C) Application Requirements. Approval of all biomedical livestock operations shall be processed in accordance with the provisions in Chapter [18.10](#) SCCC, and shall require a public hearing and action by the Zoning Administrator (Level V). Barns, storage, equipment, and other buildings, associated paving, fences, and water pollution control facilities which are part of the biomedical livestock operations are not excluded from coastal permit requirements provided in SCCC [13.20.073](#). The applicant for a biomedical livestock operation shall submit to the County Planning Department a master plan of the proposed facility. The master plan shall be considered part of the permit for the use and shall include the following documentation:

(1) The documentation prescribed in SCCC [18.10.210](#)(B). The Planning Director may, however, waive some of the prescribed requirements of SCCC [18.10.210](#)(A)(8), (9), and (11), upon a determination that specific items are not relevant due to project characteristics.

(2) A site plan for all property and parcels on which the biomedical livestock operation is proposed to be located, which includes: the location and a description of the current and proposed structures and their uses, including any structures to be demolished; delineation of property lines, adjacent streets, and existing and proposed on-site access roads; a description of the parcel(s) and contiguous parcels' current and historic land uses, including areas used for manure management; delineation of sensitive habitats as defined in SCCC [16.32.040](#); and information regarding potential environmental impacts. Proposed structures shall meet the following requirements:

(a) Structures shall be clustered in groups and sited so as to remove no land from agricultural production or potential agricultural production, or, if this is not feasible, to remove as little land as possible from agricultural production to the extent there is a demonstrated need consistent with all other constraints contained in this title. Structures for housing livestock shall be open to permit free air flow through the structure.

(b) On agriculturally designated land, the maximum land coverage by all structures and impervious surfaces that are part of the biomedical livestock operation shall not exceed one percent of the total gross parcel size(s). This limit may be extended to five percent on parcels less than 20 acres, with a Level VI approval. Residential structures pursuant to SCCC [13.10.314](#)(B), driveways and accessory uses; structures associated with other principally allowed agricultural uses; access roads utilized for other parcels and/or uses; driveways not covered with impervious surfacing (as defined in Chapter [16.32](#) SCCC) shall not count towards the one percent coverage maximum. Structures associated with other conditional agricultural uses shall either be counted towards the one percent coverage maximum, or the portion of the parcel devoted to the other conditional agricultural uses shall be deducted from the gross parcel size before applying the percentage limitation to determine the maximum coverage for structures and impervious surfaces.

(c) Flooring and impervious surfaces, within or surrounding barns or other structures to house livestock, which would impair long-term soil capabilities, shall be limited to the minimum area needed for pens, roadways, loading and storage.

(3) A description of the species and the maximum number of animals of each species proposed for the biomedical livestock operation, the amount of land to be occupied by animals, and the location of all existing and proposed fencing, including but not limited

to perimeter, pasture and pens. This description shall be supported by a report from a certified range manager as to a recommended number of animals that the site can support, consistent with the requirements of subsection (E)(2) of this section.

(4) A manure management and erosion control plan prepared pursuant to SCCC [16.22.060](#), that:

- (a) Precludes any impairment of long-term soil capabilities for growing plants or forage;
- (b) Precludes any impairment of surface and groundwater quality or quantity;
- (c) Includes provisions for fly control, as required by Chapter [7.36](#) SCCC;
- (d) Includes provisions for the control of objectionable odors; and
- (e) Locates manure management operations either: within the project's allowable impervious surface area; or on other lands not suitable for cultivation or used for forage, unless for soil or plant enrichment purposes within or by the next growing season.

(5) A plan for disposal of laboratory animals which are euthanized or otherwise culled from the animals continuing to be used for the biomedical livestock operation's program. Any incineration or disposal shall comply with all requirements of State and Federal law.

(6) Documentary proof that all required permits, licenses, registrations, approvals, and similar requirements of local, State and Federal regulatory agencies have been obtained including, without limitation, those of the Regional Water Quality Control Board, Monterey Bay Air Pollution Control District, U.S. Department of Agriculture, California Department of Food and Agriculture, U.S. Food and Drug Administration, and Centers for Disease Control and the National Institutes of Health. The County Planning Department shall be notified within 60 days of any change in the status of such permits, licenses, approvals and registrations.

(7) A written description of the proposed research, testing, experimentation and/or biomedical (or pharmaceutical) product manufacturing program that will utilize the livestock. If the proposed use includes injections or introduction into and/or extractions from livestock (collectively, "injections"), the description shall include identification of the substances involved in the injections.

(D) Required Findings. Prior to issuance of a development permit for a biomedical livestock operation, the general findings for development permits set forth in SCCC [18.10.230\(A\)](#) and coastal permit findings of SCCC [13.20.110](#), if applicable, shall be made. The following additional findings shall also be made:

(1) On agriculturally designated land, no biomedical laboratory, as defined in SCCC 13.10.700-L, will be located on the site.

(2) The biomedical livestock operation complies with the requirements of Chapters [7.22](#), [7.30](#) and [7.100](#) SCCC, and any other applicable Federal, State and/or local law, regulation or standard, including the County animal control ordinance, regarding medical or biohazardous waste, recombinant DNA technology, hazardous substances, and care and treatment of animals.

(3) The biomedical livestock operation complies with all provisions of the General Plan and Local Coastal Program Land Use Plan and the County Code regarding uses on agricultural land and complies with the provisions of Chapter [16.30](#) SCCC, Riparian Corridor and Wetlands Protection, and Chapter [16.32](#) SCCC, Sensitive Habitat Protection. The land area devoted to the biomedical livestock operation shown on the required site plan complies with all plan and code siting requirements, is commensurate with the needs of the biomedical livestock operation, and is configured in a manner to avoid conflicts, and to be compatible with any other existing or potential agricultural uses on the subject parcel.

(4) Livestock will be securely confined to the site. The use minimizes fencing or other structures, equipment or devices which restrict the natural movement of wildlife in their existing habitat and corridors, based on the latest habitat and biodiversity information available. All fencing complies with SCCC [13.10.525](#) unless an approval is granted to exceed the six-foot maximum height limit pursuant to SCCC [13.10.525\(C\)\(2\)](#).

(5) On agriculturally zoned land, any research, testing, experimentation or product manufacturing at the biomedical livestock operation shall be limited to the injection, or introduction, of those reagents which are inert, nonviable, noninfectious and nonhazardous and shall specifically exclude any live microorganisms, live viruses (whether wild-type or attenuated), live bacteria, live fungus, live mycoplasma, or live parasites; or recombinant polynucleotides (such as DNA or RNA, expression vectors, knockout vectors or gene therapy vectors); or radioactive compounds or isotopes. This requirement shall not be construed to prohibit any standard and well-established practice of veterinary medicine.

(6) The proposed operation is soil-dependent (e.g., involves grazing, based on the number of animals which could be feasibly and economically grazed on the site assuming a minimum 40 percent of feed will be from grazing on-site) and will not generate excessive manure that would adversely affect soil productivity or water quality.

(E) Additional Review. Prior to any action by the Zoning Administrator, the following additional review shall take place:

(1) The adoption or amendment of a master plan for a biomedical livestock operation is a "project," within the meaning of CEQA and

the County environmental review guidelines, and is subject to environmental review.

(2) The master plan shall be reviewed by the Agricultural Policy Advisory Commission (APAC), including consultation with the Agricultural Commissioner, the United States Department of Agriculture Natural Resources Conservation Service, and the University of California Extension Service, as applicable, for a recommendation to the Zoning Administrator on the following:

- (a) The size (including square footage) and location of support structures; and
- (b) Appropriate animal density for the site in question.

With respect to the foregoing, APAC shall make its recommendation based on (i) determination of whether the proposed operation is soil-dependent (e.g., involves grazing), and (ii) the number of animals which could be feasibly and economically grazed on the site assuming a minimum 40 percent of feed from grazing on-site.

(3) The application shall be referred to the County Public Health Officer who shall review the application and the written description of the proposed research, testing, experimentation or biomedical (or pharmaceutical) product manufacturing program. Review by the County Public Health Officer shall include the following:

- (a) A written summary report of the proposed program, which shall be made available to the public and to the Zoning Administrator prior to any public hearing, including recommendations to the Zoning Administrator as to whether to approve, conditionally approve or deny the application. The Public Health Officer shall base the summary report and recommendations on all information available to him/her. In investigating and preparing his/her report and recommendation the Public Health Officer may consult with and obtain information from experts in the biomedical research field, with fees and costs for such consultations and information to be paid for by the applicant. Any interested person may also submit written comments on the proposed program to the Zoning Administrator at or prior to the Level V hearing.
- (b) A recommendation as to permit conditions for the biotechnology livestock operation that are necessary to ensure that the public health, safety, and welfare are protected at all times.

(4) If the Public Health Officer determines that the proposed biomedical livestock operation presents a human health hazard, the Zoning Administrator shall not approve or conditionally approve the biotechnology livestock operation. If the recommendation is to approve or conditionally approve the biomedical livestock operation, the Zoning Administrator shall proceed to make a final decision on the application in accordance with all applicable criteria. In any case, the recommendations of the Public Health Officer shall be incorporated into the conditions, findings and decision of the Zoning Administrator.

(5) If the Planning Commission or Board of Supervisors acts to approve the proposed biomedical livestock operation despite an unfavorable recommendation by the Public Health Officer to the Zoning Administrator, the Officer shall be further consulted as to appropriate conditions to place on the operation.

(F) Amendments to Approved Master Plan. Any changes to the approved master plan, including any material changes to the approved research, testing, experimentation or biomedical (or pharmaceutical) product manufacturing program that will utilize the livestock, shall require an amendment to the master plan or development permit in accordance with the procedures for obtaining a major amendment set forth in SCCC [18.10.134](#). A material change to the approved research, testing, experimentation or product manufacturing program shall include any change that could have an effect on public health, safety, welfare or the environment. Any request for an amendment to the master plan or development permit shall be summarized and reviewed by the County Public Health Officer, using the same procedure as required for an initial application. No material change in the program shall occur until after the proposed change receives final approval following a Level V review. A change from injections involving nonhazardous substances such as reagents which are inert, nonviable, and noninfectious to injections involving any potentially hazardous agents such as live microorganisms, live viruses (whether wild-type or attenuated), live fungi, live parasites, live mycoplasma, live bacteria; or recombinant polynucleotides (such as DNA or RNA, expression vectors, knock-out vectors or gene therapy vectors); and/or radioactive compounds or isotopes shall be prohibited.

(G) Permit Expiration and Renewal. A biomedical livestock operation shall be subject to the following review following approval of a development permit:

- (1) Any development permit approved for a biomedical livestock use shall be valid for five years or a lesser time as established by the Zoning Administrator. The permit holder shall be required to submit an application for renewal prior to the expiration of the development permit. The permit shall also be conditioned to require the permit holder to submit a closure plan prior to terminating a biomedical livestock operation or prior to permit expiration if a renewal application is not sought or is denied. The closure plan shall provide for the removal of any facilities inappropriate for future nonbiomedical agricultural use of the site. Continued operation of the biomedical livestock use shall be subject to permit renewal processed at Level IV, or Level V, if a coastal permit is involved, according to procedures set forth in Chapter [18.10](#) SCCC. Under no circumstances, whether through conditions beyond the control of the permittee, lack of actual notice of expiration, reliance on an error of public officials, or for any other reason shall the expiration date of a permit be automatically extended except as may be provided by relevant provisions of State law, or give rise to an estoppel against the County.

Requests for renewal of a development permit for a biomedical livestock use shall be evaluated based on compliance with original permit conditions and inspection by the County Planning Department; inspection of the site by the County Health Officer for compliance with Chapters 7.22, 7.30, and 7.100 SCCC and the research, testing, experimentation or biomedical (or pharmaceutical) product manufacturing program; review by the County Planning Department of all applicable Federal, State and/or local laws and the applicant's compliance with them as documented by the respective agencies, and a review of all applicable County ordinances and policies.

(2) The Public Health Officer, the Director of Animal Control and/or Planning staff shall have the right to make random, unannounced inspections and/or investigations of any biomedical livestock operation, including access to all databases containing information on the livestock which is part of the biomedical livestock operation, as necessary to determine compliance with the research, testing, experimentation or biomedical (or pharmaceutical) product manufacturing program and/or Chapters 7.22, 7.30, and 7.100 SCCC.

(H) Violations of Conditions of Development Permit. It shall be unlawful for any person to exercise any development permit which authorizes a biomedical livestock operation without complying with all of the conditions of such permit. Any violation of permit requirements shall be subject to enforcement action as set forth in Chapter 19.01 SCCC.

(I) Review of Title. Upon the earlier of the filing with the County of (1) a total of five applications (including applications to amend master plans and/or development permits to encompass additional land under an existing master plan and/or development permit; but, excluding applications solely for renewal under subsection (G) of this section), or (2) applications totaling five parcels of land, this title shall be reviewed by the Planning Commission, and public hearing(s) conducted before it, regarding the impact (including potential impact) of biomedical livestock operations on agriculturally zoned land. The Planning Commission, following public hearing(s), shall make recommendations to the Board of Supervisors regarding any amendments to this title, the County Code and the General Plan that the Planning Commission believes is in the best interest of the County in order to maintain and protect prime agricultural cropland and rangeland in the County. The Board of Supervisors shall hold public hearing(s) and act on the Planning Commission's recommendations. [Ord. 4474-C § 3, 1998].

#### **Article V. Commercial Uses**

##### **13.10.651 Restaurants, bars and food outlets in the PA Zone District.**

Restaurants, bars and food outlets of over 500 square feet combined indoor and outdoor space shall only be allowed in the PA Zone District with the restriction that the facility will be open for public service during the evening and weekend periods when offices are not normally open and the office parking facilities are available to accommodate the parking needs of patrons. [Ord. 4346 § 34, 1994; Ord. 3432 § 1, 1983].

##### **13.10.652 Drive-through uses.**

No drive-through uses as defined in SCCC 13.10.700-D shall be permitted. [Ord. 3432 § 1, 1983].

##### **13.10.653 Machine shops in commercial zone districts.**

Machine shops in commercial zone districts shall be operated within a completely enclosed building located 50 feet or more from any residential use; be limited to one horsepower or less motors used to operate lathes, drill presses, grinders, shapers, milling machines, saws, polishers, or metal cutters; exclude drop hammers, automatic screw machines, and punch presses in excess of five-ton capacity. [Ord. 3432 § 1, 1983].

##### **13.10.654 Night clubs, on-site liquor sales, live entertainment.**

No dance hall, road house, night club, commercial club, or any establishment where liquor is served or commercial place of amusement or recreation, or any place where entertainers are provided whether as social companies or otherwise shall be established in any district closer than 200 feet to the boundary of any residential or recreational district, unless a Level V use approval is first secured in each case. [Ord. 3432 § 1, 1983].

##### **13.10.655 Radio and TV towers.**

Radio and television transmission towers and accessory uses thereto, but not including radio and television broadcasting studios, may be allowed in any district but not unless or until a Level V use approval or as otherwise required by the applicable use charts is first secured in each case. [Ord. 4496-C § 55, 1998; Ord. 3432 § 1, 1983].

##### **13.10.656 Construction of new gas stations, and conversion of existing gas stations.**

Construction or operation of new gas stations, which do not meet the definition of "gas stations, full-service," and conversions of existing gas stations shall not be issued a permit unless and until the following occur:

(A) The required public notice shall include a one-eighth-page display ad published in a newspaper of general circulation printed and

published within the County at least 10 calendar days prior to the public hearing on the permit.

(B) The County Seniors Commission, Commission on Disabilities, and Convention and Visitors Bureau shall be notified at least 30 calendar days prior to the public hearing on the permit and their written comments solicited.

(C) A finding shall be made that the new construction or operation of the proposed gas station, or conversion of an existing gas station, will not significantly adversely affect the public health, safety or welfare in any of the following respects:

- (1) Availability of minor emergency health and safety services such as public restrooms and minor automobile repair.
- (2) Discrimination against individuals needing refueling assistance.

(D) Reasonable conditions may be added, including but not limited to the following:

- (1) Appropriate signing may be required to inform the public of the method and location of additional automotive services such as air, water, public restrooms, emergency towing and automobile repair.
- (2) A requirement for split-island service (i.e., full-service at one island, self-service at another).
- (3) A requirement for the sale and installation of minor auto-related parts such as fan belts, water hoses, windshield wiper blades, tires, transmission oil, brake fluid, or maps.
- (4) Provision of refueling service to individuals needing same. [Ord. 4496-C § 56, 1998; Ord. 3632 § 18, 1985].

### **13.10.657 Regulation of sale of alcoholic beverages at gas stations.**

(A) Authority. This section is adopted pursuant to and in conformity with Section [23790.5](#) of the California Business and Professions Code.

(B) Purpose. The Board of Supervisors of the County of Santa Cruz deems it necessary to regulate the concurrent sale of alcoholic beverages and motor vehicle fuel for the purpose of protecting and promoting the health, safety and welfare of the general public and the inhabitants of Santa Cruz County.

(C) Prohibition as to Concurrent Sale of Alcoholic Beverages Other Than Beer or Wine. The concurrent retailing of alcoholic beverages (other than beer or wine for off-premises consumption) and motor vehicle fuel is prohibited.

(D) Permit Required as to Concurrent Sale of Beer or Wine. A development permit including a Level V use approval shall be required to be obtained from the County by any new or by any existing gas station which proposes to commence on or after January 1, 1989, the concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption. All procedures for application, review, approval, appeal, enforcement, et cetera, shall be in accordance with Chapter [18.10](#) SCCC.

(E) Required Findings. No development permit shall be issued for the concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption unless the following findings are made, supported by substantial evidence in view of the whole record:

- (1) The concurrent retailing of motor vehicle fuel with beer and wine for off-premises consumption will not significantly adversely affect the public health, safety, or welfare from increases in noise, traffic and/or violations of traffic and other laws.
- (2) The findings specified in SCCC [18.10.230](#).

(F) Conditions. Reasonable conditions shall be added to a development permit for the concurrent retailing of motor vehicle fuel with beer and wine, including but not limited to the following conditions:

- (1) No display of beer and/or wine shall be permitted within five feet of the cash register or of the front door unless it is a permanently affixed cooler as of January 1, 1988;
- (2) No advertisement or advertising of beer and/or wine shall be permitted on or at motor vehicle fuel islands;
- (3) No sale of beer and/or wine shall be permitted from a drive-in window;
- (4) No sale or display of beer and/or wine shall be permitted from an ice tub;
- (5) No self-illuminated advertising for beer and/or wine shall be located on buildings or in windows;
- (6) Employees on duty who sell beer and/or wine at gas stations shall be at least 21 years of age; and
- (7) A period of time shall be specified requiring renewal or review of the development permit.

(G) Violations. If there is a finding that a licensee or his or her employee has sold any alcoholic beverages (including beer and/or wine) to a minor at an establishment engaged in the concurrent retailing of motor vehicle fuel with beer and wine, the alcoholic beverage license at

the establishment shall be suspended for a minimum period of 72 hours. This shall not constitute the exclusive remedy for such violation, but rather shall be cumulative to all other enforcement methods available to the County, including, without limitation, those enforcement methods available where the County zoning ordinance has been violated.

(H) Severability. If any part of this section is for any reason held to be invalid by the final judgement of any court, such judgement shall not affect the validity of the remaining portion of this section. [Ord. 3965 §§ 2, 3, 1988; Ord. 3943 §§ 2, 3, 1988; Ord. 3669 § 2, 1985].

### 13.10.658 Recycling facilities.

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(A) The criteria and standards for recycling facilities permitted as an accessory or appurtenant use are as follows:

(1) Reverse Vending Machines.

- (a) Shall be established in conjunction with a commercial, community facility or public facility use which is in compliance with the zoning, building, and fire codes of the County of Santa Cruz.
- (b) Shall, when associated with a commercial use, be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation.
- (c) Shall be constructed and maintained with durable waterproof and rustproof material and shall be covered.
- (d) Shall be clearly marked to identify the type of material to be deposited.
- (e) Shall have a sign area of a maximum of four square feet and sign(s) shall be attached to the machine.
- (f) Shall be no more than 80 cubic feet in bulk and no more than eight feet in height per machine.
- (g) The operator of the reverse vending machine and the business operator or community facility or public facility operator shall, on a daily basis, remove any and all recyclable materials or refuse which has accumulated or is deposited outside the reverse vending machines.
- (h) Reverse vending machines located within a commercial structure, or community facility or public facility structure, do not require any permits under this code.

(2) Small Collection Facilities.

- (a) Facility shall be established in conjunction with a commercial use, or commercial use or public facility use which is in compliance with the zoning, building and fire codes of the County of Santa Cruz;
- (b) Containers shall be constructed and maintained with durable waterproof and rustproof material and shall be covered at all times when not attended;
- (c) Containers shall be clearly marked to identify the type of recyclable materials which may be deposited;
- (d) Facility shall be clearly marked to identify the name and telephone number of the facility operator;
- (e) Site shall be swept and maintained in a dust-free, litter-free condition on a daily basis;
- (f) The facility shall be placed on a site so as not to obstruct on-site or off-site pedestrian or vehicular circulation, or any loading facilities;
- (g) Facility shall be set back at least 10 feet from any street line;
- (h) The facility shall not impair the landscaping required for any concurrent use by the County Code or any permit issued pursuant thereto;
- (i) Noise level shall not at any time exceed 60 dBA as measured at the property line of any residentially zoned or residential use property; otherwise shall not exceed 65 dBA;
- (j) Facility shall not include power-driven sorting and/or consolidation equipment such as crushers, balers, or bulk reverse vending machines;
- (k) Signs may be provided as follows:
  - (i) Unattended container not over 80 cubic feet in bulk and not over eight feet in height may have a maximum sign area of four square feet;
  - (ii) Other containers or units may have one or more flat-mounted signs on each side, no larger in total area than 20 percent

of the surface area of the side, or 45 square feet per side, whichever is less;

(iii) No illuminated signs;

(iv) Signs must be consistent with the character of the location;

(l) Use of the facility for collection or disposal of refuse or hazardous material as defined in SCCC [7.20.040](#), 7.96.020, or [7.100.020](#) is prohibited;

(m) Facility shall be removed from the site no later than the day following permit expiration;

(n) Attended facilities shall be in operation only during the hours of operation of the commercial use, or community facility or public facility use, unless permission otherwise is given by the commercial, community facility or public facility use;

(o) The facility shall conform to all development regulations for the zoning district in which it is located;

(p) Parking requirements for small collection facilities shall conform to SCCC [13.10.553](#)(F);

(q) The recycling collection facility operator and commercial use or community facility or public facility use operator shall, on a daily basis, remove any and all recyclable materials or refuse which has accumulated or is deposited outside the containers, bins, or enclosures intended as receptacles for such materials;

(r) Small collection facilities are encouraged to accept all types of recyclable materials including, but not limited to, newspapers, cardboard, used motor oil, and all types of beverage and food containers made from aluminum, nonaluminum metal, glass, and plastic, and in appropriate circumstances the County may require a small collection facility to accept any or all of the recyclable materials mentioned in this subsection as a condition of the issuance of such small collection facility permit.

(B) The following recycling collection facilities, which were in existence on July 23, 1987, are legal nonconforming uses in the zone district in which they are located and are subject to SCCC [13.10.260](#), [13.10.261](#), and [13.10.262](#); provided, that all such collection facilities are associated with a legal conforming use and can demonstrate permission from the property owner to occupy the site:

(1) Mobile buy-back or drop-off multi-material recycling collection in one location for less than eight hours in any seven-day period;

(2) Stationary drop-off of newspapers utilizing placement of an unattended covered or closeable drop box or bin;

(3) Stationary drop-off of household goods or clothes for resale or recycle through a charitable organization such as the Salvation Army or Goodwill Industries. [Ord. 5119 § 32, 2012; Ord. 5061 § 19, 2009; Ord. 4525 § 9, 1998; Ord. 3843 § 7, 1987].

#### **13.10.659 Regulations for the siting, design, and construction of wireless communication facilities.**

*Repealed by Ords. 4714, 4743 and 4769. [Ord. 4631 § 1, 2001; Ord. 4629 § 1, 2001].*

#### **13.10.660 Regulations for the siting, design, and construction of wireless communication facilities. Amended Ord. 5160**

(A) Purpose. The purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, is to establish regulations, standards and circumstances for the siting, design, construction, major modification, and operation of wireless communication facilities in the unincorporated area of Santa Cruz County. It is also the purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to assure, by the regulation of siting of wireless communications facilities, that the integrity and nature of residential, rural, commercial, and industrial areas are protected from the indiscriminate proliferation of wireless communication facilities, while complying with the Federal Telecommunication Act of 1996, General Order 159A of the Public Utilities Commission of the State of California and the policies of Santa Cruz County. It is also the purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to locate and design wireless communication towers/facilities so as to minimize negative impacts, such as, but not limited to, visual impacts, agricultural and open space land resource impacts, impacts to the community and aesthetic character of the built and natural environment, attractive nuisance, noise and falling objects, and the general safety, welfare and quality of life of the community. It is also the purpose of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to provide clear guidance to wireless communication service providers regarding the siting of and design of wireless communication facilities.

(B) Findings.

(1) The proliferation of antennas, towers, satellite dishes, and other wireless communication facility structures could create significant, adverse visual impacts. Therefore, there is a need to regulate the siting, design, and construction of wireless communication facilities to ensure that the appearance and integrity of the community is not marred by unsightly commercial facilities, particularly in residential, historically significant, scenic coastal areas, and other environmentally sensitive areas.

(2) General Order 159A of the Public Utilities Commission (PUC) of the State of California acknowledges that local citizens and local government are often in a better position than the PUC to measure local impact and to identify alternative sites. Accordingly, the PUC will generally defer to local governments to regulate the location and design of cell sites, wireless communication facilities and mobile

telephone switching offices (MTSOs) including (a) the issuance of land use approvals; (b) acting as lead agency for purposes of satisfying the California Environmental Quality Act (CEQA); and (c) the satisfaction of noticing procedures for both land use and CEQA procedures.

(3) While the licensing of wireless communication facilities is under the control of the Federal Communications Commission (FCC) and Public Utilities Commission (PUC) of the State of California, local government must address public health, safety, welfare, zoning, and environmental concerns where not preempted by Federal statute or regulation.

(4) In order to protect the public health, safety, and the environment, it is in the public interest for local government to establish rules and regulations addressing certain land use aspects relating to the construction, design, siting, major modification, and operation of wireless communication facilities and their compatibility with surrounding land uses.

(5) Commercial wireless communication facilities are commercial uses and as such are generally incompatible with the character of residential zones in the County and, therefore, should not be located on residentially zoned parcels unless it can be proven that there are no alternative nonresidential sites from which can be provided the coverage needed to eliminate or substantially reduce significant gaps in the applicant carrier's coverage network.

(C) Applicability. Activities and development regulated by this chapter include the siting, design, construction, major modification, and operation of all wireless communication facilities, including Federal Communications Commission (FCC) regulated dish antennas, antennas used for multi-channel, multi-point distribution services (MMDS) or "wireless cable" and personal wireless service facilities (e.g., cellular phone services, PCS—personal communication services, wireless paging services, wireless Internet services, etc.). The regulations in this chapter are intended to be consistent with State and Federal law, particularly the Federal Telecommunications Act of 1996, in that they are not intended to: (1) be used to unreasonably discriminate among providers of functionally equivalent services; (2) have the effect of prohibiting personal wireless services within Santa Cruz County; or (3) have the effect of prohibiting the siting of wireless communication facilities on the basis of the environmental/health effects of radio frequency emissions, to the extent that the regulated services and facilities comply with the regulations of the Federal Communications Commission concerning such emissions.

