

Supervisor Peter Adam

Proposed changes to the Cannabis Ordinance

Inland Zone changes:

- In all zones where cultivation is permitted, all Cultivation Permits (Outdoor, Mixed-light, Nurseries, not Indoor) moved from a Land Use Permit (LUP) to a Zoning Clearance (ZC).
- Retail (mobile only) permitted on Ag I, Ag II, and M-2 with a Land Use Permit.
- Manufacturing and Distribution minimums “in county”, rather than “on lot”.
- Removal of all or in part the following Development Standards on Ag I, Ag II, M-1, M-2 zoned properties:
 - Preparation of archaeological and paleontological surveys;
 - Preparation and implementation of an energy conservation plan;
 - Fencing and security plan (in part);
 - Landscape and screening plan;
 - Lighting plan (in part);
 - Noise plan (Exemption on Ag-II) ;
 - Odor abatement plan (add Ag-I, Ag-II, M-1, M-2 properties 40 acres or greater are EXEMPT from Odor Control that are 1000 feet or more from a residentially zoned property.); and
 - Tree protection, habitat protection, and wildlife movement plans.
- Volatile Manufacturing permitted with a Land Use Permit, instead of a Conditional Use Permit.
- Non-volatile manufacturing and Retail not allowed in Mixed Use Zoning.
- Cannabis cultivation does not need to be addressed separately from other agriculture commodities in the Uniform Rules.

Attached is a DRAFT of how these goals may be accomplished.

**ATTACHMENT 2:
LAND USE DEVELOPMENT CODE**

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE TO IMPLEMENT NEW DEVELOPMENT STANDARDS, PERMIT REQUIREMENTS AND PROCEDURES REGARDING COMMERCIAL CANNABIS ACTIVITIES, AND MAKE OTHER MINOR CLARIFICATIONS, CORRECTIONS, AND REVISIONS.

Case No. 17ORD-00000-00004

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining, & Energy Facilities, Retail Trade, Transportation, Communications, Infrastructure sections of Table 2-1 Allowed Land Uses and Permit Requirements for Agricultural Zones, of Section 35.21.030, Agricultural Zones Allowable Land Uses, of Chapter 35.21, Agricultural Zones, to read as follows:

Table 2-1 Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	35.42.020
Agricultural processing - On-premise products	P	P (3)	35.42.040
Agricultural processing - Off-premise products	—	CUP (3)	35.42.040
Agricultural processing – Extensive	—	CUP (4)	35.42.040
Animal keeping (except equestrian facilities, see RECREATION)	S	S	35.42.060
Aquaculture	—	CUP	35.42.070
Aquaponics	—	S (5)	35.42.060
<u>Cannabis – Cultivation and nursery</u>	<u>S</u>	<u>S</u>	<u>35.42.075</u>
<u>Cannabis – Microbusiness</u>	<u>—</u>	<u>S</u>	<u>35.42.075</u>
Cultivated agriculture, orchard, vineyard	E	E	
Grazing	E	E	
Greenhouse	P	P (6)	35.42.140
Mining - Agricultural soil export	—	MCUP	35.82.160
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	35.82.160
Mining- Surface, less than 1,000 cubic yards (7)	P	P	35.82.160
Mining- Surface, 1,000 cubic yards or more	CUP	CUP	35.82.160
Oil and gas uses	S	S	35.5
Utility-scale photovoltaic facilities	—	CUP	35.59
Winery	S	S	35.42.280

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

<u>Cannabis – Manufacturing</u>	<u>S</u>	<u>S</u>	<u>35.42.075</u>
<u>Cannabis – Testing</u>	<u>—</u>	<u>—</u>	
Composting facility	MCUP	MCUP	35.42.100

Composting (small scale)	—	S (5)	35.21.060
Fertilizer manufacturing	—	CUP (4)	
Firewood processing and sales	—	S (5)	35.21.060
Lumber processing, milling (small scale)	—	S (5)	35.21.060

Key to Zone symbols

AG-I	Agriculture I	AG-II	Agriculture II
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Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.21.030.C.
- (3) See Section 35.42.070.C for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (4) Use limited to areas designated on the Land Use Element Maps with the “Agricultural Industry overlay.”
- (5) Limited to locations within the Gaviota Coast Plan area.
- (6) See Section 35.42.140.C for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (7) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.
- (8) See Section 35.42.240.D for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

Table 2-1 – Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

RETAIL TRADE

Agricultural product sales	P	P (6)	35.42.050
<u>Cannabis - Retail</u>	<u>=S</u>	<u>=S</u>	

Key to Zone Symbols

AG-I	Agriculture I	AG-II	Agriculture II
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Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.21.030.C.
- (3) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.42.205.
- (4) Limited to locations within the Gaviota Coast Plan area; see Section 35.28.210.I.
- (5) Limited to specific locations. See the limitations on location for the use in Chapter 35.42 (Standards for Specific Land Uses).
- (6) See Section 35.42.050.E for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (7) See Section 35.42.240.D for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Agricultural product transportation facility	—	CUP	35.42.040.B.2
Airport, public	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	
<u>Cannabis - Distribution</u>	<u>S</u>	<u>S</u>	<u>35.42.075</u>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project, less than 20,000 sf total area	P	P	
Flood control project, 20,000 sf or more total area	MCUP	MCUP	
Heliport	CUP	CUP	
Pipeline - Oil or gas	P	P	35.5
Public utility facility	CUP	CUP	
Public works or private service facility	MCUP	MCUP	
Road, street, less than 20,000 sf total area	P	P	
Road, street, 20,00 sf or more total area	P	P	
Telecommunications facility	S	S	35.44
Wind turbines and wind energy systems	S	S	35.57

Key to Zone Symbols

AG-I	Agriculture I	AG-II	Agriculture II
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Notes:

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.21.030.C](#).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

SECTION 2:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to add the section Industry, Manufacturing & Processing, Wholesaling, and change the Agricultural, Mining & Energy Facilities, Retail Trade, Transportation, Communications, Infrastructure sections of Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zones, of Section 35.22.030, Resource Protection Zones Allowable Land Uses, of Chapter 35.22, Resource Protection Zones, to read as follows:

Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	MT-GAV	MT-GOL	MT-TORO	RMZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Aquaculture	CUP	CUP	—	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	—	—	—	—	
<u>Cannabis – Cultivation, nursery, and microbusiness</u>	—	—	—	—	
Cultivated agriculture, orchard, vineyard - Historic legal use	—	—	E	MCUP	
Cultivated agriculture, orchard, vineyard - Limited slope	E	E	MCUP	CUP	
Cultivated agriculture, orchard, vineyard - Steep slope	MCUP	MCUP	MCUP	CUP	
Grazing	E	E	—	E	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (3)	P (3)	P (3)	P (3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	35.82.160
Oil and gas development, offshore, from onshore location	—	—	—	S	35.5
Oil and gas development, onshore	CUP	CUP	CUP	S	35.5
Oil and gas treatment and processing	—	—	—	S	35.5

Key to Zone Symbols

MT-GAV	Mountainous - Gaviota	MT-TORO	Mountainous - Toro Canyon
MT-GOL	Mountainous - Goleta	RMZ	Resource Management

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.22.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, than a CUP is required.

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	MT-GAV	MT-GOL	MT-TORO	RMZ	

RETAIL TRADE

Agricultural product sales	—	—	—	—	
<u>Cannabis - Retail</u>	==	==	==	==	

Key to Zone Symbols

MT-GAV	Mountainous - Gaviota	MT-TORO	Mountainous - Toro Canyon
MT-GOL	Mountainous - Goleta	RMZ	Resource Management

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.22.030.C.

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	MT-GAV	MT-GOL	MT-TORO	RMZ	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

<u>Cannabis - Manufacturing</u>	==	==	==	==	
<u>Cannabis - Testing</u>	==	==	==	==	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airport, public	—	CUP	CUP	CUP	
Airstrip, private and temporary	—	CUP	CUP	CUP	
Airstrip, temporary	—	CUP	—	—	
<u>Cannabis - Distribution</u>	==	==	==	==	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	
Heliport	CUP	CUP	CUP	CUP	
Pipeline - Oil and gas	P	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	P	P	P	P	
Telecommunications facility	S	S	S	S	35.44
Wind turbines and wind energy systems	S	S	S	S	35.57

Key to Zone Symbols

MT-GAV	Mountainous - Gaviota	MT-TORO	Mountainous - Toro Canyon
MT-GOL	Mountainous - Goleta	RMZ	Resource Management

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.22.030.C.
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

SECTION 3:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining, & Energy Facilities, Retail Trade, Transportation, Communications, Infrastructure sections of Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones, Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1 1	R-1/E-1 CZ	EX-1	EX-1 CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	35.42.060
Aquaculture	CUP	CUP	—	—	—	—	35.42.070
<u>Cannabis – Cultivation, nursery, and microbusiness</u>	<u>—</u>	—	<u>—</u>	—	<u>—</u>	—	
Cultivated agriculture, orchard, vineyard	E	E	E	E	E	E	
Greenhouse, 300 sf or less	P	P	P	P	P	P	35.42.140
Greenhouse, more than 300 sf to 800 sf	CUP	CUP	MCUP	MCUP	MCUP	MCUP	35.42.140
Greenhouse, 800 sf or more	CUP	CUP	—	—	—	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P	P(3)	P(3)	P(3)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	S	—	—	—	—	35.5

Key to Zone Symbols

RR	Rural Residential/Residential Ranchette	EX-1	One-Family Exclusive Residential
R-1/E-1	Single-Family Residential	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

RETAIL TRADE

Agricultural product sales, onsite production only	P	P	MCUP	MCUP	—	—	35.42.050
Cannabis – Retail	—	—	—	—	—	—	
Convenience store	—	—	—	—	—	—	
Drive-through facility, accessory to permitted use	—	—	—	—	—	—	
Visitor-serving commercial	—	—	—	—	—	—	

Key to Zone Symbols

RR	Rural Residential/Residential Ranchette	EX-1	One-Family Exclusive Residential
R-1/E-1	Single-Family Residential	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit (Section 35.82.110) for a primary single-family dwelling on a lot that resulted from the recordation of a Final (tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.42.205.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	—	—	—	
Airstrip, private and temporary	CUP	—	CUP	—	—	—	
Airstrip, temporary	—	CUP	—	CUP	—	—	
<u>Cannabis - Distribution</u>	—	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	CUP	CUP	
Electrical substation - Major	—	—	—	—	CUP	CUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	—	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Heliport	CUP	CUP	CUP	CUP	—	—	
Parking facility, commercial, for residential use	—	—	—	—	—	—	
Pipeline - Oil and gas	P	—	P	—	P	—	35.5
Public utility facility	CUP	—	CUP	—	CUP	—	
Public works or private service facility	MCUP	—	MCUP	—	MCUP	—	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	P	MCUP	P	MCUP	P	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	—	—	
Telecommunications facility	S	S	S	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	P	—	P	—	P	
Utility service line with 5 or more connections(4)	—	MCUP	—	MCUP	—	MCUP	
Wind turbines and wind energy systems	S	—	S	—	S	—	35.57

Key to Zone Symbols

RR	Rural Residential/Residential Ranchette	EX-1	One-Family Exclusive Residential
R-1/E-1	Single-Family Residential	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) Use is subject to the standards of the PU Zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

SECTION 4:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining, & Energy Facilities, Retail Trade, Transportation, Communications, Infrastructure sections of Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones, Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	ZC	Zoning Clearance						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	—	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	—	—	—	
<u>Cannabis – Cultivation, nursery, and microbusiness</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Cultivated agriculture, orchard, vineyard	E	E	E	E	—	E	E	
Greenhouse, 300 sf or less	P	P	P	P	—	—	—	35.42.140
Greenhouse, greater than 300 sf to 800 sf	MCUP	MCUP	—	—	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	—	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P	P(3)	P(3)	—	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	—	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	—	—	—	

Key to Zone Symbols

R-2	Two-Family Residential	PRD	Planned Residential Development
DR	Design Residential	CZ	Coastal Zone
MR-O	Multi-Family Residential – Orcutt		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	ZC	Zoning Clearance						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

RETAIL TRADE

Agricultural product sales, on-site production only	MCUP	MCUP	MCUP	MCUP	—	MCUP	—	35.42.050
<u>Cannabis – Retail</u>	—	—	—	—	—	—	—	
Convenience store	—	—	—	—	—	CUP	CUP	35.23.100.G
Drive-through facility, accessory to permitted use	—	—	—	—	—	CUP	CUP	35.42.130
Visitor-serving commercial	—	—	—	—	—	—	CUP	35.23.100.H