(D) Definitions.

"Antennas" means any system of wires, poles, rods, reflecting discs, dishes, flat panels, or similar devices, including "whip antennas," attached to a telecommunications tower, mast or other structure, which in combination with the radio-frequency radiation generating equipment associated with a base station are used for the transmission or reception of electromagnetic waves.

"Available space" means the space on a tower or structure to which antennas of a telecommunications provider are both structurally and electromagnetically able to be attached.

"Base station" means the primary sending and receiving site in a wireless telecommunications network, including all radio-frequency generating equipment connected to antennas. More than one base station and/or more than one variety of telecommunications providers can be located on a single tower or structure.

"Cellular service" means a wireless telecommunications service that permits customers to use mobile telephones and other communication devices to connect, via low-power radio transmitter sites, either to the public-switched telephone network or to other fixed or mobile communication devices.

"CEQA" means the California Environmental Quality Act.

"Channel" means the segment of the radiation spectrum from an antenna which carries one signal. An antenna may radiate on many channels simultaneously.

"Co-location" or "co-located facility" means when more than one wireless service providers share a single wireless communication facility. A co-located facility can be comprised of a single tower, mast/pole or structure that supports two or more antennas, dishes, or similar wireless communication devices, that are separately owned or used by more than one public or private entity. Co-location can consist of additions or extensions made to existing towers so as to provide enough space for more than one user, or it can involve the construction of a new replacement tower with more antenna space that supplants an older tower with less capacity. Placing new wireless communication facilities/antennas upon existing or new P. G. & E. or other utility towers or poles (e.g., "microcell" sites) is also considered co-location.

"Communication equipment shelter" means a structure located at a base station designed principally to enclose equipment used in connection with telecommunication transmissions.

"dBm" means the unit of measure of the power level of an electromagnetic signal expressed in decibels referenced to one milliwatt.

"Dish antenna" means any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia-shaped and is used to transmit and/or receive electromagnetic signals.

“Equipment building, shelter or cabinet” means a cabinet or building used to house equipment used by wireless communication providers at a facility.

“FAA” means the Federal Aviation Administration.

“Facility site” means a property, or any part thereof, which is owned or leased by one or more wireless service providers and upon which one or more wireless communication facility(s) and required landscaping are located.

“FCC” means the Federal Communications Commission, the Federal government agency responsible for regulating telecommunications in the United States.

“GHz” means gigahertz, or 1,000,000,000 hertz.

“Ground-mounted wireless communication facility” means any antenna with its base placed directly on the ground, or that is attached to a mast or pipe, with an overall height of not exceeding 16 feet from the ground to the top of the antenna.

Hertz. One hertz is a unit of measurement of an electric or magnetic field which reverses its polarity at a frequency of once per second (i.e., one cycle or wavelength per second).

“Least visually obtrusive,” with regard to wireless communication facilities, shall refer to technically feasible facility site and/or design alternatives that render the facility the most visually inconspicuous relative to other technically feasible sites and/or designs. It does not mean that the facility must be completely hidden, but it may require screening or other camouflaging so that the facility is not immediately recognizable as a wireless communication facility from adjacent properties and roads used by the public.

“Macrocell site” means a radio transceiver (i.e., transmits and receives signals) facility that is comprised of an unmanned equipment shelter (above or below ground) approximately 300 square feet per licensed provider, omni-directional whip, panel or microwave dish antennas mounted on a support structure (e.g., monopole, lattice tower) or building. A macrocell site typically includes 60 radio transmitters.

“Major modification to power output” means any of the following resulting in an increase in the wireless communication facility’s power output and/or increase in the intensity or change in the directionality of NIER propagation patterns: increase or intensification, or proposed increase or intensification, in power output or in size or number of antennas; change in antenna type or model; repositioning of antenna(s); change in number of channels per antenna above the maximum number previously approved by the County of Santa Cruz, including changes to any/all RF-generating equipment/componentry that are attached to antennas (e.g., conversion of wireless communication to wireless Internet that requires continuous transmitting at full power).

“Major modification to visual impact” means any increase or intensification, or proposed increase or intensification, in dimensions of an existing and/or permitted wireless communications facility (including, but not limited to, its telecommunications tower or other structure designed to support telecommunications transmission, receiving and/or relaying antennas and/or equipment) resulting in an increase of the visual impact of said wireless communications facility.

“MHz” means megahertz, or 1,000,000 hertz.

“Microcell site” means a small radio transceiver facility comprised of an unmanned equipment cabinet with a total volume of 100 cubic feet or less that is either under or aboveground, and one omni-directional whip antenna with a maximum length of five feet, or up to three small (approximately one foot by two feet or one foot by four feet) directional panel antennas, mounted on a single pole, an existing conventional utility pole, or some other similar support structure.

“Minor antenna” or “minor wireless communication facility” means any of the following:

- (1) A ground- or building-mounted receive-only radio or television antenna that is: (a) six inches or less in diameter or width; and (b) 10 feet or less in height as measured from existing grade (including mast or pipe) or, for building mounted antennas, not exceeding the height limit for noncommercial antennas in the zoning district;
- (2) A ground- or building-mounted citizens band radio antenna that is: (a) six inches or less in diameter or width; and (b) 10 feet or less in height as measured from existing grade (including mast or pipe) or, for building mounted antennas, not exceeding the height limit for noncommercial antennas in the zoning district;
- (3) A ground- or building-mounted satellite receiving dish that: (a) is not more than one meter in diameter for a residential zoned parcel, or is not more than two meters in diameter for a commercial or industrial zoned parcel; and (b) does not exceed the height limit for noncommercial antennas in the zoning district; or
- (4) A ground-, building-, or tower-mounted antenna operated on a noncommercial basis by a Federally licensed amateur radio operator as part of the amateur radio service, the height of which (including tower or mast) does not exceed the height limit for noncommercial antennas in the zoning district.

"MMDS" means multi-channel, multi-point distribution services (also known as "wireless cable").

"Monitoring" means the measurement, by the use of instruments in the field, of radio-frequency/non-ionizing radiation exposure at a site as a whole, or from individual wireless communication facilities/towers/antennas/repeaters.

"Monitoring protocol" means an industry accepted radio-frequency (RF) radiation measurement protocol used to determine compliance with FCC RF radiation exposure standards, in accordance with the National Council on Radiation Protection and Measurements Reports 86 and 119 and consistent with the RF radiation modeling specifications of OET Bulletin 65 (or any superseding reports/standards), which is to be used to measure the emissions and determine radio-frequency radiation exposure levels from existing and new telecommunications facilities. RF radiation exposure measurements are to be taken at various locations, including those from which public RF exposure levels are expected to be the highest.

"Monopole" means a single pole-structure erected on the ground to support one or more wireless communication antennas.

"MTSOs" means mobile telephone switching offices.

"Non-ionizing electromagnetic radiation (NIER)" means radiation from the portion of the electromagnetic spectrum with frequencies of approximately 1,000,000 GHz and below, including all frequencies below the ultraviolet range, such as visible light, infrared radiation, microwave radiation, and radio frequency radiation.

"Nonmajor modification or maintenance activity" means a modification that is not a major modification to power output and is not a major modification to visual impact, or a maintenance activity that does not result in a major modification to power output or a major modification to visual impact.

"PCS" or "personal communications services" means digital wireless communications technology such as portable phones, pagers, faxes and computers. Also known as personal communications network (PCN).

"Personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. These services include: cellular services, personal communication services, specialized mobile radio services, and paging services.

"PUC" or "CPUC" means the California Public Utilities Commission.

"Radio-frequency (RF) radiation" means radiation from the portion of the electromagnetic spectrum with frequencies below the infrared range (approximately 100 GHz and below), including microwaves, television VHF and UHF signals, radio signals, and low to ultra low frequencies.

"Repeater" means a small receiver/relay transmitter of relatively low power output designed to provide service to areas which are not able to receive adequate coverage directly from a base or primary station.

"Significant gap" means a gap in the service provider's (applicant carrier's) own personal wireless services network within the County of Santa Cruz, as defined in Federal case law interpretations of the Federal Telecommunications Act of 1996, including *Sprint Spectrum v. Willoth* (1999) 176 F.3d 630 and *Cellular Telephone Company v. Zoning Board of Adjustment of the Borough of Ho-Ho-Kus* (1999) 197 F.3d 64.

"Stealth technology/techniques" means camouflaging methods applied to wireless communication towers, antennas and/or other facilities, which render them visually inconspicuous.

"Structurally able" means the determination that a tower or structure is capable of carrying the load imposed by the new antennas under all reasonably predictable conditions as determined by professional structure engineering analysis.

"Structure-mounted wireless communication facility" means any immobile antenna (including panels and directional antennas) attached to a structure, such as a building facade or a water tower, or mounted upon a roof.

"Technically feasible" means capable of being accomplished based on existing technology compatible with an applicant's existing network.

"Telecommunication tower (tower)" means a mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure designed and primarily used to support antennas.

Viable. Primarily in reference to the alternatives analysis, an alternative site for which there is a property owner/manager interested in renting, leasing, selling, or otherwise making available, space for one or more wireless communication facilities upon said site on reasonable terms commensurate with the market in Santa Cruz County.

"Visual impact" means an adverse effect on the visual and/or aesthetic environment. This may derive from blocking of a view, or introduction of elements that are incompatible with the scale, texture, form or color of the existing natural or human-made landscape, including the

existing community character of the neighborhood.

“Wireless communication (or “telecommunications”) facility” means a facility, including all associated equipment, that supports the transmission and/or receipt of electromagnetic/radio signals. Wireless communication facilities include cellular radio-telephone service facilities; personal communications service facilities (including wireless Internet); specialized mobile radio service facilities and commercial paging service facilities. These types of facilities can include, but are not limited to, the following: antennas, repeaters, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking areas, and other accessory development.

“Wireless communication facilities GIS map” means a map maintained by the County in Geographic Information System (GIS) format that includes location and other identifying information about wireless communication facilities in the County.

(E) Exemptions. The types of wireless communications facilities, devices and activities listed below are exempt from the provisions of SCCC [13.10.660](#) through [13.10.668](#), inclusive, except that SCCC [13.10.663](#)(A)(1) through (A)(8) shall continue to apply if the facility, device and/or activity requires a Coastal Zone approval pursuant to Chapter [13.20](#) SCCC. This exemption is not intended to limit or expand the scope of other Federal, State and local policies and regulations, including but not limited to the General Plan/Local Coastal Program, which apply to these facilities, devices and/or activities.

- (1) A ground- or building-mounted citizens band or two-way radio antenna including any mast that is operated on a noncommercial basis.
- (2) A ground-, building- or tower-mounted antenna operated on a noncommercial basis by a Federally licensed amateur radio operator as part of the amateur or business radio service.
- (3) A ground- or building-mounted receive-only radio or television antenna which does not exceed the height requirements of the zoning district, and which, for a television dish antenna, does not exceed three feet in diameter if located on residential property within the exclusive use or control of the antenna user.
- (4) A television dish antenna that is no more than six feet in diameter and is located in any area where commercial or industrial uses are allowed by the land use designation.
- (5) Temporary mobile wireless services, including mobile wireless communication facilities and services providing public information coverage of news events, of less than two weeks' duration. Any mobile wireless service facility intended to operate in any given location for more than two weeks is subject to the provisions of SCCC [13.10.660](#) through [13.10.668](#), inclusive.
- (6) Handheld devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar devices.
- (7) Wireless communication facilities and/or components of such facilities to be used solely for public safety purposes, installed and operated by authorized public safety agencies (e.g., County 911 emergency services, police, sheriff, and/or fire departments, first responder medical services, hospitals, etc.). Unless otherwise prohibited by law or exempted by action of the Board of Supervisors, public safety agencies shall be required to provide a map of facility locations for inclusion in the County's wireless communication facilities GIS map. If a wireless communication facility approved for an authorized public safety agency is not or ceases to be operated by an authorized public safety agency, and if a nonpublic safety agency operator proposes to use the approved facility, then the change in operator shall require that the new operator submit an application for the wireless communication facility to be evaluated as if it were a new facility subject to SCCC [13.10.660](#) through [13.10.668](#), inclusive, and the General Plan/Local Coastal Program. The facility shall not be operated by the new operator until a final decision has been rendered on the application.
- (8) Any “minor” antenna or facility described under subsection (D) of this section.
- (9) Any “nonmajor” modification or maintenance activities, as defined by subsection (D) of this section, carried out as part of the routine operation of existing permitted wireless communication facilities.
- (10) Small scale, low powered, short-range and visually inconspicuous, wireless Internet transmitter/receivers (e.g., “wi-fi hotspots”). [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

#### **13.10.661 General requirements for wireless communications facilities.**

All wireless communications facilities shall comply with all applicable goals, objectives and policies of the General Plan/Local Coastal Program, area plans, zoning regulations and development standards, are subject to Level V review (Zoning Administrator public hearing pursuant to Chapter [18.10](#) SCCC), are subject to the California Environmental Quality Act (CEQA), and shall comply with the following requirements:

- (A) Required Permits. All new wireless communication facilities shall be subject to a commercial development permit, and also a coastal

development permit if in the Coastal Zone. Additionally, a building permit will be required for construction of new wireless communication facilities.

(B) Prohibited Areas.

(1) Prohibited Zoning Districts. Wireless communication facilities are prohibited in the following zoning districts, unless a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#):

- (a) Single-Family Residential (R-1);
- (b) Multifamily Residential (RM);
- (c) Single-Family Ocean Beach Residential (RB);
- (d) Commercial Agriculture (CA); and
- (e) The combining zone overlays for:
  - (i) Mobile Home Parks (MH).

(2) Prohibited Coastal Areas. Wireless communication facilities are prohibited in areas that are located between the sea and the seaward side of the right-of-way of the first through public road parallel to the sea, unless a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#).

(3) Prohibited School Grounds. Wireless communication facilities are prohibited on all public and private K—12 school sites, unless a Telecommunications Act Exception is approved pursuant to SCCC [13.10.668](#).

(4) Exceptions to Prohibited Areas Prohibition. If a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#) that allows for siting a wireless communications facility within any of the above-listed prohibited areas, then such facility shall comply with the remainder of SCCC [13.10.660](#) through [13.10.668](#), inclusive, and shall be co-located. Applicants proposing new wireless communication facilities in any of the above-listed prohibited areas must submit as part of their application an alternatives analysis, as described in SCCC [13.10.662](#)(C). Non-co-located wireless communication facilities may be sited in the prohibited areas listed above only in situations where the applicant can prove that:

- (a) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and
- (b) There are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and/or designs) outside the prohibited areas identified in subsection (B) of this section that could eliminate or substantially reduce said significant gap(s).

Any wireless communications facility and any associated development allowed in a prohibited area: (i) shall be sited and designed so that it is not visible from public vantage points to the maximum extent feasible; or (ii) where some portion or all of such a facility and/or any associated development is unavoidably sited and/or designed in a manner that makes it visible from public vantage points (and cannot be sited and/or designed to not be visible), that portion shall be screened and/or camouflaged so that it is inconspicuous and designed to blend seamlessly into the existing public view.

(C) Restricted Areas.

(1) Restricted Zoning Districts. Non-co-located wireless communication facilities are discouraged in the following zoning districts, subject to the exceptions described in subsection (C)(3) of this section and/or unless a Telecommunications Act exception is approved pursuant to SCCC [13.10.668](#):

- (a) Residential Agricultural (RA);
- (b) Rural Residential (RR);
- (c) Special use (SU) with a residential General Plan designation; and
- (d) The combining zone overlays for:
  - (i) Historic Landmarks (L); and
  - (ii) Salamander Protection Areas (SP).

(2) Restricted Coastal Right-of-Way Area. Wireless communications facilities are discouraged in the right-of-way of the first through public road parallel to the sea, subject to the exceptions described in subsection (C)(3) of this section. If a wireless communications

facility is allowed within said right-of-way pursuant to subsection (C)(3) of this section, then the wireless communications facility shall, in addition to complying with the remainder of SCCC [13.10.660](#) through [13.10.668](#), inclusive, comply with all of the following:

- (a) The facility shall be of the microcell site type (as defined in SCCC [13.10.660\(D\)](#)) and:
  - (i) Shall be mounted upon an existing or replacement utility pole (where "replacement" means that there exists a utility pole in that location and it is immediately replaced with a pole that has the same or a reduced visual impact, and has the same or lesser dimensions as the existing utility pole); and
  - (ii) Shall have antennas no larger than one foot by two feet that are flush mounted and of a color that blends with that of the supporting utility pole; and
  - (iii) Shall have an equipment cabinet that is no more than 24 inches high, 18 inches wide, and 10 inches deep if mounted upon the utility pole or on the ground, or is located in an underground vault; and
  - (iv) Shall be fully camouflaged through stealth techniques to render the facility as visually inconspicuous as possible.
- (b) The facility shall be located on the inland side of the right-of-way unless a location on the seaward side of the right-of-way would result in less visual impact; and
- (c) The facility shall only be allowed in the coastal right-of-way provided the applicant's agreement(s) with the owner and operator of the right-of-way and the utility pole specifies that the facility shall be removed and the site restored by the applicant if informed by the owner and operator that the utility pole is to be removed because the utilities the pole supports are to be relocated underground.

(3) **Exceptions to Restricted Area Prohibition.** Wireless communication facilities (WCFs) that are co-located upon existing wireless communication facilities/towers or other utility towers/poles (e.g., P.G.&E. poles), and which do not significantly increase the visual impact of the existing facility/tower/pole, are allowed in the restricted zoning districts listed in subsection (C)(1) of this section. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. Applicants proposing new non-co-located wireless communication facilities in the restricted areas must submit as part of their application an alternatives analysis, as described in SCCC [13.10.662\(C\)](#). In addition to complying with the remainder of SCCC [13.10.660](#) through [13.10.668](#), inclusive, non-co-located wireless communication facilities may be sited in the restricted zoning districts listed above only in situations where the applicant can prove that:

- (a) The proposed wireless communication facility would eliminate or substantially reduce one or more significant gaps in the applicant carrier's network; and
- (b) There are no viable, technically feasible, and environmentally (e.g., visually) equivalent or superior potential alternatives (i.e., sites and/or facility types and/or designs) outside the prohibited and restricted areas identified in subsections (B) and (C) of this section that could eliminate or substantially reduce said significant gap(s).

(D) **Compliance with FCC Regulations.** Wireless communication facilities shall comply with all Federal Communications Commission (FCC) rules, regulations, and standards. Inhabitants of the County shall be protected from the possible adverse health effects associated with exposure to harmful levels of NIER (non-ionizing electromagnetic radiation) by ensuring that all wireless communication facilities comply with NIER standards set by the FCC.

(E) **Compliance with FAA Regulations.** Wireless communication facilities shall comply with all applicable criteria from the Federal Aviation Administration (FAA) and shall comply with adopted airport safety regulations for Watsonville Municipal Airport (Chapter [13.12](#) SCCC).

(F) **Site Selection—Visual Impacts.** Wireless communication facilities shall be sited in the least visually obtrusive location that is technically feasible, unless such site selection leads to other resource impacts that make such a site the more environmentally damaging location overall.

(G) **Co-Location.** Co-location of new wireless communication facilities into/onto existing wireless communication facilities and/or existing telecommunication towers is generally encouraged if it does not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain

their current number of antennas and equipment shelters/enclosures. Co-location may require that height extensions be made to existing towers to accommodate additional users, or may involve constructing new multi-user capacity towers that replace existing single-user capacity towers. Where the visual impact of an existing tower/facility must be increased to allow for co-location, the potential increased visual impact shall be weighed against the potential visual impact of constructing a new separate tower/facility nearby. Where one or more wireless communication tower/facilities already exist on the proposed site location, co-location shall be required if it will not significantly increase the visual impact of the existing facilities, or result in more than nine total individual antenna panels and/or three above-ground equipment enclosures/shelters located on the same parcel, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. This may require that the existing tower(s) on the site be dismantled and its antennas be mounted upon the new tower, particularly if the new tower would be less visually obtrusive than the existing tower(s). If a co-location agreement cannot be obtained, or if co-location is determined to be technically infeasible, documentation of the effort and the reasons why co-location was not possible shall be submitted.

(H) Public Notification. Public hearing notice shall be provided pursuant to SCCC [18.10.223](#). However, due to the potential adverse visual impacts of wireless communication facilities the neighboring parcel notification distance for wireless communication facility applications is increased from the normal 300 feet to 1,000 feet from the outer boundary of the subject parcel. To further increase public notification, on-site visual mock-ups as described in SCCC [13.10.662\(D\)](#) are also required for all proposed wireless communication facilities, except for co-located and microcell facilities that do not represent a major modification to visual impact as defined in SCCC [13.10.660\(D\)](#).

(I) Major Modification to Power Output. Any proposed major modification that would increase the power output of a wireless communication facility, as defined in SCCC [13.10.660\(D\)](#), shall require the submission of an affidavit by a professional engineer registered in the State of California that the proposed facility improvements will not result in RF exposure levels to the public in excess of the FCC's NIER exposure standard. In addition, within 90 days of commencement of operation of the modified facility, the applicant shall conduct RF exposure level monitoring at the site, utilizing the monitoring protocol, and shall submit a report to the Planning Department documenting the results of said monitoring.

(J) Major Modification to Visual Impact. Any proposed major modification that would increase the visual impact of a wireless communication facility, as defined in SCCC [13.10.660\(D\)](#), shall be subject to all requirements of SCCC [13.10.660](#) through [13.10.668](#), inclusive.

(K) Transfer of Ownership. In the event that the original permittee sells its interest in a wireless communication facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the County for maintaining consistency with all project conditions of approval, including proof of liability insurance. A new contact name for the project shall be provided by the succeeding carrier to the Planning Department within 30 days of transfer of interest of the facility. [Ord. 5020 §§ 1, 2, 2008; Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

### **13.10.662 Application requirements for wireless communication facilities.**

All new wireless communication facilities must be authorized by a commercial development permit, and also by a coastal development permit if located in the Coastal Zone, and are subject to the following permit application requirements:

(A) Preapplication Meeting. All applicants for proposed wireless communication facilities are encouraged to apply for the development review group process, pursuant to Chapter [18.10](#) SCCC, in order to allow Planning Department staff to provide feedback to the applicant regarding facility siting and design prior to formal application submittal.

(B) Submittal Information—All Applications. For all wireless communication facilities, in addition to the submittal requirements for Level V projects as specified in SCCC [18.10.210\(B\)](#), the information listed below must accompany each application (for the purpose of permit processing, the Planning Director or his/her designee may release an applicant from having to provide one or more of the pieces of information on this list upon a written finding that in the specific case involved said information is not necessary to process or make a decision on the application being submitted):

- (1) The identity and legal status of the applicant, including any affiliates.
- (2) The name, address, and telephone number of the officer, agent or employee responsible for the accuracy of the application information.
- (3) The name, address, and telephone number of the owner, and agent representing the owner, if applicable, of the property upon which the proposed wireless communication facility is to be built and title reports identifying legal access.
- (4) The address and assessor parcel number(s) of the proposed wireless communication facility site, including the precise latitude/longitude coordinates (NAD 83) in decimal degree format, of the proposed facility location on the site.
- (5) A description of the applicant service provider's existing wireless communication facilities network, and the provider's currently proposed facilities and anticipated future facilities for all proposed sites for which an application has been submitted, and for all

proposed sites for which site access rights or agreements have been secured by the provider. This must include a map, and a table (in hardcopy and digital formats) listing facility situs/addresses, site names/identification, facility types, and precise latitude/longitude coordinates (NAD 83) in decimal degree format, for all of the applicant carrier's existing and proposed facilities, within both the unincorporated and incorporated areas of Santa Cruz County, for inclusion on the County's wireless communication facility GIS map. In lieu of submitting this information with multiple applications, if this information has been previously submitted by the applicant, the applicant alternatively may certify in writing that none of the submitted information has changed. Information regarding proposed network expansions will be kept confidential by the County if identified in writing as trade secrets by the applicant.

(6) A description of the wireless communication services that the applicant intends to offer to provide, or is currently offering or providing, to persons, firms, businesses or institutions within both the unincorporated and incorporated areas of Santa Cruz County.

(7) Information sufficient to determine that the applicant has applied for and/or received any certificate of authority required by the California Public Utilities Commission (if applicable) to provide wireless communications services or facilities within the unincorporated areas of the County of Santa Cruz.

(8) Information sufficient to determine that the applicant has applied for and/or received any building permit, operating license or other approvals required by the Federal Communications Commission (FCC) to provide services or facilities within the unincorporated areas of the County of Santa Cruz.

(9) Compliance with the FCC's non-ionizing electromagnetic radiation (NIER) standards or other applicable standards shall be demonstrated for any new wireless communication facility through submission of a written opinion submitted, by a professional engineer registered in the State of California, at the time of application.

(10) A plan for safety/security considerations, consistent with SCCC [13.10.664](#). A detailed description of the proposed measures to ensure that the public would be kept at a safe distance from any NIER transmission source associated with the proposed wireless communication facility, consistent with the NIER standards of the FCC or any potential future superseding standards, must be submitted as part of the application. The submitted plans must also show that the outer perimeter of the facility site (or NIER hazard zone in the case of rooftop antennas) will be posted with bilingual NIER hazard warning signage that also indicates the facility operator and an emergency contact. The emergency contact shall be someone available on a 24-hour-a-day basis who is authorized by the applicant to act on behalf of the applicant regarding an emergency situation. For the protection of emergency response personnel, each wireless communication facility shall have an on-site emergency shut-off switch to de-energize all RF-related circuitry/componentry at the base station site (including a single shut-off switch for all facilities at a co-location site), or some other type of emergency shut-off by emergency personnel acceptable to the local Fire Chief, unless the applicant can prove that the FCC public exposure limits cannot be exceeded in the vicinity of the proposed facility, even if firefighters or other personnel work in close proximity to the antenna(s) or other RF radiation emitting devices/components.

(11) A detailed visual analysis, including computer photo simulations of the proposed wireless communication facility, shall be provided along with a written description from the installer. Photo simulations shall be submitted of the proposed wireless communication facility from various locations and/or angles from which the public would typically view the site. All photo simulations shall include a site map indicating the location from which the photo was taken, and a description of the methodology and equipment used to generate the simulation. More in-depth visual analyses shall be required for facilities proposed in visual resource areas designated in Section 5.10 of the County General Plan/LCP. The visual analysis shall identify and include all potential mitigation measures for visual impacts, consistent with the technological requirements of the proposed telecommunication service.

(12) Detailed maps of proposed wireless communication facility site and vicinity, in full-size and eight-and-one-half-inch by 11-inch reduction formats. Reduced plans shall include a graphic scale to allow for direct measurement from them. The following maps are required at the time of application submittal:

(a) Topographic/Area Map. Copy a portion of the most recent U.S.G.S. Quadrangle topographical map (with 20-foot contour intervals), at a scale of 1:24,000, indicating the proposed wireless communication facility site, and showing the area within at least two miles from the proposed site.

(b) Proximity Map and Aerial Photo. Prepare a map and an aerial photo at a scale of approximately one inch equals 200 feet (1:2,400), with contour intervals (for map only) no greater than 20 feet, showing the entire vicinity within a 1,500-foot radius of the wireless communication facility site, and including topography (map only), public and private roads, driveways on the subject parcel, buildings and structures, bodies of water, wetlands, landscape features, and historic sites. Draw a 1,500-foot radius circle on the map and aerial photo with the proposed facility at its center and indicate all structures within 1,500 feet of the proposed tower/antennas. Indicate property lines of the proposed tower/facility site parcel and of all parcels and rights-of-way abutting the tower/facility site parcel.

(13) Detailed plans and cross sections of proposed wireless communication facility and site, in full-size and eight-and-one-half-inch by 11-inch reduction formats. Reduced plans shall include a graphic scale to allow for direct measurement from them. Full-size plans

shall be on 24-inch by 36-inch sheets, on as many as necessary, and at scales which are no smaller than those listed below. Each plan/cross section sheet shall have a title block indicating the project title, sheet title, sheet number, date, revision dates, scale(s), and signature(s) of the professional(s) who prepared the plan. The following plans and cross sections are required at the time of application submittal:

- (a) Proposed Site Plan. Proposed wireless communication facility site layout, grading and utilities at a scale no smaller than one inch equals 40 feet (1:480) with topography drawn at a minimum of 10-foot contour intervals, showing existing utilities, property lines, existing buildings or structures, walls or fence lines, existing trees, areas with natural vegetation, existing water wells, springs, and the boundaries of any wetlands, watercourses and/or floodplains.
  - (i) Proposed tower/facility location and any associated components, including supports and guy wires, if any, and any accessory building (communication equipment shelter or other). Indicate property boundaries and setback distances from those boundaries to the base(s) of the tower/mast and to each facility-related structure and/or component. Include dimensions of all proposed improvements.
  - (ii) Indicate existing and proposed grade elevations where the existing and proposed grade intersects the proposed tower/mast, any guy wires, and all facility-related structures and/or components.
  - (iii) Proposed utilities, including distance from source of power, sizes of service available and required, locations of any proposed utility or communication lines, and whether underground or above ground.
  - (iv) Limits of area where vegetation is to be cleared or altered, and justification for any such clearing or alteration.
  - (v) Any direct or indirect alteration proposed to environmentally sensitive habitat areas, including wetlands and riparian corridors. Note that such alteration is only allowed under very specific circumstances and subject to specific requirements governed by the LCP's environmentally sensitive habitat area, wetland, riparian corridor, and other similar resource protection requirements; these requirements are not suspended in any way by this section.
  - (vi) Detailed drainage plans designed to control and direct all site runoff, including specific measures to control erosion and sedimentation, both during construction and as a permanent measure. The plan shall incorporate structural and nonstructural best management practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater and other runoff leaving the site.
  - (vii) Plans indicating locations and descriptions of proposed screening, landscaping, ground cover, irrigation systems, fencing, and any exterior lighting or signs. For any vegetation proposed to be used for screening purposes, the plans shall identify the expected dimensions and other characteristics of each individual species over time (including, at a minimum, on a yearly basis until maturity and/or maximum size is reached), and the expected dimensions and other characteristics of any overall vegetation screen over time (including, at a minimum, on a yearly basis until maturity and/or maximum size is reached). All species to be planted shall be non-invasive species native to Santa Cruz County, and specifically native to the project location. See also SCCC [13.10.663\(B\)\(9\)](#).
  - (viii) Plans of proposed access driveway or roadway and parking area at the facility site. Include grading, drainage, and traveled width. Include a cross section of the access drive indicating the width, depth of gravel, paving or surface materials.
- (ix) Plans showing any changes to be made to an existing facility's landscaping, screening, fencing, lighting, drainage, wetlands, grading, driveways or roadways, parking, or other infrastructure as a result of a proposed modification of the facility. Note that changes to wetlands and other sensitive habitat areas are only allowed under very specific circumstances and subject to specific requirements governed by the General Plan/LCP environmentally sensitive habitat area, wetland, and other similar resource protection requirements; these requirements are not suspended in any way by this section.
- (b) Proposed Tower/Facility and Related Structures and/or Components.
  - (i) Plans, elevations, sections and details at appropriate scales, but no smaller than one inch equals 10 feet.
  - (ii) Two cross sections through proposed tower/facility drawn at right angles to each other, and showing the ground profile to at least 100 feet beyond the limit of any vegetation clearing or beyond the fall zone of the tower/mast, whichever is greater, and showing any guy wires or supports. Dimension the proposed height of the tower/mast above average grade at tower/mast base. Show all proposed antennas including their location on the tower/facility.
  - (iii) Detail proposed exterior finish of the tower/facility. Provide precise depictions, photo examples, and/or detail drawings for all stealth features (such as "monopine" branches).
  - (iv) Indicate relative height of the tower/facility as compared to the tops of surrounding trees as they presently exist, and to existing and proposed finished grades.

(v) Illustration of the modular structure of the proposed tower/facility indicating the heights of sections which could be removed or added in the future to adapt to changing communications conditions or demands (including potential future co-location).

(vi) A structural professional engineer's written description of the proposed tower/facility structure and its capacity to support additional antennas or other communication facilities at different heights and the ability of the tower to be shortened if future communication facilities no longer require the original height.

(vii) A description of the available space on the tower, providing illustrations and examples of the type and number of co-located wireless communication facilities which could be mounted on the structure.

(viii) Photographs precisely depicting the tower/facility type to be installed.

(c) Proposed Communications Equipment Shelter. Including (i) floor plans, elevations and cross sections at a scale of no smaller than one-quarter-inch equals one foot (1:48) of any proposed structural component, (ii) representative elevation views, indicating the roof, facades, doors and other exterior appearance and materials, and (iii) a description of all equipment to be contained therein, including number, make and model of each electromagnetic and radio-frequency apparatus to be installed.

(d) Proposed Equipment Plan.

(i) Plans, elevations, sections and details at appropriate scales but no smaller than one inch equals 10 feet.

(ii) Number of antennas and repeaters, as well as the exact locations, of antenna(s) and all repeaters (if any) located on a map as well as by degrees, minutes and seconds of latitude and longitude (in decimal degree format).

(iii) Mounting locations on tower or structure, including height above existing and proposed finished grades.

(iv) A recent survey of the facility site at a scale no smaller than one inch equals 40 feet (1:480) showing horizontal and radial distances of antenna(s) to nearest point on property line, and to the nearest dwelling unit.

(v) For applications for new wireless communication facilities in any of the prohibited or restricted areas, as set forth in SCCC [13.10.661\(B\)](#) and (C), the applicant must also disclose:

A. Number, type(s), manufacturer(s) and model number(s) for all antennas and other RF-generating equipment.

B. For each antenna, the antenna gain and antenna radiation pattern.

C. Number of channels per antenna, projected and maximum.

D. Power input to each antenna.

E. Power output, in normal use and at maximum output for each antenna and all antennas as an aggregate.

F. Output frequency of the transmitter(s).

(vi) For modification of an existing facility with multiple emitters, the results of an intermodulation study to predict the interaction of the additional equipment with existing equipment.

(14) If co-location is not proposed, the applicant shall provide information pertaining to the feasibility of joint-use antenna facilities, and discuss the reasons why such joint use is not a viable option or alternative to a new facility site. Such information shall include:

(a) Whether it is feasible to locate proposed sites where facilities currently exist;

(b) Information on the existing structure that is closest to the site of the applicant's proposed facility relative to the existing structure's structural capacity, radio frequency interface, or incompatibility of different technologies, which would include mechanical or electrical incompatibilities; and

(c) Written notification of refusal of the existing structure owner to lease space on the structure.

(15) For any application that involves a major modification to, or replacement of, an applicant's wireless communication facility, the applicant shall submit a brief narrative description and any supporting graphics (such as plans, photos, relevant literature, etc.) detailing any changes in wireless communication facility technologies that would allow the existing facility to be modified to provide for the same or increased level of service with less environmental impact, including less visual resource impact, as technically feasible.

(C) Alternatives Analysis. For applications for wireless communication facilities proposed to be located in any of the prohibited areas specified in SCCC [13.10.661\(B\)](#) and non-co-located wireless communication facilities proposed to be located in any of the restricted areas specified in [13.10.661\(C\)](#), an alternatives analysis must be submitted by the applicant, subject to independent RF engineering review, which

shall at a minimum:

- (1) Identify and indicate on a map, at a minimum two viable, technically feasible, and potentially environmentally equivalent or superior alternative locations outside the prohibited and restricted areas which could eliminate or substantially reduce the significant gap(s) in the applicant carrier's network intended to be eliminated or substantially reduced by the proposed facility. If there are fewer than two such alternative locations, the applicant must provide evidence establishing that fact. The map shall also identify all locations where an unimpaired signal can be received to eliminate or substantially reduce the significant gap(s). For all non-co-located wireless communication facilities proposed in a restricted/prohibited area, the applicant must also evaluate the potential use of one or more microcell sites (i.e., smaller facilities often mounted upon existing or replacement utility poles), and the use of repeaters, to eliminate or substantially reduce said significant gaps in lieu of the proposed facility. For each alternative location so identified, the applicant shall describe the type of facility and design measures that could be used at that location so as to minimize negative resource impacts (e.g., the use of stealth camouflaging techniques).
- (2) Evaluate the potential for co-location with existing wireless communication facilities as a means to eliminate or substantially reduce the significant gap(s) in the applicant carrier's network intended to be eliminated or substantially reduced by the proposed facility.
- (3) Compare, across the same set of evaluation criteria and to similar levels of description and detail, the relative merits of the proposed site with those of each of the identified technically feasible alternative locations and facility designs. Such comparison analysis shall rank each of the alternatives (i.e., the proposed location/facility and each of the technically feasible location/design alternatives) in terms of impacts (i.e., from least to most environmentally damaging), and shall support such ranking with clear analysis and evidence.
- (4) Include photo-simulations of each of the alternatives (i.e., the proposed location/facility and each of the technically feasible location/design alternatives).
- (5) Document good faith and diligent attempts to rent, lease, purchase or otherwise obtain the use of at least two of the viable, technically feasible alternative sites which may be environmentally equivalent or superior to the proposed project site. The decision-making body may determine that an alternative site is not viable if good faith attempts to rent, lease, purchase or otherwise obtain the site have been unsuccessful.

The Planning Director (or his/her designee) or the decision-making body may also require an alternatives analysis for proposed wireless communication facility projects that are located in environmentally sensitive areas other than those set forth in SCCC [13.10.661\(B\)](#) and/or (C), such as visual resource areas as identified in General Plan/LCP Section 5.10.

(D) On-Site Visual Demonstration Structures (Mock-Ups). On-site visual demonstration structures (i.e., mock-ups) shall be required for all proposed wireless communication facilities, except for co-located and microcell facilities that do not represent a major modification to visual impact as defined in SCCC [13.10.660\(D\)](#). For proposed rooftop or ground-mounted antennas, a temporary mast approximating the dimensions of the proposed facility shall be raised at the proposed antenna/mast location. For proposed new telecommunications towers the applicant will be required to raise a temporary mast at the maximum height and at the location of the proposed tower. At minimum, the on-site demonstration structure shall be in place prior to the first public hearing to consider project approval, on at least two weekend days and two weekdays between the hours of 8:00 a.m. to 6:00 p.m., for a minimum of 10 hours each day. A project description, including photo simulations of the proposed facility, shall be posted at the proposed project site for the duration of the mock-up display. The Planning Director or his/her designee may release an applicant from the requirement to conduct on-site visual mock-ups upon a written finding that in the specific case involved said mock-ups are not necessary to process or make a decision on the application and would not serve as effective public notice of the proposed facility.

(E) Amendment. Each applicant/registrant shall inform the County within 30 days of any change of the information required pursuant to SCCC [13.10.660](#) through [13.10.668](#), inclusive.

(F) Technical Review. The applicant will be notified if an independent technical review of any submitted technical materials is required. The Planning Director or his/her designee shall review and, in his or her discretion, procure additional information and data as may assist him/her in reviewing the following: (1) reports concerning conformance with the FCC RF radiation exposure levels; (2) reports concerning the need for a facility; and/or (3) reports concerning availability or suitability of alternatives to a proposed facility. The Planning Director may employ, on behalf of the County, an independent technical expert or experts to review any technical materials submitted including but not limited to those required under this section, and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The review and procurement of such additional information/data shall be undertaken for all applications that seek approval of a facility in a prohibited or restricted area, unless the Planning Director, his/her designee, or the approving body determines in writing that such review is unnecessary to inform the decision-making process. In addition, the review and procurement of information for applications in other areas may be required if the Planning Director determines that such review is necessary to inform the decision-making process. The applicant shall pay all the costs of said review and may be required to deposit funds in advance to cover the estimated costs of said review. If clearly marked as such by the applicant, any trade secrets or proprietary information disclosed to the County, the applicant, or

the expert hired shall remain confidential and shall not be disclosed to any third party.

(G) Technical Feasibility. For any technical infeasibility claims made, the applicant shall be required to conclusively demonstrate, including submitting adequate evidence to that effect, the reasons for the technical infeasibility.

(H) Fees for review of all commercial development permits for wireless communication facilities shall be established by resolution of the Board of Supervisors. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

### **13.10.663 General development/performance standards for wireless communication facilities.**

(A) Site Location. The following criteria shall govern appropriate locations and designs for wireless communication facilities, including dish antennas and multi-channel, multi-point distribution services (MMDS)/wireless cable antennas, and may require the applicant to select an alternative site other than the site shown on an initial permit application for a wireless facility:

(1) Visual Character of Site. Site location and development of wireless communications facilities shall preserve the visual character, native vegetation and aesthetic values of the parcel on which such facilities are proposed, the surrounding parcels and road rights-of-way, and the surrounding land uses to the greatest extent that is technically feasible, and shall minimize visual impacts on surrounding land and land uses to the greatest extent feasible. Facilities shall be integrated to the maximum extent feasible to the existing characteristics of the site, and every effort shall be made to avoid, or minimize to the maximum extent feasible, visibility of a wireless communication facility within significant public viewsheds. Utilization of camouflaging and/or stealth techniques shall be encouraged where appropriate. Support facilities shall be integrated to the existing characteristics of the site, so as to minimize visual impact.

(2) Co-Location. Co-location is generally encouraged in situations where it is the least visually obtrusive option, such as when increasing the height/bulk of an existing tower would result in less visual impact than constructing a new separate tower in a nearby location. However, proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures.

(3) Ridgeline Visual Impacts. Wireless communication facilities proposed for visually prominent ridgeline, hillside or hilltop locations shall be sited and designed to be as visually unobtrusive as possible. Consistent with General Plan/LCP Policy 8.6.6, wireless communication facilities should be sited so the top of the proposed tower/facility is below any ridgeline when viewed from public roads in the vicinity. If the tower must extend above a ridgeline the applicant must camouflage the tower by utilizing stealth techniques and hiding it among surrounding vegetation.

(4) Site Disturbance. Disturbance of existing topography and on-site vegetation shall be minimized, unless such disturbance would substantially reduce the visual impacts of the facility.

(5) Exterior Lighting. Any exterior lighting, except as required for FAA regulations for airport safety, shall be manually operated and used only during night maintenance checks or in emergencies. The lighting shall be constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.

(6) Aviation Safety. No wireless communication facility shall be installed within the safety zone or runway protection zone of any airport, airstrip or helipad within Santa Cruz County unless the airport owner/operator indicates that it will not adversely affect the operation of the airport, airstrip or helipad. In addition, no wireless communication facility shall be installed at a location where special painting or lighting will be required by the FAA regulations unless the applicant has demonstrated to the Planning Director that the proposed location is the only technically feasible location for the provision of personal wireless services as required by the FCC.

(7) Coastal Zone Considerations. New wireless communication facilities in any portion of the Coastal Zone shall be consistent with applicable policies of the County Local Coastal Program (LCP) and the California Coastal Act. No portion of a wireless communication facility shall extend onto or impede access to a publicly used beach. Power and telecommunication lines servicing wireless communication facilities in the Coastal Zone shall be required to be placed underground.

(8) Consistency with Other County Land Use Regulations. All proposed wireless communication facilities shall comply with the policies of the County General Plan/Local Coastal Plan and all applicable development standards for the zoning district in which the facility is to be located, particularly policies for protection of visual resources (i.e., General Plan/LCP Section 5.10). Public vistas from scenic roads, as designated in General Plan Section 5.10.10, shall be afforded the highest level of protection.

(9) Visual Impacts to Neighboring Parcels and Public Schools. To minimize visual impacts to surrounding residential uses and public primary or secondary schools, the base of any new freestanding telecommunications tower or building/roof-mounted wireless

communication facility shall be set back from the property line of any residentially zoned parcel, or the property line for any public primary or secondary school, a distance equal to five times the height of the tower if mounted upon a telecommunications tower, or a minimum of 300 feet, whichever is greater. This requirement may be waived by the decision-making body if the applicant can prove that the wireless communication facility will be camouflaged or otherwise made inconspicuous such that visual impacts are not created, or if the applicant can prove that a significant area proposed to be served would otherwise not be provided personal wireless services by the subject carrier, including proving that there are no viable, technically feasible, environmentally equivalent or superior alternative sites outside the prohibited and restricted areas designated in SCCC [13.10.661](#)(B) and (C).

(10) **Setbacks.** All components of new wireless communication facilities must comply with the setback standards for the applicable zoning district. Depending upon specific site constraints and circumstances, this requirement may not apply to antennas proposed to be co-located on existing towers or utility poles (e.g., microcell sites), nor to underground equipment shelters, if it would prohibit use of the proposed facility site.

(B) **Design Review Criteria.** The following criteria apply to all wireless communication facilities:

(1) **Nonflammable Materials.** All wireless communication facilities shall be constructed of nonflammable material, unless specifically approved and conditioned by the County to be otherwise (e.g., when a wooden structure may be necessary to minimize visual impact).

(2) **Tower Type.** All telecommunication towers shall be self-supporting monopoles except where satisfactory evidence is submitted to the appropriate decision-making body that a nonmonopole (such as a guyed or lattice tower) is required or environmentally superior. All guy wires must be sheathed for their entire length with a plastic or other suitable covering.

(3) **Support Facilities.** The County strongly encourages all support facilities, such as equipment shelters, to be placed in underground vaults, so as to minimize visual impacts. Any support facilities not placed underground shall be located and designed to minimize their visibility and, if appropriate, disguise their purpose to make them less prominent. These structures should be no taller than 12 feet in height, and shall be designed to blend with existing architecture and/or the natural surroundings in the area or shall be screened from sight by mature landscaping.

(4) **Exterior Finish.** All support facilities, poles, towers, antenna supports, antennas, and other components of communication facilities shall be of a color approved by the decision-making body. If a facility is conditioned to require paint, it shall initially be painted with a flat (i.e., nonreflective) paint color approved by the decision-making body, and thereafter repainted as necessary with a flat paint color, unless it is determined that flat paint color would lead to more adverse impact than would another type of paint color. Components of a wireless communication facility which will be viewed against soils, trees, or grasslands shall be of a color or colors consistent with these landscapes. All proposed stealth tree poles (e.g., "monopines") must use bark screening that approximates natural bark for the entire height and circumference of the monopole visible to the public, as technically feasible.

(5) **Visual Impact Mitigation.** Special design of wireless communication facilities may be required to mitigate potentially significant adverse visual impacts, including appropriate camouflaging or utilization of stealth techniques. Use of less visually obtrusive design alternatives, such as "microcell" facility types that can be mounted upon existing utility poles, is encouraged. Telecommunication towers designed to look like trees (e.g., "monopines") may be favored on wooded sites with existing similar looking trees where they can be designed to adequately blend with and/or mimic the existing trees. In other cases, stealth-type structures that mimic structures typically found in the built environment where the facility is located may be appropriate (e.g., small-scale water towers, barns, and other typical farm-related structures on or near agricultural areas). Rooftop or other building mounted antennas designed to blend in with the building's existing architecture shall be encouraged. Co-location of a new wireless communication facility onto an existing telecommunication tower shall generally be favored over construction of a new tower. Owners/operators of wireless communication towers/facilities are required to maintain the appearance of the tower/facility, as approved, throughout its operational life. Public vistas from scenic roads, as designated in General Plan/LCP Section 5.10.10, shall be afforded the highest level of protection.

(6) **Height.** The height of a wireless communication tower shall be measured from the existing undisturbed ground surface below the center of the base of said tower to the top of the tower itself or, if higher, to the tip of the highest antenna or piece of equipment attached thereto. In the case of building-mounted towers the height of the tower includes the height of the portion of the building on which it is mounted. In the case of "crank-up" or other similar towers whose height can be adjusted, the height of the tower shall be the maximum height to which it is capable of being raised. All towers shall be designed to be the shortest height possible so as to minimize visual impact. Any applications for towers of a height more than the allowed height for structures in the zoning district must include a written justification proving the need for a tower of that height and the absence of viable alternatives that would have less visual impact, and shall, in addition to any other required findings and/or requirements, require a variance approval pursuant to SCCC [13.10.230](#).

(7) **Lighting.** Except as provided for under subsection (A)(5) of this section, all wireless communication facilities shall be unlit except when authorized personnel are present at night.

(8) **Roads and Parking.** All wireless communication facilities shall be served by the minimum sized roads and parking areas feasible.

## (9) Vegetation Protection and Facility Screening.

(a) In addition to stealth structural designs, vegetative screening may be necessary to minimize wireless communication facility visibility within public viewsheds. All new vegetation to be used for screening shall be compatible with existing surrounding vegetation. Vegetation used for screening purposes shall be capable of providing the required screening upon completion of the permitted facility (i.e., an applicant cannot rely on the expected future screening capabilities of the vegetation at maturity to provide the required immediate screening).

(b) Because Santa Cruz County contains many unique and threatened plant species and habitat areas, all telecommunications facilities to be located in areas of extensive natural vegetation shall be installed in such a manner so as to maintain the existing native vegetation. Where necessary, appropriate mature landscaping can be used to screen the facility. However, so as to not pose an invasive or genetic contamination threat to local gene pools, all vegetation proposed and/or required to be planted that is associated with a wireless communication facility shall be noninvasive species native to Santa Cruz County, and specifically native to the project location. Nonnative and/or invasive species shall be prohibited (such as any species listed on the California Exotic Pest Plant Council "Pest Plant List" in the categories entitled "A," "B," or "Red Alert"). Cultivars of native plants that may cause genetic pollution (such as all manzanita, oak, monkey flower, poppy, lupine, paintbrush and ceanothus species) shall be prohibited in these relatively pristine areas. All wireless communication facility approvals in such areas shall be conditioned for the removal of nonnative invasive plants (e.g., iceplant) in the area disturbed by the facility and replanting with appropriate non-invasive native species capable of providing similar or better vegetated screening and/or visual enhancement of the facility unless the decision-making body determines that such removal and replanting would be more environmentally damaging than leaving the existing nonnative and/or invasive species in place (e.g., a eucalyptus grove that provides over wintering habitat for Monarch butterflies may be better left alone). All applications shall provide detailed landscape/vegetation plans specifying the non-invasive native plant species to be used, including identification of sources to be used to supply seeds and/or plants for the project. Any such landscape/vegetation plan shall be prepared by a qualified botanist experienced with the types of plants associated with the facility area. For purposes of this section, "mature landscaping" shall mean trees, shrubs or other vegetation of a size that will provide the appropriate level of visual screening immediately upon installation. All nursery stock, construction materials and machinery, and personnel shall be free of soil, seeds, insects, or microorganisms that could pose a hazard to the native species or the natural biological processes of the areas surrounding the site (e.g., Argentine ants or microorganisms causing sudden oak death or pine pitch canker disease). Underground lines shall be routed outside of plant drip lines to avoid damage to tree and large shrub root systems to the maximum extent feasible.

(c) No actions shall be taken subsequent to project completion with respect to the vegetation present that would increase the visibility of the facility itself or the access road and power/telecommunication lines serving it. All owners of the property and all operators of the facility shall be jointly and severally responsible for maintenance (including irrigation) and replacement of all required landscaping for as long as the permitted facility exists on the site.

## (10) Fire Prevention/Emergency Response. All wireless communication facilities shall be designed and operated in such a manner so as to minimize the risk of igniting a fire or intensifying one that otherwise occurs. To this end, all of the following measures shall be implemented for all wireless communication facilities, when determined necessary by the Fire Chief:

(a) At least one-hour fire resistant interior surfaces shall be used in the construction of all buildings;

(b) Rapid entry (KNOX) systems shall be installed as required by the Fire Chief;

(c) Type and location of vegetation, screening materials and other materials within 10 feet of the facility and all new structures, including telecommunication towers, shall have review for fire safety purposes by the Fire Chief. Requirements established by the Fire Chief shall be followed;

(d) All tree trimmings and trash generated by construction of the facility shall be removed from the property and properly disposed of prior to building permit finalization or commencement of operation, whichever comes first; and

(e) For the protection of emergency response personnel, at any wireless communication facility where there is the possibility that RF radiation levels in excess of the FCC public exposure limit could be experienced by emergency response personnel working in close proximity to antennas/RF-emitting devices, said facility shall have an on-site emergency power shut-off (e.g., "kill switch") to de-energize all RF-related circuitry/componentry at the base station site, or some other method (acceptable to the local Fire Chief) for de-energizing the facility. For multi-facility (co-location) sites where there is a possibility that RF radiation levels in excess of the FCC public exposure limit could be experienced by emergency response personnel working in close proximity to antennas/RF-emitting devices, a single power shut off switch (or other method acceptable to the local Fire Chief) shall be installed that will de-energize all facilities at the site in the event of an emergency.

## (11) Noise and Traffic. All wireless communication facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To that end all the following measures shall be implemented for all wireless

communication facilities:

(a) Outdoor noise producing construction activities shall only take place on nonholiday weekdays between the hours of 8:00 a.m. and 6:00 p.m. unless allowed at other times by the approving body; and

(b) Backup generators shall only be operated during power outages and for testing and maintenance purposes. If the facility is located within 100 feet of a residential dwelling unit, noise attenuation measures shall be included to reduce noise levels at the facility to a maximum exterior noise level of 60 Ldn at the property line and a maximum interior noise level of 45 Ldn within nearby residences.

(12) Facility and Site Sharing (Co-Location). New wireless communication towers should be designed to accommodate multiple carriers, and/or to be readily modified to accommodate multiple carriers, so as to facilitate future co-locations and thus minimize the need to construct additional towers, if it will not create significant visual impacts. Proposed new wireless communication facilities at co-location/multi-carrier sites that would result in more than nine total individual antennas, and/or more than three above-ground equipment enclosures/shelters, located on the same parcel are considered to result in significant visual impacts and are prohibited, unless the applicant can prove that the proposed additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. Existing legal co-location/multi-carrier WCF sites that exceed these limits are allowed to retain their current number of antennas and equipment shelters/enclosures. New telecommunications towers should be designed and constructed to accommodate up to no more than nine total individual antennas, unless the applicant can prove that the additional antennas/equipment will be camouflaged or otherwise made inconspicuous such that additional visual impacts are not created. New wireless communication facility components, including but not limited to parking areas, access roads, and utilities, should also be designed so as not to preclude site sharing by multiple users, as technically feasible, in order to remove potential obstacles to future co-location opportunities. The decision-making body may require the facility and site sharing (co-location) measures specified in this section if necessary to comply with the purpose, goals, objectives, policies, standards, and/or requirements of the General Plan/Local Coastal Program, including SCCC [13.10.660](#) through [13.10.668](#), inclusive, and the applicable zoning district standards in any particular case. However, a wireless service provider will not be required to lease more land than is necessary for the proposed use. If room for potential future additional users cannot, for technical reasons, be accommodated on a new wireless communication tower/facility, written justification stating the reasons why shall be submitted by the applicant. Approvals of wireless communication facilities shall include a requirement that the owner/operator agrees to the following co-location parameters:

(a) To respond in a timely, comprehensive manner to a request for information from a potential co-location applicant, in exchange for a reasonable fee not in excess of the actual cost of preparing a response;

(b) To negotiate in good faith for shared use of the wireless communication facility by third parties; and

(c) To allow shared use of the wireless communication facility if an applicant agrees in writing to pay reasonable charges for co-location.