Key to Zone Symbols

R-2	Two-Family Residential	PRD	Planned Residential Development
DR	Design Residential	CZ	Coastal Zone
MR-O	Multi-Family Residential - Orcutt		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit (Section 35.82.110) for a primary one-family dwelling on a lot that resulted from recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) Limited to student housing facilities located in an area where such facilities are to be used by students of a permitted educational facility.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	ZC	Zoning Clearance						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	—	—	CUP	—	
Airstrip, private and temporary	CUP	—	CUP	—	—	CUP	—	
Airstrip, temporary	—	CUP	—	CUP	—	—	CUP	
<u>Cannabis – Distribution</u>	<u>—</u>							
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP							
Electrical substation - Minor (3)	MCUP							
Electrical substation - Major	—	—	—	—	—	—	—	
Electrical transmission line (4) (5)	CUP							
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP							
Heliport	CUP	CUP	CUP	CUP	—	CUP	CUP	
Parking facility, commercial, for residential use	—	—	—	—	—	—	—	
Pipeline - Oil and gas	P	—	P	—	—	P	—	35.5
Public utility facility	CUP	—	CUP	—	CUP	CUP	—	
Public works or private service facility	MCUP	—	MCUP	—	MCUP	MCUP	—	
Road, street, less than 20,000 sf total area	P	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area	P	MCUP	P	MCUP	P	P	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	—	—	CUP	
Telecommunications facility	S	S	S	S	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	P	—	P	—	—	P	
Utility service line with 5 or more connections (4)	—	MCUP	—	MCUP	—	—	MCUP	
Wind turbines and wind energy systems	S	—	S	—	—	S	—	35.57

Key to Zone Symbols

R-2	Two-Family Residential	PRD	Planned Residential Development
DR	Design Residential	CZ	Coastal Zone
MR-O	Multi-Family Residential - Orcutt		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

SECTION 5:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities section of Table 2-9 Allowed Land Uses and Permit Requirements for Residential Zones, Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

Table 2-9 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P	P	—	—	—	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	—	E	E	—	—	—	
Cannabis – Cultivation, nursery, and microbusiness	—	—	—	—	—	—	
Greenhouse, 300 sf or less	—	P	P	—	—	—	35.42.140
Greenhouse, 300 sf to 800 sf	—	MCUP	MCUP	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P	P	P(3)	P	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	—	—	

Key to Zone Symbols

SLP	Small Lot Planned Development	MHP	Mobile Home Planned Development
SR-M	Medium Density Student Residential	MHS	Mobile Home Subdivision
SR-H	High Density Student Residential		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

SECTION 6:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Retail Trade and Transportation, Communications & Infrastructure section of Table 2-9 Allowed Land Uses and Permit Requirements for Residential Zones, Section 35.23.030, Residential Zones Allowable Land Uses, of Chapter 35.23, Residential Zones, to read as follows:

LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

E Allowed use, no permit required (Exempt)
 P Permitted use, Land Use or Coastal Permit required (2)
 MCUP Minor Conditional Use Permit required
 CUP Conditional Use Permit required
 S Permit determined by Specific Use Regulations
 — Use Not Allowed

RETAIL TRADE

Agricultural product sales, on-site production only	—	MCUP	MCUP	—	—	—	35.42.050
<u>Cannabis - Retail</u>	—	—	—	—	—	—	
Convenience store	—	—	—	—	—	—	
Drive-through facility, accessory to permitted use	—	—	—	—	—	—	
Visitor-serving, commercial	—	—	—	—	—	—	

Key to Zone Symbols

SLP	Small Lot Planned Development	MHP	Mobile Home Planned Development
SR-M	Medium Density Student Residential	MHS	Mobile Home Subdivision
SR-H	High Density Student Residential		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit (Section 35.82.110) for a primary single-family dwelling on a lot that resulted from the recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) See Section 35.23.080 (Mobile Home Park zone standards).
- (5) Mobile home must be on a permanent foundation, see Section 35.42.205

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	—	CUP	—	CUP	
Airstrip, private and temporary	CUP	—	—	CUP	—	CUP	
Airstrip, temporary	—	CUP	CUP	—	CUP	—	
<u>Cannabis - Distribution</u>	—	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	—	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	
Parking facility, commercial, for residential use	—	MCUP	MCUP	—	—	—	
Pipeline - Oil and gas	P	—	—	P	—	P	35.5
Public utility facility	CUP	—	—	CUP	—	CUP	
Public works or private service facility	MCUP	—	—	MCUP	—	MCUP	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	P	MCUP	MCUP	P	MCUP	P	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	CUP	—	CUP	—	
Telecommunications facility	S	S	S	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	P	P	—	P	—	
Utility service line with 5 or more connections (4)	—	MCUP	MCUP	—	MCUP	—	
Wind turbines and wind energy systems	S	—	—	S	—	S	35.57

Key to Zone Symbols

SLP	Small Lot Planned Development	MHP	Mobile Home Planned Development
SR-M	Medium Density Student Residential	MHS	Mobile Home Subdivision
SR-H	High Density Student Residential		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) Use is subject to the standards of the PU Zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

SECTION 7:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities and Industry, Manufacturing & Processing, Wholesaling, Retail Trade, and Transportation, Communications & Infrastructure sections of Table 2-14, Allowed Land Uses and Permit Requirements for Commercial Zones, Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-14 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	—	—	
Agricultural processing	—	—	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	35.42.060
<u>Cannabis – Cultivation and nursery</u>	—	—	—	—	—	
<u>Cannabis – Microbusiness</u>	—	S	—	S	—	<u>35.42.075</u>
Cultivated agriculture, orchard, vineyard	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P(3)	P	P(3)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	S	—	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	—	
<u>Cannabis - Manufacturing</u>	—	—	—	—	—	
<u>Cannabis - Testing</u>	—	S	—	S	—	<u>35.42.075</u>
Furniture/fixtures manufacturing, cabinet shops	—	—	—	MCUP	MCUP	
Handcraft industry, small scale manufacturing	—	—	—	MCUP	MCUP	35.42.160
Laundry, dry cleaning plant	—	—	—	MCUP	MCUP	
Media production	—	—	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	—	MCUP	
Printing and publishing	—	—	—	—	—	
Recycling - Small collection center	—	—	—	MCUP	—	
Recycling - Small collection center, non-profit	—	P	P	MCUP	P	
Recycling - Specialized materials collection center	—	—	—	—	—	
Sign fabrication and painting shop	—	—	—	—	—	
Sign painting shop	—	—	—	MCUP	MCUP	
Storage - Contractor equipment storage yard	—	—	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	
Wholesaling and distribution - Essential to agriculture	—	—	—	—	—	

Key to Zone Symbols

CN	Neighborhood Commercial	C-2	Retail Commercial
C-1	Limited Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
CUP	Conditional Use Permit required					
S	Permit determined by Specific Use Regulations					
—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 EZ	C-2	C-2 EZ	
RETAIL TRADE						
Auto and vehicle sales and rental	—	—	—	P	P	
Bar, tavern	—	—	—	P(3)	P(3)	
Building and landscape materials sales - Indoor	—	—	—	MCUP	MCUP	
Building and landscape materials sales - Outdoor	—	—	—	MCUP	MCUP	
<u>Cannabis - Retail</u>	<u>—</u>	<u>S</u>		<u>S</u>		<u>35.42.075</u>
Convenience store, less than 3,000 sf or less net floor area	P(4)	P(5)	P	P	P	
Convenience store, 3,000 sf or more net floor area	P(4)	P(5)	P	P	P	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	—	—	
Fuel dealer	—	—	—	—	—	
General retail	P(4)	P(5)	P	P	P	
Grocery/food store, 3,000 sf or less	P(4)	P(5)	P	P	P	
Grocery/food store, 5,000 sf or less	—	P(5)	P	P	P	
Grocery/food store, more than 5,000 sf	—	P(5)	P	P	P	
Mobile home, boat, and RV sales and repair	—	—	—	MCUP	MCUP	
Office supporting retail	P(4)	P(5)	P	P	P	
Plant nursery	—	P	P	P	P	
Restaurant, café, coffee shop - Indoor and outdoor	P	P	P	P(3)	P(3)	
Restaurant, café, coffee shop,- Within an office building	—	—	—	—	—	
Service station	MCUP	MCUP	MCUP	P	P	
Shopping center - Community	—	—	—	—	—	
Shopping center - Convenience	—	—	—	—	—	
Swap meet	—	—	—	CUP	CUP	
Truck stop	—	—	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	MCUP	MCUP	
Visitor-serving commercial	—	—	—	P	P	

Key to Zone Symbols

CN	Neighborhood Commercial	C-2	Retail Commercial
C-1	Limited Commercial		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) May include beer brewing and wine making provided (a) the area devoted to beer brewing and wine making, including the area devoted to equipment and storage of materials and supplies, does not exceed 50 percent of the interior floor area of the primary business, and (b) the product is primarily sold for on-site consumption.
- (4) Limited to establishments that supply commodities to meet the day-to-day needs of residents in the neighborhood.
- (5) Limited to establishments that supply commodities to the residences in the neighborhood.

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	CUP	—	CUP	—	
Airstrip, private and temporary	CUP	CUP	—	CUP	—	
Airstrip, temporary	—	—	CUP	—	CUP	
<u>Cannabis - Distribution</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	
Parking facility, public or private	—	—	—	P	P	
Pier, dock	—	—	—	—	—	
Pipeline - Oil and gas	P	P	—	P	—	35.5
Public utility facility	CUP	CUP	—	CUP	—	
Public works or private service facility	MCUP	MCUP	—	MCUP	—	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	CUP	—	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	CUP	CUP	
Utility service line with less than 5 connections (4)	—	—	P	—	P	
Utility service line with 5 or more connections (4)	—	—	MCUP	—	MCUP	
Vehicle dispatch facility	—	—	—	—	—	
Vehicle storage	—	—	—	MCUP	MCUP	
Wind turbines and wind energy systems	S	S	—	S	—	35.57

Key to Zone Symbols

CN	Neighborhood Commercial	C-2	Retail Commercial
C-1	Limited Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

SECTION 8:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities and Industry, Manufacturing & Processing, Wholesaling, Retail Trade, and Transportation, Communications & Infrastructure sections of Table 2-15, Allowed Land Uses and Permit Requirements for Commercial Zones, Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-15 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CM-LA	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	—	—	P	—	35.42.020
Agricultural processing	P (3)	P (3)	P (4)	—	35.42.040
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	P	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
<u>Cannabis – Cultivation and nursery</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	
<u>Cannabis – Microbusiness</u>	<u>S</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>35.42.075</u>
Cultivated agriculture, orchard, vineyard	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	—	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (5)	P (5)	P (5)	—	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	—	35.82.160
Oil and gas uses	CUP	—	—	—	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

<u>Cannabis - Manufacturing</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>S</u>	<u>35.42.075</u>
<u>Cannabis - Testing</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>35.42.075</u>
Bakery and baked goods production and distribution	P	P (3)	—	—	
Furniture/fixtures manufacturing, cabinet shops	P (3)	P (3)	—	MCUP	
Handcraft industry, small scale manufacturing	MCUP	MCUP	—	MCUP	35.42.160
Laundry, dry cleaning plant	P (3)	P (3)	—	—	
Media production	—	—	—	—	
Metal products fabrication, machine and welding shops	P (3)	P (3)	—	—	
Printing and publishing	P	P (3)	—	—	
Recycling - Small collection center	—	CUP	—	—	
Recycling - Small collection center, non-profit	P	CUP	—	—	
Recycling - Specialized materials collection center	P	—	—	—	
Sign fabrication and painting shop	—	P (3)	—	MCUP	
Sign painting shop	P (3)	P	—	MCUP	
Storage - Contractor equipment storage yard	P	P (3)	—	—	
Storage - Personal storage facility (mini storage)	P	P	—	—	
Storage - Warehouse, not used for wholesaling or distribution	P	P	—	—	
Wholesaling and distribution	P (3)	P (3)	—	—	
Wholesaling and distribution - Essential to agriculture, except	P (3)	P	CUP	—	

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CM-LA	Community Mixed Use - Los Alamos

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Shall be conducted within a completely enclosed building except for material storage which may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (4) Restricted to the processing of on-premise products.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
CUP	Conditional Use Permit required				
S	Permit determined by Specific Use Regulations				
—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CM-LA	
RETAIL TRADE					
Auto and vehicle sales and rental	P	—	—	—	
Bar, tavern	P (3)	—	—	P	
Building and landscape materials - Indoor	P (4)	P (4)	—	—	
Building and landscape materials - Outdoor	P	P	—	—	
Cannabis - Retail	S	S	—	S	35.42.075
Convenience store, 3,000 sf or less net floor area	P	—	P (5)	P	
Convenience store, 3,000 sf or more net floor area	P	—	—	P	
Drive-through facility	CUP	CUP	CUP	—	35.42.130
Farm supply and feed store	P	P (4)	—	—	
Fuel dealer	P (6)	P (4)	—	—	
General retail	P	—	—	P	
Grocery/food store, 3,000 sf or less	P	—	CUP (5)	P	
Grocery/food store, 5,000 sf or less	P	—	CUP (5)	P	
Grocery/food store, more than 5,000 sf	P	—	—	P	
Mobile home, boat, and RV sales and repair	—	—	—	—	
Office supporting retail	P	—	—	P	
Plant nursery	P	—	—	P	
Restaurant, café, coffee shop - Indoor and outdoor	P (5)	—	P (5)	P	
Restaurant, café, coffee shop - Within an office building	—	—	—	—	
Service station	P	—	P	— (7)	
Shopping center - Community	—	—	—	—	
Shopping center - Convenience	—	—	—	—	
Swap meet	CUP	—	—	CUP	
Truck stop	—	—	MCUP	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	P	—	—	—	
Visitor-serving commercial	P	—	P (5)	P	

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CM-LA	Community Mixed Use - Los Alamos

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Includes microbreweries that are accessory and secondary to a bar or restaurant.
- (4) Shall be conducted within a completely enclosed building except for material storage which may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (5) No off-premise alcoholic beverage sales allowed; no alcoholic beverage sales in restaurant except when food also served.
- (6) Limited to the sale of fuel for agricultural equipment.
- (7) A service station existing at the time of the adoption of the CM-LA zone shall be considered a permitted use rather than a nonconforming use.