(13) Coastal Zone Design Criteria. In addition to the requirements set forth herein, all wireless communication facilities requiring a coastal development permit shall conform with the Coastal Zone design criteria requirements of SCCC [13.20.130](#).

(14) Signage. A notice shall be posted at the main entrance of all buildings or structures where structure-mounted or free-standing wireless communication facilities are located on the same parcel. The notice shall be 12 inches by 12 inches and shall inform the public that a wireless communication facility is located on the building, structure or property and shall be consistent with the requirements of Federal law.

(15) Existing Facilities. Where applications involve existing wireless communication facilities, modifications to the existing facilities to reduce environmental impacts, including visual impacts, shall be pursued as technically feasible. If such modifications would reduce impacts, then such modifications shall be made as feasible, technically and otherwise, provided the reduction in impact is roughly commensurate with the cost to make the modifications.

(16) Approved Project. Approvals of wireless communication facilities shall require that the facility, including, but not limited to, all stealth design measures and vegetation screening, be maintained in its approved state for as long as it exists on the site. Approved facility plans, detailing the approved facility and all camouflaging elements, and including all maintenance parameters designed to ensure that camouflaging is maintained over the life of the project, shall be required for all approvals.

(17) Ongoing Evaluation. Wireless communication service providers are encouraged to evaluate their wireless communication facilities on a regular basis to ensure that they are consistent with the goals, objectives, policies, and requirements of the General Plan/Local Coastal Program, including specifically siting and design standards meant to minimize any negative impacts to visual resources and the character of the built and natural environment. Wireless service providers are encouraged to individually and collectively pursue modifications to their networks and/or individual facilities to reduce environmental impacts, including visual impacts; particularly over time as new technologies may be developed that allow for less visually intrusive wireless communication facilities,

and/or a lesser number of them, while still allowing for the same or better level of wireless communication service associated with both any individual wireless service provider's facilities and the overall universe of wireless communication facilities in the County. [Ord. 5020 §§ 3—5, 2008; Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

### **13.10.664 Non-ionizing electromagnetic radiation (NIER) safety and monitoring requirements for wireless communication facilities.**

Initial post-construction monitoring of wireless communication facility NIER/radio-frequency (RF) radiation exposures is required for all wireless communication facilities constructed under the auspices of SCCC [13.10.660](#) through [13.10.668](#), inclusive, to prove that all new wireless communication facilities operate in compliance with the FCC RF radiation exposure standards. NIER monitoring is to be conducted utilizing the Monitoring Protocol described in SCCC [13.10.660](#)(D). The County may require that the required NIER/RF radiation monitoring reports described below may be independently reviewed by a qualified telecommunications/RF engineer, at the applicant's expense. The following applies to all wireless communication facilities:

(A) Public Health and Safety. No wireless communication facility shall be located or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, no telecommunication facility or combination of facilities shall produce at any time power densities in any area that exceed the FCC-adopted standard for human exposure, as amended, or any more restrictive standard subsequently adopted or promulgated by the Federal government. Areas in the immediate vicinity of all antennas or other transmitting devices in which the FCC RF radiation exposure standards could potentially be exceeded, especially near rooftop antennas, must be clearly demarcated and/or fenced off, with warning signs in English, Spanish and international symbols clearly visible.

(B) Non-Ionizing Electromagnetic Radiation (NIER) Measurements.

(1) Consistent with SCCC [13.10.662](#)(B)(9), all applications for new wireless communication facilities must include written certification by a professional engineer registered in the State of California that the proposed facility will comply with the FCC's RF radiation exposure standard.

(2) Post-Construction NIER Measurement and Reporting. Monitoring of NIER/RF radiation to verify compliance with the FCC's NIER standards is required for all new wireless communication facilities and for all wireless communication facilities proposing to undergo a major modification of power output (as defined in SCCC [13.10.660](#)(D)). This requirement shall be met through submission of a report documenting NIER measurements at the facility site within 90 days after the commencement of normal operations, or within 90 days after any major modification to power output of the facility. The NIER measurements shall be made, at the applicant's expense, by a qualified third-party telecommunications or radio-frequency engineer, during typical peak-use periods, utilizing the monitoring protocol described in SCCC [13.10.660](#)(D). The report shall list and describe each transmitter/antenna present at the facility, indicating the effective radiated power of each (for co-located facilities this would include the antennas of all other carriers at the site). The report shall include field measurements of NIER emissions generated by the facility and also other emission sources, from various directions and particularly from adjacent areas with residential dwellings. The report shall compare the measured results to the FCC NIER standards for such facilities.

The report documenting the measurements and the findings with respect to compliance with the established FCC NIER exposure standard shall be submitted to the Planning Director within 90 days of commencement of facility operation. Failure to comply with this requirement may result in the initiation of permit revocation proceedings by the County.

(3) Failed Compliance. Failure to supply the required reports, or to remain in continued compliance with the NIER standard established by the FCC, or other regulatory agency if applicable shall be grounds for review of the use permit or other entitlement and other remedy provisions. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

### **13.10.665 Required findings for wireless communication facilities.**

In order to grant any commercial development permit for a wireless communication facility and/or any coastal development permit if the facility is located in the Coastal Zone, the approving body shall make the required development permit findings (SCCC [18.10.230](#)) and the required coastal development permit findings if in the Coastal Zone (SCCC [13.20.110](#)) as well as the following findings:

(A) That either: (1) the development of the proposed wireless communications facility as conditioned will not significantly affect any designated visual resources, environmentally sensitive habitat resources (as defined in the Santa Cruz County General Plan/LCP Sections 5.1, 5.10, and 8.6.6.), and/or other significant County resources, including agricultural, open space, and community character resources; or (2) there are no other environmentally equivalent and/or superior and technically feasible alternatives to the proposed wireless communications facility as conditioned (including alternative locations and/or designs) with less visual and/or other resource impacts and the proposed facility has been modified by condition and/or project design to minimize and mitigate its visual and other resource impacts.

(B) That the site is adequate for the development of the proposed wireless communications facility and, for sites located in one of the prohibited and/or restricted areas set forth in SCCC [13.10.661](#)(B) and (C), that the applicant has demonstrated that there are not

environmentally equivalent or superior and technically feasible: (1) alternative sites outside the prohibited and restricted areas; and/or (2) alternative designs for the proposed facility as conditioned.

(C) That the subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this title and that all zoning violation abatement costs, if any, have been paid.

(D) That the proposed wireless communication facility as conditioned will not create a hazard for aircraft in flight.

(E) That the proposed wireless communication facility as conditioned is in compliance with all FCC and California PUC standards and requirements.

(F) For wireless communication facilities in the Coastal Zone, that the proposed wireless communication facility as conditioned is consistent with all the applicable requirements of the Local Coastal Program.

Any decision to deny a permit for a wireless communication facility shall be in writing and shall be supported by substantial evidence and shall specifically identify the reasons for the decision, the evidence that led to the decision and the written record of all evidence. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

#### **13.10.666 Site restoration upon termination/abandonment of wireless communication facilities.**

(A) The site shall be restored as nearly as possible to its natural or preconstruction state within six months of termination of use or abandonment of the site.

(B) Applicant shall enter into a site restoration agreement, consistent with subsection (A) of this section, subject to the approval of the Planning Director. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

#### **13.10.667 Indemnification for wireless communication facilities.**

Each permit issued pursuant to SCCC [13.10.660](#) through [13.10.668](#), inclusive, shall have as a condition of the permit a requirement that the applicant defend, indemnify and hold harmless the County and its officers, agents, and employees from and against any claim (including attorney's fees) against the County, its officers, employees or agents to attack, set aside, void or annul the approval of the permit or any subsequent amendment of the permit. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

#### **13.10.668 Telecommunications Act exception procedure.**

If the application of the requirements or limitations set forth in SCCC [13.10.660](#) through [13.10.668](#), inclusive, including but not limited to applicable limitations on allowed land uses, would have the effect of violating the Federal Telecommunications Act as amended, the approving body shall grant a Telecommunications Act exception to allow an exception to the offending requirement or application. The applicant shall have the burden of proving that application of the requirement or limitation would violate the Federal Telecommunications Act, and that no alternatives exist which would render the approval of a Telecommunications Act exception unnecessary. [Ord. 4769 § 2, 2004; Ord. 4743 § 2, 2003; Ord. 4714 § 2, 2003].

#### **13.10.670 Medical marijuana cooperatives.**

*Repealed by Ord. 5169.* [Ord. 5090 § 3, 2011].

### **Article VI. Open Space Regulations**

#### **13.10.671 Use of nondevelopable land.**

Development use within areas identified on the General Plan and Local Coastal Program Land Use Plan as nondevelopable land (see definition SCCC 13.10.700-D, "developable land") shall be considered only when consistent with all General Plan and County Code resource protection and hazard mitigation requirements where applicable, and only in the following circumstances:

(A) For use consistent with the maintenance of the area as open space.

(B) For the placement of utilities where they cannot be located out of the proposed use areas. [Ord. 3432 § 1, 1983].

#### **13.10.672 Use of urban open space land.**

Development or uses within areas identified on the General Plan and Local Coastal Program Land Use Plan as urban open space shall be permitted only when consistent with all applicable General Plan and County Code resource protection and hazard mitigation requirements where applicable, and only in the following circumstances:

(A) For one single-family dwelling on an existing parcel of record. The dwelling may only be located on nondevelopable land if there is no developable land on the parcel. Adverse environmental impacts shall be mitigated.

(B) For the uses identified in SCCC [13.10.671](#). [Ord. 3432 § 1, 1983].

### **13.10.673 Lot line adjustment applications regarding additional building sites and parcel size.**

(A) No additional building sites shall be created as a result of a lot line adjustment.

(B) No parcel subject to General Plan designation as agriculture and agricultural resource may be reduced in size by a lot line adjustment, unless it can be demonstrated that the proposed adjustment will not adversely affect continued and/or future agricultural use of economically viable agricultural land which is located on the parcels which are the subject of the lot line adjustment, or adjacent to such parcels.

(C) No parcel subject to the General Plan designation as timber production and timber resource may be reduced in size by a lot line adjustment unless all such parcels after adjustment are designed to maintain the timber harvest and management potential of the property.

(D) Technical studies may be required prior to approval of any lot line adjustment to confirm that all resultant parcels include building sites that meet existing criteria, unless a declaration of restrictions in favor of the County is recorded identifying the parcel in question as not buildable in perpetuity absent County agreement to the contrary.

(E) No lot line adjustment shall be approved unless it is consistent with the General Plan, specific plan and Local Coastal Plan (where applicable). A lot line adjustment shall be deemed to be consistent with parcel size requirements if it complies with the minimum parcel size required by the zoning designation. For the purposes of this subsection the term "minimum parcel size required by the zoning designation" shall mean the minimum parcel size allowed by any of the following:

- (1) The zoning ordinance adopting a designation for the parcel in question;
- (2) If the zoning is inconsistent with the General Plan, the lowest density end of the density range allowed by the General Plan density designation; or
- (3) If the zoning density is required to be determined pursuant to the rural matrix calculation under Chapter [13.14](#) SCCC, the highest density end of the density range allowed by the General Plan density designation. No matrix calculation shall be required for this purpose. [Ord. 4281 § 4, 1993; Ord. 4132 § 6, 1991].

## **Article VII. Residential Special Uses**

### **13.10.681 Second units.** Amended [Ord. 5160](#)

(A) Purpose. The purpose of this section is to provide for and regulate second units in order to provide needed housing for County residents and to further the housing goals of the housing element of the County General Plan.

(B) Application Processing. As indicated below, second units shall be processed in accordance with the requirements of Government Code Section [65852.2](#) and, for those second units located within the Coastal Zone, the requirements of the California Coastal Act. No public hearing shall be required for the development of a second unit within a residential zone district or on land designated residential in the General Plan or, outside the Coastal Zone, within the agriculture zone district, unless the second unit is a part of a larger project that requires a public hearing or if a variance is requested. All applications for second units in the Commercial Agricultural Zone District outside the Coastal Zone shall be subject to review by the Agricultural Policy Advisory Commission.

Second units are subject to the following processes:

- (1) Outside the Coastal Zone: Building permit issuance.
- (2) Inside the Coastal Zone (nonappealable area): Issuance of a combined coastal development and building permit, subject to the following noticing requirements:
  - (a) Within 10 calendar days of accepting an application for a nonappealable coastal development permit, the County shall provide notice, by first class mail, of pending development approval. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and residents within 100 feet (not including roads) of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:
    - (i) A statement that the development is within the Coastal Zone;
    - (ii) The date of filing of the application and the name of the applicant;
    - (iii) The number assigned to the application;
    - (iv) A description of development and its proposed location;
    - (v) The general procedure of the local government concerning the submission of public comments either in writing or orally

prior to the local decision;

(vi) A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the local decision.

(3) Inside the Coastal Zone (appealable area): Issuance of a combined coastal development and building permit, subject to the following noticing requirements:

(a) Within 10 calendar days of accepting an application for an appealable coastal development permit, the local government shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the local jurisdiction, to all property owners and residents within 100 feet (not including roads) of the perimeter of the parcel on which the development is proposed and to the Coastal Commission. The notice shall contain the following information:

- (i) Statement that the development is within the Coastal Zone;
- (ii) The date of filing of the application and the name of the applicant;
- (iii) The number assigned to the application;
- (iv) A description of the development and its proposed location;
- (v) A brief description of the general procedure concerning the conduct of local actions;
- (vi) The system for Coastal Commission appeals.

(b) Notice After Final Local Decision. Within seven calendar days of approval of the coastal development and building permit, the County shall notify by first class mail the Coastal Commission and any persons who specifically requested notice of its action. Such notice shall include conditions of approval and written findings and the procedures for appeal of the local decision to the Coastal Commission.

(c) The County shall include notice on the coastal development and building permit that indicates that the permits will not become effective until the end of the Coastal Commission appeal period or until the Coastal Commission has completed action on an appeal of the County's approval of the permit.

(C) Requirements. Before a permit for a second unit can be granted, the following requirements shall be met:

(1) Location. The second unit shall be located on a residentially zoned parcel or on a parcel designated for residential use in the General Plan which contains no more than one existing detached, single-family dwelling, or where one detached single-family dwelling shall be constructed concurrently with the proposed second unit. A second unit may be located on agriculturally zoned land outside the Coastal Zone or on a parcel designated for agricultural use in the General Plan outside the Coastal Zone;

(2) Parcel Size. The size of the parcel, if located within the urban services line, is no smaller than that required by the minimum lot size standards of the respective zoning district. The size of the parcel, if located outside the urban services line, is at least one acre in area, unless the parcel is served by public sewer. Parcels outside of the urban services line (USL) with public sewer service shall meet the requirements of subsection (D)(2) of this section;

(3) Development Standards. All development standards for the applicable agricultural or residential zone district shall be satisfied; and the development shall be consistent with all County policies and ordinances;

(4) Design. The design of the second unit is consistent with the design and development standards and guidelines set forth in subsection (D) of this section; and

(5) Utility Requirements. All requirements of utility services providers shall be met, and the sewage disposal system and water supply for the parcel shall comply with all applicable requirements of Chapters [7.38](#), [7.71](#) and [7.73](#) SCCC; and

(6) In the Coastal Zone, the findings for development permits set forth in SCCC [18.10.230\(A\)](#), and the coastal development permit findings of SCCC [13.20.110](#) must be made.

(D) Design and Development Standards. The following design and development standards shall be applied to every second unit and shall be conditions for any approval under this section:

(1) Location of Second Unit. The second unit may be either attached to the main dwelling or may be detached from it. Inside the urban services line, no second unit shall be located more than 100 feet from the main dwelling or be accessed by a separate driveway or right-of-way. Outside the Coastal Zone, on land designated agriculture by the General Plan, the second unit shall be located within 100 feet of the main dwelling on the property unless another location is approved by the Agricultural Policy Advisory Commission that

will meet the on-site and off-site buffering requirements and will meet the goal of preserving agricultural land.

(2) Size of Second Unit. The total gross floor area as defined in SCCC 13.10.700-F of the habitable portion of a second unit shall not exceed the following standards, based on parcel size:

**Maximum Gross Floor Area Within the Urban Services Line (USL)**

Type of Sewer Service	Parcel Size	
	<10,000 sq. ft. <sup>(1)</sup>	10,000 sq. ft. or Larger <sup>(1)</sup>
With public sewer	640 sq. ft.	640 sq. ft.
Without public sewer	Not allowed	640 sq. ft. maximum (must meet requirements of Chapter <a href="#">7.38</a> SCCC)

(1) The size of the parcel must be no smaller than that required by the minimum lot size standards of the zoning district.

**Maximum Gross Floor Area Outside of the Urban Services Line (USL)**

Type of Sewer Service	Parcel Size			
	< 10,000 sq. ft.	10,000 sq. ft. to <1 acre	1 acre or larger to < 2.5 acres	2.5 acres or larger
With Public Sewer	640 sq. ft.	800 sq. ft.	800 sq. ft.	1,200 sq. ft.
Without Public Sewer	Not allowed	Not allowed	800 sq. ft.	1,200 sq. ft.

(3) Lot Coverage. No second unit shall be allowed which would, when combined with existing lot coverage and gross floor area, exceed the allowable lot coverage or the allowable floor area ratio for the parcel.

(4) Site Standards. All site standards of the zoning district in which the second unit is proposed shall be met. Within the urban services line, second units exceeding 17 feet in height or one story may be constructed if a Level V development permit is obtained, pursuant to Chapter [18.10](#) SCCC. Outside the Coastal Zone, on land zoned or designated agricultural, all setbacks of the agricultural zone districts shall be met and all second units must meet the buffering requirements of SCCC [16.50.095\(F\)](#), as determined by the Agricultural Policy Advisory Commission, if applicable.

(5) Parking. Off-street parking shall be provided to meet the requirements of SCCC [13.10.550](#) for the main dwelling and one additional space for each bedroom in the second unit.

(6) Design. The design, materials and color of the second unit shall be compatible with that of the main dwelling.

(7) Other Accessory Uses. Not more than one second unit shall be constructed on any one parcel. A second unit and agricultural caretakers' quarters, except farmworker housing on agricultural parcels greater than 10 acres outside the Coastal Zone, shall not be permitted on the same parcel. Habitable and nonhabitable accessory structures may be allowed subject to all applicable requirements of the underlying zone district and SCCC [13.10.611](#).

(8) Service Requirements. Written acknowledgements shall be provided from the applicable sanitation, water, and fire districts and/or Environmental Health Services indicating that there will be adequate water, sanitation and fire protection services to the project site with the inclusion of a second unit. All requirements of the respective service agencies shall be satisfied.

(9) Fees. Prior to the issuance of a building permit for the second unit, the applicant shall pay to the County of Santa Cruz capital improvement fees in accordance with the Planning Department's fee schedule as may be amended from time to time, and any other applicable fees.

(E) Occupancy Standards. The following occupancy standards shall be applied to every second unit and shall be conditions for any approval under this section:

(1) Occupancy Restrictions. The maximum occupancy of a second unit may not exceed that allowed by the State Uniform Housing Code, or other applicable State law, based on the unit size and number of bedrooms in the unit.

(2) Owner Residency. Unless owned by a public agency, the property owner shall permanently reside, as evidenced by a

homeowner's property tax exemption on the parcel, in either the main dwelling or the second unit. If the second unit is newly constructed on a parcel within a subdivision, then the purchaser of said property shall permanently reside in either the main dwelling or the second unit, shall be required to submit a property tax exemption prior to occupancy of the second unit, and shall be subject to the deed restriction noted in subsection (E)(3) of this section.

(3) Deed Restriction. Prior to the issuance of a building permit, the property owner shall provide to the Planning Department proof of recordation of a declaration of restrictions containing reference to the deed under which the property was acquired by the present owner and stating the following:

(a) The property owner shall permanently reside, as evidenced by a homeowner's property tax exemption on the parcel, in either the main dwelling or the second unit, unless owned by a public agency that is providing housing for special populations, in which case the declaration of restrictions shall indicate that any subsequent nonpublic agency owner shall abide by the terms of this subsection and subsection (E)(2) of this section.

(b) The declaration is binding upon all successors in interest.

(c) The declaration shall include a provision for the recovery by the County of reasonable attorney's fees and costs in bringing legal action to enforce the declaration together with recovery of any rents collected during any occupancy not authorized by the terms of the agreement or, in the alternative, for the recovery of the reasonable value of the unauthorized occupancy.

(F) Permit Allocations. Each second unit may be exempt from the residential permit allocation system of Chapter [12.02](#) SCCC.

(G) Annual Review of Impacts. As part of the County's annual review of the General Plan and County growth management system, the County shall include a section analyzing the impacts of the second unit ordinance. The annual analysis shall include the number of second units constructed and the impacts such construction has created in each planning area, with particular attention to the cumulative impacts within the Coastal Zone. The cumulative impact issue areas to be covered include, but are not limited to, traffic, water supply (including the City of Santa Cruz water supply from Laguna, Majors, and Reggiardo Creeks, and the Davenport water supply from Mill and San Vicente Creeks), public views, and environmentally sensitive habitat areas. The preliminary report shall be sent to the Executive Director of the Coastal Commission for review and comment 14 days prior to submittal to the Board of Supervisors, on an annual basis.

If the Executive Director determines that specific enumerated cumulative impacts are quantifiably threatening to specific coastal resources that are under the authority of the Coastal Commission, the Executive Director shall inform the County in writing. Within 60 days of receipt of the Executive Director's written notice of a threat to coastal resources the County shall cease accepting applications for coastal development permits under this section in the planning area(s) in which the threat of coastal resources has been identified, pending review and approval by the Coastal Commission of the County's proposed method(s) of protecting the threatened resource. [Ord. 5079 § 1, 2010; Ord. 4921 §§ 15—18, 2008; Ord. 4779 § 1, 2004; Ord. 4751 §§ 1—3, 2003; Ord. 4727 §§ 1—3, 2003; Ord. 4659 § 2, 2002; Ord. 4495 § 7, 1998; Ord. 4457-A § 4, 1997; Ord. 4324A § 5, 1994; Ord. 4282 § 5, 1993; Ord. 3996 § 2, 1989; Ord. 3500 § 1, 1984; Ord. 3432 § 1, 1983].

### **13.10.682 Permanent occupancy of manufactured homes.**

(A) Purpose. The purpose of this section is to regulate the permanent installation of manufactured homes on foundations for occupancy as single-family dwellings in accordance with and as defined in Section 65852.3 and any successor provisions of the California Government Code and Section [18300](#) and any successor provisions of the California Health and Safety Code. All such manufactured homes shall be designed and located so as to be compatible with neighboring conventionally built dwellings. The specifications provided by this section are designed to ensure the compatibility of manufactured homes in single-family zones with the aesthetic and architectural character of the surrounding neighborhood, in the same manner as that used by the County to approve other building permits for dwellings.

(B) Permit Requirements. A manufactured home may be permanently installed on a foundation and occupied as a single-family dwelling in any zone district in which a single-family dwelling is an allowed use, if and when the requirements of Chapter [12.01](#) SCCC for issuance of a building permit have been met.

(C) Specifications. A manufactured home shall be allowed under the provisions of this section only if it meets all of the following specifications:

(1) Will be occupied only as a single-family dwelling; and

(2) Will conform to all of the residential site standards of the applicable zone district; and

(3) Was manufactured within 10 years prior to the date of the application for the issuance of a permit to install the manufactured home; has been certified under the National Mobile Home Construction and Safety Standards Act of 1974 ([42](#) U.S.C. Section [5401](#), et seq.), and has not been altered in violation of applicable codes; and

(4) Will be anchored to a permanent foundation to withstand wind and seismic forces of Zone 4 as shown on the Seismic Risk Map of the United States, according to the regulations of the Uniform Building Code currently adopted for the County of Santa Cruz; and

(5) Will meet the following residential design standards:

- (a) Double-wide or multisectional size.
- (b) Finished with an exterior material compatible with conventionally built residential structures in the neighborhood.
- (c) Exterior covering material extending to the ground or to the top of a concrete foundation. (Alternative skirting materials commonly found on conventionally built residential structures are acceptable.)
- (d) Oriented for maximum solar access.

(D) Applications. An application for a building permit to install a manufactured home on a permanent foundation shall contain the elements specified in SCCC [12.01.050](#). [Ord. 4496-C § 57, 1998; Ord. 4036 § 2, 1989; Ord. 3593 § 16, 1984; Ord. 3432 § 1, 1983].

### **13.10.683 Temporary occupancy of mobile homes and recreational vehicles.**

(A) Purpose. To allow the use of a mobile home, travel trailer or recreational vehicle by a property owner as a temporary residence during the time a permanent residence is being constructed or reconstructed on the same site, by a watchman as a temporary residence during construction of permanent buildings on the same site, or by the owner as a temporary office or storage facility during construction of any permanent building or public utility structure on the same site, but excluding accessory structures not designated for human habitation, such as garages, barns, or sheds, subject to the requirements of this section.

(B) Permit Processing. Before any person may be allowed to use a mobile home or recreational vehicle for the above purposes, such person shall obtain a building permit for the construction project and an installation permit for the temporary mobile home, travel trailer or recreational vehicle.

(C) Requirements for Approval. An installation permit under this section shall be issued only when the following requirements for approval have all been met:

- (1) The applicant has obtained a building permit or obtains concurrently a building permit for the building to be built on the subject property.
- (2) The applicant has obtained any permits needed for an approved water supply and sewage system.
- (3) The applicant has posted a deposit with the Department. The applicant shall post a cash deposit, a time certificate of deposit payable to the County of Santa Cruz, or equivalent security approved by County Counsel in the amount of \$500.00 (\$1,000 for double-wide units) to guarantee compliance with the conditions of the permit and applicable law within the time permitted or any extension thereof. The term of the deposit shall begin upon the issuance of the permit and shall remain in effect until the conditions of the permit have been fulfilled to the satisfaction of the Department. If the permittee fails to comply with all of the conditions of the permit, the Department shall take appropriate measures to obtain compliance. The permittee shall be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the Department in causing any and all such conditions or terms to be fulfilled, and the Department may apply as much of the deposit as needed to pay any such costs and expenses. Any unused portion of the deposit shall be refunded to the permittee upon compliance with the conditions of the permit.
- (4) No permit shall be issued under this section where the applicant has previously received a permit under SCCC [13.10.312](#)(B) and [13.10.631](#) (caretaker in isolated agricultural zones).

(D) Occupancy. The following conditions shall be met prior to the occupancy of the mobile home, travel trailer or recreational vehicle:

- (1) Installation of the approved water supply and sewage system which Environmental Health or the appropriate district has required.
- (2) Installation of the skirting if the unit is a mobile home.
- (3) Final inspection clearance of the mobile home, travel trailer or recreational vehicle from Inspection Services of the Planning Department.
- (4) Installation or construction of all fire protection requirements specified by the appropriate fire agency.
- (5) The unit shall be screened from public view to the greatest extent possible.

(E) Condition of Occupancy. The following shall apply to any permit issued under this section:

- (1) The term of occupancy shall be concurrent with the term of the building permit, so long as the foundation of the permanent building is poured within 60 days of issuance of the installation permit, except for periods of grading prohibition, development moratorium, or similar circumstances.
- (2) The permittee shall diligently pursue construction in order to complete the building.

- (3) Within 15 days of the final inspection clearance of the permanent building, the permittee shall cease use of the mobile home or recreational vehicle, or travel trailer, disconnect it from water and other utility services, and, if the unit is a mobile home, the permittee shall remove it from the property.
- (4) The Planning Director or designee issuing the installation permit may add such other conditions to the permit as he/she determines to be appropriate to further the purposes of this section.
- (F) Revocation. A permit may be revoked pursuant to the provisions of Chapter [18.10](#) SCCC.
- (G) Right to Enter Property. Pursuant to applicable law, the County's agent shall have the right during reasonable hours to enter the subject property for the purpose of making inspections and doing necessary work to obtain compliance with the conditions of the permit, including removal of the mobile home, travel trailer or recreational vehicle.
- (H) Parking or Use of Mobile Homes Without a Permit Is Prohibited. It shall be unlawful to park or use a mobile home, travel trailer, or recreational vehicle on any parcel of land or building site for living or sleeping purposes, or to connect the same to any utility except:
- (1) When legally parked within a mobile home park, recreational vehicle park or travel trailer park.
  - (2) When authorized for temporary use by a permit granted pursuant to this section.
  - (3) When authorized for occupancy as a single-family dwelling by a permit granted pursuant to SCCC [13.10.682](#).
- (I) A recreational vehicle or travel trailer, maintained for the property owner's or occupant's recreational use, may be stored on the property. No utility connection is allowed, nor is any occupancy allowed. Such storage may not occur on any vacant parcel.
- (J) Use of Mobile Homes, Travel Trailers, or Recreational Vehicles after a Natural Disaster.
- (1) A mobile home, travel trailer, or recreational vehicle may be used as a temporary residence after a natural disaster for which a local emergency has been declared by the Board of Supervisors, when the permanent residence on the property has been destroyed, or damaged to the extent that the Building Official has posted it "Unsafe to Occupy," or if the repairs are so extensive that temporary relocation is necessary during the period of repair or reconstruction.
  - (2) Such a unit shall be connected to the existing sewer or septic system. If the sewer or septic system has been damaged and cannot be immediately repaired, or if a sewer or septic system connection approval cannot be obtained, use of a holding tank within a self-contained unit is allowed for a period of up to six months, provided no gray water or other liquid waste from any fixture is diverted from the holding tank, and provided further that either:
    - (a) A service contract with an approved septic maintenance firm guaranteeing frequency of service for the intensity of use is submitted to Environmental Health for review and approval; or
    - (b) The applicant provides Environmental Health with the location of dump station to be utilized and schedule for pumping out of holding tank at that dump station.
  - (3) The unit shall have a water supply approved by Environmental Health.
  - (4) The applicant shall obtain an installation permit for the unit and obtain final inspection clearance by the Building Official, unless the unit is totally self-contained.
  - (5) The unit shall be removed from the property (for a mobile home) or disconnected from utilities (for travel trailers and recreational vehicles) prior to occupancy of the repaired or reconstructed residence, or if a permit to repair or reconstruct the permanent residence is not issued, within 24 months.
  - (6) Applications for temporary occupancy of a mobile home, travel trailer, or a recreational vehicle in a mapped geologic hazard area or a mapped high damaged area shall require compliance with the provisions of Chapter [16.10](#) SCCC. [Ord. 5061 § 20, 2009; Ord. 4101 § 1, 1990; Ord. 4024 §§ 2, 3, 1989; Ord. 3432 § 1, 1983].

### **13.10.684 Mobile home parks.**

- (A) Purpose. In addition to the general objectives of this chapter, the mobile home park regulations are included in the zoning ordinance to achieve the following purposes:
- (1) To recognize mobile home parks as primarily a low to medium density urban residential use;
  - (2) To regulate mobile home parks as permanent rather than interim residential uses;
  - (3) To set standards for park development and procedures to enforce those standards so as to exercise the rights reserved to local jurisdictions by State law (California Health and Safety Code Division 13, Part 2.1, commencing with Section [18200](#)). The said

regulations are intended to regulate only those developments specifically planned for accommodation of more than one mobile home or manufactured home and operated under permit pursuant to Title 25, Chapter 5, of the California Code of Regulations. Regulations regarding the use of a single manufactured home as a permanent residence are found in SCCC [13.10.682](#).

(B) Location Criteria. Mobile home park developments shall be located only in the RM Zone District and in accordance with the following location criteria:

- (1) An overall goal of achieving diversity of choice of housing types within the planning areas of the County;
- (2) Safe and adequate access compatible with street plans;
- (3) Location in areas planned for urban rather than rural uses; and
- (4) Reasonable proximity to shopping, medical, public transportation and service stations for all parks, and particularly to schools and employment for family-type parks.

(C) Permitted Uses. A mobile home park shall include only uses allowed in the zoning district in which the mobile home park is located exclusive of trailer parks for recreational vehicles and travel trailers as defined by SCCC 13.10.700-T, subject to the following exception: Any use allowed in any residential or C-1 District either as a permitted use or a discretionary use, or any combination of such uses, may be included in a mobile home park on a site of 10 acres or more.

(D) Procedures.

- (1) Mobile home parks may be authorized as a discretionary land use approval granted at Approval Level VII pursuant to Chapter [18.10](#) SCCC. All procedures for application, review, approval, appeal, enforcement, etc., shall be in accordance with Chapter [18.10](#) SCCC.
- (2) Notwithstanding the specific conditions of any development approval, no development approval for a mobile home park shall automatically expire if all of the following criteria are met:
  - (a) The mobile home park was originally permitted for permanent, year-round occupancy and not for transient occupancy by travel trailers and/or recreational vehicles;
  - (b) The property on which the mobile home park is located is designated for residential land use on the General Plan and within a residential zone district;
  - (c) The development approval was properly exercised according to the terms of the approval and the requirements of the County Code; and
  - (d) The use of the property as a mobile home park has not ceased for a continuous period of one year or more.

(E) Development Standards. Standards for the development of mobile home parks should as nearly as possible be equivalent to the regulations for the district in which the mobile home development is located, while at the same time preserving the special advantages of mobile home living, such as easy maintenance, close community, easy pace, availability of services and recreation facilities.

- (1) Density. The maximum number of mobile home dwelling units allowed in a mobile home development shall be determined by dividing the net developable area in square feet, by the site area per dwelling required for the zone district in which the development is located. In no case shall this number of units exceed that which would be allowed in an RM-3 zone.
- (2) Yard Requirements.
  - (a) All structures and mobile homes shall be set back at least 20 feet from the right-of-way of any street adjoining the mobile home park. The setback area shall be landscaped and continually maintained.
  - (b) Minimum yard requirements around individual mobile homes, accessory buildings, carports and awnings shall be determined by California Code of Regulations, Title 25, Chapter 5.
- (3) Community Service and Open Space. A minimum of 300 square feet for each mobile home shall be devoted to community open space, conveniently located for all residents. A maximum of 27 square feet of the required 300 square feet may be used for a recreation or service building. In computing the size of this area, landscaped open spaces, required perimeter yards clearly designed for community open space, and pedestrian pathways may be taken into account. However, open spaces such as roads, boat and recreational vehicle storage areas, required perimeter yards not designed for community use and parking spaces shall be excluded from the computation.
- (4) Utilities. All utilities shall be installed underground.

- (5) **Parking.** Off-street parking spaces for every mobile home shall be provided in accordance with SCCC [13.10.551](#), et seq., on the site of the unit unless an exception is granted pursuant to subsection (F) of this section. Regardless of any exception to the parking standards, all required mobile home parking shall be within the mobile home park. Installation of a replacement mobile home requires either approval of a parking certification pursuant to subsection (G) of this section when the required number of parking spaces exist, or an exception pursuant to subsection (F) of this section when the required number of parking spaces do not exist. No mobile home transport permit for the movement of a replacement mobile home over County-maintained roads to a mobile home park in the unincorporated portion of the County shall be approved or issued by the Department of Public Works prior to approval of a parking certification or an exception.
- (6) **Access.** All mobile home spaces shall be served from internal private streets within the mobile home park and there shall be no direct vehicular access from a mobile home space to a public street or alley. Internal streets shall have a clear and unobstructed access to a public thoroughfare, and the right of the public to utilize said streets shall be preserved.
- (7) **Boat and Recreational Vehicle Storage.** All pleasure boats and recreational vehicles shall be stored in an area set aside for such storage and shall be screened from view. Such storage shall not be allowed on any street or individual mobile home lot.
- (8) **Fencing.** The park property may be required to be enclosed by a fence or thick screen planting for control of view, light, sound and adequate security to achieve aesthetics and compatibility with surrounding proposed and existing development. If required, a fence within the front yard of the park property may exceed three feet in height.
- (9) **Landscaping and Aesthetics.**
- (a) A landscape plan for development and maintenance shall be submitted for consideration with each permit application.
  - (b) Landscaping shall be used as a buffer between mobile home units and adjoining property and service areas shall be screened from view.
  - (c) Trees shall be planted throughout the development and there shall be at least one tree for each 1,000 square feet of lot coverage by impervious surfaces, or as many trees as there are mobile home lots, whichever is more.
  - (d) Whenever possible, plants that are indigenous to this area shall be incorporated into the landscaping plan.
  - (e) All required planting shall be permanently maintained in good growing condition.
  - (f) Questions of aesthetics shall be considered in judging the effect on the surrounding community and may result in special conditions relating to nonglare materials, preservation of scenic views or general considerations of the area's environmental goals.
- (10) **Signs.** One nonilluminated or indirectly illuminated detached appurtenant sign, identifying the mobile home park, that shall not exceed eight feet in overall height or 12 square feet, shall be permitted and shall be integrated into the landscape.
- (11) **Sewage Disposal.** Utilization of sanitary sewer facilities or development of a community sewage disposal system shall be provided as required in Chapters [7.38](#) and [7.42](#) SCCC. Approval of the Environmental Health Department shall be obtained.
- (12) **Garbage and Rubbish Disposal.**
- (a) If a garbage disposal service is available to the location of the mobile home park, park owners shall be required to use this service.
  - (b) Where a service is not used, the park operator shall dispose of the park refuse by transporting it to a Health Department approved site in an appropriate vehicle.
  - (c) All refuse shall be collected at least once weekly by a service or the park operator. All refuse shall be collected and transported in covered containers or vehicles.
- (13) **Water.** An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park. Where a public supply of water of such quality is available within 1,000 feet, connection shall be made thereto and its supply shall be used exclusively. In the case of an existing well which could be adapted for multiple residential use without major overhaul, this requirement may be varied. The development of an independent water supply to serve the mobile home park shall be made only after express approval thereof has been granted by the Health Officer. In all cases, written approval of the Health Officer for the supply shall be submitted with respect to installation, adequacy and sanitation.
- (14) **Drainage.** Developers shall provide adequate drainage facilities to prevent damage to the park or adjacent properties all in accordance with plans reviewed and approved by the County Department of Public Works.
- (15) **Fire Protection.** Prior to construction, the applicant shall receive approval of the California State Division of Forestry or local fire

protection district to determine the installations necessary for protection against fire.

(16) *Repealed by Ord. 5018.*

(F) Exceptions. Exceptions to all development standards established pursuant to this section may be authorized at the same approval level required for a land use approval for a new mobile home park or may be authorized with a Level IV approval for an individual space within an existing mobile home park; provided, that the following findings are made:

- (1) That there are special circumstances or conditions affecting the property;
- (2) That the exception is necessary for the proper design or function of the mobile home development;
- (3) That the granting of the exception will not be detrimental to the welfare of the residents of the mobile home park or to the public welfare or injurious to the property of the residents of the mobile home park or to other property in the area in which the property is situated; and
- (4) That the granting of the exception is in accordance with the objectives of the General Plan and elements thereof.

In making its decision whether to approve an exception for an individual space, the approving body shall take into consideration factors such as the availability of parking within the mobile home park, even if such parking is not adjacent to the affected mobile home.

(G) Parking Certification. A parking certification, certifying that the required number of parking spaces exist for the installation of a replacement mobile home, may be issued with a Level III approval. A parking certification application shall be made by the mobile home park owner or operator, or the owner of the mobile home being replaced, or the owner of the lot in those cases where the mobile home park lots are individually owned.

(H) Compliance Responsibility. The owner or operator of the mobile home park shall be responsible for compliance with the mobile home park development standards of this section and those of Title 25, Chapter 5 of the California Code of Regulations. [Ord. 5018 §§ 1, 6, 2008; Ord. 4808 § 6, 2005; Ord. 4786 §§ 6, 7, 2005; Ord. 4723 § 3, 2003; Ord. 4664 § 2, 2002; Ord. 4628 § 2, 2001; Ord. 4623 § 2, 2001; Ord. 4496-C § 58, 1998; Ord. 4370 § 5, 1995; Ord. 4036 § 7, 1989; Ord. 3432 § 1, 1983].

### **13.10.685 Conversion of transient occupancy recreational vehicle and travel trailer parks to permanent occupancy.**

(A) Purpose. To provide for the orderly conversion of permitted, transient occupancy recreational vehicle and travel trailer parks to permanent occupancy for the purpose of maintaining and/or establishing safe permanent housing for very low income households.

(B) Applicability. This section applies to those recreational vehicles (RV) and travel trailer parks which, as of January 1, 2000 (i.e., the Marmos Pinto Lake Resort located at 324 Amesti Street in Watsonville and the Golden Torch Trailer Park located at 6100 Freedom Boulevard in Aptos), were the subject of court proceedings brought by the County to resolve health, safety and use permit violations at the park and which are located outside of both the urban services line and the Coastal Zone.

(1) Except where modified by the requirements of this section, all requirements of the "Mobile Home Parks Act," Division 13, Part 2.1 of the California Health and Safety Code, commencing with Section [18200](#), and Chapter 2 of Division I of Title 25 of the California Code of Regulations shall apply for all permanent occupancy spaces approved pursuant to this section. In the case of permanent occupancy, either manufactured housing, or conventional on-site building methods may be utilized; in such cases, the requirements and standards of Title 24 of the California Code of Regulations shall be met.

(2) The requirements of SCCC Title [16](#) and the visual resources policies of the County General Plan/Local Coastal Plan shall apply for all permanent occupancy spaces approved pursuant to this section.

(C) Definitions. The definitions listed below and those contained within Chapter 2 of Division I of Title 25 of the California Code of Regulations and Sections [18200](#) through [18700](#) of the California Health and Safety Code shall apply to this section. In the event that the following definitions conflict with those contained within the cited Code of Regulations and/or Health and Safety Codes, the following definitions shall supersede:

"Affordable housing guidelines" means the guidelines that are adopted from time to time by the Santa Cruz County Board of Supervisors pursuant to Chapter [17.10](#) SCCC.

"Approving body" means the Santa Cruz County Board of Supervisors.

"Capital improvements" means improvements to the real property that must be newly constructed or replaced as a condition of approval to convert spaces within an RV park to permanent occupancy pursuant to this section. "Capital improvements" does not include routine maintenance or repairs.

"Conventional construction" means typical framed ("stick-built") construction, subject to the oversight and inspection of the Building

Department in accordance with the standards of Title 24 of the California Code of Regulations.

"HCD" means the Department of Housing and Community Development of the State of California.

"Permanent dwelling unit" means a unit, as defined in this subsection, that is located on permanent occupancy space as defined in this subsection.

"Permanent occupancy" means occupancy for a period of nine consecutive months or longer of either: (1) a space within an RV park by the same unit, (2) a unit and space within an RV park by the same resident or residents, (3) multi-unit manufactured housing, or (4) an apartment conventionally constructed on the site as a separate building or as part of a building.

"Permanent occupancy space" means a space in an RV park or manufactured housing that has been approved for long-term or permanent occupancy pursuant to this section.

"Resident" means a person or household who resides in an RV park. For the purposes of this section, the terms "occupant," "tenant" and "resident" are used interchangeably to mean a "resident" as defined herein and do not have the specific meanings defined in either the recreational vehicle park occupancy law (Section [799.20](#), et seq., of the California Civil Code) or the mobile home residency law (Section [798](#), et seq., of the California Civil Code).

"RV park" means a trailer park as defined in SCCC 13.10.700-T and regulated in the Santa Cruz County Code. The status of a property as an RV park shall be based on the County use permit and land use designation(s) irrespective of the designation given to the park by HCD or the nature of the permit to operate issued by HCD.

"Title 24" means Title 24 of the California Code of Regulations.

"Title 25" means Chapter 2 of Division I of Title 25 of the California Code of Regulations.

"Unit" means any of the following:

- (1) A "recreational vehicle" as defined in Section [18010](#)(a) of the California Health and Safety Code;
- (2) A "park trailer" as defined in Section [18010](#)(b) of the California Health and Safety Code;
- (3) A "manufactured home" as defined in Section [18007](#) of the Health and Safety Code;
- (4) A "mobile home" as defined in Section [18008](#) of the Health and Safety Code;
- (5) A "multi-unit manufactured housing" as defined in Section [18008.7](#) of the Health and Safety Code; or
- (6) An apartment conventionally constructed on the site as a separate building or as part of a building.

"Very low income household" means a household whose annual income is less than 50 percent of the area median income as adjusted for household size and updated from time to time by HCD.

(D) Procedures. A conversion of a permitted transient occupancy recreational vehicle and travel trailer park to permanent occupancy may be authorized as a discretionary land use approval granted at Approval Level VII pursuant to Chapter [18.10](#) SCCC. All procedures for application, review, required findings, approval, amendments and appeals shall be in accordance with Chapter [18.10](#) SCCC.

(E) Development Standards.

- (1) Density.
  - (a) The number of permanent occupancy spaces shall not exceed the number of recreational vehicle and/or travel trailer spaces authorized under the current use permit for the recreational vehicle and/or travel trailer park issued by the County. Spaces designated for tent camping in the use permit may not be converted to permanent occupancy. Continued use of spaces for transient occupancy may be allowed, if such use, including any required amenities and conditions of operation, are clearly incorporated into the conversion permit.
  - (b) The maximum number of permanent occupancy spaces shall be established based on compliance with the following: the sewage disposal standards and requirements established by Environmental Health Services for permanent occupancy, the water supply standards and requirements established by Environmental Health Services, the California Department of Health Services or the applicable water purveyor required for permanent occupancy and the development standards established in this section.
- (2) Yard Requirements.
  - (a) The front yard setback for the park shall be 40 feet. The side and rear yard setbacks shall be 20 feet.

- (b) A six-foot separation, as specified by Title 25, or approved fire wall as defined in Section 504.6.2 of the California Fire Code or as specifically approved by HCD shall be maintained between all permanent dwelling units.
- (3) Community Areas.
- (a) Open Space and Required Amenities. A minimum of 200 square feet of open space per permanent occupancy space shall be provided, as follows:
- (i) At least 50 percent of the required open space area shall be provided as community open space, located in areas convenient for the benefit and use of all of the residents. Community open space areas shall have no dimension less than 20 feet. Parking and roadways shall not be counted as a part of the community open space. The park shall have recreation facilities and playground(s) of sufficient size and in suitable locations to meet the needs of the park residents. The area of recreation facilities and playgrounds may be included as community open space.
- (ii) Each permanent occupancy space shall have at least 100 square feet of usable open space, defined as any side or rear yard or combination of yards with minimum dimensions of eight feet.
- (b) Restrooms/Showers. Restrooms and showers shall be provided for the use of the residents. The number of restrooms and showers is dependent upon the number of permanent dwelling units, as well as the number of permanent dwelling units which have toilet and shower facilities. At a minimum, one toilet, one sink and one shower shall be provided for each gender. An additional toilet, sink and shower shall be provided for every five permanent dwelling units that do not have toilet and/or shower facilities. Lighting which meets or exceeds the minimum requirements of Title 25 of the California Code of Regulations shall be installed in these facilities. Restroom/shower buildings shall have adequate heating facilities to maintain a temperature of 65 degrees (Fahrenheit) during cold weather and to provide at least three gallons of continuous hot water per hour per unit during the times of peak demand.
- (c) Optional Amenities. The approving body may approve other amenities to serve the residents of the park, such as convenience stores and laundries, if all requirements for their installation can be met.
- (4) Parking. A parking management plan shall be submitted for review by the County and approval by the approving body. The parking management plan shall specify how the park will comply with the following parking standards and detail the procedures for ensuring long-term compliance with these standards. One off-street parking space shall be provided and located near each permanent unit. Guest parking of an additional 20 percent over the residential requirement shall be provided at various locations in the park. All required parking shall be provided within the park boundaries. Dimensions of all parking spaces shall comply with the requirements of SCCC [13.10.550](#) et seq. Because parking is limited, no inoperable vehicle shall be kept within the park for a period of longer than 10 business days.
- (5) Roads and Access.
- (a) All access roads and driveways shall meet the fire agency requirements for turning radii, overhead clearance and surfacing. The minimum widths of roadways shall conform to the requirements of Title 25, including that two-way roadways shall be no narrower than 18 feet in width, and one-way roads shall be no narrower than 12 feet in width and shall be clearly marked as one-way.
- (b) All permanent occupancy spaces shall be served from internal private roads or walkways within the park. There shall be no direct vehicular access between an individual space and a public or private street or alley. Internal streets shall have a clear and unobstructed access to a public thoroughfare.
- (c) Pedestrian access shall be provided throughout the park to provide safe and convenient access to amenities, open space areas, and public roadways.
- (6) Fencing. A six-foot-high solid wood fence or masonry wall shall be provided along the side and rear property lines of the park to ensure security and separation from adjacent properties. Fences and/or gates in the front yard shall be allowed only if they are compatible with the character of the neighborhood, and shall not exceed three feet in height unless it can be demonstrated that it will not adversely affect sight distance, as determined by the Department of Public Works and the applicable fire district.
- (7) Landscaping. A plan for the development and permanent maintenance of landscaping for the park shall be submitted for review and approval by the Planning Department. Landscaping shall be installed to provide screening between adjacent development and the permanent units, and to enhance the open space areas, as appropriate.
- (8) Garbage and Refuse Disposal. The park owner shall specify how garbage and recyclable materials will be stored, collected and disposed of. The park owner shall, at a minimum, provide for weekly collection of garbage and recyclable materials from the park. More frequent collection may be required, if determined to be necessary by the approving body.

(9) Sewage Disposal. All sewage and/or gray water shall be disposed of in a disposal system approved by County Environmental Health Services pursuant to Chapter [7.38](#) SCCC.

(10) Water. An accessible, adequate, safe and potable supply of water shall be provided to each permanent unit in the park. Water service may be provided either through a community water system that is approved by County Environmental Health Services pursuant to Chapter [7.71](#) SCCC, or a system approved by the California Department of Health Services or by connection to a public water system.

(11) Drainage. A drainage plan, prepared by a registered professional engineer, shall be submitted for review by the Planning Department and the Department of Public Works and approval by the approving body. Ponding underneath RVs is prohibited.

(12) Fire Protection. All requirements of the applicable fire protection agency shall be met, except for those road width and unit separation standards of the fire district that exceed the standards of Title 25 or this section.

(13) Lighting. Site lighting shall be; provided, that meets or exceeds the minimum illumination standards of Title 25.

(F) Development Standards—Permanent Dwelling Units.

(1) A compacted level pad shall be provided for each permanent dwelling unit. Each unit shall be anchored to the pad through an anchoring system approved by the County, HCD or HUD.

(2) Each permanent dwelling unit shall be permanently connected to electrical, gas, water, and sewer systems by approved connections, per the requirements of Title 25.

(3) Skirting shall be installed on permanent dwelling units to prevent access underneath the unit and to provide an aesthetic appearance of the unit.

(4) All replacement permanent dwelling units installed after the issuance of the conversion permit shall comply with Health and Safety Code Section [18604](#), which requires that units meet minimum construction standards. Allowable replacement dwelling units include:

(a) A "recreational vehicle" as defined in Section [18010\(a\)](#) of the California Health and Safety Code except that neither truck campers nor tent trailers shall be allowed;

(b) A "park trailer" as defined in Section [18010\(b\)](#) of the California Health and Safety Code;

(c) A "manufactured home" as defined in Section [18007](#) of the Health and Safety Code;

(d) A "mobile home" as defined in Section [18008](#) of the Health and Safety Code;

(e) A "multi-unit manufactured housing" as defined in Section [18008.7](#) of the Health and Safety Code; or

(f) An apartment conventionally constructed on the site as a separate building or as part of a building.

(5) Any accessory structure on a permanent occupancy space shall comply with the development standards of this section and applicable building codes, shall be specifically authorized by both park management and the enforcement agency, and shall be constructed in accordance with appropriate permit(s).

(G) Exceptions to Development Standards. Exceptions to the development standards set forth in this section may be granted in order to facilitate the conversion of existing transient occupancy recreational vehicle and/or travel trailer parks to permanent occupancy parks with minimal displacement of existing residents. As part of consideration of an application by the park owner, a tenant or a tenant's organization may request exceptions and conditional exceptions to the park or unit development standards established pursuant to subsections (E) and (F) of this section and the approving body may authorize such exceptions, other than exceptions to the requirements for minimum septic and water systems; provided, that the following findings can be made:

(1) That the exception is necessary for either the proper design or function of the permanently occupied park or space, or to minimize the displacement of park residents; and

(2) That the granting of the exception will not be detrimental to the public health, safety and welfare or injurious to other property in the area in which the property is situated; and

(3) That the granting of the exception is in accordance with the objectives of the County General Plan/Local Coastal Plan.

(H) Conversion Conditions. The conversion of an RV park to permanent occupancy may be approved in whole or in part by the approving body, subject to the development standards in subsections (E) and (F) of this section, the exceptions allowed under subsection (G) of this section and the following conditions:

(1) **Income Eligibility of Residents.** The occupancy of permanent occupancy spaces shall be restricted to very low income households for the life of the park. The affordable housing guidelines shall be followed to establish the income and eligibility of residents. For the purposes of this section, if the park receives State or Federal financial assistance the average income shall not exceed the very low limits. The approving body may authorize the property manager to verify the eligibility of residents. Notwithstanding the above, the following residents shall be excluded from these income eligibility requirements:

- (a) One required on-site management representative plus any other park employee(s) identified in the management plan; and
- (b) Existing residents of the park at the time the conversion to permanent occupancy is approved, but only to the extent the approving body determines it is necessary to minimize the displacement and relocation of existing tenants.

(2) **Maximum Rents and Other Charges.** The rents charged for permanent occupancy spaces and nonowner occupied dwelling units that occupy permanent occupancy spaces shall be restricted for the life of the park as specified below. These restrictions shall be included in the use permit, a recorded regulatory agreement and the individual leases with residents.

- (a) **Space Rent.** The rent and rent increases that may be charged for permanent occupancy spaces shall not exceed the amounts that are allowed under the mobile home rent adjustment ordinance, Chapter [13.32](#) SCCC, regardless of the length of occupancy of the individual residents of these spaces.
- (b) **Combined Rent for Dwelling Units and Spaces and Multi-Unit Manufactured Housing.** The combined rent that may be charged for nonowner occupied dwelling units and spaces or multi-unit manufactured housing or apartments shall not exceed the maximum amounts that may be charged for very low income rental units under the affordable housing guidelines.
- (c) **Alternative Standards for Assisted Projects.** Notwithstanding subsection (H)(2)(b) of this section, the approving body may approve alternative affordability standards and/or a range of maximum combined rents for nonowner occupied dwelling units and spaces if the park receives State or Federal financial assistance and the average combined rent charged for these dwelling units and spaces will not exceed the maximum rent allowed for lower income rental units under the affordable housing guidelines.