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
CUP	Conditional Use Permit required				
S	Permit determined by Specific Use Regulations				
—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CM-LA	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	CUP	CUP	—	
Airstrip, private and temporary	CUP	CUP	CUP	—	
Airstrip, temporary	—	—	—	—	
<u>Cannabis - Distribution</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>35.42.075</u>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (5)	P	P	P	P	
Flood control project, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	—	
Parking facility, public or private	P	—	—	MCUP	
Pier, dock	—	—	—	—	
Pipeline - Oil and gas	P	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Transit station or terminal	P	—	P	—	
Utility service line with less than 5 connections (4)	—	—	—	P	
Utility service line with 5 or more connections (4)	—	—	—	P	
Vehicle dispatch facility	MCUP	—	—	—	
Vehicle storage	—	—	—	—	
Wind turbines and wind energy systems	S	S	S	—	35.57

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CM-LA	Community Mixed Use - Los Alamos

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

SECTION 9:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities and Industry, Manufacturing & Processing, Wholesaling, Retail Trade, and Transportation, Communications & Infrastructure sections of Table 2-16, Allowed Land Uses and Permit Requirements for Commercial Zones, Section 35.24.030, Commercial Zones Allowable Land Uses, of Chapter 35.24, Commercial Zones, to read as follows:

Table 2-16 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	—	—	
Agricultural processing	—	—	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	35.42.060
<u>Cannabis – Cultivation, nursery, and microbusiness</u>	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P	P(3)	P(3)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	—	—	
<u>Cannabis - Manufacturing</u>	—	—	S	—	—	<u>35.42.075</u>
<u>Cannabis - Testing</u>	—	—	—	S	—	<u>35.42.075</u>
Handcraft industry, small scale manufacturing	—	—	—	—	—	
Laundry, dry cleaning plant	—	—	—	—	—	
Media production	—	—	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	—	—	
Printing and publishing	—	—	—	—	—	
Recycling - Small collection center	—	—	—	—	—	
Recycling - Small collection center, non-profit	—	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	—	
Sign fabrication and painting shop	—	—	—	—	—	
Sign painting shop	—	—	—	—	—	
Storage - Contractor equipment storage yard	—	—	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	—	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	
Wholesaling and distribution - Essential to agriculture, except	—	—	—	—	—	

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Professional and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	
	E Allowed use, no permit required (Exempt) P Permitted use, Land Use or Coastal Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed					

RETAIL TRADE

Auto and vehicle sales and rental	—	—	—	—	—	
Bar, tavern	—	—	—	—	—	
Building and landscape materials - Indoor	—	—	—	—	—	
Building and landscape materials - Outdoor	—	—	—	—	—	
<u>Cannabis - Retail</u>	<u>—</u>	<u>—</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>35.42.075</u>
Convenience store, less than 3,000 sf net floor area	—	—	—	—	—	
Convenience store, 3,000 sf or more net floor area	—	—	—	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	—	—	
Fuel dealer	—	—	—	—	—	
General retail	—	—	—	—	—	
Grocery/food store, 3,000 sf or less	—	—	—	—	—	
Grocery/food store, 5,000 sf or less	—	—	—	—	—	
Grocery/food store, more than 5,000 sf	—	—	—	—	—	
Mobile home, boat, and RV sales and repair	—	—	—	—	—	
Office supporting retail	—	—	—	P	P	
Plant nursery	—	—	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	—	
Restaurant, café, coffee shop - Within an office building	—	—	—	CUP	CUP	
Service station	—	CUP(3)	—	—	—	
Shopping center - Community	—	—	S	—	—	
Shopping center - Convenience	—	—	S	—	—	
Swap meet	—	—	—	—	—	
Truck stop	—	—	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	—	—	
Visitor-serving commercial	P(4)	P(4)	—	—	—	

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) May be approved only in an area designated rural on the Coastal Land Use Plan maps, and where no other gasoline retail sales exists within 10 miles of site perimeter.
- (4) Use only allowed accessory and incidental to an approved resort/visitor-serving facility.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	CUP	—	
Airstrip, private and temporary	CUP	—	CUP	CUP	—	
Airstrip, temporary	—	CUP	—	—	CUP	
<u>Cannabis - Distribution</u>	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	—	—	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	—	—	
Heliport	CUP	CUP	CUP	CUP	CUP	
Parking facility, public or private	—	—	—	—	—	
Pier, dock	P	P	—	—	—	
Pipeline - Oil and gas	P	—	P	P	—	35.5
Public utility facility	CUP	—	CUP	CUP	—	
Public works or private service facility	MCUP	—	MCUP	MCUP	—	
Public works or public service structures	—	—	—	—	—	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	—	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	—	
Utility service line with less than 5 connections (4)	—	P	—	—	P	
Utility service line with 5 or more connections (4)	—	MCUP	—	—	MCUP	
Vehicle dispatch facility	—	—	—	—	—	
Vehicle storage	—	—	—	—	—	
Wind turbines and wind energy systems	S	—	S	S	—	35.57

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Professional and Institutional
SC	Shopping Center	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

SECTION 10:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities, Industry, Manufacturing & Processing, Wholesaling, Retail Trade, Transportation, Communications & Infrastructure sections of Table 2-22 Allowed Land Uses and Permit Requirements for Industrial Zones, Section 35.25.030, Industrial Zones Allowable Land Uses, of Chapter 35.25, Industrial Zones, to read as follows:

Table 2-22 Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt)							Specific Use Regulations
	P	Permitted use, Land Use or Coastal Permit required (2)							
	MCUP	Minor Conditional Use Permit required							
	CUP	Conditional Use Permit required							
	S	Permit determined by Specific Use Regulations							
	—	Use Not Allowed							
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations	
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ		
AGRICULTURAL, MINING & ENERGY FACILITIES									
Agricultural accessory structure	—	—	P	P	P	P	P	35.42.020	
Agricultural processing	—	—	P	P	P(3)	P(3)	P(3)		
Agricultural processing - Extensive	—	—	P	P	—	—	—		
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	P	P	—	—	—		
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	S	35.42.060	
Aquaculture	P	P	P	—	P	P	P	35.42.070	
<u>Cannabis – Cultivation and nursery</u>	<u>S</u>		<u>S</u>	<u>S</u>	<u>—</u>			<u>35.42.075</u>	
<u>Cannabis –Microbusiness</u>	<u>—</u>		<u>S</u>	<u>S</u>	<u>—</u>			<u>35.42.075</u>	
Cultivated agriculture, orchard, vineyard	—	—	E	E	E	E	E		
Grazing	—	—	—	—	E	E	E		
Greenhouse	—	—	—	—	P	P	P	35.42.140	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160	
Mining - Surface, less than 1,000 cubic yards	P(4)	P	P(4)	P(4)	P(4)	P	P	35.82.160	
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160	
Oil and gas uses	S	S	S	S	S	S	S(5)	35.5	
Winery	—	—	P(6)	P(6)	S(7)	—	—		

Key to Zone Symbols

M-RP	Industrial Research Park	M-CR	Coastal Related Industry
M-1	Light Industry	M-CD	Coastal Dependent Industry
M-2	General Industry		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Restricted to products produced on-premise and in compliance with Section 35.42.040 (Agricultural Processing Facilities)
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.
- (5) Requires a site on or adjacent to the sea to be able to function at all.
- (6) Does not include tasting rooms or onsite retail sales.
- (7) Subject to the regulations of Section 35.42.280 (Wineries).

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Appliance manufacturing	—	—	—	P	—	—	—	
Bakery and baked goods production and distribution	—	—	P	P	—	—	—	
Boat building and sales - Indoor and outdoor	—	—	P	P	—	—	—	
Business machine manufacturing and assembly	P	P	P	P	—	—	—	
<u>Cannabis - Manufacturing</u>	<u>S</u>		<u>S</u>	<u>S</u>	<u>—</u>			<u>35.42.075</u>
<u>Cannabis - Testing</u>	<u>S</u>		<u>S</u>	<u>S</u>	<u>—</u>			<u>35.42.075</u>
Ceramic product manufacturing	P	P	P	P	—	—	—	
Chemical product manufacturing	—	—	—	CUP	—	—	—	
Concrete, gypsum and plaster products	—	—	P	CUP	—	—	—	
Cosmetic and pharmaceutical manufacturing	P	P	P	P	—	—	—	
Electronics assembly	P	P	P	P	—	—	—	
Electronics equipment manufacturing	P	P	P	P	—	—	—	
Explosives, fireworks, and ordinance manufacturing	—	—	—	CUP	—	—	—	
Fertilizer plant	—	—	—	CUP	—	—	—	
Fish cannery	—	—	—	CUP	—	—	—	
Food and beverage product manufacturing	—	—	P	P	—	—	—	
Foundry	—	—	P(3)	P	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	P	P	—	—	—	
Handcraft industry, small scale manufacturing	P	P	P	P	—	—	—	
Laboratory - Medical, analytical, research and development	P	P	P	P	—	—	—	
Laundry, dry cleaning plant	—	—	P	P	—	—	—	
Lumber and wood product manufacturing	—	—	P	CUP	—	—	—	
Media production	—	—	—	—	—	—	—	
Merchandise manufacturing	—	—	P	P	—	—	—	
Metal products fabrication, machine and welding shops	—	—	P(4)	P	—	—	—	
Motor vehicle and transportation equipment manufacturing	—	—	P(5)	P	—	—	—	
Music recording studio	CUP	—	CUP	CUP	CUP	—	CUP	

Additional INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING uses are listed on the following page.

Key to Zone Symbols

M-RP	Industrial Research Park	M-CR	Coastal-Related Industry
M-1	Light Industry	M-CD	Coastal-Dependent Industry
M-2	General Industry		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Limited to the casting of lightweight non-ferrous metal not causing noxious fumes or odors.
- (4) Does not include drop hammers.
- (5) Limited to automobiles.

LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ	

RETAIL TRADE

Auto and vehicle sales and rental	—	—	—	—	—	—	—	
Bar, tavern, brew pub	—	—	P	—	—	—	—	
Building and landscape materials sales – Indoor	—	—	P	—	—	—	—	
Building and landscape materials sales – Outdoor	—	—	P	—	—	—	—	
<u>Cannabis - Retail</u>	<u>—</u>	<u>—</u>	<u>S</u>	<u>—S</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>35.42.075</u>
Drive-through facility, accessory	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	P	—	—	—	—	
Office-supporting retail	P	P	P	—	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	—	—	—	
Service station	—	—	—	—	—	—	—	

Key to Zone Symbols

M-RP	Industrial Research Park	M-CR	Coastal Related Industry
M-1	Light Industry	M-CD	Coastal Dependent Industry
M-2	General Industry	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Dwellings maybe allowed for the employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is located.
- (4) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt)						
	P	Permitted use, Land Use or Coastal Permit required (2)						
	MCUP	Minor Conditional Use Permit required						
	CUP	Conditional Use Permit required						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ	M-CD CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	CUP	CUP	—	CUP	
Airstrip, private and temporary	CUP	—	CUP	CUP	CUP	—	CUP	
Airstrip, temporary	—	CUP	—	CUP	—	CUP	—	
<u>Cannabis - Distribution</u>	<u>S</u>		<u>S</u>	<u>S</u>				<u>35.42.075</u>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	P	P	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	P	P	—	—	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Marine terminal, onshore facility for petroleum transport	—	—	—	—	—	P	P	
Pier, dock	—	—	—	—	—	—	P	
Pipeline - Oil and gas	P	—	P	P	P	—	P	35.5
Public utility facility	CUP	—	CUP	CUP	CUP	—	CUP	
Public works or private service facility	MCUP	—	MCUP	MCUP	MCUP	—	MCUP	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	—	—	CUP	CUP	
Telecommunications facility	S	S	S	S	S	S	S	35.44
Truck or freight terminal	—	—	P	P	—	—	—	
Utility service line with less than 5 connections(4)	—	P	—	—	—	P	P	
Utility service line with 5 or more connections (4)	—	MCUP	—	—	—	MCUP	MCUP	
Vehicle dispatch facility	—	—	MCUP	MCUP	—	—	—	
Vehicle storage	—	—	P	P	—	—	—	
Wind energy systems	S	—	S	S	S	—	—	35.57