(3) **Relocation Assistance.** Relocation of tenants temporarily or permanently dislocated from the park as a result of the conversion shall be subject to relocation assistance, as provided under Chapter [8.45](#) SCCC.

(4) **Management, Operation and Implementation Plans.** Prior to approval of a conversion permit for a park that requires capital improvements and/or is the subject of a current code enforcement action by the County, State of California or a local fire protection district, the park owner must submit a park improvements implementation plan, a management plan, and a maintenance and operations plan as follows:

- (a) **Park Improvements Implementation Plan.** This plan must address both the timing and financing plan for bringing the park into compliance within five years, in accordance with the standards of this section and related permit conditions. The plan is subject to approval by the approving body and shall contain the following provisions:
  - (i) **Improvements.** The plan must include a reasonable and orderly plan for converting the physical facilities of the park and complying with the conditions of approval of the conversion permit, while minimizing the impact on park tenants and adjacent property owners/residents.
  - (ii) **Improvement Financing.** The plan must include a detailed estimate of all costs related to conversion of the park to permanent occupancy, including physical improvements and temporary and permanent tenant relocation costs. In addition, the plan must include a method for financing these costs. The financing method shall indicate a realistic plan for financing the costs consistent within the time allowed for conversion by the approving body. Financing may take the form of front-end financing (cash on hand or loan) and/or financing over time. Financing over time may be approved through the creation of a formal set-aside of part of the rent proceeds. The amount of the set-aside shall be established by the approving body, based upon a review of the proposed financing plan. Final approval of the park conversion may be conditioned upon evidence of a loan commitment or the existence of funds on hand. Whatever the form of financing, funds for the park conversion must be deposited in a capital improvement fund independently administered by the property manager, as described in subsection (H)(4)(b)(i) of this section, or other independent party approved by the County.
  - (iii) **Extensions.** If, after the park owner has demonstrated to the satisfaction of the County that additional time is needed to complete the implementation plan, the approving body may grant an extension to the completion date as specified in the approved implementation plan. In considering whether to approve an extension to the implementation plan, the approving body shall make a determination that the park owner has proceeded in a diligent manner to complete the plan and to comply with the conditions of the conversion permit. This determination shall be based on the financial data submitted by the park owner as well as a review of the quarterly reports required as a condition of this permit. Upon granting additional time for the park owner to complete the implementation plan, the approving body may require the park owner to provide additional funding for the capital improvement fund to cover expenses not identified by the park owner as a part of the approved implementation

plan.

(iv) Waiver. The approving body shall waive or reduce the requirements for this plan if (A) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit, or (B) the park will receive State or Federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

(b) Management Plan. The management plan shall provide for long-term property management and maintenance of all facilities and improvements. The management plan shall address all applicable conditions of the conversion permit including detailed information concerning any planned displacement and/or relocation of existing residents and the replacement of substandard units within the park. The management plan shall provide for both a property manager and an on-site manager, and shall include proposed lease agreements, the proposed park rules, and the parking management plan required per subsection (E)(4) of this section, subject to the following provisions:

(i) The property manager shall be an experienced management agent, with demonstrated ability to operate residential facilities similar to the project in a manner that will provide decent, safe, and sanitary housing. The property manager shall be responsible for overseeing the capital improvement fund, hiring and managing the on-site manager, and providing regular reports to the County. The park owner shall submit for the County's approval the initial and all subsequent property managers until the conversion is completed and the project has been in compliance with the conditions of the conversion permit for three years. The owner shall also submit additional information to the County relevant to the background, experience and financial condition of any proposed property manager as is reasonably necessary for the County to determine whether the proposed property manager meets the qualifications standards as set forth above. If the proposed property manager meets the standard set forth above, the County shall indicate its approval by notifying the owner in writing. Unless the proposed property manager is disapproved by the County within 30 days, which disapproval shall state with reasonable specificity the basis for disapproval, it shall be deemed approved. The property manager shall be responsible for ensuring that all units that are moved into the park meet all standards set forth in this section and in compliance with all applicable State and local laws and regulations.

(ii) The on-site manager shall be an employee of the property manager and shall demonstrate adequate experience and qualifications for the position. While the County is not required to approve the on-site manager, the property manager must notify the County within 30 days of appointing the initial and subsequent on-site managers of their names, responsibilities, assigned work hours and qualifications. In addition to other duties assigned by the property manager, the on-site manager shall be responsible for enforcing park rules, including monitoring of parking and abandoned vehicles consistent with this subsection and the permit requirements.

(iii) All lease agreements shall contain appropriate language pertaining to the rights and responsibilities of the owner(s) of the unit and the occupant(s) under the conditions of the conversion permit, including but not limited to:

- A. A provision requiring compliance with the parking management plan;
- B. A requirement that no inoperable vehicles be stored within the park;
- C. A provision that subletting is either not allowed, or that units may only be sublet to very low income households as required by subsection (H)(1) of this section, and that the maximum combined rent for the home and space is restricted pursuant to subsection (H)(2)(b) of this section;
- D. Notice of the unit owner's responsibility to bring the unit into compliance with the standards within certain time limits, as set forth in subsection (F) of this section, and notice that if the unit is replaced at any time, the replacement unit must meet the standards as set forth in subsection (F)(4) of this section;
- E. Notice that the storage of hazardous materials is not allowed; and
- F. Notice that the unit owner and/or unit occupant is responsible for compliance with the requirements of this section as they apply to the unit and/or space.

(iv) Owner Operator. Notwithstanding any language in this subsection (H)(4)(b) which may indicate otherwise, the County may approve a qualified park owner or park owners to act as the property manager and/or on-site manager described in this subsection (H)(4)(b).

(v) Waiver. The approving body shall waive or reduce the requirements for this management plan if (A) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district, or (B) the park will receive State or Federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

(c) Maintenance and Operations Plan. The owner shall submit a plan for financing the ongoing operations and maintenance of the park within the budget for the park. That plan, which must be approved by the County, must include an annual operating budget which provides for maintenance at a level which guarantees that the park will be maintained in a safe and sanitary condition. That plan must also provide for either (i) an annual set-aside of three percent of the annual operating budget for a maintenance reserve plus a minimum annual contribution of two percent of the annual operating budget to a capital replacement reserve for the purpose of financing future capital replacement of fixtures, equipment and improvements or (ii) the maintenance of a fully funded replacement reserve account using the methods, procedures and standards laid out for common interest developments in California Civil Code Sections [1365\(a\)](#) and [1365.5\(e\)](#). The approving body shall waive or reduce the requirements for this plan if (1) the park is not the subject of a code enforcement action by the County, State of California or a local fire protection district and neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit or (2) the park will receive State or Federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

(5) Capital Improvement Fund. As a condition of permit approval, the owner shall be required to establish a capital improvement fund within 30 days of approval of a conversion permit for the purpose of financing the improvements and other costs related to the conversion as described in the park improvements implementation plan, and for any relocation assistance required under Chapter [8.45](#) SCCC. The owner shall deposit all front-end contributions, proceeds from loans and rent or other set-asides into this fund, equivalent to the amount needed to meet the requirements of the approved park improvements implementation plan, as established in subsection (H)(4)(a) of this section and as approved by the approving body. This fund shall be administered by the property manager, who shall be accountable for monitoring all contributions to and expenditures from the fund, and periodically providing a report to the owner and County on fund activity and balance. In order to ensure that all proceeds are directed to the required site improvements and related costs, all disbursements from the capital improvement fund shall be subject to advance approval by the County. The approving body shall waive or reduce the requirements for this fund if (a) neither capital improvements nor the correction of code violations are conditions of approval for the conversion permit, or (b) the park receives State or Federal financial assistance that includes conditions that are comparable to those for which a waiver is requested.

(6) Securities. The approving body may require securities, such as insurance, a performance bid, letter of credit or similar method, to guarantee the completion of all required park improvements and compliance with the plans required under subsections (H)(4)(a), (b) and (c) of this section, and related relocation costs.

(l) Monitoring and Compliance.

(1) Status Reports. The park owner shall submit to the County periodic status reports detailing compliance with the conditions of the conversion permit. Such reports shall be submitted quarterly until issuance of a certificate of completion for the conversion, and annually thereafter. During the conversion period, the report shall include a status report on the capital improvement fund and the capital improvement activities, prepared by the property manager. All status reports shall include a listing of unit occupancy and eligibility and indicate all subleases.

(2) Completion Report. At the time that the owner believes that the conversion is completed, the owner shall submit a formal report, for review and approval by the County, that summarizes all improvements made, the total cost for those improvements, the final disposition of the capital improvement fund, and any relocation payments made. Upon review of that document and a field review of the site, if the County finds that the project has met all of the permit requirements, it shall issue the owner a letter acknowledging completion of the requirements for conversion. Failure to complete the conversion within the time limits established in the use permit may result in the revocation of the use permit pursuant to Chapter [18.10](#) SCCC.

(3) Inspections and Enforcement. County staff shall conduct inspections of a park receiving approval for conversion immediately following receipt of a status report and at other times, as warranted. All deficiencies shall be reported to the park owner in writing within 10 business days of their discovery. The park owner shall correct all reported deficiencies within 15 business days following receipt of the report from the County, unless a longer time period has been agreed to in advance by the County. Continued failure to comply with the conditions of approval of the conversion permit shall subject the property owner to the provisions of Chapter [19.01](#) SCCC.

(4) Fees. The owner shall pay such fees as may be deemed necessary for the County to monitor and enforce the conditions for the conversion permit. [Ord. 4802 § 3, 2005; Ord. 4731 § 3, 2003; Ord. 4663 § 1, 2002; Ord. 4657 § 1, 2002; Ord. 4587 § 1, 2000].

**13.10.686 Large family child care homes in nonresidential zone districts.** [Amended Ord. 5160](#)

(A) Purpose. The purpose of this section is to provide for and regulate large family child care homes in order to provide needed child care in a home setting, as well as minimize or prevent potential conflicts between child care and other on-site or adjacent uses.

(1) Purpose in Commercial Districts. The purpose of this section in commercial districts is to provide opportunities for large family child care homes to be located in residences with proximity to places of employment.

(2) Purpose in Parks, Recreation and Open Space District. The purpose of this section in the parks, recreation and open space districts is to provide opportunities for large family child care homes to be located in residences in proximity to outdoor activities, residential neighborhoods and commercial areas.

(3) Purpose in Public and Community Facilities District. The purpose of this section in the public and community facilities district is to provide opportunities for large family child care homes to be located in residences in proximity to public facilities, such as schools, and near residential areas.

(4) Purpose in Timber Production Districts. The purpose of this section in the timber production district is to provide opportunities for large family child care homes to be located in residences on land zoned for timber production consistent with the provisions of SCCC [13.10.375](#).

(B) Application Requirements. In those nonresidential zone districts where large family child care homes are allowed in conjunction with a residential use, a Level V use approval is required. Approval of these permits shall be processed in accordance with the provisions of SCCC [18.10.223](#). Large family child care homes proposed to be located within the Coastal Zone shall require a coastal permit which is also processed at Level V.

(1) Upon application submittal, the applicant must submit a statement of operation which includes the following information:

- (a) Number of employees.
- (b) Number of children.
- (c) Hours and days of operation.
- (d) Site plan which clearly illustrates the pick-up/drop-off area, on-site circulation and parking spaces.

(C) Required Findings. Before a development permit (Level V use approval) for a large family child care home can be granted, the general findings for development permits set forth in SCCC [18.10.230\(A\)](#) and, where applicable, coastal permit findings set forth in SCCC [13.20.110](#) shall be made in addition to the following findings:

(1) In Timber Production Districts (TP), the following additional findings shall be made:

- (a) The large family day-care home use does not conflict with the growing and harvesting of sustained yield tree crop and all timber harvesting activities.
- (b) The large family day-care home operation is consistent with SCCC [13.10.375\(A\)\(1\)](#).

(D) Requirements. Before a large family child care home, authorized by a development permit, or, if applicable, a coastal permit, can commence operation, the following requirements shall be met:

- (1) Location. The large family child care home must be operated in a residence or in the residential portion of a mixed use structure.
  - (a) In the commercial zones, the percentage of residential square footage of the structure must comply with SCCC [13.10.332\(B\)](#).
  - (b) The large family child care home shall operate in the residential portion of the structure.
- (2) Occupancy. The owner or occupant of the residence must be the operator of the large family child care home and must be listed on the State License as the operator. The operator must live at the premises full-time.
- (3) Parking. Sufficient on-site parking must be provided for all employees of the large family child care home. Sufficient off-street parking equates to a minimum of one off-street parking space per full-time employee and a minimum of one off-street drop-off/pick-up parking space. Any alternative off-street parking standard must be deemed appropriate by the Zoning Administrator based on site constraints which would otherwise preclude the operation of a large family child care home on the property. Additionally, there shall be sufficient off-street and on-street parking such that the operation of this use will not impede local traffic nor cause traffic congestion during peak drop-off and pick-up periods.
- (4) Traffic. Unless found to be unnecessary due to ample drop-off and pick-up areas, a plan for staggering drop-off and pick-up times to minimize traffic shall be submitted and reviewed as part of the application. An operational condition shall require implementation of this traffic control plan.
- (5) Agricultural Buffers. Large family child care homes that are located adjacent to agriculturally zoned land (CA, A, AP) shall meet all the requirements of SCCC [16.50.095](#) pertaining to agricultural buffer setbacks.
- (6) Other Conditions. Other conditions deemed appropriate by the approving body may be applied to the development permit of a large family child care home to further the purposes of this section. [Ord. 4883 § 2, 2007; Ord. 4814 § 6, 2006].

**Article VIII. Visitor Accommodations/Recreational Uses****13.10.691 Bed and breakfast inns.**

- (A) A bed and breakfast inn offering one or more rooms (up to a maximum of five) for rent may be operated if the use is allowed in the applicable zone district and the required Level IV use approval is obtained.
- (B) The following guidelines for bed and breakfast inns and any additional conditions deemed applicable, shall be made a part of the permit.
- (1) All Uniform Building Code and Fire Code requirements for the level of occupancy shall be met.
  - (2) All Environmental Health regulations shall be met, including water supply and septic system capacity. If applicable, as follows:
    - (a) When a private water supply serves the premises, the operator will be required to obtain a bacteriological analysis of the water by an approved laboratory to demonstrate that the water is safe to drink.
    - (b) Individual sewage disposal systems will be evaluated to determine if the system is adequate for the increased loading. A fee is required for this service.
  - (3) In sewerred areas, all applicable sanitation district fees shall be paid.
  - (4) One off-street parking space shall be provided for each commercial guest room, in addition to the spaces normally required for the dwelling.
  - (5) One unlighted sign with a maximum size of six square feet may be displayed. The words "hotel" or "motel" shall not be allowed. The sign's size, color, text, and location shall be as specified under this use approval, as per the attached drawing.
  - (6) At least one toilet, lavatory, and shower or bathtub shall be provided for each 10 guests. Where a multiple storied building is utilized, there must be a toilet, lavatory, and shower or bathtub on each floor.
  - (7) Adequate storage for clean and dirty linen shall be provided.
  - (8) Appropriate space and ventilation for each room shall be provided. Minimum space is 70 square feet per bedroom for two persons, 50 square feet for each additional person.
- (C) The bed and breakfast inn shall be registered with the County Tax Collector as being subject to the transient occupancy tax, and the use approval for a bed and breakfast inn shall become effective when the applicant obtains a transient occupancy permit from the County Tax Collector. Quarterly reports shall be filed and taxes paid as required by law.
- (D) An annual bed and breakfast inn health permit shall be obtained.
- (E) Operation of the bed and breakfast inn shall be subject to the following continuing requirements:
- (1) The operator shall reside in the inn.
  - (2) Guest stays shall be limited to 30 days.
  - (3) No cooking shall be allowed in guest rooms.
  - (4) Food service shall be limited to a continental type breakfast consisting of food items such as coffee, tea, juice, fruit, and nonpotentially hazardous pastries served exclusively to lodgers. An operation extending beyond this limitation shall be construed to be a guesthouse or boarding house, and shall be subject to the requirements of the California Restaurant Act.
- (F) Different or additional restrictions, including but not limited to restrictions on parking, sign area or placement, hours of meals service, and sale of nonalcoholic beverages, may be placed on any bed and breakfast use to meet specific concerns. [Ord. 3632 § 20, 1985; Ord. 3432 § 1, 1983].

**13.10.692 Organized camps and conference centers.**

- (A) Purposes. The purposes of the special use regulations for organized camps and conference centers are as follows:
- (1) To foster the commercial use of the scenic and recreational values in the County, while the County benefits from the preservation of scenic elements, revenue from the visitors of the camps, and assistance in fire protection.
  - (2) To maximize preservation of the environment and the amenities of a site by allowing flexible development procedures while controlling density, access, and impacts on neighboring properties.

(B) Description of Uses. The following organized camp and conference center uses and facilities may be established as part of a Level VI development permit approval:

- (1) Indoor facilities such as: kitchens, dining rooms, laundries, administrative offices, maintenance buildings, meeting halls, restroom and shower facilities, gymnasiums and other indoor recreation facilities.
- (2) Visitor accommodations facilities subject to the density requirements contained in the PR Zone District, SCCC [13.10.353\(B\)](#).
- (3) Educational facilities, including residential and day schools, at densities as specified in the PR District, SCCC [13.10.353\(B\)](#); this density is instead of an equivalent amount of visitor accommodations and/or living units, not in addition to.
- (4) Outdoor facilities such as parking areas, playgrounds, athletic fields, picnic areas, and swimming, riding, and boating facilities.
- (5) Permitted and discretionary uses in the CA Zone District, SCCC [13.10.312](#).
- (6) Appurtenant, accessory facilities for participants only, such as: studios, libraries, museums, dispensaries, camp stores.

(C) Accessory Uses. The following organized camp and conference center accessory uses and facilities may be added by a Level V approval to an organized camp development permit previously approved at Level VI:

- (1) Facilities for drainage and erosion control, sewerage, water supply, walkways, security and fire protection.
- (2) Signs, identification and directional, subject to the regulations for signs in the PR Zone District, SCCC [13.10.582](#).
- (3) Improvement or replacement of existing facilities with no increase in total capacity.
- (4) Permitted uses in the CA Zone District.

(D) Operating and Development Standards. In addition to the zone district development standards and the policies of the General Plan, the following special operating and development standards shall apply to organized camps and conference centers:

- (1) The minimum site area shall be not less than 20 acres unless pre-existing.
- (2) Yards along front, side, and rear property lines shall be a minimum of 30 feet.
- (3) Building height shall not exceed 25 feet.
- (4) All structures shall conform to the Uniform Building Code.
- (5) The facility shall meet all regulations and requirements of the Environmental Health Division of the County Health Services Agency.
- (6) The facility and property shall conform to all requirements of the appropriate fire district. [Ord. 3432 § 1, 1983].

#### **13.10.693 Time-share uses.**

Time-share uses are prohibited in the unincorporated area of the County of Santa Cruz unless and until standards are established requiring provision of adequate infrastructure or in lieu fees therefor to mitigate the impacts of time-share uses. Notwithstanding the foregoing, approval of permit renewal (time extension) may be granted pursuant to SCCC [18.10.133](#) as to any development permit for time-share uses issued prior to October 23, 1986; provided, that such approval shall be subject to the conditions that the applicant for time extension agrees in writing that the County of Santa Cruz has the legal authority to impose a reasonable infrastructure fee as a condition of approval of permit renewal (time extension). [Ord. 3803 § 1, 1986; Ord. 3632 § 21, 1985].

#### **13.10.694 Vacation rentals.**

(A) The purpose of this section is to establish regulations applicable to dwellings that are rented as vacation rentals for periods of not more than 30 days at a time. These regulations are in addition to all other provisions of this title. This section does not apply to Pajaro Dunes where vacation rentals are governed by an existing development permit.

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(1) and (D)(1) of this section may be permitted in any zone district.

(C) For the purposes of this section, the following terms have the stated meanings:

- (1) "Existing vacation rental" means a dwelling unit that was used as a vacation rental prior to April 5, 2011.
- (2) "New vacation rental" means a dwelling unit that was not used as a vacation rental prior to April 5, 2011.
- (3) The "Live Oak Designated Area" means the Yacht Harbor Special Community (as described in the General Plan—Local Coastal

Program and depicted on the General Plan—Local Coastal Program map) and that portion of Live Oak that lies east and south of East Cliff Drive and Portola Drive from the intersection of 9th Avenue and East Cliff Drive to the intersection of Portola Drive and 41st Avenue, as depicted in Figure LODA, attached hereto.

(4) "Block" means the properties abutting both sides of a street extending from one intersecting street to another or to the terminus of the street.

(D) Permit Requirements. A vacation rental permit and transient occupancy tax registration are required for each residential vacation rental. Each vacation rental permit shall run with the land in perpetuity, except that each vacation rental permit issued for a vacation rental located in the Live Oak Designated Area shall expire five years from the date of issuance of the original permit. If an application for renewal has been submitted and is deemed complete prior to the expiration date, the expiration of the permit will be stayed until final action on the renewal application. No application for renewal of a vacation rental permit shall be accepted more than 180 days before the expiration date. The Planning Director may approve extensions of permit expiration dates or application submittal dates based on demonstrated hardship to the applicant or for other good cause. Approval of a vacation rental permit does not legalize any nonpermitted use or structure. Vacation rental permits are subject to revocation as provided for in SCCC [18.10.136](#).

(1) Existing Vacation Rental. An initial permit shall be obtained. No public hearing shall be required and no notice of an application for a permit for an existing vacation rental shall be given. For an existing vacation rental to be considered a legal use the applicant shall provide the following to the Planning Department within 90 days after the certification of the ordinance codified in this chapter by the California Coastal Commission:

- (a) Completed application form.
- (b) Plans, which do not need to be drawn by a professional, drawn to scale including the following:
  - (i) Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.
  - (ii) Floor plan showing all rooms with each room labeled as to room type.
- (c) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter.
- (d) Copy of a rental/lease agreement, which shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, children under 12 not counted; for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed); number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional on-street); noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).
- (e) Proof that a dwelling unit was being used as a vacation rental prior to April 5, 2011. Such proof may consist of, among other things, the following items:
  - (i) Documentation that the owner paid County of Santa Cruz transient occupancy tax for the use of the vacation rental; or
  - (ii) Documentation that there has been vacation rental use of the unit. This could include the following: the owner allowed transient guests to occupy the subject property in exchange for compensation and the applicant furnishes reliable information, including but not limited to records of occupancy and tax documents, guest reservation lists, and receipts, showing payment and dates of stay.
- (f) Retroactive Payment of Transient Occupancy Tax. For those applicants who provide adequate documentation that a dwelling unit was used as a vacation rental prior to April 5, 2011, but where the owner has not registered and paid transient occupancy tax, proof of retroactive payment of the transient occupancy tax amount due to the County to the extent allowed by law for the time during which a dwelling unit was being used as a vacation rental shall be submitted.
- (g) Number of People Allowed. The maximum number of guests allowed in an existing individual residential vacation rental shall not exceed two people per bedroom plus two additional people, except for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., when the maximum number of people allowed is twice the maximum number of guests allowed. Children under 12 are not counted toward the maximums.

(2) New Vacation Rental. Except as provided in SCCC [18.10.124\(B\)](#), no public hearing shall be required and action on these applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance of the permit, pursuant to SCCC [18.10.222\(C\)](#) and (D). Appeals of the proposed action on the application may be made by the applicant or any member of the public. Pursuant to SCCC [18.10.124\(B\)](#), the Planning Director may refer the application to the Zoning Administrator or Planning Commission for a public hearing.

- (a) When a public hearing is required, notice of such a public hearing shall be provided not less than 10 calendar days before the public hearing, pursuant to SCCC [18.10.223](#).
- (b) In the Live Oak Designated Area, no new vacation rental shall be approved if parcels with existing vacation rentals on the same block total 20 percent or more of the total parcels on that block that allow residential use, excluding those parcels in the Mobile Home Park Combining Zone District. In addition, no more than 15 percent of all of the parcels that allow residential use in the Live Oak Designated Area, excluding those parcels in the Mobile Home Park Combining Zone District, may contain vacation rentals. Notwithstanding these maximums, each block in the Live Oak Designated Area that has parcels that allow residential use, excluding those parcels in the Mobile Home Park Combining Zone District, may have at least one vacation rental.
- (c) Applicants for a permit for a new vacation rental shall provide the following to the Planning Department:
- (i) Completed application form.
  - (ii) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter, except that if the application requires a public hearing due to referral of the application to the Zoning Administrator or Planning Commission, then the application will be converted to an "at cost" application and the applicant will be billed for staff time associated with processing the application.
  - (iii) Plans, which do not need to be drawn by a professional, drawn to scale including the following:
    - A. Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.
    - B. Floor plan showing all rooms with each room labeled as to room type.
  - (iv) Copy of a rental/lease agreement, which shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, children under 12 not counted; for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed); number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional on-street); noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).
  - (v) Copy of a County of Santa Cruz transient occupancy registration certificate for the purpose of the operation of a vacation rental.
- (d) Number of People Allowed. The maximum number of guests allowed in a new residential vacation rental shall not exceed two people per bedroom plus two additional people, except for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., when the maximum number of people allowed is twice the maximum number of guests allowed. Children under 12 are not counted toward the maximums.

(3) Renewal of Vacation Rental Permits in the Live Oak Designated Area. In the Live Oak Designated Area only, vacation rental permits must be renewed every five years. An application to renew a permit for a vacation rental in the Live Oak Designated Area shall be made no sooner than 180 days before expiration of the existing permit. Determination that the application is complete shall stay the expiration of the existing permit until final action is taken on the renewal application. Except as provided in SCCC [18.10.124\(B\)](#), no public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit, pursuant to SCCC [18.10.222\(C\)](#) and (D). Appeals of the proposed action on the renewal application may be made by the applicant or any member of the public.

- (a) If a public hearing is required, the Planning Director shall schedule the public hearing before either the Zoning Administrator or the Planning Commission, at the Planning Director's discretion. Notice of such a public hearing shall be provided not less than 10 calendar days before the public hearing, pursuant to SCCC [18.10.223](#).
- (b) Applicants for renewal of a permit for a vacation rental in the Live Oak Designated Area shall provide the following to the Planning Department:
- (i) Completed application form.
  - (ii) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter, except that if the application requires a public hearing due to referral of the application to the Zoning Administrator or Planning Commission, then the application will be converted to an "at cost" application and the applicant will be billed for staff time associated with processing the application.
  - (iii) Proof of payment of transient occupancy tax for the use of the dwelling as a vacation rental and a summary of the dates the unit was used as a vacation rental between the time of issuance of the existing permit and the date of application for the

renewal. Renewal applications must show significant rental use of the unit for two of the previous five years.

(c) The renewal process shall include a staff review of County records and other pertinent information specific to complaints, if any, that have been received about the particular vacation rental. Approval of a vacation rental renewal permit shall be based on affirmative findings as set forth in SCCC [18.10.230\(A\)](#). Denial of an application for renewal shall be based on one or more of the required findings not being able to be made, as set forth in SCCC [18.10.230\(A\)](#).

(E) Local Contact Person. All vacation rentals shall designate a contact person within a 30-mile radius of the vacation rental. The contact person shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. A property owner who lives within a 30-mile radius of the vacation rental may designate himself or herself as the local contact person.

The name, address, and telephone number(s) of the local contact person shall be submitted to the Planning Department, the local Sheriff Substation, the main County Sheriff's Office, and the local fire agency, and supplied to the property owners of all properties located within a 300-foot radius of the boundaries of the parcel on which the vacation rental is located. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

(F) Signs. All vacation rentals shall have a sign identifying the structure as a permitted vacation rental and listing a 24-hour local contact responsible for responding to complaints and providing general information, which shall be placed no more than 20 feet back from the nearest street. The sign may be of any shape, but may not exceed 216 square inches. There is no minimum sign size so long as the information on the sign is legible from the nearest street.