Key to Zone Symbols

M-RP	Industrial Research Park	M-CR	Coastal-Related Industry
M-1	Light Industry	M-CD	Coastal-Dependent Industry
M-2	General Industry	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Use is subject to the standards of the PU Zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

SECTION 11:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities, Industry, Manufacturing & Processing, Wholesaling, Retail Trade, Transportation, Communications & Infrastructure sections of Table 2-24 Allowed Land Uses and Permit Requirements for Special Purpose Zones, Section 35.26.030, Special Purpose Zones Allowable Land Uses, of Chapter 35.26, Special Purpose Zones, to read as follows:

Table 2-24 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P (3)	P	—	—	35.42.020
Agricultural processing - On-premise products	—	P (3)	—	—	—	
Animal keeping (except equestrian facilities- see RECREATION)	S	S (3)	S	S	S	35.42.060
Aquaculture	—	—	—	—	—	
<u>Cannabis – Cultivation, nursery, and microbusiness</u>	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	—	P (3)	E	—	—	
Grazing	—	E	—	—	—	
Greenhouse, 300 sf or less	—	—	P	—	—	35.42.140
Greenhouse, more than 300 sf	—	—	—	—	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	—	—	P (4)	P (4)	P (4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	—	—	CUP	CUP	CUP	35.82.160
Oil & gas uses	—	—	—	—	—	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	—	
Business machine manufacturing and assembly	—	—	—	—	—	
<u>Cannabis – Manufacturing</u>	S	—	—	S	S	<u>35.42.075</u>
<u>Cannabis – Testing</u>	—	—	—	—	—	
Ceramic product manufacturing	—	—	—	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	—	—	—	
Electronics assembly	—	—	—	—	—	
Electronics, equipment, and appliance manufacturing	—	—	—	—	—	
Food and beverage product manufacturing	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	—	—	
Handcraft industry, small scale manufacturing	P	—	—	—	—	
Laboratory - Medical, analytical, research and development	—	—	—	—	—	
Media production	P	—	—	—	—	
Merchandise manufacturing	P	—	—	—	—	
Precision machine shop	—	—	—	—	—	
Printing and publishing	P	—	—	—	—	
Recycling - Community recycling facility	—	—	—	—	—	
Recycling - Small collection center	—	—	—	—	—	

Recycling - Small collection center, non-profit	—	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	—	
Research and development	—	—	—	—	—	
Storage - Personal storage facility (mini-storage)	—	—	—	—	—	
Storage – Warehouse	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	

Key to Zone Symbols

MU	Mixed Use	OT-R/LC	Old Town - Residential/Light Commercial
NTS	Naples Townsite	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Shall not be allowed within easement areas designated as part of an Open Space and Habitat Management Plan in compliance with Section 35.26.060.
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-24 – Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

RETAIL TRADE

Agricultural product sales, on-site production only	—	P	MCUP	—	—	35.42.050
Auto and vehicle sales and rental	—	—	—	—	P	
Bar, tavern	P (7)	—	—	—	P (7)	
Building and landscape materials sales - Outdoor	—	—	—	—	—	
<u>Cannabis - Retail</u>	<u>S</u>	<u>—</u>	<u>—</u>	<u>S</u>	<u>S</u>	<u>35.42.075</u>
Clothing store	P	—	—	—	P	
Convenience store	P	—	—	—	P	
Drive-through facility	—	—	CUP	CUP	CUP	35.42.130
General retail	P	—	—	—	P	
Grocery/food store	P	—	—	—	P	
Office supporting retail	P	—	—	—	P	
Plant nursery	P (8)	—	—	—	P	
Restaurant, café, coffee shop - Indoor and outdoor	P (7)	—	—	—	P (7)	
Restaurant, café, coffee shop - Accessory to recreation use	—	—	—	—	—	
Service station	—	—	—	—	P	
Visitor-serving commercial	—	—	—	—	P	

Key to Zone Symbols

MU	Mixed Use	OT-R/LC	Old Town - Residential/Light Commercial
NTS	Naples Townsite	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit for a primary one-family dwelling on a lot that resulted from recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-G/LC.
- (5) Not allowed in addition to an artist studio.
- (6) Second unit restricted to lots where the primary use is a one-family dwelling.
- (7) May include beer brewing and wine making provided (a) the area devoted to beer brewing and wine making, including the area devoted to equipment and storage of materials and supplies, does not exceed 50 percent of the interior floor area of the primary business, and (b) the product is primarily sold for on-site consumption.
- (8) Must be conducted within a completely enclosed building.

Table 2-24 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Agricultural product transportation facility	—	CUP	—	—	—	35.36.040.B.2
Airstrip, public	—	—	CUP	CUP	CUP	
Airstrip, private and temporary	—	—	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	—	—	
Boat launching facility accessory to approved recreation use	—	—	—	—	—	
<u>Cannabis – Distribution</u>	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	—	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	P	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	—	MCUP	MCUP	MCUP	MCUP	
Electrical substation – Major	—	—	—	—	—	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (5)	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	MCUP	
Freeways and related facilities	—	—	—	—	—	
Heliport	—	—	CUP	CUP	CUP	
Parking facility, conjunctive use	CUP	—	—	—	—	35.36.120
Parking facility, public or private	—	—	P	—	P	
Pier, dock	—	—	—	—	—	
Pipeline - Oil and gas	P	—	P	P	P	35.5
Public utility facility	CUP	—	CUP	CUP	CUP	
Public works or private service facility	—	—	MCUP	MCUP	MCUP	
Railroad	—	—	—	—	—	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	P	MCUP	P	P	P	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	—	
Truck and freight terminal - Temporary	—	—	—	—	—	
Truck and freight terminal - Permanent	—	—	—	—	—	
Utility service line with less than 5 connections (4)	—	P	—	—	—	
Utility service line with 5 or more connections (4)	—	MCUP	—	—	—	
Wind turbines and wind energy systems	S	S	S	S	S	35.57

Key to Zone Symbols

MU	Mixed Use	OT-R/LC	Old Town - Residential/Light Commercial
NTS	Naples Townsite	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

SECTION 12:

ARTICLE 35.2, Zones and Allowable Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to change the Agricultural, Mining & Energy Facilities, Industry, Manufacturing & Processing, Wholesaling, Retail Trade, Transportation, Communications & Infrastructure sections of Table 2-25 Allowed Land Uses and Permit Requirements for Special Purpose Zones, Section 35.26.030, Special Purpose Zones Allowable Land Uses, of Chapter 35.26, Special Purpose Zones, to read as follows:

Table 2-25 Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	PU	PU CZ	REC	REC CZ	TC CZ(3)	
AGRICULTURAL, MINING, & ENERGY FACILITIES						
Agricultural accessory structure	P	P	—	—	MCUP	35.42.020
Agricultural processing - On-premise products	P	P	—	—	MCUP	
Animal keeping (except equestrian facilities - see RECREATION below)	S	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	CUP	35.42.070
<u>Cannabis – Cultivation, nursery, and microbusiness</u>	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	E	E	—	—	MCUP	
Grazing	E	E	—	—	—	
Greenhouse, less than 300 sf	P	P	—	—	CUP	35.42.140
Greenhouse, 300 sf or more	P	P	—	—	CUP	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (3)	P	P(4)	P	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	S	—	—	35.5
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING						
Bakery and baked goods production and distribution	—	—	—	—	—	
Business machine manufacturing and assembly	—	—	—	—	—	
<u>Cannabis – Manufacturing</u>	—	—	—	—	—	
<u>Cannabis – Testing</u>	—	—	—	—	—	
Ceramic product manufacturing	—	—	—	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	—	—	—	
Food and beverage product manufacturing	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	—	—	
Handcraft industry, small scale manufacturing	—	—	—	—	—	
Laboratory - Medical, analytical, research and development	—	—	—	—	—	
Media production	—	—	—	—	—	
Merchandise manufacturing	—	—	—	—	—	
Precision machine shop	—	—	—	—	—	
Printing and publishing	—	—	—	—	—	
Recycling - Community recycling facility	—	—	—	—	CUP	
Recycling - Small collection center	—	—	—	—	CUP	
Recycling - Small collection center, non-profit	—	—	—	—	CUP	
Recycling - Specialized materials collection center	—	—	—	—	CUP	
Research and development	—	—	—	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	

Key to Zone symbols

PU	Public Works Facilities	TC	Transportation Corridor
REC	Recreation		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- ~~(3) Uses allowed as a "P" in abutting zones and in compliance with any applicable specific use regulations.~~
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-25 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	PU	PU CZ	REC	REC CZ	TC CZ(3)	

RETAIL TRADE

Agricultural product sales, on-site production only	MCUP	MCUP	—	—	MCUP	35.42.050
Auto and vehicle sales and rental	—	—	—	—	—	
Bar, tavern	—	—	—	—	—	
Building and landscape materials sales - Outdoor	—	—	—	—	CUP	
Cannabis – Retail	—	—	—	—	—	
Clothing store	—	—	—	—	—	
Convenience store	—	—	—	—	—	
Convenience store, in mixed use project	—	—	—	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
General retail	—	—	—	—	—	
Grocery/food store	—	—	—	—	—	
Office supporting retail	—	—	—	—	—	
Plant nursery	—	—	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	—	—	CUP	CUP(4)	—	
Service station	—	—	—	—	—	
Visitor-serving commercial	—	—	—	—	—	

Key to Zone symbols

PU	Public Works Facilities	TC	Transportation Corridor
REC	Recreation		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- ~~(3) Uses allowed as a "P" in abutting zones and in compliance with any applicable specific use regulations.~~
- ~~(4) Allowed only in an urban area designated by the Coastal Land Use Plan.~~

Table 2-25 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
CUP	Conditional Use Permit required					
S	Permit determined by Specific Use Regulations					
—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	PU	PU CZ	REC	REC CZ	TC CZ(3)	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	—	—	
Airstrip, private and temporary	CUP	—	CUP	—	—	
Airstrip, temporary	—	CUP	—	CUP	CUP	
Boat launching facility accessory to approved recreation use	—	—	P	P	—	
<u>Cannabis – Distribution</u>	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (4)	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation – Major	P	P	—	—	—	
Electrical transmission line (5) (6)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (7)	P	P	—	P	P	
Flood control project, 20,000 sf or more total area (7)	MCUP	MCUP	MCUP	MCUP	MCUP	
Freeways and related facilities	—	—	—	—	P	
Heliport	CUP	CUP	CUP	CUP	CUP	
Parking facility, conjunctive use	—	—	—	—	—	
Parking facility, public or private	—	—	—	—	P(8)	
Pier, dock	—	—	P	P	—	
Pipeline - Oil and gas	P	—	P	—	—	35.5
Public utility facility	P	P	CUP	—	—	
Public works or private service facility	MCUP	—	MCUP	—	—	
Railroad	—	—	—	—	P	
Road, street, less than 20,000 sf total area (7)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (7)	P	MCUP	P	MCUP	MCUP	
Roadside rest area operated by a governmental agency	—	—	—	—	P	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	P	
Truck and freight terminal - Temporary	—	—	—	—	MCUP	
Truck and freight terminal - Permanent	—	—	—	—	P	
Underground gas storage	P	P(7)	—	—	—	
Utility service lines with less than 5 connections (5)	—	P	—	P	P	
Utility service lines with 5 or more connections (5)	—	P	—	MCUP	MCUP	
Vehicle inspection station, permanent, governmental	—	—	—	—	P	
Wind turbines and wind energy systems	S	—	S	—	—	35.57

Key to Zone symbols

PU	Public Works Facilities	TC	Transportation Corridor
REC	Recreation		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (4) Subject to standards of the PU zone.
- (5) Does not include lines outside the jurisdiction of the County.
- (6) Not allowed in the VC overlay.
- (7) ~~Not applicable to facilities constructed by the County outside of the Coastal Zone.~~
- (8) May include park and ride facilities.

SECTION 13:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby changed to add Section 35.42.075, Cannabis Regulations, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

35.42.075 – Cannabis Regulations

A. Purpose and applicability.

- 1. Purpose.** This Section establishes standards that are designed to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls, as a result of and in compliance with State law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment, by establishing minimum land use requirements for medicinal and adult use cannabis activities including cultivation, processing, distribution, manufacturing, testing, and sales.
- 2. Applicability.** The standards of this Section shall apply to all commercial cannabis activities as defined in 35.110.020 (Definition of Specialized Terms and Phrases) and as may be permitted in compliance with the approval of the applicable permit identified in the Allowed Cannabis Uses and Permit Requirement by Zone Table in this Section, for the listed zones. Commercial cannabis activities shall only be permitted in the AG-I, AG-II, C-1, C-2, C-3, CS, SC, PI, M-RP, M-1, M-2, MU, CM-LA, OT-R/LC, and OT-R/GC zoning districts in compliance with Article 35.2 (Zones and Allowable Land Uses) and the Allowed Cannabis Uses and Permit Requirement by Zone Tables in this Section. Commercial cannabis activities shall also comply with the following:
 - a.** All commercial cannabis activities shall comply with the provisions of this Section, as well as all applicable State laws.
 - b.** Nothing in this Section is intended, nor shall it be construed, to allow persons to engage in conduct that endangers others or causes a public nuisance.
 - c.** Nothing in this Section is intended, nor shall it be construed, to exempt the cultivation of cannabis from compliance with all other applicable County zoning and land use regulations, as well as other applicable provisions of the County Code, State and local cannabis licensing requirements, or compliance with any applicable State laws.
 - d.** All persons operating facilities and conducting commercial cannabis activities, as defined in this Section, are subject to possible Federal prosecution, regardless of State licensure. Any land use or other entitlement from the County does not assert or provide any Federal protections.
 - e.** The provisions of this Section shall not be construed to protect any person from prosecution pursuant to any laws that may prohibit the cultivation, sale, distribution, possession, use of and/or any other activity associated with controlled substances, or to authorize conduct that is unlawful under State or Federal law. Moreover, cultivation, sale, possession, distribution, and use of cannabis remain violations of Federal law as

of the date of adoption of the ordinance creating this Section and this Section is not intended to, and does not authorize conduct or acts that violate Federal law and does not protect any person from arrest or prosecution under those Federal laws. Persons engaged in cannabis activities assume any and all risk and any and all liability that may arise or result under State and Federal laws from the cultivation, sale, possession, distribution, use of cannabis and/or any other cannabis activity.

3. Cannabis activities already are highly regulated by both the state and federal governments, and their regulation of cannabis activities is subject to rapid changes. The Board of Supervisors retains all of its statutory planning and zoning authority concerning cannabis activities. For example, even if the Ordinance (Case No. 17ORD-00000-00004) adding this section becomes operative, the Board of Supervisors still may take action(s) later to change the zoning of cannabis activities to being prohibited. Changing the zoning of cannabis activities to being prohibited, could occur -- for example, but is not limited to -- if: 1) the County Treasurer is not able to deposit cannabis-related funds in a suitable financial institution; and/or 2) the Board of Supervisors submits a proposed County tax on commercial cannabis activity to the voters and the voters do not approve the tax. In part because cannabis activities are highly regulated by both the state and federal governments and their regulation of cannabis activities is subject to rapid changes, the Board of Supervisors later may need to change the zoning of cannabis activities to being prohibited and may need to do so without cannabis activities receiving: 1) an amortization period; and/or 2) legal nonconforming use status.

B. Allowed uses and permit requirements.

1. Permit requirement for commercial cannabis activities.

- a. Commercial cannabis activities may only occur in compliance with the approval of the applicable permit identified in the Allowed Cannabis Uses and Permit Requirement by Zone tables in this section, and in allowable land use tables of Article 35.2 (Zones and Allowable Land Uses). The required permit shall be obtained prior to the commencement of the cannabis activity. All conditions of the permit for the cannabis activity shall be satisfied prior to the commencement of the cannabis activity or as otherwise specified in the conditions of the permit.
- b. In addition to obtaining a permit from the County as required in Subsection a above, permittees of commercial cannabis activities must also obtain and maintain in good status a valid County business license, as required by the County Code, and a valid State cannabis license, as required by the California Business and Professions Code.

2. Cultivation for personal use allowed. The cultivation of cannabis for personal use is allowed without a land use entitlement, provided that it complies with the following standards:

- a. Only adults 21 years or older may cultivate cannabis for personal use.
- b. Cultivation of cannabis for personal use shall only occur within:
 - (1) A legally established, secure dwelling, or

(2) An enclosed, legally established, secure building that is accessory to a dwelling.

Outdoor cultivation is prohibited.

- c. Possession, storage, and/or cultivation of cannabis shall only be exclusively for the cultivator’s personal use, and the cannabis shall not be provided, donated, sold, and/or distributed to any other person, except as allowed by and as described in State law and the Compassionate Use Act for primary caregivers who cultivate medicinal cannabis.
- d. Personal cultivation of cannabis is limited to six plants per legally established dwelling, unless otherwise allowed by State law in the Compassionate Use Act for medicinal cannabis.
- e. The area dedicated to cultivation shall not be located in an area that is designated for a use that is required in order to comply with a regulation of this ordinance (e.g., in a garage if the growing area would occupy required parking spaces for the residential use of the property).
- f. None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the dwelling or building in which the activities occur.

3. Noticing for Commercial Cannabis Activities. Entitlements for commercial cannabis uses and/or development shall be subject to the applicable noticing requirements set forth in Chapter 35.106 (Noticing and Public Hearings), except that a mailed notice regarding a pending action or hearing regarding a commercial cannabis entitlement shall be provided to all owners of property located within a 1,000-foot radius of the exterior boundaries of the subject lot.

4. Permit Requirements for commercial cannabis activities. The below tables identify the commercial cannabis land uses allowed by this Development Code in each zone, and the planning permit required to establish each use.

<u>Permit Requirements for Cannabis in Agricultural Zones</u>	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	=	Use Not Allowed	
	<u>PERMIT REQUIRED BY ZONE</u>		
<u>LAND USE (1)</u>	<u>AG-I</u>	<u>AG-II</u>	

CANNABIS CULTIVATION AND MICROBUSINESS

<u>Cultivation – Outdoor</u>	<u>P(2)(3) ZC</u>	<u>P(2) ZC</u>
<u>Cultivation – Mixed-light</u>	<u>P(2)(3) ZC</u>	<u>P(2) ZC</u>
<u>Cultivation – Indoor</u>	<u>P(2)(3)</u>	<u>P(2)</u>
<u>Nursery</u>	<u>P(2)(3)</u>	<u>P(2)</u>
<u>Microbusiness</u>	<u>=</u>	<u>CUP(2)(4)</u>

CANNABIS DISTRIBUTION, MANUFACTURING, AND TESTING

<u>Distribution</u>	<u>CUP(2)</u>	<u>P(2)</u>
<u>Non-volatile Manufacturing</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Volatile Manufacturing</u>	<u>CUP(5) P</u>	<u>CUP(5) P</u>
<u>Testing</u>	<u>=</u>	<u>=</u>

CANNABIS RETAIL

<u>Retail</u>	<u>== P (6)</u>	<u>== P (6)</u>
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Key to Zone symbols

<u>AG-I</u>	<u>Agriculture I</u>	<u>AG-II</u>	<u>Agriculture II</u>
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Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) The cannabis operation shall not be located within 1,000-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.
- (3) Commercial cannabis cultivation on lots located in an Existing Developed Rural Neighborhood (EDRN), or commercial cannabis cultivation that requires the use of a roadway located within an EDRN as the sole means of access to the lot on which cultivation will occur, require a CUP.
- (4) Microbusiness - only allows non-storefront retail.
- (5) The cannabis operation shall not be located within 1,200-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.
- (6) Mobile delivery only.

Permit Requirements for Cannabis in Commercial Zones	<u>P</u>	<u>Permitted use, Land Use Permit required (2)</u>	
	<u>MCUP</u>	<u>Minor Conditional Use Permit required</u>	
	<u>CUP</u>	<u>Conditional Use Permit required</u>	
	<u>==</u>	<u>Use Not Allowed</u>	
	PERMIT REQUIRED BY ZONE		
LAND USE (1)	<u>CN</u>	<u>C-1</u>	<u>C-2</u>

CANNABIS CULTIVATION AND MICROBUSINESS

<u>Cultivation – Outdoor</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Cultivation - Mixed-light</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Cultivation – Indoor</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Nursery</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Microbusiness</u>	<u>==</u>	<u>CUP(2)</u>	<u>CUP(2)</u>

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

<u>Distribution</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Non-volatile Manufacturing</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Volatile Manufacturing</u>	<u>==</u>	<u>==</u>	<u>==</u>
<u>Testing</u>	<u>==</u>	<u>P(2)</u>	<u>P(2)</u>

CANNABIS RETAIL

<u>Retail</u>	<u>==</u>	<u>P(2)</u>	<u>P(2)</u>
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Key to Zone Symbols

<u>CN</u>	<u>Neighborhood Commercial</u>	<u>C-2</u>	<u>Retail Commercial</u>
<u>C-1</u>	<u>Limited Commercial</u>		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) The proposed cannabis operation shall not be located within 1,000-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.

Permit Requirements for Cannabis in Commercial Zones	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	=	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				
	C-3	CS	CH	CM-LA	

CANNABIS CULTIVATION AND MICROBUSINESS

<u>Cultivation – Outdoor</u>	=	=	=	=
<u>Cultivation - Mixed-light</u>	=	=	=	=
<u>Cultivation – Indoor</u>	=	=	=	=
<u>Nursery</u>	=	=	=	=
<u>Microbusiness</u>	CUP(2)	CUP(2)	=	=

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

<u>Distribution</u>	P(2)	=	=	=
<u>Non-volatile Manufacturing</u>	=	=	=	CUP(2)
<u>Volatile Manufacturing</u>	=	=	=	=
<u>Testing</u>	P(2)	=	=	=

CANNABIS RETAIL

<u>Retail</u>	P(2)	P(2)	=	CUP(2)
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Key to Zone Symbols

C-3	General Commercial	CH	Highway Commercial
CS	Service Commercial	CM-LA	Community Mixed Use - Los Alamos

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) The proposed cannabis operation shall not be located within 1,000-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.

<u>Permit Requirements for Cannabis in Commercial Zones</u>	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	==	Use Not Allowed	
<u>LAND USE (1)</u>	<u>PERMIT REQUIRED BY ZONE</u>		
	<u>C-V</u>	<u>SC</u>	<u>PI</u>

CANNABIS CULTIVATION AND MICROBUSINESS

<u>Cultivation – Outdoor</u>	==	==	==
<u>Cultivation - Mixed-light</u>	==	==	==
<u>Cultivation – Indoor</u>	==	==	==
<u>Nursery</u>	==	==	==
<u>Microbusiness</u>	==	==	==

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

<u>Distribution</u>	==	==	==
<u>Non-volatile Manufacturing</u>	==	CUP(2)	==
<u>Volatile Manufacturing</u>	==	==	==
<u>Testing</u>	==	==	P(2)

CANNABIS RETAIL

<u>Retail</u>	==	P(2)	==
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Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Professional and Institutional
SC	Shopping Center		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) The proposed cannabis operation shall not be located within 1,000-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.

<u>Permit Requirements for Cannabis in Industrial Zones</u>	P	Permitted use, Land Use Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	=	Use Not Allowed		
<u>LAND USE (1)</u>	<u>PERMIT REQUIRED BY ZONE</u>			
	<u>M-RP</u>	<u>M-1</u>	<u>M-2</u>	

CANNABIS CULTIVATION AND MICROBUSINESS

<u>Cultivation – Outdoor</u>	<u>P(2)</u>	<u>P(2) ZC</u>	<u>P(2) ZC</u>
<u>Cultivation - Mixed-light</u>	<u>P(2)</u>	<u>P(2) ZC</u>	<u>P(2) ZC</u>
<u>Cultivation – Indoor</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Nursery</u>	<u>P(2)</u>	<u>P(2) ZC</u>	<u>P(2) ZC</u>
<u>Microbusiness</u>	<u>=</u>	<u>CUP(2)</u>	<u>CUP(2)</u>

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

<u>Distribution</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Non-volatile Manufacturing</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>
<u>Volatile Manufacturing</u>	<u>=</u>	<u>P(3)</u>	<u>P(3)</u>
<u>Testing</u>	<u>P(2)</u>	<u>P(2)</u>	<u>P(2)</u>

CANNABIS RETAIL

<u>Retail</u>	<u>=</u>	<u>P(2)</u>	<u>= P(4)</u>
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Key to Zone Symbols

<u>M-RP</u>	<u>Industrial Research Park</u>	<u>M-2</u>	<u>General Industry</u>
<u>M-1</u>	<u>Light Industry</u>		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) The proposed cannabis operation shall not be located within 1,000-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.
- (3) The proposed cannabis operation shall not be located within 1,200-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.
- (4) Mobile delivery only.