(G) Posting of Rules. Vacation rental rules shall be posted inside the vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, children under 12 not counted; for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed), number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional on-street), noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(H) Noise. All residential vacation rentals shall comply with the standards of Chapter [8.30](#) SCCC, Noise, and a copy of that chapter shall be posted inside the vacation rental in a location readily visible to all guests. No use of equipment requiring more than standard household electrical current at 110 or 220 volts or activities that produce noise, dust, odor, or vibration detrimental to occupants of adjoining dwellings is allowed.

(I) Transient Occupancy Tax. Each residential vacation rental owner shall meet the regulations and standards set forth in Chapter [4.24](#) SCCC, including any required payment of transient occupancy tax for each residential vacation rental unit.

(J) Dispute Resolution. By accepting a vacation rental permit, vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.

(K) Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in Chapter [19.01](#) SCCC, Enforcement of Land Use Regulations. If more than two documented, significant violations occur within any 12-month period a permit may be reviewed for possible amendment or revocation. Evidence of significant violations includes, but is not limited to, copies of citations, written warnings, or other documentation filed by law enforcement; and copies of homeowner association warnings, reprimands, or other association actions, or other documents which substantiate allegations of significant violations.

(L) It is unlawful to make a false report to the Sheriff's Office regarding activities associated with vacation rentals. [Ord. 5092 § 6, 2011].

#### **13.10.695 Locational criteria for timber cutting and removal.**

*Repealed by Ord. 4873. [Ord. 4578 § 4, 1999; Ord. 4571 § 1, 1999].*

### **Part VII. DEFINITIONS**

#### **13.10.700 Definitions.**

For the purposes of this chapter certain terms used herein are defined as follows:

(A) All words in the present tense shall include the future tense. All words in the singular number shall include the plural number and all words in the plural number shall include the singular number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory.

(B) All terms used in this chapter shall be as defined in the General Plan, including the Local Coastal Program Land Use Plan glossaries, except as noted in this chapter. [Ord. 3432 § 1, 1983].

**13.10.700-A “A” definitions.**

“A” means the Agricultural Zone District (SCCC 13.10.310).

“Abutting, adjoining, adjacent” means touching the subject parcel and not separated from the subject parcel by a road, street, or other property.

Accessory. See “Appurtenant use.”

“Affected property” means any property whose buildings, fences, other structures or vegetation interfere with, or is likely in the future to interfere with, the solar access of the existing or proposed solar energy system.

“Affordable housing” means housing capable of purchase or rental by a person with average or below average income, as determined periodically by the U.S. Department of Housing and Urban Development based on the median household income for Santa Cruz County.

“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 lands, Types 1, 2, and 3” means agricultural land type designations applied pursuant to a County classified system as established in Chapter [16.50](#) SCCC (SCCC [16.50.030](#) and [16.50.040](#)).

“Agricultural Policy Advisory Commission” means an advisory commission created pursuant to Chapter [16.50](#) SCCC to advise the Board of Supervisors and Planning Commission on policy matters related to agricultural uses.

“Agricultural preserve” means a contract between a landowner and Santa Cruz County establishing that certain land will be used only for agricultural purposes for a minimum of 10 years. The 10-year period is renewed every year. In recognition of this land use restriction, the landowner may receive preferential taxation on that land.

“Agricultural service establishment” means a business engaged in activities designed to support agricultural production and marketing such as application of agricultural chemicals, grading and irrigation contracting, harvesting, hauling of produce or other agricultural products, and large scale off-site cold storage facilities. This service does not include manufacturing or processing.

“Agriculture” means the art or science of cultivating the ground, including the harvesting of crops and the rearing and management of livestock; tillage; husbandry; farming; horticulture.

“Air strip” means a landing strip for private planes of the property owner, employee, or guest; a noncommercial landing strip.

“Alley” means a passage or way open to public travel permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Allowed Use. See “Use, allowed.”

“Amusement park” means a site authorized for outdoor recreation consisting of rides, games of skill, and food concessions.

“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.

“Animal raising, family” means the noncommercial raising or maintaining of poultry or other fowl (not including guinea fowl, crowing roosters, turkey gobblers or peacocks) or rabbits, chinchillas, hamsters, guinea pigs or similar small animals. (See also SCCC [13.10.643](#) for animal keeping in the RA Zone.)

“AP” means the Agricultural Preserve Zone District (SCCC 13.10.310).

“Approving body” means the officer or hearing body which makes the determination on applications at each processing level, as defined in SCCC [18.10.112](#), including the Planning Director, the Zoning Administrator, the Planning Commission and the Board of Supervisors.

“Appurtenant use” means any use accessory to the main use and customarily a part thereof; an appurtenant use is clearly incidental and secondary to the main use and does not change the character of the main use.

Aquaculture. Section 30100.2 (California Coastal Act) defines “aquaculture” and states: “‘Aquaculture’ means a form of agriculture as defined in Section [17](#) of the Fish and Game Code. Aquaculture products are agricultural products, and aquaculture facilities and land uses shall be treated as agricultural facilities and land uses in all planning and permit issuing decisions governed by this division.”

Attached. For purposes of determining the requirement for minimum separation between structures, any two structures shall be considered attached and not required to maintain a minimum separation if they are connected by a continuous roofline which conforms to the architectural style of the structures.

“Attached structure” means a structure joined by a common wall or floor/ceiling assembly to another structure with a door or stairs providing interior access from the one to the other.

Attic. For planning and zoning purposes, an attic is the space between the underside of the roof framing (rafters or beams that directly support the roof sheathing) and the upperside of the ceiling framing. Attics are not considered a story. If any part of an attic is seven feet six inches or higher, then all areas greater than five feet zero inches in height shall count as area for FAR calculations.

“Automobile repair shop” means a structure or portion thereof where automobiles or parts thereof are overhauled, repaired, rebuilt, or reconditioned, including body and fender work or painting.

“Automobile service station” means a place where gasoline or other motor fuel, lubricating oil or grease for the operation of automobiles or other vehicles are offered for sale to the public, including lubrication and incidental repairing, maintenance and washing, but excluding body and fender work and painting. No chain conveyor, blower or steam-cleaning device shall be used in connection therewith. (See also “Gasoline station.”)

“Automobile Wrecking Yards.” See “Motor vehicle wrecking yard.” [Ord. 4836 § 104, 2006; Ord. 4496-C § 59, 1998; Ord. 4495 § 8, 1998; Ord. 4324A § 2, 1994; Ord. 4282 § 2, 1993; Ord. 4159 § 6, 1991; Ord. 4158 § 5, 1991; Ord. 4099 § 5, 1990; Ord. 3769 § 1, 1986; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

#### **13.10.700-B “B” definitions.**

Basement. For planning and zoning purposes, a basement is the space below the bottom of the floor framing (joists or girders that directly support the floor sheathing) and the basement floor.

To qualify as a basement, more than 50 percent of the basement exterior perimeter wall area must be below grade and no more than 20 percent of the perimeter exterior wall may exceed five feet six inches above the exterior grade.

If any part of a basement is seven feet six inches or higher, then all areas greater than five feet zero inches in height shall count as area for FAR calculations.

Basements are not considered as a story.

“Bath or massage establishment” means any establishment having a fixed place of business where baths or massages are provided, conducted, carried on, or permitted as a main or primary use.

“Bed and breakfast inn” means a dwelling in which not more than five bedrooms are available for short-term rental not to exceed 30 days, but not including nursing homes.

“Bedroom” means any space in the conditioned (heated) area of a dwelling unit which is 70 square feet and greater in size and which is an exterior room shall be counted as a bedroom unless it is one of the following:

- (1) Hall;
- (2) Bathroom;
- (3) Kitchen;
- (4) Living room (maximum of one per dwelling unit);
- (5) Dining room (opening off of the kitchen or living room, maximum one per dwelling unit);
- (6) Family room (opening off of the kitchen or living room, maximum one per dwelling unit);
- (7) Breakfast nook (opening off of the kitchen, maximum of one per dwelling unit);
- (8) Pantry (maximum of one per dwelling unit);
- (9) Laundry room;
- (10) Closet/dressing room opening off of a bedroom.

Sewing rooms, dens, offices, studios, lofts, game rooms, and any other exterior room 70 square feet and greater in size shall be counted as bedrooms regardless of whether they are entered through a door, unless the room is otherwise exempted.

The Planning Director may grant exceptions, if, in his/her discretion, a room cannot, by its design, function as a bedroom.

“Benefitted property” means any property whose solar access may be adversely affected by construction or vegetation on the parcel for which a development permit is being requested.

“Block” means the properties abutting on one side of a street between two intersecting or intercepting streets, or between an intersecting or intercepting street and a railroad right-of-way, unsubdivided land or watercourse.

“Board” means the Board of Supervisors of the County of Santa Cruz.

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

“Brewpub” means a very small brewery producing less than 15,000 barrels a year which is sold exclusively at a restaurant or pub on the premises. Additionally, other suppliers’ bottled beer as well as wine is typically sold to patrons for consumption on the premises.

“Buffer” means a strip of land separating two distinct land uses, such as residential and commercial or residential and agricultural and which acts to soften or reduce the effect of one land use on another. Buffers may include such measures as landscaping, and/or physical barriers, and distance to produce the softening effect.

“Building” means any wood frame structure or more lasting type of construction, having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any person or animal, but not including any tent, recreational vehicle, or mobile home, and not including preconstructed buildings (see definition).

“Building Official” means the person appointed by the Planning Director to head the Permit and Inspection Services Section of the Planning Department.

“Building site” means an area of land occupied by or proposed as a location for a building or manufactured home. [Ord. 4836 § 105, 2006; Ord. 4496-C §§ 60, 61, 1998; Ord. 4396 § 2, 1995; Ord. 4346 § 35, 1994; Ord. 4159 § 6, 1991; Ord. 4122 § 9, 1991; Ord. 4119 § 9, 1991; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

### **13.10.700-C “C” definitions.** Amended Ord. 5160

“C-1” means the Neighborhood Commercial Zone District (SCCC 13.10.330).

“C-2” means the Community Commercial Zone District (SCCC 13.10.330).

“C-4” means the Commercial Services Zone District (SCCC 13.10.330).

“CA” means the Commercial Agricultural Zone District (SCCC 13.10.310).

“Campgrounds” means land or premises which are used or intended to be used, let or rented for temporary occupancy by campers travelling by automobile or otherwise, or for occupancy by tents or similar quarters; tent or recreational vehicle camping parks.

“Camp, organized” means a site having facilities for the purpose of conducting a supervised program which provides educational, spiritual, social, or recreational elements. Group camp.

“Cat” means a domestic cat (*Felis catus*) of either sex, altered or unaltered, that has reached the age of four months.

“Child care home, large family” means a dwelling whose occupant provides care, protection, and supervision of between seven and 14 children, at any time, for periods of less than 24 hours a day in accordance with a State license.

“Child care home, small family” means a dwelling whose occupant provides care, protection, and supervision of up to eight children, at any time, for periods of less than 24 hours a day in accordance with a State license.

“Club” means any association or club activity except one whose chief activity is a service customarily carried on as a business.

“Coastal Zone” means that incorporated area of the County of Santa Cruz as defined by the California Coastal Act of 1976, Division 20 of the California Public Resources Code, as the Coastal Zone. This area is identified by the Coastal Zone Combining District in SCCC 13.10.410.

“Commercial feed lot” means premises on which animals are held or maintained for the purpose of feeding and fattening for market as distinguished from feed yards accessory to the raising of animals in connection with agricultural pursuits.

“Commission” means the Planning Commission as appointed by the County Board of Supervisors. See Chapter [2.74](#) SCCC.

“Compatibility analysis” means an analysis, prepared by a certified forester, of the effect of a proposed use on the long-term management of timber resources on the parcel or parcels for which the use is proposed or which could be affected by the proposed use.

“Congregate care senior housing” means elderly housing with individual living units which provides residents with central management, a minimum of two meals per day in a central dining facility, and transportation services. Congregate care also provides recreational and social activities and facilities. Maid and linen service, sundries, beautician, banking and other similar services may also be made available where they are appurtenant to the congregate care use on the site. Another term used for congregate care housing is life care facility, which is a congregate care development as described above in conjunction with a nursing and medical facility.

“Conversion” means a change from full-service or the reduction or elimination of any service listed under the definition of “Gas stations, full-service.”

“Corner sight clearance triangle” means a triangular area formed by two lot lines abutting upon a street, alley, or driveway and a line connecting them at points equally distant from their intersection within which, for vehicular and pedestrian visibility and safety purposes, no fence, hedge, landscaping, wall, structure, or material that exceeds three feet in height may be placed.

“Corridor access lot” means a parcel with access to a street by means of a corridor having frontage and width less than that required by the applicable zone district for the site.

“Cottage industry” means construction and sales of primarily hand-crafted products, such as glass-blowing and jewelry making.

“Country club” means a private club having recreation facilities often including a golf course.

“Covered area” means the area below a roof overhang or uncovered deck, where the height to the overhang or projection above is seven feet six inches or more.

The first three feet zero inches of a covered area, measured from the exterior wall or the line of support (columns, etc.), is not counted towards gross area determination. Thereafter, covered areas shall be counted at 1/2:1 for gross area calculations.

“Covered porch” is the covered, unenclosed portion over porches, balconies, decks, terraces and patios.

A trellis or arbor does not count as a covered porch.

The first 140 square feet of covered porch area is not counted.

The porch area beyond the 140 square foot allowance shall be counted at a 1/2:1 ratio for floor area calculations.

“CT” means the Coastal/Tourist Commercial Zone District (SCCC 13.10.330). [Ord. 5124 § 3, 2012; Ord. 5115 § 3, 2012; Ord. 5095 § 3, 2011; Ord. 4873 § 11, 2007; Ord. 4808 §§ 22, 23, 2005; Ord. 4496-C § 62, 1998; Ord. 4346 § 36, 1994; Ord. 4159 § 6, 1991; Ord. 3756 § 4, 1986; Ord. 3632 § 22, 1985; Ord. 3432 § 1, 1983].

### **13.10.700-D “D” definitions.**

“Day-care center” means a State-licensed facility which provides nonmedical care for children or adults in need of personal services, supervision, or assistance, for periods of less than 24 hours per day.

“Day-care home, family” means a dwelling whose occupant provides care, protection, and supervision of not more than 12 disabled or ill children or adults, at any time, for periods of less than 24 hours a day.

“Density” means the number of permanent residential dwelling units (or their equivalent) or people per acre of land. All densities specified in the General Plan and LCP Land Use Plan with the exception of overriding minimum standards are expressed in net developable acres or net developable square footage per unit. Dwelling units include all residential units having kitchen facilities, including single-family homes, mobile homes, and individual townhouse, condominium, and apartment units. When a property is designated on the land use map and on the resources and constraints map for different density standards, consistency with the applicable standards can be met only by satisfying the most restrictive of the requirements for the affected portions of the property. Where a parcel has two different designations on the land use map, consistency with the General Plan and LCP Land Use Plan is met by conforming to the different standards for the different portions of the property.

“Density bonus/incentive zoning” means the allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location. Under California law, a housing development that provides 20 percent of its units for lower income households, or 10 percent of its units for very low income households, or 50 percent of its units for seniors is entitled to a density bonus.

“Density credit” means the number of dwelling units allowed to be built on a particular property determined by applying the designated General Plan and LCP Land Use designation density and implementing zone district to the developable portions of the property and to those nondevelopable portions of the property for which credit may be granted (see definition of “Developable land”). Where credit is allowed for a nondevelopable portion of the property, the dwelling units must be located in the developable portion of the property. The following areas

which are not developable land shall be granted density credit for development density.

Outside the USL and RSL:

- (1) Land with slopes between 30 and 50 percent.

Inside the USL and RSL:

- (1) Land with slopes less than 30 percent in the required buffer setback from the top of the arroyo or riparian corridor, up to a maximum of 50 percent of the total area of the property which is outside the riparian corridor.

Countywide Credits. The following areas are subject to special site and/or development criteria and shall be granted full density credit:

- (1) Rare and endangered plant and animal habitats.
- (2) Archaeological sites.
- (3) Critical fire hazard areas.
- (4) Buffer areas established between nonagricultural land uses and commercial agricultural land.
- (5) Landslide areas determined by a geological study to be stable and suitable for development.
- (6) Historic sites.

"Department" means the County Planning Department.

"Depth" means the horizontal distance between the front property line or the edge of the road right-of-way and the rear property line of a site measured along a line midway between the side property lines. The depth of a corridor lot shall be measured from the rear line of the corridor.

"Detached structure" means a structure that is freestanding or attached to another structure by a breezeway.

"Developable land" means land which is suitable as a location for structures and which can be improved through normal and conventional means, free of development hazards, and without disruption or significant impact on natural resource areas.

The following areas shall not be considered as developable land:

- (1) Land with slope greater than 30 percent and coastal bluffs.
- (2) Riparian corridors, wooded arroyos, canyons, stream banks, areas of riparian vegetation and areas within a 50-foot setback from the top of riparian corridor.
- (3) Lakes, marshes, sloughs, wetlands, water areas, beaches and areas within the 100-year floodplain.
- (4) Areas of recent or active landslides.
- (5) Land within 50 feet of an active or potentially active fault trace.
- (6) Commercial agricultural land and mineral resource areas.
- (7) Areas subject to inundation as defined by a geologic hazards assessment or full geologic report.

The definition of "net developable area" is found in SCCC 13.10.700-N. See definition of "density credit" in this section.

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including but not limited to subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511).

"Director" means the County Planning Director, or his or her authorized representative, appointed pursuant to law.

"Dog" means a domestic dog (*Canis familiaris*) of either sex, altered or unaltered, that has reached the age of four months.

“Drive-in uses” means all those facilities where:

- (1) Food, goods or services are dispensed to occupants of automobiles parked in designated spaces without the need to wait in line, including car-service restaurants.
- (2) Nonmechanical maintenance is performed on a vehicle parked in a designated space, usually while a customer remains on the premises, including conveyor type car washes and holding-tank dumping stations.

“Drive-through uses” means any use which provides food, goods, or services to occupants of automobiles passing continuously past a pick-up station, including drive-through fast-food restaurants, drive-through dairy products stores, drive-through banks, and drive-through cleaners.

“Dwelling” means a one-family dwelling, multiple-family dwelling, or lodging house. For purposes of this definition, automobile trailers, mobile homes, hotels, motels, labor camps, tents, railroad cars, and temporary structures shall not be deemed dwellings, except that a mobile home may be deemed to be a dwelling when it has been authorized to be used for single-family residential purposes by a permit issued pursuant to the provisions of SCCC [13.10.682](#).

“Dwelling group” means a group of two or more detached or semi-detached one-family or multiple-family dwellings occupying a parcel of land in one ownership and having any yard or court in common.

“Dwelling, single-family” means a detached building, or a semi-detached building sharing one common wall with an adjacent dwelling unit, which contains one dwelling unit.

“Dwelling unit” means a structure for human habitation providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, with the restrictions that only one kitchen or set of food preparation facilities is allowed in each dwelling unit and an interior stairway shall be provided between all stories. [Ord. 4808 § 24, 2005; Ord. 4737 § 3, 2003; Ord. 4518-C § 1, 1999; Ord. 4426 § 3, 1996; Ord. 4099 § 5, 1990; Ord. 3682 § 1, 1985; Ord. 3632 § 23, 1985; Ord. 3432 § 1, 1983].

#### **13.10.700-E “E” definitions.**

“Emergency shelter” shall mean housing with minimal supportive services for homeless persons that is limited to nighttime occupancy by clients.

Energy Facilities, Renewable. (Reserved).

“Energy facility” means any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal or other energy resource; excluding solar energy systems (refer to SCCC 13.10.700-S), wind energy conversion systems (refer to SCCC 13.10.700-W), and community energy systems (refer to this section).

“Energy system, community” means an energy producing facility which simultaneously produces electricity and useful thermal energy for use in more than one building; including all storage and transmission facilities associated with the community energy system. [Ord. 5083 § 3, 2010; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

#### **13.10.700-F “F” definitions.**

“Family” means one person living alone, or two or more persons related by blood or marriage or a group of not exceeding five persons (excluding servants) who need not be related by blood or marriage, living together as a single housekeeping unit, in a dwelling unit as distinguished from a group occupying a hotel, club, fraternity or sorority house.

“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 SCCC [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.

“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors.

“Fence” means any construction of wood, metal, plastic, earth or other materials obstructing the clear view, but not including a structure as defined herein or a hedge.

“Floor area” is that area within the surrounding exterior walls of a building, including the wall thickness, and is the total of each story, mezzanine, and basement. Uncovered courtyards or atriums which are open to the sky above do not count as floor area.

“Floor area ratio (FAR)” means the gross area divided by the net site area.

“Floor area, gross” means the total horizontal area in square feet on each floor of a structure, but not including the area of inner courts, or shaft enclosures.

“Floor area, net” means the gross floor area minus storage, hallways, and stairways.

“Foster home” means a private home including “foster” family homes and “group homes” licensed by the County Department of Social Services or the State Division of Social Services in which one or more children under 19 years of age, not related to the proprietary family, are resident on a more or less permanent basis and in which said children participate in normal family relationships with said proprietary family.

“Frontage” means the property line of a site abutting on a street or on the edge of a right-of-way, not including the side line of a corner lot. [Ord. 5124 § 4, 2012; Ord. 5115 § 4, 2012; Ord. 5095 § 4, 2011; Ord. 4159 § 6, 1991; Ord. 4158 § 6, 1991; Ord. 4122 § 9, 1991; Ord. 4119 § 9, 1991; Ord. 3593 § 17, 1984; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

### 13.10.700-G “G” definitions.

“Games establishment” means a commercial establishment containing six or more pinball machines, electronic video-screen games, football games, hockey games, skeebowls, or any other similar games or machines for the use of which fees are paid directly into the machines or to an operator.

“Garage” or “carport” means an accessory structure or a portion of a main structure, having a permanent roof, and designed for the storage of motor vehicles.

“Garage, storage” means a structure or part thereof used for the storage, parking or servicing of motor vehicles, but not the repair thereof.

“Gardening, family” means the noncommercial raising for family use of vegetables, berries, trees, fruits, vines, grapes, flowers, ornamental trees or shrubs.

“Gasoline station” means a place where gasoline or other motor fuel, lubricating oil or grease for the operation of automobiles or other vehicles are offered for sale to the public. (See also “Automobile service station.”)

“Gas station, full-service” means a gas station which offers all of the following services or products: the provision of gas, air, water, oil, and window-washing performed by the station attendant; public restrooms; and the sale and installation of minor auto-related parts such as fan belts, water hoses, windshield wiper blades, tires, transmission oil, brake fluid, and maps.

“Gas station, self-service” means a gas station which provides gas, oil, water and air installed by the consumer.

“GH” means the Geologic Hazards Combining District (SCCC 13.10.420).

“GP” means the County General Plan.

“Gross building area” is the sum of all areas (attic, basement, mezzanine, under floor, covered area, covered porch, and floor area) minus their allowed deductions. [Ord. 4921 § 19, 2008; Ord. 4324A § 3, 1994; Ord. 4282 § 3, 1993; Ord. 4159 § 6, 1991; Ord. 3632 § 24, 1985; Ord. 3432 § 1, 1983].

### 13.10.700-H “H” definitions. [Amended Ord. 5160](#)

“H” means the Affordable Housing Combining Zone District (SCCC 13.10.430).

“Habitable accessory structure” means a detached, subordinate structure, the use of which is appropriate, subordinate and customarily incidental to that of the main structure or the main use of the land and which is located on the same site with the main structure or use and contains some or all of the required amenities and some or all of the allowed amenities shown in Table 13.10.611-1, Amenities Regulations, for habitable accessory structures.

“Habitable floor area” means the square footage of floor area of all stories of a dwelling, excluding garage, carport, and accessory structures.

“Habitable room” means a visitor accommodation consisting of any room which can be used for sleeping accommodations, including living rooms, but not including bathrooms and kitchens. A unit over 400 square feet in total square footage, including bathrooms and kitchens, creates a presumption of more than one habitable room.

“Hatchery, poultry” means any business involving the artificial incubation of fowl but where live poultry over two days of age are not kept on

the premises.

“Hedge” means any arrangement of plants or trees obstructing the clear view.

“Height of structure” is the vertical distance between the existing or finish grade, whichever is lower, to the uppermost point of the structure.

“Historic theme park” means a park or commercial amusement establishment, the design and contents of which have a basis in the history of a place or area and which therefore have an educational focus.

“Home occupation” means an accessory use of a dwelling unit for gainful employment involving the manufacture, provision or sale of goods or services performed by a full-time inhabitant of the unit.

“Hostel” means a dormitory style facility for temporary occupancy visitor accommodations.

“Hotel” means a structure or portion thereof in which there are six or more completely furnished individual guest rooms or suites, which maintains an interior lobby through which tenants must pass to gain access to guest rooms or suites, usually occupied on a transient basis, where lodging with or without meals is provided for compensation and in which more than 60 percent of the guest rooms or suites are without kitchens. [Ord. 5124 § 5, 2012; Ord. 5095 § 5, 2011; Ord. 4921 § 21, 2008; Ord. 4194 § 2, 1992; Ord. 4099 § 5, 1990; Ord. 3632 § 25, 1985; Ord. 3593 § 18, 1984; Ord. 3432 § 1, 1983].

#### **13.10.700-I “I” definitions.**

“I” means the Statement of Intention Combining Zone District (SCCC 13.10.440).

“Incidental” means any use which is secondary or subordinate to the principal or main use of a property and which clearly does not change the character of the main use. For example, a restaurant or gift shop in a resort (which caters primarily to patrons of the resort).

“Industry, Light”; “Industry, Heavy.” See SCCC 13.10.340, et seq.

Intensification of Use, Nonresidential. Any change or expansion of a nonresidential use which will result in both a greater than 10 percent increase in parking need and more than two spaces, or which is determined by the Planning Director likely to result in a significant new or increased impact due to potential traffic generation, noise, smoke, glare, odors, hazardous materials, water use and/or sewage generation, shall be an “intensification of use” for purposes of this chapter.

Intensification of Use, Residential. Any change to a residential use which results in an increase of its number of bedrooms, as defined in SCCC 13.10.700-B, shall be an “intensification of use” for the purposes of this chapter. [Ord. 5119 § 33, 2012; Ord. 4525 §§ 10, 11, 1998; Ord. 4346 § 37, 1994; Ord. 4285 § 2, 1993; Ord. 3632 § 26, 1985; Ord. 3432 § 1, 1983].

#### **13.10.700-J “J” definitions.**

“Junk yard” means a site or portion of a site on which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, used lumber yards and the like, excepting a site on which uses are conducted within a complete enclosed structure and excepting motor vehicle wrecking yards as defined in this chapter. An establishment for the sale, purchase, or storage of used cars or salvaged machinery in operable condition or for the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junk yard. [Ord. 3432 § 1, 1983].

#### **13.10.700-K “K” definitions.**

“Kennel” means any lot, building, structure, enclosure or premises whereupon or wherein are kept five or more dogs, cats or similar small animals over the age of four months in any combination for more than five days, whether such keeping is for pleasure, profit, breeding, or exhibiting and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale or kept for hire.