Permit Requirements for Cannabis in Special Purpose Zones <u>LAND USE (1)</u>	<u>P</u>	<u>Permitted use, Land Use Permit required (2)</u>				
	<u>MCUP</u>	<u>Minor Conditional Use Permit required</u>				
	<u>CUP</u>	<u>Conditional Use Permit required</u>				
	<u>=</u>	<u>Use Not Allowed</u>				
	PERMIT REQUIRED BY ZONE					
	<u>MU</u>	<u>NTS</u>	<u>OT-R</u>	<u>OT-R/LC</u>	<u>OT-R/GC</u>	

CANNABIS CULTIVATION AND MICROBUSINESS

<u>Cultivation – Outdoor</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Cultivation - Mixed-light</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Cultivation – Indoor</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Nursery</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Microbusiness</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>

CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING

<u>Distribution</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Non-volatile Manufacturing</u>	<u>CUP(2)</u>	<u>=</u>	<u>=</u>	<u>CUP(2)</u>	<u>CUP(2)</u>
<u>Volatile Manufacturing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>
<u>Testing</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>

CANNABIS RETAIL

<u>Retail</u>	<u>CUP(2)</u>	<u>=</u>	<u>=</u>	<u>CUP(2)</u>	<u>CUP(2)</u>
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Key to Zone Symbols

<u>MU</u>	<u>Mixed Use</u>	<u>OT-R/LC</u>	<u>Old Town - Residential/Light Commercial</u>
<u>NTS</u>	<u>Naples Townsite</u>	<u>OT-R/GC</u>	<u>Old Town - Residential/General Commercial</u>
<u>OT-R</u>	<u>Old Town - Residential</u>		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) The proposed cannabis operation shall not be located within 1,000-feet from a school providing instruction in kindergarten or any grades one through 12, day care center, or youth center. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis activity is to be located, without regard to intervening structures.

C. General commercial cannabis activities development standards.

~~1. **Archaeological and paleontological surveys.** When commercial cannabis activities are proposed for lots that have not been subject to prior archaeological or paleontological surveys in accordance with the County’s current Cultural Resource Guidelines, the applicant shall provide a Phase 1 cultural resource study documenting the absence or presence of cultural resources in the project area. If current or previously conducted Phase 1 studies indicate that archaeological or other cultural sites are located in the project area, the applicant shall prepare and submit to the Department for review and approval documentation demonstrating that the resources shall be protected in accordance with applicable cultural resource protection policies. All required studies shall be prepared in accordance with the requirements of the most current County of Santa Barbara Cultural Resources Thresholds and Guidelines, and shall be submitted to the Department for review and approval. Impacts to significant cultural resources shall be mitigated to the maximum extent feasible, including the following measures:~~

- ~~a. In accordance with applicable cultural resource protection policies, cannabis development (e.g., buildings, grading, and trenching for utilities) shall be located in areas on a lot that would avoid impacts to significant archaeological and historic resources to the maximum extent feasible.~~

- ~~b. As necessary, additional studies (i.e., Phase 1 inventory, Phase 2 significance and impact assessment, and Phase 3 mitigation) shall be conducted at the expense of the applicant.~~
 - ~~c. If significant cultural resources are located within 60 meters (200 feet) of ground disturbing activities, the resource shall be fenced and appropriately protected during grading and construction. For any work conducted within a prehistoric or ethnohistoric period archaeological site, the County shall require monitoring of the site during grading and construction (including abandonment) by an approved archaeologist and Native American observer as applicable.~~
 - ~~d. An educational workshop shall be conducted for construction workers prior to and during construction as the County deems necessary for specific projects.~~
- ~~2. **Energy Conservation Plan.** The applicant for an indoor cultivation, mixed light cultivation, nursery, manufacturing (volatile or non-volatile), and/or distribution permit shall prepare and submit to the Department for review and approval, an energy conservation plan that demonstrates the proposed operation will result in either an energy reduction of 15 percent or a zero net increase in energy demand. To demonstrate an energy reduction, the applicant must provide documents from the utility provider showing the average energy usage on site during the time span of either: (1) June of 2015 to the date of application, or (2) the five years prior to the date of application, whichever is the shorter period of time. The Energy Conservation Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project as applicable. Energy conservation measures may include, but are not limited to:~~
- ~~a. Participating in an annual energy audit.~~
 - ~~b. Measuring and recording net energy use.~~
 - ~~c. Upgrading and maintaining efficient heating/cooling/dehumidification systems.~~
 - ~~d. Implement energy efficient lighting, specifically light emitting diode (LED) over high intensity discharge (HID) or high pressure sodium (HPS) lighting where feasible.~~
 - ~~e. Implementing automated lighting systems.~~
 - ~~f. Utilizing natural light when possible.~~
 - ~~g. Utilizing an efficient circulation system.~~
 - ~~h. Ensuring that energy use is above or in line with industry benchmarks.~~
 - ~~i. Implementing phase-out plans for the replacement of inefficient equipment.~~
 - ~~j. Adopting all or some elements of CalGreen Tier 1 and 2 voluntary elective measures to increase energy efficiency in new buildings, remodels, and additions.~~
 - ~~k. Participating in the Smart Build Santa Barbara (SB2) Program, including plan review by the County Green Building Committee.~~
 - ~~l. Purchasing renewable electricity from a County approved renewable energy source (e.g., Regional Renewable Choice program, Green Rate program, Community~~

~~Renewable program, or similar equivalent renewable energy program) for any net increase of energy demand.~~

3. Fencing and Security Plan. ~~The applicant for a permit to allow outdoor, mixed-light, or nursery cannabis cultivation development shall prepare and submit to the Department for review and approval a Fencing and Security Plan demonstrating ample security and screening of the commercial cannabis activity. The standards of this Section shall be in addition to Section 35.30.070 (Fences and Walls). Where there are conflicts between the standards in this Section and any other applicable standards of this Article, the standards in this Section shall control. The Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Fencing and Security Plan shall include the following:~~

- ~~a. The Fencing Plan shall depict typical fencing details, including location, fence type, and height.~~
- ~~b. All fencing and/or walls shall be made out of material that blends into the surrounding terrain and shall minimize any visual impacts.~~
- ~~d. Where fencing would separate an agricultural area from undeveloped areas with native vegetation and/or Habitat Management Plan easement area, said fencing shall use material or devices that are not injurious to wildlife and enable wildlife passage.~~
- ~~f. Prohibited fencing materials include razor wire, tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.~~
- ~~g. The fence shall include lockable gate(s) that are locked at all times, except for during times of active ingress/egress.~~
- ~~h. No visual markers indicating that cannabis is cultivated on the site shall be visible from offsite.~~

4. Landscape Plan and Screening Plan. ~~The applicant for a permit to allow outdoor, indoor, mixed light, or nursery cannabis cultivation development shall submit a Landscape Plan and Screening Plan to the Department for review and approval. The requirements in this Section shall also apply to the cannabis cultivation as part of a microbusiness. All cultivation shall be screened to the maximum extent feasible to avoid being seen from public places, including, but not limited to, public rights of way, shall comply with Section 35.34 (Landscaping Standards), and the standards listed below. The Landscape Plan and Screening Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project as applicable. The applicant shall demonstrate to the Department that all aspects of the Landscape Plan and Screening Plan comply with the following requirements:-~~

- ~~a. Said Plan(s) shall include landscaping which, within five years, will reasonably screen the view of any new structure, including greenhouses and agricultural accessory structure, and on-site parking areas from the nearest public road(s).~~

- ~~b. All landscaping shall be installed prior to initiating the cultivation activities that are subject to the permit for the cultivation activities.~~
- ~~c. Prior to the issuance of any permits, a performance security, in an amount determined by a landscape architect and approved by the Department, to insure installation and maintenance for two years, shall be filed with the County. Said performance security shall be released upon a written statement from the Department that the landscaping, in accordance with the approved Landscape Plan and Screening Plan, has been installed and maintained for two years.~~
- ~~d. If, due to site-specific conditions (e.g., slopes), an applicant believes that screening cannot be fully achieved, the applicant shall submit a Landscape Plan and Screening Plan showing what portion can be screened and written documentation, which sets forth the reasons other portions cannot be screened.~~

5. Lighting Plan. The applicant for any commercial cannabis activity involving artificial lighting shall submit a Lighting Plan to the Department for review and approval. The standards of this Section shall be in addition to Section 35.30.120 (Outdoor Lighting), and all other applicable Sections. Where there are conflicts between the standards in this Section and any other applicable standards of this Article, the standards that are most restrictive shall control. The Lighting Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project, as applicable. The Lighting Plan shall include the following:

- a. Plans that identify all lighting on the lot demonstrating that all lighting will comply with the standards set forth in this Section and all applicable Community Plans.
- b. Lighting necessary for security shall ~~consist solely of motion sensor lights and~~ avoid adverse impacts on properties surrounding the lot on which the cannabis activity is located.
- c. Any outdoor lighting used for the illumination of parking areas and/or loading areas, or for security, shall be fully shielded and directed downward.
- d. Lighting is prohibited in hoop structures.
- e. If, due to site-specific conditions, an applicant believes that a Lighting Plan is not necessary, the applicant shall submit written documentation with the application for the cannabis permit, which sets forth the reasons. The Department shall review the written documentation and determine whether a Lighting Plan must be submitted with the application for the cannabis activity.

6. Noise Plan. The applicant for indoor, mixed light, and nursery cultivation, and manufacturing (volatile and non-volatile) permits shall prepare and submit to the Department for review and approval a Noise Plan. The Noise Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project, as applicable. The Noise Plan shall demonstrate compliance with the following standards:

- a. Buildings shall be adequately soundproofed so that interior noise shall not exceed 65 decibels beyond the property. The Plan shall identify noise-generating equipment that will be used and the noise level associated with each.
- b. Environmental control systems shall be located and/or shielded to avoid generating noise levels above 65 decibels heard by sensitive receptors, in compliance with the Santa Barbara County Noise Element.
- d. The combined decibel level for all noise sources, as measured at the property line of the lot on which the cannabis activity is located, shall not exceed 65 decibels.
- e. The use of generators for cultivation is prohibited, except for temporary use in the event of a power outage or emergency. The noise produced by a generator shall not be audible by humans from neighboring residences.
- f. Properties zoned Ag II are exempt from the Noise Plan Development Standard.

7. Odor Abatement Plan. The applicant for cultivation, nursery, manufacturing (volatile and non-volatile), microbusiness, and/or distribution permits, shall (1) prepare and submit to the Department for review and approval, and (2) implement, an Odor Abatement Plan. The Odor Abatement Plan must prevent odors from being experienced within residential zones, as determined by the Director. The Odor Abatement Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Odor Abatement Plan must include the following:

- a. A floor plan, specifying locations of odor-emitting activity(ies) and emissions.
- b. A description of the specific odor-emitting activity(ies) that will occur.
- c. A description of the phases (e.g., frequency and length of each phase) of odor-emitting activity(ies).
- d. A description of all equipment and methods to be used for reducing odors. A Professional Engineer or a Certified Industrial Hygienist must review and certify that the equipment and methods to be used for reducing odors are consistent with accepted and available industry-specific best control technologies and methods designed to mitigate odor.
- e. Approved odor control systems, subject to certification as required in Subsection d above, may include, but are not limited to:
 - (1) Activated carbon filtration systems.
 - (2) Vapor-phase systems. Vapor-phase systems must comply with the following:
 - (a) The resulting odors must be odor-neutralizing, not odor-masking.
 - (b) The technology must not be utilized in excessive amounts to produce a differing scent (such as pine or citrus).
 - (c) Use of these systems must have supporting documentation to demonstrate that the systems meet United States Environmental Protection Agency's Acute Exposure Guideline Levels or similar public health threshold.

- (3) Other odor controls systems or project siting practices that demonstrate effectiveness in controlling odors.
- f. Designation of an individual (local contact) who is responsible for responding to odor complaints as follow:
- (1) The local contact shall be available by telephone on a 24-hour basis to respond to calls regarding any odor complaints.
 - (2) The applicant shall provide property owners and residents of property located within 1,000-feet of the lot on which the cannabis activity is conducted, the contact information of the local contact responsible for responding to odor complaints. The operator is required to immediately notify the County of any changes to the local contact.
 - (3) The operator of the cannabis activity is required to notify the County of any complaints that the operator receives, within 24 hours of receiving the complaint.
 - (4) Failure to respond to calls in a timely and appropriate manner may result in revocation of the permit. For purposes of this Subsection, responding in a timely and appropriate manner means that an initial call shall be responded to within one hour of the time the initial call was made, and a corrective action shall commence within two hours of the initial call, if corrective action is required, to address any violation of this Section.
 - (5) The operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant, as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the complaint tracking system records to the Department as part of any Departmental inspections of the cannabis operation and upon the Department's request. The operator shall maintain the complaint tracking records for a minimum of five years.
- g. The applicant shall allow the Department access to the facility at all times, without notice, for the purpose of inspecting odor mitigation practices, odor source(s), and complaint tracking system records.
- h. If the Department receives three verified complaints regarding odor events in any 365-day period, the Permittee shall implement corrective actions to comply with the odor abatement requirements of this Section 35.42.075.C.7. Upon the Department's request, the Permittee shall submit a written statement that sets forth the corrective actions and timing of implementation of each corrective action, subject to the Department's review and approval. The department may require the corrective actions to be re-certified by a Professional Engineer or a Certified Industrial Hygienist. Notwithstanding the requirements of this Section, the Department may take additional enforcement actions pursuant to Chapter 35.108 (Enforcement and Penalties) which may include, but are not limited to, initiating proceedings to revoke the applicable cannabis land use entitlement(s).