“Kitchen or food preparation facilities” means any room or portion of a room used or intended or designed to be used for cooking and/or the preparation of food and containing one or more of the following appliances: any sink having a drain outlet larger than one and one-half inches in diameter, any refrigerator larger than two and one-half cubic feet, any hot plate, burner, stove or oven. [Ord. 3432 § 1, 1983].

#### **13.10.700-L “L” definitions.**

“L” means the Historic Landmark Combining Zone District (SCCC 13.10.450).

“Laboratory, biomedical” means any facility that is especially equipped for medical or pharmaceutical experimentation, testing, procedures, research, development, or production, excluding any equipment that is used exclusively for the injection of biological agents, the drawing of blood from animals, or the separation of animal blood into serum and plasma.

“LCP” means the Local Coastal Program.

“LCP LUP” means the Local Coastal Program Land Use Plan.

“Lighting, indirect” means lighting shining on but not directly from a building or sign.

“Lighting, interior” means lighting encased in and shining through translucent covering.

“Livestock” means any grazing, browsing or similar equine, porcine, bovine, ovine, or other ruminant, including but not limited to any horse, pony, mule, donkey, pig, hog, cow, ox, sheep, goat, or llama, excepting those prohibited by Chapter [6.12](#) SCCC.

“Livestock operation, biomedical” means an agricultural livestock management operation that uses livestock for experimentation or for the production of any biomedical or pharmaceutical product or by-product. A biomedical research facility, as defined by Federal or State law, and when physically separated from any biomedical laboratory, may be considered a biomedical livestock operation under this definition.

“Lodging house” means a dwelling in which lodging or lodging and meals are provided for compensation for more than three but not more than 15 persons other than members of the resident family excepting a nursing home as defined herein.

“Lot” means a parcel of land designated on a subdivision final map or parcel map.

Lot, Corridor Access. See “Corridor access lot.”

“Lot, corner” means a lot bounded by two or more adjacent streets which intersect at an angle of not more than 135 degrees and not less than 45 degrees.

“Lot coverage” means the percentage of the lot covered by structures, measured by dividing the horizontal area covered by structures, not including eaves or uncovered cantilevered decks, by the horizontal area of the lot. (See also definition of “Habitable floor area.”)

“Lot, double frontage” means an interior lot having its front and rear property lines abutting on streets or rights-of-way to which it has legal access, or a corner lot bounded by two streets intersecting at an angle of less than 45 degrees.

“Lot, interior” means a lot other than a corner lot.

“Lot, key” means the first interior lot to the rear of a reversed corner lot; or a lot between two corner lots.

“Lot, reversed corner” means a corner lot with three frontages, the side line of which is substantially a continuation of the front property line of the first lot to its rear. Property owner has only one opportunity to choose which yard is front and which yard is side.

“Lot line, front” means a line separating an interior lot from a street, or a line separating either the narrower or the wider street frontage of a corner lot from a street, at the option of the owner. Property owner has only one opportunity to choose which yard is front. [Ord. 5061 § 21, 2009; Ord. 4836 §§ 106, 107, 2006; Ord. 4474-C § 2, 1998; Ord. 4158 § 7, 1991; Ord. 3593 § 19, 1984; Ord. 3432 § 1, 1983].

#### **13.10.700-M “M” definitions.**

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“M” means mining permit (Chapter [16.54](#) SCCC).

“M-1” means the Light Industrial Zone District (SCCC 13.10.340).

“M-2” means the Heavy Industrial Zone District (SCCC 13.10.340).

“M-3” means the Mineral Extraction Zone District (SCCC 13.10.340).

“Major structural components” means the foundation, floor framing, exterior wall framing and roof framing of a structure. Exterior siding, doors, window glazing, roofing materials, decks, chimneys and interior elements including but not limited to interior walls and sheetrock, insulation, fixtures, and mechanical, electrical and plumbing elements are not considered major structural components. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors.

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Section [5401](#), et seq.)

“Matrix system” means a set of specific criteria which determines residential densities within General Plan density ranges based on the degree of physical development hazards or constraints present, the presence of natural resources to be protected and utilized, the adequacy of access and the level of public services and facilities available, and the existing land use pattern in the area. (See Chapter [13.14](#) SCCC, Rural Residential Density Determinations.)

“Matrix unit” means a dwelling unit determined and allowed by the rural residential density determination matrix (Chapter [13.14](#) SCCC).

“Mezzanine or Mezzanine Floor.” For planning and zoning purposes, a “mezzanine” is an intermediate floor between stories that opens into

another room so that the floor area of the mezzanine does not exceed one-third of the room area onto which it opens. (Adjacent rooms or area which are more than 50 percent open to a mezzanine are considered part of that space).

If the mezzanine is more than one-third of the room area that it opens onto, then it is a story.

Stairways and intermediate landings are counted under the "floor area" category and are not counted as part of the mezzanine area. Mezzanines are not considered as a story.

"Microbrewery" means a small scale brewery producing less than 15,000 barrels a year primarily intended for local and/or regional consumption, and operated in conjunction with a restaurant or pub.

"MLD" means minor land division (Chapter [14.01](#) SCCC).

"Mobile home" means a large trailer-type vehicle designed and equipped for human habitation and for being drawn by a motor vehicle usually connected to utilities but not mounted on a permanent foundation.

"Mobile home park" means any area or tract of land where two or more mobile home lots are sold, rented, or leased or held out for sale, rent, or lease to accommodate mobile homes used for human habitation. The rental paid for any such mobile home shall be deemed to include rental to the lot it occupies.

"Mobile home sales lot" means a site authorized for the parking and display of unoccupied mobile homes which are available for sale, rent, or lease; may include recreational vehicles or travel trailers but does not include commercial vehicles or commercial trailers.

"Motel" means a structure or portion thereof or a group of attached or detached structures containing completely furnished individual guest rooms or suites, usually with garage attached or parking space located in proximity to each unit, where lodging is provided for compensation, and in which more than 60 percent of the guest rooms or suites are without kitchens.

"Motor vehicle wrecking yard" means a site or portion of a site on which the dismantling or wrecking of used vehicles, whether self-propelled or not, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts, is conducted. The presence on a site of three or more motor vehicles which have not been capable of operating under their own power for 30 days or more, or in the case of vehicles not self-propelled, which have not been towable or from which parts have been removed for reuse or sale, shall constitute prima facie evidence of a motor vehicle wrecking yard.

"Multifamily dwelling" means a structure containing more than one dwelling unit, designed for occupancy or occupied by more than one family, as distinguished from a motel or hotel. [Ord. 5169 § 5, 2013; Ord. 5119 § 34, 2012; Ord. 5090 § 1, 2011; Ord. 4346 § 38, 1994; Ord. 4159 § 6, 1991; Ord. 4122 § 9, 1991; Ord. 4119 § 9, 1991; Ord. 4036 § 8, 1989; Ord. 3632 § 27, 1985; Ord. 3432 § 1, 1983].

#### **13.10.700-N "N" definitions.**

"Net developable area" means the portion of a parcel which can be used for density calculations; public or private road rights-of-way and land not developable (see definition of "developable land") are not included in the net developable area of a parcel.

"Nonconforming structure" means a structure that was lawfully erected prior to adoption, revision or amendment of this chapter but that does not conform with standards for lot coverage, setbacks, height, number of stories, distance between structures, or floor area ratio currently prescribed in the regulations for the zoning district in which the structure is located.

"Nonconforming use" means a use of structure or land that was legally established and maintained prior to the adoption, revision or amendment of this chapter but does not conform to the current use standards, and density standards where applicable, of both the zone district and/or the General Plan/Local Coastal Program land use designation in which the use is located. A nonconforming structure is not a nonconforming use. A legally established use shall not be deemed nonconforming due to the lack of a use permit.

"Nonhabitable accessory structure" means a detached subordinate structure, the use of which is appropriate, subordinate and customarily incidental to that of the main structure or the main use of the land and which is located on the same site with the main structure or use and contains some or all of the features and amenities shown in Table 13.10.611-1, Amenities Regulations, for nonhabitable accessory structures.

"North" means the direction of the terrestrial north pole.

"Nursing home" means a structure used for the rooming or boarding of any aged or convalescent person or persons whether ambulatory or nonambulatory, for which a license is required by a County, State or Federal agency. The term "convalescent" is construed to include the mentally ill and the addicted. [Ord. 5119 §§ 35, 36, 2012; Ord. 4921 § 22, 2008; Ord. 4525 § 12, 1998; Ord. 4368 § 2, 1995; Ord. 4099 § 5, 1990; Ord. 3632 § 28, 1985; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

#### **13.10.700-O "O" definitions.**

"O" means the Open Space Easement Combining Zone District (SCCC 13.10.460).

“Offices, administrative or executive” means offices pertaining to the management of office operations or the direction of enterprises but not including merchandising or sales offices.

“Offices, professional” means offices pertaining to the practice of the professions and arts, including but not limited to architecture, dentistry, engineering, law and medicine, but not including the sale of drugs or prescriptions except as incidental to the principal use and where there is no external evidence of such incidental use.

“Off-street loading berth” means a portion of a site designated for the parking of a vehicle, truck, van, or semitrailer while it is being loaded or unloaded.

“Off-street parking facilities” means a site or a portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives and landscaped areas.

“Open space easement contract” means a contract between a landowner and Santa Cruz County to restrict the development of land in return for a property tax reduction or stabilization; the minimum term of the contract is 10 years. The 10-year period is renewed every year. Open space easement contracts required as a condition of a development approval shall be in perpetuity.

“Open space easement dedication” means an irrevocable offer of dedication to the County or other public or private agency acceptable to the County for open space, scenic, or public access or recreation purposes.

“Outdoor advertising structure” means a structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed.

“Over-height fence certification” means an administrative approval certifying that a fence that does not require approval of a coastal development permit pursuant to SCCC [13.20.060](#) or [13.20.070](#), and which is between the maximum height allowed without a development permit and the lowest height for which a Level IV development permit is required pursuant to SCCC [13.10.525](#)(C)(3), meets the purposes of the fence and retaining wall regulations in SCCC [13.10.525](#)(A) and (B). [Ord. 5119 § 37, 2012; Ord. 5124 § 6, 2012; Ord. 5115 § 5, 2012; Ord. 4525 § 13, 1998; Ord. 3787-B § 1, 1986; Ord. 3432 § 1, 1983].

#### **13.10.700-P “P” definitions.**

“P” means the Agricultural Preserve Combining Zone District (SCCC 13.10.470).

“PA” means the Professional and Administrative Offices Zone District (SCCC 13.10.330).

“PC” means Planning Commission.

Permitted Use. See “Use, principal permitted.”

“Person” means any individual, firm, association, corporation, partnership, business, trust company; a local public agency to the extent specified in Sections [53090](#) et seq. of the California Government Code; or the State or a State agency or city when not engaged in a sovereign activity.

“PF” means the Public and Community Facilities Zone District (SCCC 13.10.360).

“Planning Commission” means the Planning Commission as appointed by the Board of Supervisors. See Chapter 3.05 SCCC.

“Pool cabana” means an accessory structure less than 70 square feet in size used for bathing or changing purposes in conjunction with a swimming pool.

“PR” means the Parks, Recreation and Open Space Zone District (SCCC 13.10.350).

“Preconstructed buildings” means buildings constructed off-site and assembled on-site, not including mobile homes.

Principal Permitted Use. See “Use, principal permitted.”

“Procedural amendment” means any amendment to the zoning ordinance which: (1) does not change any property from one zone to another; or (2) does not impose any regulation listed in Section [65850](#) of the Government Code not theretofore imposed; or (3) does not remove any such regulation theretofore imposed.

“Projection area” means the area below a projecting floor, covered deck or other projecting portion of a building, where the height below the projection is seven feet six inches or more.

Projection areas below projections which extend more than three feet zero inches from the face of the exterior wall or which with other projections on that side of the building exceed one-third of the building length on that side are counted at a 1:1 ratio in their entirety for gross area calculations.

Areas below projections that extend less than three feet zero inches in depth or with other projections on that side of the building which do not exceed one-third of the length of that side of the building are not counted towards gross area calculations.

“Public utility service yard” means a site or portion of a site on which a public utility company may store, house and/or service equipment such as service trucks and other trucks and trailers, pumps, spools of wire, pipe conduits, transformers,

crossarms, utility poles, or any other material, tools, or supplies necessary for the routine maintenance of utility facilities. [Ord. 4921 § 20, 2008; Ord. 4159 § 6, 1991; Ord. 3432 § 1, 1983].

#### **13.10.700-Q “Q” definitions.**

Reserved.

#### **13.10.700-R “R” definitions.**

“R-1” means the Single-Family Residential Zone District (SCCC 13.10.320).

“RA” means the Residential Agricultural Zone District (SCCC 13.10.320).

“RB” means the Ocean Beach Residential Zone District (SCCC 13.10.320).

“Reconstruction” means modification or replacement of 65 percent or more of the major structural components (see SCCC 13.10.700-M) of an existing structure within any consecutive five-year period. The extent of alterations to major structural components will be calculated in accordance with administrative guidelines adopted by resolution of the Board of Supervisors.

“Recreational rental unit” means a dwelling unit used for temporary visitor accommodations pursuant to the County’s uniform transient occupancy tax ordinance (Chapter [4.24](#) SCCC).

“Recreational vehicle” means a self-powered portable dwelling, camper, or motor home designed for temporary occupancy and not larger than eight feet by 40 feet, which may be driven on public highways without a special permit.

“Recreational vehicle sales lot” means a site authorized for the parking and display of unoccupied motor homes, campers, or travel trailers which are available for sale, rent, or lease, but not including mobile homes, commercial vehicles, or commercial trailers.

“Recreational vehicle storage lot” means a site authorized for the storage of privately owned unoccupied travel trailers, campers, and recreational vehicles but not mobile homes.

“Recycling facility” is a facility for the drop-off, buyback, deposit, or return for redemption, of recyclable material. Recyclable material is reusable material including but not limited to aluminum, glass, plastic and paper which is intended for remanufacture or reconstitution for the purpose of using the altered form. A recycling facility consists of a reverse vending machine, collection facility, or processing facility, as defined below. A recycling collection facility may also consist of a facility for the collection of reusable household goods or clothes by a charitable organization such as Salvation Army or Goodwill.

- (1) “Reverse vending machine” is a mechanical device which accepts one or more types of empty beverage containers, including aluminum cans, glass, and plastic bottles, and cartons, and issues a cash refund or a redeemable credit slip with a value not less than the container’s redemption value.
- (2) “Small collection facility” means a facility for the deposit, buyback, or drop-off of recyclable materials. A small collection facility occupies an area of not more than 650 square feet, is associated with a commercial use, community facility or public facility on the site, and includes:
  - (a) Bins, boxes, cans, kiosk-type units, and/or other containers or receptacles; and/or
  - (b) A properly licensed automobile, truck, trailer, or van.
- (3) “Large Collection/Processing Facility.” A large collection or processing facility occupies more than 650 square feet, may occupy a single site rather than being associated with a commercial use, community facility or public facility use, may utilize a building or other permanent structure, and may conduct processing operations utilizing power-driven sorting or consolidation equipment such as balers, crushers, separators, or bulk reverse vending machines.

“Registered solar energy system” means any solar energy system registered with the County as requesting solar access protection, and in compliance with the conditions for that registration.

“Residential care home or small family home, adult” means a family residence in which room, board, and nonmedical personal care services including supervision of and assistance with eating, dressing, personal hygiene, daily activity, health maintenance, transportation and protective safeguards for one or more adults, not including members of the licensee’s family, are provided.

“Riparian corridor” means those areas as defined in Chapter [16.30](#) SCCC, Riparian Corridor and Wetlands Protection, SCCC [16.30.030](#).

“RM” means the Multifamily Residential Zone District (SCCC 13.10.320).

“RR” means the Rural Residential Zone District (SCCC 13.10.320).

“Rural” means outside the urban services line.

“Rural services line (RSL)” means a fixed boundary line defining those areas located outside the urban services line which have recognized urban densities which may or may not have full urban services. [Ord. 5119 § 38, 2012; Ord. 4525 § 14, 1998; Ord. 4496-C § 63, 1998; Ord. 4416 § 9, 1996; Ord. 4406 § 9, 1996; Ord. 4098 § 2, 1990; Ord. 3843 § 8, 1987; Ord. 3632 § 29, 1985; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

### **13.10.700-S “S” definitions.**

“Sandwich shop” includes coffee shops, soda fountains, milk bars, snack bars, carry out restaurants, and other similar fast-food outlets.

“Second unit” means a structure for human habitation, subject to the requirements of SCCC [13.10.681](#) and limited in size to 640 gross square feet within the urban services line (USL) and up to 1,200 square feet outside the USL, providing complete independent living facilities, including permanent provision for living, sleeping, eating, cooking and sanitation, with the restriction that only one kitchen is allowed.

“Secondary” means, in reference to a use, not the primary or main use of a property. In reference to an access road, an alternate access road complying with fire hazard road standard specifications.

“Servants’ quarters” means living accommodations attached to the main building, such quarters having no kitchen facilities and designed for and used by persons regularly employed on the property, and not rented or otherwise used as a separate dwelling.

“Sign” means anything whatsoever placed, erected, constructed, posted, painted, printed, tacked, nailed, glued, stuck, carved, or otherwise fastened, affixed or made visible for out-of-door advertising purposes in any manner whatsoever on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. For the purpose of this chapter, the advertising area of only one side of a double-faced sign shall be used in determining the advertising area.

“Sign, appurtenant” means a sign relating only to goods sold or services rendered upon the building site on which said sign is erected or maintained.

“Site” means a parcel of land, occupied, or to be occupied, by a use or structure.

“Site area” means the total horizontal area included within the property lines of a site, except a corridor access portion of an access corridor or lot.

“Site area, net” means:

- (1) Outside the urban services line, the total site area less all public or private rights-of-way designated for vehicle access.
- (2) Inside the urban services line, for all coastal bluff-top parcels, the total site area less:
  - (a) All public or private rights-of-way designated for vehicle access; and
  - (b) Coastal bluff, beaches, and all land seaward of the mean high tide line of Monterey Bay.
- (3) Inside the urban services line, for all parcels located at the toe of a bluff or on the beachfront, the total site area less:
  - (a) All public or private rights-of-way designated for vehicle access; and
  - (b) All land seaward of the mean high tide line of Monterey Bay.

“Site Area, Net Developable.” See “Site area, net” and “Net developable area.”

“Site width” means the horizontal distance between the side property lines of a site measured on an alignment parallel to the front property line along the rear line of the required front yard.

“Small animal hospital” means any premises on which three or more dogs or cats or small animals are maintained for observation or treatment for injury or disease.

“Solar access” means the ability of sunlight to strike a solar energy system. For the purpose of this title, protection of solar access requires locating buildings and trees where their shadows will not obstruct more than 10 percent of the sunlight available to the solar energy system between the hours of 10:00 a.m. and 2:00 p.m., Pacific Standard Time, on December 21st.

“Solar energy system” means any solar collector or other solar energy device, or any structural design feature of a building whose primary purpose is to provide for the collection, storage and distribution of solar energy for space heating or cooling, for water heating or for electricity. Glazing facing within 45 degrees of south is protected, under the provisions of this title, as a solar energy system when at least 60 percent of the space heating load for the building is supplied by solar energy.

“South” means the direction of the terrestrial south pole.

“SP” means the Salamander Protection Combining Zone District (SCCC 13.10.480).

“Story” means, for planning and zoning purposes, that portion of a building included between the upper surface of any floor and the lower surface of the floor or ceiling above. An attic, basement, mezzanine, or under floor does not count as a story.

“Story, first” means the lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than eight feet below grade, as defined herein, at any point.

“Street” means an existing permanent public or private right-of-way, 40 feet or more in width, which is used as the principal means of access to abutting properties, or any such right-of-way less than 40 feet in width which was physically existing and in use as the principal means of access to abutting property prior to July 1962.

“Street line” means the boundary between a street and abutting property.

“Structure” means anything constructed or erected which requires a location on the ground, including a building, but not including a swimming pool, a fence, or a wall used as a fence (including retaining walls), or a deck less than 18 inches in height.

“Structure, accessory” means a detached, subordinate structure, or a subordinate structure attached to a main structure by a breezeway, the use of which is appropriate, subordinate and customarily incidental to that of the main structure or the main use of the land and which is located on the same site with the main structure or use.

“Structure, main” means a structure housing the principal use of a site or functioning as the principal use.

“Structural walls” means any bearing wall of a building.

“SU” means the Special Use Zone District (SCCC 13.10.380).

“Subordinate Use.” See definition of “Appurtenant use.” [Ord. 5119 §§ 39, 40, 2012; Ord. 5042 § 3, 2009; Ord. 4836 §§ 108, 109, 2006; Ord. 4525 §§ 15, 16, 1998; Ord. 4495 § 9, 1998; Ord. 4159 § 6, 1991; Ord. 4122 § 9, 1991; Ord. 4119 § 9, 1991; Ord. 3593 § 20, 1984; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

### **13.10.700-T “T” definitions.**

“TH” means timber harvesting permit (Chapter [16.52](#) SCCC).

“Temporary occupancy, limited (in an organized camp or conference center)” means sleeping facilities for participants (temporary occupants) which have time restrictions as to use.

“Temporary occupancy, unlimited (in an organized camp or conference center)” means sleeping facilities for participants (temporary occupants) which have no time restrictions as to use (i.e., they may be scheduled full time).

“Temporary relocation” means a temporary relocation of a use for a period not to exceed 18 months by reason of a natural disaster for which a local emergency has been declared by the Board of Supervisors.

“Temporary use” means an intermittent (not more than four times per year) commercial activity, the period of operation of which does not exceed 45 days at any one time.

“Timber” means trees of any species suitable for eventual harvest for forest products purposes, whether planted or of natural growth, standing or down, on privately or publicly owned land, but not including nursery stock.

“Timberland” means privately owned land, or land acquired for State forest purposes, which is devoted to and used for growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

“Timber management plan” means a written plan for the development and utilization of timber resources and compatible uses which assures the continued viability of the timberland, and which includes reasonable rotation and cutting cycle date.

“Time-share visitor accommodations” means visitor accommodations facilities in which the ownership interest in individual units is divided in time. Time-share visitor accommodations units commonly are sold by the week for up to a maximum of 51 weeks per year.

“Town plan” means a plan adopted in conformance with the County General Plan which is applicable to a specific area that requires a detailed planning effort.

“Town plan area” means an area within the unincorporated area that has been subject to a more detailed, area-specific planning than is normally part of an overall General Plan update, and where a design framework, area plan, village plan, or specific plan has been adopted by the Board of Supervisors and incorporated into the County General Plan.

“TP” means the Timberland Preserve Zone District (SCCC 13.10.370).

“Trailer park” means a site authorized for the temporary parking of privately owned, occupied travel trailers, campers, and recreational vehicles, but not mobile homes.

“Travel trailer” means a nonpowered portable dwelling designed for temporary occupancy and not larger than eight feet by 40 feet, which may be towed on public highways without a special permit; does not include campers, recreational vehicles, motorhomes, or mobile homes. [Ord. 4217 § 4, 1992; Ord. 4160 § 3, 1991; Ord. 4030 § 3, 1989; Ord. 3432 § 1, 1983].

### **13.10.700-U “U” definitions.**

“U” means use approval (SCCC [13.10.220](#)).

“Under Floor.” For planning and zoning purposes, “under floor” is the space between the underside of the floor framing (joists or girders that directly support the floor sheathing) and the grade below.

To qualify as an under floor there must be no stairway access.

If any point of the under floor is seven feet six inches or more in height, then all the area in the under floor that is five feet zero inches or more in height shall count as area for the floor area calculations.

Under floors are not considered as a story.

“Unobstructed sunlight” means energy from the sun which is not blocked by any visible matter or structure and which is devoid of shadows.

“Urban” means inside the urban services line.

“Usable open space” means an outdoor area which is required under SCCC [13.10.323\(F\)](#) to be available for use by occupants of a multiple dwelling unit.

“Use” means the purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered or enlarged or for which either a site or a structure is or may be occupied or maintained.

“Use, accessory” means a use subordinate to any main use and customarily a part thereof, which use is clearly incidental and secondary to the main use and which does not change the character thereof.

“Use, allowed” means any use which may take place in a particular zone district.

“Use, principal permitted” means a use allowed in the basic zone district, the approval of which is not appealable to the Coastal Commission except in the geographic areas and certain cases specified in Chapter [13.20](#) SCCC.

“User day” means one participant for one day, including overnight, except in the case of specified day use only occupancy. [Ord. 4416 § 10, 1996; Ord. 4406 § 10, 1996; Ord. 4159 § 6, 1991; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

### **13.10.700-V “V” definitions.**

“V” means variance (SCCC [13.10.230](#)).

“VA” means the Visitor Accommodations Zone District (SCCC 13.10.330).

“Vacation rental” means a single-family dwelling unit, duplex, or triplex (including condominium and townhouse units, but not including apartments or manufactured homes in a mobile home park), rented for the purpose of overnight lodging for a period of not more than 30 days other than (1) ongoing month-to-month tenancy granted to the same renter for the same unit, (2) one less-than-30-day period per year, or (3) a house exchange for which there is no payment. Habitable accessory structures, nonhabitable accessory structures, second units constructed under the provisions of SCCC [13.10.681](#), and legally restricted affordable housing units shall not be used as vacation rentals.

“Vegetation” means all plant life.

“Video game establishment” means any commercial establishment having six or more video games.

“Visitor accommodations, Types A and B” means visitor serving facilities for overnight or extended stay use, such as hotels, motels,

horizontal hotels, inns, lodges, recreational vehicle parks, hostels, commercial camping, and appurtenant uses.

Type A = lodging house/motel/hotel/inn/horizontal hotel.

Type B = camping, group quarters, hostel, RV parks, where designated.

“Visitor accommodations (VA) unit” means a visitor serving unit not exceeding four rooms, one of which is a bathroom, and one of which may be a kitchen or an additional bathroom, and not exceeding 600 square feet overall. A studio with bath and kitchenette counts as three-quarters unit. [Ord. 5092 § 7, 2011; Ord. 3501 § 17, 1984; Ord. 3432 § 1, 1983].

#### **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.

“Wind energy conversion system” means a machine that converts the kinetic energy in the wind into a usable form (commonly known as a wind turbine or windmill). The WECS includes all parts of the system except the tower and the transmission equipment. [Ord. 3632 § 30, 1985; Ord. 3501 § 17, 1984].

#### **13.10.700-X “X” definitions.**

Reserved.

#### **13.10.700-Y “Y” definitions.**

“Yard” means a required setback space adjacent to a front, side, or rear property line or right-of-way, within which no structure may be built.

“Yard, front” means a yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line or the inside edge of a right-way and a line parallel thereto on the site.

“Yard, rear” means a yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site.

“Yard, side” means a yard extending from the rear line of the required front yard, or from the front property line of a site where no front yard is required, to the front line of the required rear yard, or the rear property line of the site where no rear yard is required, the depth of which is the minimum horizontal distance between the side property line and a line parallel thereto on the site. [Ord. 3432 § 1, 1983].

#### **13.10.700-Z “Z” definitions.**

Reserved.

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#### **The Santa Cruz County Code is current through Ordinance 5174, passed February 11, 2014.**

The Santa Cruz County Codes are provided here as a public service. This online version of the County Code should not be relied upon for legal determination. Official Santa Cruz County Codes are on file in the Office of the Clerk of the Board. The County of Santa Cruz is not liable for any omissions or inaccuracies and is not liable for any reliance on these codes by the reader. It is recommended that you consult official Santa Cruz County Codes in the Office of the Clerk of the Board.

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