- i. Ag-I, Ag-II, M-1, M-2 properties 40 acres or greater are EXEMPT from Odor Control that are 1000 feet or more from a residentially zoned property.

8. Signage. All signs shall comply with Chapter 35.38 (Sign Standards).

~~9. **Tree Protection, Habitat Protection, and Wildlife Movement Plans.** The applicant for any cannabis permit for a site that would involve the removal of native vegetation or other vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species, shall prepare and submit to the Department for review and approval a Tree Protection, Habitat Protection, and/or Wildlife Movement Plan in accordance with Appendix J: Cannabis Activities Additional Standards. The Tree Protection, Habitat Protection, and Wildlife Movement Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project as applicable.~~

D. Specific use development standards. All commercial cannabis activities shall comply with the following development standards specific to the applicable permit type.

1. Cultivation.

a. AG-I Lots 20 acres or less. Outdoor cannabis cultivation, including cannabis cultivation within hoop structures, is prohibited on lots zoned AG-I that are 20 acres or less in size. However, mixed-light and indoor cultivation, and nurseries are permissible on lots containing 20 acres or less.

~~b. **Avoidance of prime soils.** All structures for cannabis cultivation operations, including, but not limited to, greenhouses that do not rely on in-ground cultivation, that are located on premises that contain prime soils shall be sited to avoid prime soils to the maximum extent feasible.~~

~~Ancillary use facilities shall not be located on prime soils unless the Director determines that an alternative location on nonprime soils does not exist within a reasonable distance of the proposed site.~~

c. Cannabis cultivation within an Existing Developed Rural Neighborhood (EDRN). Cultivation sites located within an EDRN, or cultivation that requires the use of a roadway located within an EDRN as the sole means of access to the cultivation lot, shall require approval of a Conditional Use Permit by the Planning Commission and compliance with applicable standards in Chapter 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

~~d. **Cannabis Waste Discharge Requirements General Order.** The applicant shall demonstrate compliance with the State Water Resources Control Board's comprehensive Cannabis Cultivation Policy which includes principles and guidelines for cannabis cultivation, including regulations on the use of pesticides, rodenticides, herbicides, insecticides, fungicides, disinfectants, and fertilizers, within the State.~~

e. Hoop structure lighting. Lighting shall be prohibited in hoop structures.

- f. M-RP zone requirements.** Cultivation shall only occur indoors on a lot zoned M-RP (Industrial Research Park).
- g. Mixed-light cultivation lighting requirements.** Lighting due to cannabis activities that are subject to mixed-light cultivation licenses shall not be visible outside of the structure in which the lighting is located between sunset and sunrise.
- h. Public Lands.** No cannabis cultivation shall be permitted on public lands.
- ~~**i. Post-processing and packaging.** Post-processing and packaging of cannabis products shall be considered accessory uses to the cultivation operation(s) when processed on the same lot.~~
- ~~**j. Site Transportation Demand Management Plan.** The applicant shall prepare and submit to the Department for review and approval a Site Transportation Demand Management Plan that includes the lot location, total number of employees, hours of operation, lot access and transportation routes, and trip origins and destinations. The Site Transportation Demand Management Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Site Transportation Demand Management Plan shall include at least one of the following methods to reduce vehicle trips generated by the cultivation operation:~~

 - ~~1) Provide for carpool/shuttle/mini bus service for employees, especially during harvesting periods, on cultivation lots.~~
 - ~~2) Provide shared parking areas for ridesharing on large and/or rural lots.~~
 - ~~3) Provide bicycle storage/parking facilities.~~
 - ~~4) Provide incentives to employees to rideshare or take public transportation.~~
 - ~~5) Implement compressed or flexible work schedules to reduce the number of days per week that employees are needed.~~
- ~~**k. Water efficiency for commercial cannabis activities.** To the maximum extent feasible, and to the Director's satisfaction, water conserving features shall be included in the design of proposed cannabis cultivation. These features may include, but are not limited to:~~

 - ~~1) Evaporative barriers on exposed soils and pots.~~
 - ~~2) Rainwater capture and reuse.~~
 - ~~3) Recirculated irrigation water (zero waste).~~
 - ~~4) Timed drip irrigation.~~
 - ~~5) Soil moisture monitors.~~

~~6) Use of recycled water.~~

3. Distribution.

a. Cultivation limits. Distribution on a lot zoned AG-I or AG-II shall only be allowed as an accessory use to cannabis cultivation and shall comply with the following requirements:

- 1) A minimum of 10% of the cannabis product distributed shall be sourced from cannabis plant material cultivated ~~on~~ in the same ~~lot on~~ county in which the distribution activities will occur.
- ~~2) Distribution shall be subordinate and incidental to the cultivation use of the lot, and the area designated for distribution shall occupy a smaller footprint than the area that is designated for cultivation on the lot.~~

4. Manufacturing.

a. Cultivation limits. Manufacturing (volatile and non-volatile) on a lot zoned AG-I or AG-II shall only be allowed as an accessory use to cannabis cultivation and shall comply with the following requirements:

- 1) A minimum of 10% of the cannabis product manufactured shall be sourced from cannabis plant material cultivated ~~on~~ in the same ~~lot on~~ county in which the manufacturing activities will occur.
- ~~2) Manufacturing shall be subordinate and incidental to the cultivation use of the lot, and the area designated for manufacturing shall occupy a smaller footprint than the area that is designated for cultivation on the lot.~~

b. Home Occupation. No cannabis manufacturing shall be permitted as a Home Occupation including Cottage Food Operations and In-home Retail Sales in accordance with Chapter 35.42.190 (Home Occupations).

~~**c. Volatile Manufacturing Employee Training Plan.** The applicant shall prepare and submit to the Department for review and approval a Volatile Manufacturing Employee Training Plan. The Volatile Manufacturing Employee Training Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project, as applicable. The Volatile Manufacturing Employee Training Plan shall include, at a minimum, the following elements:~~

- ~~1) Training employees on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.~~
- ~~2) A log, identifying trained employees and the date upon which training was completed. The operator shall maintain the Employee Training Log for a minimum of five years.~~

5. Microbusiness. Microbusinesses shall only include delivery retail in the AG-II zone in

compliance with the permit requirement identified in Chapter 35.21 (Agricultural Zones). No retail sales shall occur on the lot on which the microbusiness exists, in AG-II zones.

- 6. Retail.** No cannabis consumption, including, but not limited to, smoking, vaporizing or ingesting, shall be permitted on the premises of a retailer or microbusiness.
- E. Records.** Permittees of commercial cannabis activities shall maintain clear and adequate records and documentation, in accordance with State law, the State’s track-and-trace program, and as required by this Section, demonstrating that all cannabis or cannabis products have been obtained from, and are provided to, other permitted and licensed cannabis operations. All records, unless otherwise specified in this Section, shall be maintained for 5 years and shall be subject to review, inspection, examination, and audit by the Department.
- F. Inspection.** All permitted commercial cannabis activities are subject to review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Article.
- G. Land use entitlement compliance.** Following issuance of the land use entitlement for the cannabis activity, all commercial cannabis activities that are subject to a land use entitlement shall be subject to County inspection to determine compliance with the land use entitlement requirements, this Ordinance, County Code, and State law.
- H. Revocation.** Any entitlement to allow commercial cannabis activities may be revoked in compliance with Chapter 35.56.140 (Revocation of Entitlement to Land Use).

SECTION 14:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is hereby amended to delete Section 35.42.195 Medical Marijuana Dispensaries and reserve the Section number for future use.

35.42.195 Reserved for Future Use. Medical Marijuana Dispensaries.

- ~~**A. Medical Marijuana Cultivation.** See Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the County Code regarding regulations pertaining to the cultivation of medical marijuana.~~
- ~~**B. Medical Marijuana Dispensaries Prohibited.** Medical Marijuana Dispensaries are not allowed in any zone district and shall not be approved through a Use Determination (Section 35.82.190).~~

SECTION 15:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, Section 35.110.020, Definitions of Specialized Terms and Phases, of Chapter 35.110, Definitions, is hereby amended to add the following new definitions of terms regarding “Cannabis” and related definitions, and delete the terms “Medical Marijuana” and “Medical Marijuana Dispensary,” as follows:

Cannabis: All parts of the plant *Cannabis sativa Linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including, but not limited to, separated resin. Cannabis also means medical and non-medical marijuana. Cannabis does not include industrial hemp, as defined in Section 11018.5 of the Health and Safety Code

as may be amended. Additionally, the following terms are defined for the purposes of Chapter 35.42.075 (Cannabis Regulations):

1. **Commercial cannabis activity.** Any activity, recreational or medicinal, including the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale of cannabis and cannabis products as provided in this Chapter.
2. **Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, or trimming of cannabis, as well as grading of land to conduct any such activity. Cultivation includes outdoor cultivation, indoor cultivation, and mixed light cultivation as follows:
 - a. **Indoor cultivation.** The cultivation of cannabis within a structure using exclusively artificial light.
 - b. **Outdoor cultivation.** The cultivation of cannabis, outside of a structure, without the use of artificial lighting in the canopy area at any point in time. Cultivation within a hoop structure is considered outdoor cultivation. No artificial lighting is permissible for outdoor cultivation, including within hoop structures.
 - c. **Mixed-light cultivation.** The cultivation of cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or one of the artificial lighting models, excluding hoop structures.
3. **Distribution.** The procurement, sale, and transport of cannabis and cannabis products between licensees.
4. **Distributor.** A facility used for the storage and distribution of cannabis and cannabis products.
5. **Manufacturing.** All aspects of the extraction and/or infusion process, including preparing, holding, storing, packaging, or labeling of cannabis products. Manufacturing also includes any preparing, holding, or storing of components and ingredients.
6. **Microbusiness.** Permit by an owner or entity to engage in three of the four following cannabis activities: cultivation, distribution, non-volatile manufacturing, and/or retail. Microbusiness permits must demonstrate compliance with all requirements imposed by this Article on cultivators, distributors, non-volatile manufacturers, and retailers to the extent the permit is to engage in such activities.
7. **Nonvolatile Manufacturing.** Manufacturing using any solvent in the extraction process that is not a volatile solvent. For purposes of this Section, nonvolatile solvents include, but are not limited to, carbon dioxide and ethanol.
8. **Nursery.** The production solely of clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis.
9. **Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for one's own individual use or by a primary caregiver for their qualified patient(s) in accordance with State law.

10. Private residence. A house, an apartment unit, a mobile home, a condominium, a townhome, an accessory dwelling unit, or other similar dwelling.

11. Processing. All activities associated with drying, curing, trimming, storing, packaging, and labeling of nonmanufactured cannabis products.

12. Retail.

i. Non-Storefront Retailer. Delivery-only retail of commercial cannabis or cannabis products.

ii. Storefront Retail. The retail sale and delivery of cannabis or cannabis products to customers, also referred to as a Storefront Retailer. A retailer shall operate from a licensed premise, which is a physical location from which commercial cannabis activities are conducted. A retailer's premise may be closed to the public. A storefront retailer may also conduct some sales by delivery.

13. Testing. An accredited laboratory, facility, or entity that offers or performs tests of cannabis or cannabis products.

14. Volatile Manufacturing. Manufacturing using any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

Medical Marijuana Dispensary. A facility or location that dispenses marijuana through a storefront, including but not limited to storefronts organized and operated by a collective or a cooperative.

~~1. **Medical Marijuana Cooperative.** Shall mean a statutory Cooperative which conducts its business for the mutual benefit of its members, must file articles of incorporation, is a non-profit entity, and is subject to all legal requirements of a statutory Cooperative, as outlined in the California Corporations Code or Food and Agriculture Code.~~

~~2. **Medical Marijuana Collective.** Shall mean a non-profit organization, with five or more members, which exists merely to facilitate the collaborative efforts of Qualified Patient, Persons with ID Card, and Primary Caregiver members and to coordinate transactions between members involving Medical Marijuana.~~

SECTION 16:

The Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to add a new Appendix J titled "Cannabis Activities Additional Standards" to read as follows:

APPENDIX J: CANNABIS ACTIVITIES ADDITIONAL STANDARDS:

A. Tree Protection Plan.

~~1. The Applicant for a land use entitlement for a commercial cannabis activity that would involve pruning, damage, or removal of a native tree, shall prepare and submit to the Department a Tree Protection Plan prepared by a Department approved arborist designed to determine whether avoidance, minimization, or compensatory measures are necessary.~~

2. ~~The Plan shall include:~~

- a. ~~Biologically favorable options for access roads, utilities, drainages, and structure placement, taking into account native tree and shrub species, age, and health with preservation emphasized.~~
- b. ~~Designated development envelopes. Include utility corridors, irrigation lines, roadways, driveways, etc.~~
- c. ~~Equipment storage (including construction materials, equipment, fill soil, or rocks) and construction staging and parking areas outside of the protection area.~~
- d. ~~The type and location of protective fencing or other barriers to be in place to protect trees in protection areas during construction.~~
- e. ~~The location of all tree wells or retaining walls. These shall be located outside the area within six feet of the dripline of all protected trees unless authorized by the County.~~
- f. ~~The location of all paths within 25 feet of dripline areas. Only pervious paving materials are permitted within 6 feet of dripline areas.~~
- g. ~~The location of any replacement trees.~~

3. ~~During construction these standards shall be met:~~

- a. ~~All trees shall be protected by a fence located at least 6 feet outside of the dripline. Fencing shall be at least 3 feet high, staked to prevent any collapse, and with signs identifying the protection area placed in 15-foot intervals on the fencing.~~
- b. ~~All grading and construction fencing, staking, and signage shall be maintained.~~
- c. ~~All trees located within 25 feet of buildings shall be protected from stucco and/or paint.~~
- d. ~~No irrigation is permitted within 6 feet of the dripline of any protected tree unless specifically authorized.~~
- e. ~~If the use of hand tools is deemed infeasible by the Director, work with rubber-tired construction equipment weighing 5 tons or less may be authorized by the Director. If significant large rocks are present, or if soil placement will impact surrounding trees, then a small tracked excavator may be used as determined by the Department-approved biologist.~~
- f. ~~A Department-approved arborist shall direct and oversee any development activity required within the dripline or sensitive root zone of any specimen tree. Any roots of one inch in diameter or greater which are encountered during grading or construction, and/or tree removal or trimming, must be cleanly cut.~~
- g. ~~Grading shall be designed to avoid ponding and ensure proper drainage within driplines of oak trees.~~
- h. ~~The Applicant shall designate a Department-approved arborist to be onsite throughout all grading and construction activities which may impact native trees. Duties of the arborist include the responsibility to ensure all aspects of the approved Tree Protection Plan are carried out.~~

4. ~~Replacement trees shall be installed in compliance with the following standards:~~

- a. ~~The replacement trees must be a native species, planted at a 10:1 ratio for oak trees (15:1 for Blue or Valley Oaks), and a 2:1 ratio for other trees.~~
 - b. ~~The replacement trees must be species from locally obtained plants and seed stock.~~
 - c. ~~The replacement trees must be gopher fenced.~~
 - d. ~~The replacement trees must be irrigated with drip irrigation on a timer until established.~~
 - e. ~~The replacement trees must be weaned off of irrigation over a period of 2 to 3 years.~~
 - f. ~~No replacement tree shall require permanent irrigation within the dripline of the tree.~~
 - g. ~~If replacement trees cannot all be accommodated on the same lot, the Applicant shall submit a plan for replacement trees to be planted offsite.~~
 - h. ~~The replacement trees must be protected from predation by wild and domestic animals and from human interference by the use of staked, chain link fencing and gopher fencing during the maintenance period.~~
5. ~~The Applicant shall install all measures identified by the Tree Protection Plan onsite prior to commencement of cannabis activities, as applicable. All such measures shall be indicated on final plans.~~
 6. ~~Prior to issuance of the cannabis permit, the Applicant shall submit the Tree Protection Plan to the Department for review and approval. The Applicant shall implement all tree protection measures of the Tree Protection Plan pursuant to the specific timing requirement for each measure set forth in the Tree Protection Plan.~~
 7. ~~The Department shall dispatch, on an ongoing basis, a qualified inspector to monitor and ensure compliance with the Tree Protection Plan.~~

B. Habitat Protection Plan

1. ~~The Applicant for a land use entitlement for a cannabis activity that would involve clearing of native vegetation or other sensitive vegetation in an area that has been identified as having a medium to high potential of being occupied by a special-status wildlife species, nesting bird, or a Federal or State-listed special-status plant species, shall prepare and submit a Habitat Protection Plan prepared by a Department approved biologist, in coordination with the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) as required for State or Federal permits and State or Federally listed species, designed to determine whether avoidance, minimization, or compensatory measures are necessary.~~
2. ~~Focused species-specific surveys shall be required to determine whether a sensitive species or nesting bird may be present, and shall be conducted at the appropriate time of year and time of day when that species is active or otherwise identifiable. Where warranted by the findings of initial review, protocol-level surveys may also be required.~~
3. ~~If the project site is located within the known habitat of a species listed as rare, threatened, or endangered by the USFWS and/or CDFW, the issuance of a permit does not relieve the permit holder of any duties, obligations, or responsibilities under the Endangered Species Act or any other law.~~
4. ~~The Plan shall include:~~

- a. ~~The location and extent of all driplines and sensitive root zones for all vegetation to be preserved.~~
- b. ~~The location of sensitive habitat with a detailed description of proposed disturbance.~~
- c. ~~Original and new locations for replanted species.~~
- d. ~~Designated development envelopes. Include utility corridors, irrigation lines, roadways, driveways, etc.~~
- e. ~~Equipment storage (including construction materials, equipment, fill soil, or rocks) and construction staging and parking areas.~~
- f. ~~Sensitive habitats, including but not limited to those listed below, shall be preserved.~~
 - (1) ~~Southern Vernal Pool~~
 - (2) ~~Valley Needlegrass Grassland~~
 - (3) ~~Southern California Coastal Lagoon~~
 - (4) ~~Southern California Steelhead Stream~~
 - (5) ~~Southern California Threespine Stickleback Stream~~
 - (6) ~~Coastal and Valley Freshwater Marsh~~
 - (7) ~~Northern and Southern Coastal Salt Marsh~~
 - (8) ~~Central Coast Arroyo Willow Riparian Forest~~
 - (9) ~~Southern Coast Live Oak Riparian Forest~~
 - (10) ~~Southern Cottonwood Willow Riparian Forest~~
 - (11) ~~Southern Willow Scrub~~
 - (12) ~~Central Maritime Chaparral~~
- g. ~~During construction all sensitive habitat shall be temporarily fenced with chain link or other material satisfactory to the Department, at least 200 feet from the edge of the sensitive habitat, and staked to prevent any collapse.~~
- h. ~~During construction and grading, all fencing, staking, and barriers shall be maintained.~~
- i. ~~During construction if it becomes necessary (as authorized by the Department) to disturb or remove any plants within the habitat area, a Department approved biologist shall direct the work. Where feasible, specimens shall be boxed and replanted. If a Department approved biologist certifies that it is not feasible to replant, plants shall be replaced under the direction of the Department approved biologist at a 1:1 ratio. If replacement plants cannot all be accommodated on the same lot, a plan must be approved by the Department for replacement plants to be planted offsite.~~
- j. ~~During construction all grading activities shall be designed to ensure that habitat areas have proper drainage during and after construction, per a Department approved biologist's recommendations.~~
- k. ~~If any ground disturbances will occur during the nesting bird season (February — mid-September), prior to any ground disturbing activity, surveys for active nests shall be conducted by a Department approved biologist following CDFW approved protocols, no more than 10 days prior to the start of activities. The surveys shall be conducted in~~

~~a sufficient area around the work site to identify any nests that are present and to determine their status. Identified nests shall be continuously surveyed for the first 24 hours prior to any activities to establish a behavioral baseline. Once work commences, all nests shall be continuously monitored to detect any behavioral changes. If behavioral changes are observed, the work causing that change shall cease and CDFW shall be consulted for additional avoidance and minimization measures. A minimum no disturbance buffer of 250 feet around active nests of non-listed bird species and a 500 foot no disturbance buffer around the nests of unlisted raptors shall be maintained until the breeding season has ended, or until the biologist determines that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Any variance from these buffers shall be supported by the biologist and CDFW shall be notified in advance of implementation of a no disturbance buffer variance.~~

- ~~1. Applicants shall submit information about proposed pest management practices, including Integrated Pest Management techniques and proposed use, storage, and application of pesticides, herbicides, and/or rodenticides by type and amount as part of a Pest Management Plan to be reviewed and approved by the Department and the County Agricultural Commissioner (CAC) prior to issuance of a land use entitlement for the proposed cannabis activity. The Pest Management Plan shall describe the methods to be used for pest control, including the type, location, timing, and methods used for any rodenticide. If rodents are a pest issue for an applicant, non-toxic alternatives to rodenticides are recommended, such as mechanical controls like traps, gopher fencing, and weeding; biological controls such as natural pheromones; or cultural controls such as site maintenance and hygiene. Consistent with the California Department of Pesticide Regulation (DPR) determination that commercially grown cannabis is an agricultural commodity, cannabis cultivation on all licensed sites shall comply with the requirements of Division 6 and 7 of the Food and Agricultural Code and pertaining regulations. These laws and regulations set forth requirements for the legal use of pesticides, herbicides, and/or rodenticides, and are enforced by the CAC. Any uses of pesticide, herbicide, or rodenticide products shall be consistent with these requirements and any products on the site shall be placed, used, and stored in a manner that ensures that they will not enter or be released uncontrolled into the environment, including surface or ground waters. Per the California DPR's established regulatory process, commercial cannabis cultivators planning on using pesticides, herbicides, and/or rodenticides shall obtain an Operator Identification Number from the CAC before they can purchase or use these chemicals. Within the Pest Management Plan, the applicant shall demonstrate sufficient knowledge of regulatory requirements regarding the safe and effective use of pesticides and/or rodenticides. Applicants that opt to use rodenticides shall provide an annual report of rodenticide use data to the CAC and County permitting.~~
- ~~5. Subsequent actions identified as necessary in the Habitat Protection Plan, such as species removal or relocation, shall be initiated following any required consultation with USFWS and CDFW pursuant to Federal and State regulations (respectively).~~
- ~~6. The Applicant shall install all measures identified by the Habitat Protection Plan prior to commencement of cannabis activities or as otherwise specified in the Habitat Protection Plan. All necessary requirements identified in the Habitat Protection Plan such as buffers, species monitoring, and plant species replacement, shall be indicated on final plans.~~

- ~~7. The Applicant shall submit a Habitat Protection Plan to the Department and demonstrate that all requirements pertaining to the Habitat Protection Plan have been implemented and completed prior to issuance of permits or licenses for cannabis activities.~~
- ~~8. The Department shall dispatch on an ongoing basis a qualified inspector to monitor and ensure compliance with the Habitat Protection Plan.~~

C. Wildlife Movement Plan.

- ~~1. The Applicant shall prepare a Wildlife Movement Plan for all commercial cannabis activities proposed in or near wildlife movement areas for the Department's review and approval. A Department approved biologist shall review the Plan and confirm the adequacy of design for passage of smaller wildlife and safe prevention of entry by larger mammals, such as deer. The Applicant shall demonstrate to the Department that all perimeter fencing requirements are in place as required prior to commencement of cannabis activities. The Plan shall include:
 - ~~a. The type, material, length, and design of proposed fencing.~~
 - ~~b. Proposed fencing shall be designed to accommodate for the passage of smaller wildlife and safe prevention of entry by larger mammals, such as deer, and be non-disruptive, wildlife friendly fencing, such as post and rail fencing, wire fencing, and/or high-tensile electric fencing.~~
 - ~~c. Analysis of the proposed fencing in relation to the surrounding opportunities for migration.~~~~

SECTION 17:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 18:

Except as amended by this Ordinance, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 19:

This Ordinance shall take effect 30 days from the date of its adoption by the Board of Supervisors and shall become operative and be in force upon the date shown below, and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the *Santa Barbara News-Press*, a newspaper of general circulation published in the County of Santa Barbara.

This Ordinance shall become operative only if the County Treasurer is able to open an account with a suitable financial institution to deposit moneys related to cannabis. If this Ordinance becomes operative, the operative date shall be the date the County Treasurer opens such account. Upon opening an account, the County Treasurer shall promptly notify the Department and the Board of Supervisors by filing a Board Agenda Letter with the Clerk of the Board which will be considered at a noticed public hearing.

Once this Ordinance is operational, the provisions of interim urgency ordinance numbers 4992 and 4995, applicable in this Ordinance, shall automatically expire.

SECTION 20:

Cannabis activities already are highly regulated by both the state and federal governments, and their regulation of cannabis activities is subject to rapid changes. Even if the Board of Supervisors adopts this Ordinance, the Board of Supervisors retains all of its statutory planning and zoning authority concerning cannabis activities. For example, even if the Ordinance becomes operative, the Board of Supervisors still may take action(s) later to change the zoning of cannabis activities to being prohibited. Changing the zoning of cannabis activities to being prohibited, could occur -- for example, but is not limited to -- if: 1) the County Treasurer is not able to deposit cannabis-related funds in a suitable financial institution; and/or 2) the Board of Supervisors submits a proposed County tax on commercial cannabis activity to the voters and the voters do not approve the tax. In part because cannabis activities are highly regulated by both the state and federal governments and their regulation of cannabis activities is subject to rapid changes, the Board of Supervisors later may need to change the zoning of cannabis activities to being prohibited and may need to do so without cannabis activities receiving: 1) an amortization period; and/or 2) legal nonconforming use status.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DAS WILLIAMS, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel