

# Appendix - B

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## Proposed Ordinances and Amendments

Article II Coastal Zoning Ordinance  
Land Use & Development Code – Draft  
Cannabis Land Use Ordinance  
Montecito Land Use & Development Code

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COUNTY OF SANTA BARBARA

Planning and Development

**SANTA BARBARA COUNTY  
ARTICLE II COASTAL ZONING ORDINANCE  
SEPTEMBER 2017**

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In this document are staff’s recommended changes to the Santa Barbara County Code to incorporate cannabis activities associated with the Medicinal and Adult-Use Cannabis Regulation and Safety Act including the cultivation, distribution, storage, manufacturing, processing, and selling of cannabis, and industrial hemp, and on personal outdoor cultivation.

Proposed deletions are shown as ~~strikethrough~~ and proposed insertions are shown as **red text**.

## DIVISION 2. DEFINITIONS.

### Section 35-58. Definitions.

**Cannabis.** The following terms and phrases are defined for the purposes of Chapter 35.42.075 (Cannabis).

1. **Commercial cannabis activity.** The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of medical or recreational cannabis or a medical or recreational cannabis product, except as set forth in Section 19319 of the Business and Professions Code, related to qualifying patients and primary caregivers of medical cannabis or medical cannabis products.
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.
3. **Outdoor cultivation.** The cultivation of cannabis without the use of light deprivation and/or artificial lighting in the canopy area. Supplemental low intensity lighting is permissible only to maintain immature plants as a source for propagation.
4. **Indoor cultivation.** The cultivation of cannabis within a structure using 15 artificial bulbs, at a rate greater than 25 watts per square foot.
5. **Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for their own individual use.
6. **Permit Types:**
  - a. **Cultivation.**
    - 1) Type 1, or “specialty outdoor,” for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.
    - 2) Type 1A, or “specialty indoor,” for indoor cultivation using exclusively artificial lighting of between 501 and 5,000 square feet of total canopy size on one premises.
    - 3) Type 1B, or “specialty mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of between 2,501 and 5,000 square feet of total canopy size on one premises.
    - 4) Type 1C, or “specialty cottage,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
    - 5) Type 2, or “small outdoor,” for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 6) Type 2A, or “small indoor,” for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 7) Type 2B, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 8) Type 3, or “outdoor,” for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
    - 9) Type 3A, or “indoor,” for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.

- 10) Type 3B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
  - 11) Type 4, or “nursery” for cultivation of cannabis solely as a nursery.
  - 12) Type 5, or “outdoor,” for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
  - 13) Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than 22,000 square feet, inclusive, of total canopy size on one premises.
  - 14) Type 5B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than 22,000 square feet, inclusive, of total canopy size on one premises.
- b. Manufacturing.**
- 1) Type 6, or "manufacturing Level 1," for sites that manufacture marijuana products using nonvolatile solvents, or no solvents.
  - 2) Type 7, or “manufacturing Level 2,” for sites that manufacture marijuana products using volatile solvents.
- c. Testing.** Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.
- d. Retail.** Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public. A retailer may conduct sales exclusively by delivery.
- e. Distributor.** Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.
- f. Microbusiness.** Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.
- 7. Mixed-light cultivation.** The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.
- 8. Nursery.** A licensee that produces only clones, immature plants, seeds, and other agricultural products used.
- 9. Sensitive receptor.**
- 1) “Day care center” any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age child care centers.
  - 2) “School” an institution providing instruction in kindergarten or any grades 1 through 12.  
“Youth center” any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

## DIVISION 4. ZONING DISTRICTS

### Section 35-68. AG-I - Agriculture I.

#### ***Section 35-68.3 Permitted Uses.***

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
8. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.
9. One Attached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10 or AG-I-20, subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143.4.
11. Uses, buildings and structures accessory and customarily incidental to the above uses.
12. Cannabis, Cultivation, subject to the provisions of Section 35.144S.
13. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.

#### ***Section 35-68.4 Uses Permitted with a Major Conditional Use Permit***

1. Commercial raising of animals, boarding of animals, and commercial riding stables.
2. Animal hospitals, and animal husbandry services.
3. Facilities for the sorting, cleaning, packing, freezing, loading, transporting and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
  - a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
  - b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County

for local processing, distribution, or sale,

- c. The primary intent of the development of this facility shall be to serve south coast agriculture,
- d. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands,
- e. The facility processes products grown on the premises or on other local agricultural lands,
- f. All application for such facilities shall be accompanied by a landscape plan pursuant to the requirements of Section 35-68.4 of this Article,
- g. Siting of this type of facility on prime agricultural lands or agriculturally productive non-prime soils should be avoided where feasible, and
- h. All applications for such facilities shall be accompanied by defined truck and vehicle routes proposed to serve the facility.

No Conditional Use Permit shall be required under this section for such facilities if they are devoted primarily to the handling of products grown on the premises and the processing of products grown off premises if accessory and customarily incidental to the marketing of products in their natural form grown on the premises.

4. Farm labor camps, including trailers, for housing five or more employees engaged full-time in agriculture working on or off the farm or ranch upon which the dwelling(s) is located, subject to the provisions of Section 35-132.9 (General Regulations).
5. Within the Carpinteria Agricultural Overlay District, greenhouses and greenhouse related development of any size on slopes between five and 10 percent. No exception to this requirement, such as that stated under subsection (3) above, shall apply.
6. **Cannabis, Manufacturing, subject to the provisions of Section 35.144S.**

**Section 35-68.5** *Uses Permitted with a Minor Conditional Use Permit*

1. Additional dwellings for not to exceed four employees of the owner or lessee of the land engaged full time in agriculture on the farm or ranch upon which the dwelling is located provided:
  - a. The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings, to support such use; and
  - b. The applicant provides proof of the full-time employment of the employees.
2. One Detached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10, and AG-I-20 subject to the provisions of Section 35-142 (Residential Second Units) and Section 35-172 (Conditional Use Permits).
3. Commercial Kennels.
4. **Cannabis, Distribution, subject to the provisions of Section 35.144S.**

**Section 35-69. AG-II - Agriculture II**

**Section 35-69.3** *Permitted Uses.*

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this Section 35-69.
2. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
3. Commercial boarding of animals.
4. Private and/or commercial kennels.
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
6. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General

Regulations) and accessory to the primary residential use located on the same lot.

7. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).
8. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
9. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
10. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot.
11. Special Care Homes, subject to the provisions of Section 35-143.4.
12. Uses, buildings and structures accessory and customarily incidental to the above uses.
13. Cannabis, Cultivation, subject to the provisions of Section 35.144S.
14. Cannabis, Distribution, subject to the provisions of Section 35.144S.

***Section 35-69.4 Uses Permitted With a Major Conditional Use Permit.***

1. Animal hospitals and clinics.
2. Low-intensity recreational development such as hiking trails, public riding stables, recreational camps, campgrounds, retreats, and guest ranches, provided that such development:
  - a. Is in character with the rural setting,
  - b. Does not interfere with agricultural production on or adjacent to the lot on which it is located,
  - c. Does not include commercial facilities open to the general public who are not using the recreational facility, and
  - d. Does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.
3. Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises, provided:
  - a. The winery is located on premises used for vineyard purposes,
  - b. The winery is operated in connection with the processing of wine grapes grown on the premises, and
  - c. Retail sales of wine grape products shall be limited to those processed on the premises.
4. Facilities for the sorting, cleaning, packing, freezing, and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
  - a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
  - b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale,
  - c. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands, and
  - d. The facility processes products grown on the premises or on other local agricultural lands.

5. Piers and staging areas for oil and gas development subject to the regulations in DIVISION 9, OIL AND GAS FACILITIES.
6. Aquaculture, subject to the provisions of Section 35-136 (General Regulations).
7. Sorting, cleaning, and further breaking and storing of abalone shells landed live in Santa Barbara County, preparatory to shipment in their natural form.
8. Farm labor camps, including trailers, for housing five or more persons engaged full-time in agriculture working on or off the farm or ranch upon which the dwelling(s) is located, subject to the provisions of Section 35-132.9 (General Regulations).
9. Exploration and production of offshore oil and gas reservoirs from onshore locations, including exploratory and production wells, pipelines, temporary storage tanks, dehydration and separation facilities, and temporary truck terminals located within the Las Flores Canyon Consolidated Oil and Gas Processing Site, subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
10. Consolidated pipeline terminal, subject to being designated for such use in Policy 6-13A and B of the Coastal Plan and the requirements set forth in DIVISION 9, OIL AND GAS FACILITIES.
11. Cannabis, Microbusiness, subject to the provisions of Section 35.144S.
12. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.

***Section 35-69.5 Uses Permitted with a Minor Conditional Use Permit.***

1. Additional dwellings for not to exceed four employees of the owner or lessee of the land engaged full time in agriculture on the farm or ranch upon which the dwelling is located provided:
  - a. The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings to support such use; and
  - b. The applicant provides proof of the full-time employment of the employees.

**Section 35-77A. C-1 - Limited Commercial.**

***Section 35-77A.3 Permitted Uses.***

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Child Care Facilities.
8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, and Section 35-71 (R-1/E-1).

9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
10. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration.
11. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
12. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
  - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.
  - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.
13. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.
14. Cannabis, Retail, subject to the provisions of Section 35.144S.

***Section 35-77A.4 Uses Permitted with a Major Conditional Use Permit.***

1. Small animal hospitals, provided all animals are kept within a completely enclosed, soundproofed building designed to eliminate outdoor odor and reduce the level of noise from such animals to the extent that adjacent residential properties will not be adversely affected in any way by noise or odors.
2. Hotels and motels.
3. Cannabis, Microbusiness, subject to the provisions of Section 35.144S.

***Section 35-77A.5 Uses Permitted with a Minor Conditional Use Permit.***

1. Automobile service station, provided no gasoline is stored above ground.
2. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
3. Community Center.
4. Certified Farmer's Market.

**Section 35-78. C-2 - Retail Commercial.**

***Section 35-78.3 Permitted Uses.***

1. Amusement enterprises if conducted wholly within a completely enclosed building, such as video arcades and pool halls.
2. Automobile service station, provided no gasoline is stored above ground.
3. New and used automobile and machinery sales, leases and rentals.
4. Automobile and machinery repair and service if conducted wholly within a completely enclosed building or within an area enclosed by a solid wall, hedge, or fence not less than six feet in height approved as to design by the Director, but not including automobile or machinery wrecking establishments or junk yards.
5. Retail stores, shops, or establishments supplying commodities for residents of the community, provided such enterprises are conducted within a completely enclosed building, such as bakeries, ice cream shops, grocery, and liquor stores, furniture, hardware, and appliance stores, department stores, sporting goods stores, pet shops, florist shops, automobile accessory stores, and the like.
6. Repair and service uses such as laundry and dry cleaning establishments, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, copy shops, radio and TV repair shops, etc.
7. Restaurants, bars, cocktail lounges, and microbreweries that are secondary and accessory to a restaurant, bar, or lounge.
8. Financial institutions such as banks and savings and loan offices, professional, administrative and general

business offices.

9. Business, professional, and trade schools.
10. Hotels and motels.
11. Automobile parking lot.
12. Golf course, miniature or practice range.
13. Nursery.
14. Outdoor restaurant, cafe, or tea room.
15. Music recording studio.
16. Indoor theater.
17. Community non-profit recycling facility.
18. Residential uses existing at the time of adoption of this Article shall be considered permitted uses rather than legal nonconforming uses.
19. Any other light commercial use which the Planning Commission finds is of similar character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, vibration, danger to life or property, or other similar causes.
20. Spas or health clubs.
21. Non-Residential Child Care Center, pursuant to Section 35-143.3.
22. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses provided:
  - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments, and provided further that there shall be not more than five persons engaged in any such manufacture, processing, or treatment of products.
  - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life or property, or other similar causes.
23. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.
25. Cannabis, Retail, subject to the provisions of Section 35.144S.

Section 35-78.4 Uses Permitted With a Major Conditional Use Permit.

1. Amusement enterprises conducted partially or wholly outdoors.
2. Bus terminal.
3. Outdoor theater.
4. Swap meet.

**Section 35-78.5 Uses Permitted With a Minor Conditional Use Permit.**

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Automobile and machinery repair and service conducted partially or wholly outdoors.
3. Boat sales yard and boat repair and services, but not including painting or junk yards for boats.
4. Cabinet shop.
5. Cannabis, Microbusiness, subject to the provisions of Section 35.144S.
5. Cleaning and dyeing establishment.

6. Electrical shop.
7. Frozen food locker as part of a retail store.
8. Furniture repair and upholstery.
9. Handicraft-type industries subject to the provisions of Section 35-172.11 (Conditional Use Permits).
10. Lumber and building materials sales yard.
11. Mechanical car wash.
12. Plumbing, heating, and ventilating shop.
13. Pump sales and service.
14. Outdoor sale of pool supplies, patio furniture, and spas.
15. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
16. Sales or storage lot for trailers, including trailers used for carrying property, and recreational vehicles.
17. Sign painting shop.
18. Trailer rentals, including trailers used for carrying property, and truck rentals.
19. Welding and small tool machine shop.
20. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
21. Certified Farmer's Market.
22. Emergency Shelter.
23. Single Room Occupancy Facility.

**Section 35-83. PI - Professional and Institutional.**

***Section 35-83.4 Permitted Uses.***

1. Professional offices, studios, and office buildings.
2. Hospitals, sanitariums, medical clinics, special care homes, and similar buildings, when used for the treatment of human ailments, subject to the approval as to need of the Santa Barbara Subarea Advisory Counsel of the Health Systems Agency, Ventura-Santa Barbara.
3. Eleemosynary and philanthropic institutions for human beings.
4. Churches, libraries, museums, and schools, including business schools, but not including dance halls nor trade schools using heavy equipment.
5. Community, civic center, and governmental buildings and structures.
6. Clubs, golf courses, and country clubs.
7. Cemetery, crematory, or mausoleums.
8. Off-street parking facilities accessory and incidental to an adjacent commercial use.
9. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot.
10. Athletic clubs.
11. Banks and savings and loans offices.
12. Any other professional or institutional use which the Planning Commission finds is similar in character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because

of noise, odor, smoke, vibration, danger to life or property, or other similar causes.

13. Non-Residential Child Care Centers, that are ancillary to uses permitted by Section 35-83 when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
14. Uses, buildings and structures accessory and customarily incidental to the above uses.
15. **Cannabis, Testing, subject to the provisions of Section 35.144S.**

***Section 35-83.5 Uses Permitted With Major Conditional Use Permit.***

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Restaurants located in an office building, but not including drive-through or fast food restaurants and not including cocktail lounges or bars.

***Section 35-83.6 Uses Permitted with a Minor Conditional Use Permit.***

1. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
2. Certified Farmer's Market.

***Section 35-83.7 Limitation on Uses.***

No sales, production, repair, or processing shall take place on any site except to the extent necessary for and incidental to operation of the permitted or conditionally permitted uses.

**Section 35-84. M-RP - Industrial Research Park.**

***Section 35-84.4 Permitted Uses.***

1. Manufacturing and assembly of business machines including electronic data processing equipment, accounting machines, calculators, typewriters, and related equipment.
2. Manufacture of ceramic products, such as pottery, figurines and small glazed tile, utilizing only previously pulverized clay, provided that kilns are fired only by electricity or gas.
3. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, perfumes, perfumed toilet soap (not including refining or rendering of fats or oils), and toiletries.
4. Manufacture, design, and production of handicraft articles, musical instruments, toys, jewelry, and novelties.
5. Assembly of electrical appliances, electronic instruments, and devices, and radio, phonograph, and television sets, including the manufacture of small parts only, such as coils, condensers, transformers, and crystal holders.
6. Printing, embossing, engraving, etching, lithographic, and bookbinding plants.
7. Experimental photo or motion picture film, research, and testing laboratories.
8. Scientific instrument and equipment manufacture or precision machine shops.
9. Manufacture of optical goods.
10. Packaging business.
11. Administrative offices required in conjunction with the uses permitted in this district and executive headquarters of business firms that are compatible with uses permitted in this district.
12. Storage warehouse and wholesale distributing.
13. Research, development, and testing laboratories and facilities.
14. Any other light industrial use, building, or structure which the Planning Commission finds is of similar character to those enumerated in this district and is not obnoxious or offensive because of noise, odor, dust,

smoke, vibration, danger to life or property, or similar causes.

15. Aquaculture subject to the provisions of Section 35-136 (General Regulations).
16. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, banks, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot.
17. Light recreational uses and facilities such as tennis courts, gymnasium, racquetball courts which are operated only for the use of the employees in the industrial research park.
18. Non-Residential Child Care Centers, that are ancillary to uses permitted by Section 35-84.4, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
19. Emergency Shelter.
20. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses.
21. Cannabis, Cultivation, subject to the provisions of Section 35.144S.
24. Cannabis, Distribution, subject to the provisions of Section 35.144S.
25. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.
26. Cannabis, Testing, subject to the provisions of Section 35.144S.

***Section 35-84.5 Uses Permitted With a Major Conditional Use Permit.***

1. On shore oil development including exploratory and production wells, pipelines, storage tanks, processing facilities for onshore oil and gas, and truck terminals, subject to the requirements set forth in DIVISION 9-OIL AND GAS FACILITIES.

***Section 35-84.6 Uses Permitted with a Minor Conditional Use Permit.***

1. Certified Farmer's Market.

## DIVISION 7 GENERAL REGULATIONS

### Section 35-144S Cannabis Regulations

#### A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls 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 the medicinal and adult use of cannabis activities including cultivation, distribution, transportation, storage, manufacturing, processing, and sales.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Division 2 (Definitions). Cannabis activities shall only be permitted in the AG-I, AG-II, C-1, C-2, PI, and M-RP zoning districts in compliance with Division 4 (Zoning Districts) and table X-1 in this section. Cannabis activities must also comply with the following:
  - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
  - 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, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
  - 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 cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

#### B. Allowed uses and permit requirements.

- a. Cannabis activities may only occur in compliance with the approval of the applicable permit identified in the following Table X-1. The required permit shall be obtained and all applicable conditions of the permit shall be satisfied prior to the commencement of the cannabis activity.
- b. **Personal Use.** Personal use cultivation of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:
  - (1) Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
  - (2) The individual, possesses, stores, or cultivates cannabis exclusively for their

personal use, and does not provide, donate, sell, or distribute cannabis to any other person.

- (3) Personal growing of cannabis is limited to six plants per legally established dwelling.
- (4) Outdoor cultivation shall not be permitted.
- (5) The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
- (6) None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
- (7) No cannabis shall be cultivated in accessory structures.

**Allowable Zones for Cannabis Land Uses**

LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-I	AG-II	C-1	C-2	PI	M-RP	
<b>Table X-1 - Permit Requirements</b> 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							
<b>CANNABIS CULTIVATION AND MICROBUSINESS</b>							
Cultivation Type 1, Type 1A, Type 1B, Type 1C	P	P	—	—	—	P	35-144S
Cultivation Type 2, Type 2A, Type 2B	P	P	—	—	—	P	35-144S
Cultivation Type 3, Type 3A, Type 3B	P	P	—	—	—	P	35-144S
Cultivation Type 4	P	P	—	—	—	P	35-144S
Cultivation Type 5, Type 5A, Type 5B	P	P	—	—	—	P	35-144S
Microbusiness - Type 12	—	CUP	CUP	CUP	—	—	35-144S
<b>CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING</b>							
Distribution - Type 11	MCUP	P	—	—	—	P	35-144S
Manufacturing - Type 6	P	P	P	P	—	P	35-144S
Manufacturing - Type 7	CUP	CUP	—	—	—	—	35-144S
Testing - Type 8	—	—	—	—	P	P	35-144S
<b>CANNABIS RETAIL</b>							
Retail - Type 10	—	—	P	P	—	—	35-144S
<b>Notes:</b>							
(1) See Section 35-58 (Definitions) for land use definitions.							

**C. Commercial Permit Types.**

**1. Cultivation.**

- a. Type 1 - Cultivation; Specialty outdoor; Small.
- b. Type 1A - Cultivation; Specialty indoor; Small.
- c. Type 1B - Cultivation; Specialty mixed-light; Small.
- d. Type 1C - Cultivation; Specialty cottage; Small.
- e. Type 2 - Cultivation; Outdoor; Small.
- f. Type 2A - Cultivation; Indoor; Small.
- g. Type 2B - Cultivation; Mixed-light; Small.
- h. Type 3 - Cultivation; Outdoor; Medium.
- i. Type 3A - Cultivation; Indoor; Medium.
- j. Type 3B - Cultivation; Mixed-light; Medium.
- k. Type 4 - Cultivation; Nursery.

**2. Manufacturing.**

- a. Type 6 - Manufacturer 1.
- b. Type 7 - Manufacturer 2.

**3. Testing.**

- a. Type 8 - Testing.

**4. Retailer.**

- a. Type 10 - Retailer.

**5. Distributor.**

- a. Type 11 - Distributor.

**6. Microbusiness.**

- a. Type 12 - Microbusiness.

**D. Specific Use Development Standards.** All cannabis activities shall comply with the following development standards.

**1. Cultivation.**

- a. A cultivation operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- b. 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 cultivator is to be located without regard to intervening structures.
- c. Cultivation shall only be allowed indoors in the zones of M-RP in compliance with the permit requirement identified in Division 4 (Zoning District).
- d. Post-processing and packaging of cannabis products shall be considered an ancillary use to the cultivation entitlement.

**2. Manufacturing.**

- a. All cannabis manufacturing operations shall ensure that cannabis is obtained from permitted and licensed cultivation sources and shall comply with State regulations to ensure that all manufactured cannabis products are properly stored, labeled, transported, and inspected, prior to distribution at a legally permitted and licensed dispensary.
- b. The manufacturing facility shall comply with all of the cannabis manufacturing requirements of the State and County.
- c. A non-volatile manufacturing operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- d. A volatile manufacturing operation permitted under this division shall not be located within a 1,200 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- e. The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the cannabis manufacturer is to be located.
- f. The permittee of a volatile manufacturing operation permitted under this division shall train the employees of the cannabis manufacturing facility on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.
- g. No cannabis manufacturing shall be allowed as a Home Occupation including (but not limited to) Cottage Food Operations and In-home Retail Sales in accordance with Section 35-121 (Home Occupations).

**3. Retailer.**

- a. A retail operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the sensitive receptor to the closest property line of the lot on which the cannabis cultivator is to be located.
- c. Retail operations shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products in compliance with the California Business and Professions Code.
- d. Microbusiness shall only include delivery retail in AG-II zone in compliance with the permit requirement identified in Division 4 (Zoning Districts). No retail sales shall occur on the lot on which the microbusiness exists, in AG-II zones.

**4. Testing.** Cannabis testing facilities shall adopt standard operating procedures using methods consistent with general requirements for the competence of testing and calibration activities, including sampling, using standard methods established by the International Organization for Standardization that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement and in with State law and regulations.

**E. General Commercial Development Standards.**

- 1. Fencing.** Prohibited fencing materials include tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.
- 2. Lighting.**
  - a. No lighting for cultivation purposes, except that necessary for security, shall be visible at cultivation sites from sunset to sunrise, such that no light can be detected outside of the

structure.

- b. Any outdoor light used for the illumination of parking areas and/or loading areas, or for security shall be arranged in a manner to be fully shielded, downlit and emit no light rays above the horizontal plane and effectively obscure the visibility of the lamp.

**3. Noise.**

- a. The use of generators for cultivation is prohibited, except for temporary use in the event of a power outage or emergency.
- b. Environmental control systems shall be located and/or shielded to avoid generating incompatible noise to sensitive receptors, in compliance with the Santa Barbara County Noise Element.

**4. Odor.**

- a. The Permittee shall prepare an odor abatement plan that includes (but is not limited to):
  - (1) Designating an individual who is responsible for responding to odor complaints, 24-hours a day, seven days a week.
  - (2) Providing property owners and residents of property within a 1,000 radius of the cannabis facility, with the contact information of the individual responsible for responding to odor complaints.
  - (3) Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint.
  - (4) The description of methods for reducing odors, including minimizing potential add-on air pollution control equipment.

**5. Security.** The operator of a dispensary must:

- a. Prevent individuals from loitering on the premises of the dispensary if they are not engaging in activity expressly related to the operations of the dispensary.
- b. Establish limited access areas accessible only to authorized dispensary personnel.
- c. Store all cannabis and cannabis products in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis and cannabis products used for display purposes, samples or immediate sale.
- d. Install security cameras on site in accordance with State law and regulations.

**6. Signage.** All Signs shall comply with Chapter 35-138 (Sign and Advertising Structures).

- F. Records.** The owner and all permittees of cannabis activities requiring approval of a land use entitlement shall maintain clear and adequate records and documentation, in accordance with the States track-and-trace program, demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
- G. Inspection.** All land use permits and permitted cannabis activity sites are subject to review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Chapter and in accordance with Section 35-185 (Enforcement, Legal Procedures, and Penalties).
- H. State license required.** The Permittee of a cannabis activity that requires one or more of the State cannabis license types set forth in California Business and Professions Code shall: (1) obtain the requisite State cannabis license for the cannabis activity; and (2) conduct the cannabis activity in compliance with the State cannabis license.

- I. Land use permit compliance.** Following issuance of the land use entitlement for the cannabis activity, all cannabis activities that are subject to a land use entitlement shall be subject to a County inspection to determine compliance with the land use entitlement.
- J. Revocation.**
1. An entitlement to allow cannabis activities may be revoked in compliance with Section Section 35-169.8 (Revocation).
  2. In addition to the basis for revocation in compliance with Subsection Section 35-169.8 (Revocation), the entitlement may also be revoked if the applicant, after receiving entitlement:
    - a. fails or refuses to inform the County of alterations to the property that would compromise the original permit approval (e.g., removal of required parking, conversion of space);
    - b. has submitted false or misleading information as part of the application;
    - c. fails to comply with the permit conditions;
    - d. fails to obtain or comply with any other required County, state or local permit;
    - e. fails to comply with one or more of the conditions of the entitlement; or
    - f. the ownership or control of the cannabis business has been transferred and/or sold, an entitlement issued pursuant to this Chapter has been transferred and/or sold, or the title of any of the lots constituting the site on which the entitlement was originally issued has been transferred.



COUNTY OF SANTA BARBARA

Planning and Development

**SANTA BARBARA COUNTY  
LAND USE & DEVELOPMENT CODE  
DRAFT CANNABIS LAND USE ORDINANCE  
SEPTEMBER 2017**

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In this document are staff’s recommended changes to the Santa Barbara County Code to incorporate cannabis activities associated with the Medicinal and Adult-Use Cannabis Regulation and Safety Act including the cultivation, distribution, storage, manufacturing, processing, and selling of cannabis, and industrial hemp, and on personal outdoor cultivation.

Proposed deletions are shown as ~~striketrough~~ and proposed insertions are shown as **red text**.

## ARTICLE 35.2 - ZONES AND ALLOWABLE LAND USES

### 35.21.030 - Agricultural Zones Allowable Land Uses

<b>Table 2-1</b>  <b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

#### 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
Cannabis - Cultivation and microbusiness	S	S	35.42.075
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

Cannabis - Manufacturing	S	S	35.42.075
Cannabis - Testing	—	—	35.42.075
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:

- See Article 35.11 (Glossary) for land use definitions.
- Development Plan approval may also be required; see Section 35.21.030.C.
- See Section 35.42.070.C for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- Use limited to areas designated on the Land Use Element Maps with the “Agricultural Industry overlay.”
- Limited to locations within the Gaviota Coast Plan area.
- See Section 35.42.140.C for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- 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.
- See Section 35.42.240.D for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

<b>Table 2-1 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

**RETAIL TRADE**

Agricultural product sales	P	P (6)	35.42.050
<b>Cannabis - Retail</b>	—	—	

**Key to Zone Symbols**

<b>AG-I</b>	Agriculture I	<b>AG-II</b>	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.

<b>Table 2-1 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

Agricultural product transportation facility	—	CUP	35.42.040.B.2
Airport, public	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	
<b>Cannabis - Distribution</b>	<b>S</b>	<b>S</b>	<b>35.42.075</b>
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**

<b>AG-I</b>	Agriculture I	<b>AG-II</b>	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.

### 35.22.030 - Resource Protection Zones Allowable Land Uses

<b>Table 2-4</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>MT-GAV</b>	<b>MT-GOL</b>	<b>MT-TORO</b>	<b>RMZ</b>	

#### 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	—	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	—	
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

<b>MT-GAV</b>	Mountainous - Gaviota	<b>MT-TORO</b>	Mountainous - Toro Canyon
<b>MT-GOL</b>	Mountainous - Goleta	<b>RMZ</b>	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.

<b>Table 2-4 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>MT-GAV</b>	<b>MT-GOL</b>	<b>MT-TORO</b>	<b>RMZ</b>	

#### RETAIL TRADE

Agricultural product sales	—	—	—	—	
<b>Cannabis - Retail</b>	—	—	—	—	

#### Key to Zone Symbols

<b>MT-GAV</b>	Mountainous - Gaviota	<b>MT-TORO</b>	Mountainous - Toro Canyon
<b>MT-GOL</b>	Mountainous - Goleta	<b>RMZ</b>	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**

Cannabis - Manufacturing	—	—	—	—	
Cannabis - Testing	—	—	—	—	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

Airport, public	—	CUP	CUP	CUP	
Airstrip, private and temporary	—	CUP	CUP	CUP	
Airstrip, temporary	—	CUP	—	—	
Cannabis - Distribution	—	—	—	—	
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**

<b>MT-GAV</b>	Mountainous - Gaviota	<b>MT-TORO</b>	Mountainous - Toro Canyon
<b>MT-GOL</b>	Mountainous - Goleta	<b>RMZ</b>	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.

### 35.23.030 - Residential Zones Allowable Land Uses

<b>Table 2-7</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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	R-1/E-1	EX-1	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	35.42.060
Aquaculture	CUP	—	—	35.42.070
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	
Cultivated agriculture, orchard, vineyard	E	E	E	
Greenhouse, 300 sf or less	P	P	P	35.42.140
Greenhouse, more than 300 sf to 800 sf	CUP	MCUP	MCUP	35.42.140
Greenhouse, 800 sf or more	CUP	—	—	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(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	—	—	35.5

#### Key to Zone Symbols

<b>RR</b>	Rural Residential/Residential Ranchette	<b>EX-1</b>	One-Family Exclusive Residential
<b>R-1/E-1</b>	Single-Family Residential	<b>CZ</b>	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.

<b>Table 2-7 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>RR</b>	<b>R-1/E-1</b>	

**RETAIL TRADE**

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

**Key to Zone Symbols**

<b>RR</b>	Rural Residential/Residential Ranchette	<b>EX-1</b>	One-Family Exclusive Residential
<b>R-1/E-1</b>	Single-Family Residential	<b>CZ</b>	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.

<b>Table 2-7 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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					
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>						<b>Specific Use Regulations</b>
	<b>RR</b>	<b>RR CZ</b>	<b>R-1/E-1</b>	<b>R-1/E-1 CZ</b>	<b>EX-1</b>	<b>EX-1 CZ</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	—	CUP	—	—	—	
Airstrip, private and temporary	CUP	—	CUP	—	—	—	
Airstrip, temporary	—	CUP	—	CUP	—	—	
<b>Cannabis - Distribution</b>	—	—	—	—	—	—	
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**

<b>RR</b>	Rural Residential/Residential Ranchette	<b>EX-1</b>	One-Family Exclusive Residential
<b>R-1/E-1</b>	Single-Family Residential	<b>CZ</b>	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.

<b>Table 2-8</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	<b>PRD</b>	

**AGRICULTURAL, MINING & ENERGY FACILITIES**

Agricultural accessory structure	P	P	—	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	—	
Cultivated agriculture, orchard, vineyard	E	E	—	E	
Greenhouse, 300 sf or less	P	P	—	—	35.42.140
Greenhouse, greater than 300 sf to 800 sf	MCUP	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	—	
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(3)	P(3)	—	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	—	CUP	35.82.160
Oil and gas uses	—	—	—	—	

**Key to Zone Symbols**

<b>R-2</b>	Two-Family Residential	<b>PRD</b>	Planned Residential Development
<b>DR</b>	Design Residential	<b>CZ</b>	Coastal Zone
<b>MR-O</b>	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.

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	<b>PRD</b>	

**RETAIL TRADE**

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

**Key to Zone Symbols**

<b>R-2</b>	Two-Family Residential	<b>PRD</b>	Planned Residential Development
<b>DR</b>	Design Residential	<b>CZ</b>	Coastal Zone
<b>MR-O</b>	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.

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	<b>PRD</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	—	CUP	
Airstrip, private and temporary	CUP	CUP	—	CUP	
Airstrip, temporary	—	—	—	—	
<b>Cannabis - Distribution</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	
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	MCUO	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	
Heliport	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	
Road, street, 20,000 sf or more total area	P	P	P	P	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	—	
Wind turbines and wind energy systems	S	S	—	S	35.57

**Key to Zone Symbols**

<b>R-2</b>	Two-Family Residential	<b>PRD</b>	Planned Residential Development
<b>DR</b>	Design Residential		
<b>MR-O</b>	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.

<b>Table 2-9</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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	MHP	MHS	

**AGRICULTURAL, MINING & ENERGY FACILITIES**

Agricultural accessory structure	—	—	—	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	35.42.060
Aquaculture	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	
Cultivated agriculture, orchard, vineyard	—	—	—	
Greenhouse, 300 sf or less	—	—	—	35.42.140
Greenhouse, 300 sf to 800 sf	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	
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(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	

**Key to Zone Symbols**

<b>SLP</b>	Small Lot Planned Development	<b>MHP</b>	Mobile Home Planned Development
<b>SR-M</b>	Medium Density Student Residential	<b>MHS</b>	Mobile Home Subdivision
<b>SR-H</b>	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.

<b>Table 2-9 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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	MHP	MHS	

**RETAIL TRADE**

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

**Key to Zone Symbols**

<b>SLP</b>	Small Lot Planned Development	<b>MHP</b>	Mobile Home Planned Development
<b>SR-M</b>	Medium Density Student Residential	<b>MHS</b>	Mobile Home Subdivision
<b>SR-H</b>	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

<b>Table 2-9 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	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	MHP	MHS	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	
<b>Cannabis - Distribution</b>	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	
Electrical transmission line (4) (5)	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	
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	
Road, street, 20,000 sf or more total area (6)	P	P	P	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	
Telecommunications facility	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	
Wind turbines and wind energy systems	S	S	S	35.57

**Key to Zone Symbols**

<b>SLP</b>	Small Lot Planned Development	<b>MHP</b>	Mobile Home Planned Development
<b>SR-M</b>	Medium Density Student Residential	<b>MHS</b>	Mobile Home Subdivision
<b>SR-H</b>	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.

### 35.24.030 - Commercial Zones Allowable Land Uses

<b>Table 2-14</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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-2	

#### 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	35.42.060
<b>Cannabis - Cultivation and microbusiness</b>	<b>—</b>	<b>S</b>	<b>S</b>	35.42.075
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(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	S	35.5

#### INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	
<b>Cannabis - Manufacturing</b>	<b>—</b>	<b>S</b>	<b>S</b>	35.42.075
<b>Cannabis - Testing</b>	<b>—</b>	<b>—</b>	<b>—</b>	
Furniture/fixtures manufacturing, cabinet shops	—	—	MCUP	
Handcraft industry, small scale manufacturing	—	—	MCUP	35.42.160
Laundry, dry cleaning plant	—	—	MCUP	
Media production	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	
Printing and publishing	—	—	—	
Recycling - Small collection center	—	—	MCUP	
Recycling - Small collection center, non-profit	—	P	MCUP	
Recycling - Specialized materials collection center	—	—	—	
Sign fabrication and painting shop	—	—	—	
Sign painting shop	—	—	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

<b>CN</b>	Neighborhood Commercial	<b>C-2</b>	Retail Commercial
<b>C-1</b>	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) 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.

<b>Table 2-14 - Continued</b>  <b>Allowed Land Uses and Permit Requirements                  for Commercial Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>CN</b>	<b>C-1</b>	<b>C-2</b>	

**RETAIL TRADE**

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

**Key to Zone Symbols**

<b>CN</b>	Neighborhood Commercial	<b>C-2</b>	Retail Commercial
<b>C-1</b>	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.

<b>Table 2-14 - Continued</b>  <b>Allowed Land Uses and Permit Requirements                  for Commercial Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>CN</b>	<b>C-1</b>	<b>C-2</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	
<b>Cannabis - Distribution</b>	—	—	—	<b>35.42.075</b>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	
Electrical transmission line (4) (5)	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	
Parking facility, public or private	—	—	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	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	
Telecommunications facility	S	S	S	35.44
Transit station or terminal	—	—	CUP	
Utility service line with less than 5 connections (4)	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	
Vehicle dispatch facility	—	—	—	
Vehicle storage	—	—	MCUP	
Wind turbines and wind energy systems	S	S	S	35.57

**Key to Zone Symbols**

<b>CN</b>	Neighborhood Commercial	<b>C-2</b>	Retail Commercial
<b>C-1</b>	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) 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.

<b>Table 2-15</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>C-3</b>	<b>CS</b>	<b>CH</b>	<b>CM-LA</b>	

**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
<b>Cannabis - Cultivation and microbusiness</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
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**

<b>Cannabis - Manufacturing</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>S</b>	<b>35.42.075</b>
<b>Cannabis - Testing</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
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**

<b>C-3</b>	General Commercial	<b>CH</b>	Highway Commercial
<b>C-S</b>	Service Commercial	<b>CM-LA</b>	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.

<b>Table 2-15 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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	—	—	
<b>Cannabis - Retail</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>S</b>	<b>35.42.075</b>
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**

<b>C-3</b>	General Commercial	<b>CH</b>	Highway Commercial
<b>C-S</b>	Service Commercial	<b>CM-LA</b>	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.

<b>Table 2-15 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>C-3</b>	<b>CS</b>	<b>CH</b>	<b>CM-LA</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	—	
Airstrip, private and temporary	CUP	CUP	CUP	—	
Airstrip, temporary	—	—	—	—	
<b>Cannabis - Distribution</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
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**

<b>C-3</b>	General Commercial	<b>CH</b>	Highway Commercial
<b>C-S</b>	Service Commercial	<b>CM-LA</b>	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.

<b>Table 2-16</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**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	35.42.060
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	
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(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	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	—	—	—	
<b>Cannabis - Manufacturing</b>	—	S	—	35.42.075
<b>Cannabis - Testing</b>	—	—	S	35.42.075
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**

<b>C-V</b>	Visitor Serving Commercial	<b>PI</b>	Public and Institutional
<b>SC</b>	Shopping Center	<b>CZ</b>	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.

<b>Table 2-16 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**RETAIL TRADE**

Auto and vehicle sales and rental	—	—	—	
Bar, tavern	—	—	—	
Building and landscape materials - Indoor	—	—	—	
Building and landscape materials - Outdoor	—	—	—	
<b>Cannabis - Retail</b>	<b>—</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
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	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	
Plant nursery	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	
Restaurant, café, coffee shop - Within an office building	—	—	CUP	
Service station	—	—	—	
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)	—	—	

**Key to Zone Symbols**

<b>C-V</b>	Visitor Serving Commercial	<b>PI</b>	Public and Institutional
<b>SC</b>	Shopping Center		

**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.

<b>Table 2-16 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

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

**Key to Zone Symbols**

<b>C-V</b>	Visitor Serving Commercial	<b>PI</b>	Public and Institutional
<b>SC</b>	Shopping Center	<b>CZ</b>	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.

### 35.25.030 - Industrial Zones Allowable Land Uses

<b>Table 2-22</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	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-1	M-2	M-CR	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P	P	P	35.42.020
Agricultural processing	—	P	P	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	35.42.060
Aquaculture	P	P	—	P	35.42.070
<b>Cannabis - Cultivation and microbusiness</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
Cultivated agriculture, orchard, vineyard	—	E	E	E	
Grazing	—	—	—	E	
Greenhouse	—	—	—	P	35.42.140
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(4)	P(4)	P(4)	P(4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	S	S	S	35.5
Winery	—	P(6)	P(6)	S(7)	

#### Key to Zone Symbols

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	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).

<b>Table 2-22 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	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-1	M-2	M-CR	

**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	—	
<b>Cannabis - Manufacturing</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
<b>Cannabis - Testing</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
Ceramic product manufacturing	P	P	P	—	
Chemical product manufacturing	—	—	CUP	—	
Concrete, gypsum and plaster products	—	P	CUP	—	
Cosmetic and pharmaceutical manufacturing	P	P	P	—	
Electronics assembly	P	P	P	—	
Electronics equipment manufacturing	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	—	
Laboratory - Medical, analytical, research and development	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	
<b>Additional INDUSTRY, MANUFACTURING &amp; PROCESSING, WHOLESALING uses are listed on the following page.</b>					

**Key to Zone Symbols**

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	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.

<b>Table 2-22 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	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-1	M-2	M-CR	

**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	—	—	
<b>Cannabis - Retail</b>	—	<b>S</b>	—	—	<b>35.42.075</b>
Drive-through facility, accessory	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	P	—	—	
Office-supporting retail	P	P	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	
Service station	—	—	—	—	

**Key to Zone Symbols**

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	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) 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.

<b>Table 2-22 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>M-RP</b>	<b>M-1</b>	<b>M-2</b>	<b>M-CR</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	CUP	
Airstrip, temporary	—	—	CUP	—	
<b>Cannabis - Distribution</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
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	P	P	MCUP	
Electrical substation - Major	—	P	P	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	
Marine terminal, onshore facility for petroleum transport	—	—	—	—	
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 (6)	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Truck or freight terminal	—	P	P	—	
Utility service line with less than 5 connections(4)	—	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	—	
Vehicle dispatch facility	—	MCUP	MCUP	—	
Vehicle storage	—	P	P	—	
Wind energy systems	S	S	S	S	35.57

**Key to Zone Symbols**

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	General Industry	<b>CZ</b>	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.

### 35.26.030 – Special Purpose Zones Allowable Land Uses

<b>Table 2-24</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	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	—	—	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	—	—	
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	—	—	—	—	—	
<b>Cannabis - Manufacturing</b>	S	—	—	S	S	35.42.080
<b>Cannabis - Testing</b>	—	—	—	—	—	35.42.080
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

<b>MU</b>	Mixed Use	<b>OT-R/LC</b>	Old Town - Residential/Light Commercial
<b>NTS</b>	Naples Townsite	<b>OT-R/GC</b>	Old Town - Residential/General Commercial
<b>OT-R</b>	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	
<b>RETAIL TRADE</b>						
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	—	—	—	—	—	
<b>Cannabis - Retail</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>S</b>	<b>S</b>	<b>35.42.075</b>
Clothing store	P	—	—	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**

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

<b>Table 2-24 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	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	—	—	—	—	—	
<b>Cannabis - Distribution</b>	—	—	—	—	—	
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**

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

<b>Table 2-25</b>  <b>Allowed Land Uses and Permit Requirements for the Special Purpose Zones</b>	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	REC	

**AGRICULTURAL, MINING, & ENERGY FACILITIES**

Agricultural accessory structure	P	—	35.42.020
Agricultural processing - On-premise products	P	—	
Animal keeping (except equestrian facilities - see RECREATION below)	S	S	35.42.060
Aquaculture	—	—	35.42.070
<b>Cannabis - Cultivation and microbusiness</b>	—	—	
Cultivated agriculture, orchard, vineyard	E	—	
Grazing	E	—	
Greenhouse, less than 300 sf	P	—	35.42.140
Greenhouse, 300 sf or more	P	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (3)	P(4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	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	—	—	
<b>Cannabis - Manufacturing</b>	—	—	
<b>Cannabis - Testing</b>	—	—	
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	—	—	
Recycling - Small collection center	—	—	
Recycling - Small collection center, non-profit	—	—	
Recycling - Specialized materials collection center	—	—	
Research and development	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	
Wholesaling and distribution	—	—	

**Key to Zone symbols**

<b>PU</b>	Public Works Facilities	<b>TC</b>	Transportation Corridor
<b>REC</b>	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.

<b>Table 2-25 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for the Special Purpose Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>PU</b>	<b>REC</b>	

**RETAIL TRADE**

Agricultural product sales, on-site production only	MCUP	—	35.42.050
Auto and vehicle sales and rental	—	—	
Bar, tavern	—	—	
Building and landscape materials sales - Outdoor	—	—	
<b>Cannabis - Retail</b>	—	—	
Clothing store	—	—	
Convenience store	—	—	
Convenience store, in mixed use project	—	—	
Drive-through facility	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	
Service station	—	—	
Visitor-serving commercial	—	—	

**Key to Zone symbols**

<b>PU</b>	Public Works Facilities	<b>TC</b>	Transportation Corridor
<b>REC</b>	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.

<b>Table 2-25 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for the Special Purpose Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>PU</b>	<b>REC</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

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

**Key to Zone symbols**

<b>PU</b>	Public Works Facilities	<b>TC</b>	Transportation Corridor
<b>REC</b>	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.

## CHAPTER 35.42 - STANDARDS FOR SPECIFIC LAND USES

### 35.42.075 – Cannabis Regulations

#### A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls 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 the medicinal and adult use of cannabis activities including cultivation, distribution, transportation, storage, manufacturing, processing, and sales.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Section 35.110.020 (Definition of Specialized Terms and Phrases). Cannabis activities must also comply with the following:
  - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
  - 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, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
  - 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 cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

#### B. Allowed uses and permit requirements.

- a. Cannabis activities may only occur in compliance with the approval of the applicable permit identified in the following Tables X-1 through X-6. The required permit shall be obtained and all applicable conditions of the permit shall be satisfied prior to the commencement of the cannabis activity.
- b. **Personal Use.** Personal use cultivation of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:
  - (1) Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
  - (2) The individual, possesses, stores, or cultivates cannabis exclusively for their personal use, and does not provide, donate, sell, or distribute cannabis to any other person.
  - (3) Personal growing of cannabis is limited to six plants per legally established dwelling.
  - (4) Outdoor cultivation shall not be permitted.
  - (5) The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
  - (6) None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
  - (7) No cannabis shall be cultivated in accessory structures.

***Agricultural Zones Allowable Land Uses for Cannabis***

<b>Table X-1</b>  <b>Permit Requirements for Cannabis in Agricultural Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cannabis Cultivation - Type 1, Type 1A, Type 1B, Type 1C	P	P	35.42.075
Cannabis Cultivation -Type 2, Type 2A, Type 2B	P	P	35.42.075
Cannabis Cultivation -Type 3, Type 3A, Type 3B	P	P	35.42.075
Cannabis Cultivation - Type 4	P	P	35.42.075
Microbusiness - Type 12	—	CUP(2)	

**CANNABIS DISTRIBUTION, MANUFACTURING, AND TESTING**

Distribution - Type 11	MCUP	P	
Manufacturing - Type 6	P	P	35.42.075
Manufacturing - Type 7	CUP	CUP	35.42.075
Testing - Type 8	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	
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**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Microbusiness - Type 12 only allows delivery retail and not store front retail.

***Resource Protection Zones Allowable Land Uses for Cannabis***

<b>Table X-2</b>  <b>Permit Requirements for Cannabis in Resource Protection Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>MT-GAV</b>	<b>MT-GOL</b>	<b>MT-TORO</b>	<b>RMZ</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	—	
Cultivation Type 4	—	—	—	—	
Microbusiness - Type 12	—	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	—	
Manufacturing - Type 6	—	—	—	—	
Manufacturing - Type 7	—	—	—	—	
Testing - Type 8	—	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	—	
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**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.

**Residential Zones Allowable Land Uses for Cannabis**

<b>Table X-3</b>  <b>Permit Requirements for Cannabis in Residential Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>RR</b>	<b>R-1/E-1</b>	<b>EX-1</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Microbusiness - Type 12	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	—	—	
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-3 - Continued</b>  <b>Permit Requirements for Cannabis in Residential Zones</b>	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		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	—	
Cultivation Type 4	—	—	—	—	
Microbusiness - Type 12	—	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	—	
Manufacturing - Type 6	—	—	—	—	
Manufacturing - Type 7	—	—	—	—	
Testing - Type 8	—	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-3 - Continued</b>  <b>Permit Requirements for Cannabis in Residential Zones</b>	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	MHP	MHS	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	
Microbusiness - Type 12	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	—	—	
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**Commercial Zones Allowable Land Uses for Cannabis**

<b>Table X-4</b>  <b>Permit Requirements for Cannabis in Commercial Zones</b>	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-2	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	
Microbusiness - Type 12	—	CUP	CUP	35.42.075

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	P	P	35.42.075
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	P	P	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-4 - Continued</b>  <b>Permit Requirements for Cannabis in Commercial Zones</b>	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-3	CS	CH	CM-LA	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	P	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	P	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	P	—	—	—	
Cultivation Type 4	P	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	P	—	—	—	
Microbusiness - Type 12	CUP	CUP	—	—	35.42.075

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	P	—	—	—	35.42.075
Manufacturing - Type 6	P	P	—	P	35.42.075
Manufacturing - Type 7	—	—	—	—	
Testing - Type 8	P	—	—	—	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	P	P	—	P	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-4 - Continued</b>  <b>Permit Requirements for Cannabis in Commercial Zones</b>	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	SC	PI	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	
Microbusiness - Type 12	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	P	—	35.42.075
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	P	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	—	P	—	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**Industrial Zones Allowable Land Uses for Cannabis**

<b>Table X-5</b>  <b>Permit Requirements for Cannabis in Industrial Zones</b>	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			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>M-RP</b>	<b>M-1</b>	<b>M-2</b>	<b>M-CR</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	P	P	P	—	35.42.075
Cultivation Type 2, Type 2A, Type 2B	P	P	P	—	35.42.075
Cultivation Type 3, Type 3A, Type 3B	P	P	P	—	35.42.075
Cultivation Type 4	P	P	P	—	35.42.075
Cultivation Type 5, Type 5A, Type 5B	P	P	P	—	35.42.075
Microbusiness - Type 12	—	CUP	CUP	—	35.42.075

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Cannabis Distribution - Type 11	P	P	P	—	35.42.075
Cannabis Manufacturing - Type 6	P	P	P	—	35.42.075
Cannabis Manufacturing - Type 7	—	P	P	—	35.42.075
Cannabis Testing - Type 8	P	P	P	—	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	—	P	—	—	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**Special Purpose Zones Allowable Land Uses for Cannabis**

<b>Table X-6</b>  <b>Permit Requirements for Cannabis in Special Purpose Zones</b>	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				
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>					<b>Specific Use Regulations</b>
	<b>MU</b>	<b>NTS</b>	<b>OT-R</b>	<b>OT-R/LC</b>	<b>OT-R/GC</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	—	—	
Cultivation Type 4	—	—	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	—	—	
Microbusiness - Type 12	—	—	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Cannabis Distribution - Type 11	—	—	—	—	—	
Cannabis Manufacturing - Type 6	P	—	—	P	P	35.42.075
Cannabis Manufacturing - Type 7	—	—	—	—	—	
Cannabis Testing - Type 8	—	—	—	—	—	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	P	—	—	P	P	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-6 - Continued</b>  <b>Permit Requirements for Cannabis in Special Purpose Zones</b>	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	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>PU</b>	<b>REC</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	
Cultivation Type 4	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	
Microbusiness - Type 12	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Cannabis Distribution - Type 11	—	—	
Cannabis Manufacturing - Type 6	—	—	
Cannabis Manufacturing - Type 7	—	—	
Cannabis Testing - Type 8	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**C. Commercial Permit Types.**

**1. Cultivation.**

- a. Type 1 - Cultivation; Specialty outdoor; Small.
- b. Type 1A - Cultivation; Specialty indoor; Small.
- c. Type 1B - Cultivation; Specialty mixed-light; Small.
- d. Type 1C - Cultivation; Specialty cottage; Small.
- e. Type 2 - Cultivation; Outdoor; Small.
- f. Type 2A - Cultivation; Indoor; Small.
- g. Type 2B - Cultivation; Mixed-light; Small.
- h. Type 3 - Cultivation; Outdoor; Medium.
- i. Type 3A - Cultivation; Indoor; Medium.
- j. Type 3B - Cultivation; Mixed-light; Medium.
- k. Type 4 - Cultivation; Nursery.

**2. Manufacturing.**

- a. Type 6 - Manufacturer 1.
- b. Type 7 - Manufacturer 2.

**3. Testing.**

- a. Type 8 - Testing.

**4. Retailer.**

- a. Type 10 - Retailer.

**5. Distributor.**

- a. Type 11 - Distributor.

**6. Microbusiness.**

- a. Type 12 - Microbusiness.

**D. Specific Use Development Standards.** All cannabis activities shall comply with the following development standards.

**1. Cultivation.**

- a. A cultivation operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- b. 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 cultivator is to be located without regard to intervening structures.
- c. Cultivation shall only be allowed indoors in the zones of C3, M-RP, M-1, and M-2 in compliance with the permit requirement identified in Article 35.2 (Zones and Allowable Land Uses).
- d. Post-processing and packaging of cannabis products shall be considered an ancillary use to the cultivation entitlement.

**2. Manufacturing.**

- a. All cannabis manufacturing operations shall ensure that cannabis is obtained from permitted and licensed cultivation sources and shall comply with State regulations to ensure that all manufactured cannabis products are properly stored, labeled, transported, and inspected, prior to distribution at a legally permitted and licensed dispensary.
- b. The manufacturing facility shall comply with all of the cannabis manufacturing requirements of the State and County.
- c. A non-volatile manufacturing operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- d. A volatile manufacturing operation permitted under this division shall not be located within a 1,200 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- e. The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the cannabis manufacturer is to be located.
- f. The permittee of a volatile manufacturing operation permitted under this division shall train the employees of the cannabis manufacturing facility on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.
- g. No cannabis manufacturing shall be allowed as a Home Occupation including (but not limited to) Cottage Food Operations and In-home Retail Sales in accordance with section 35.42.190.

**3. Retailer.**

- a. A retail operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the sensitive receptor to the closest property line of the lot on which the cannabis cultivator is to be located.
- c. Retail operations shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products in compliance with the California Business and Professions Code.
- d. Microbusiness shall only include delivery retail in AG-II, M-1, and M-2 zones in compliance with the permit requirement identified in Article 35.2 (Zones and Allowable Land Uses). No retail sales shall occur on the lot on which the microbusiness exists, in AG-II, M-1, and M-2 zones.

- 4. Testing.** Cannabis testing facilities shall adopt standard operating procedures using methods consistent with general requirements for the competence of testing and calibration activities, including sampling, using standard methods established by the International Organization for Standardization that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement and in with State law and regulations.

**E. General Commercial Development Standards.**

- 1. Fencing.** Prohibited fencing materials include tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.

**2. Lighting.**

- a. No lighting for cultivation purposes, except that necessary for security, shall be visible at cultivation sites from sunset to sunrise, such that no light can be detected outside of the structure.
- b. Any outdoor light used for the illumination of parking areas and/or loading areas, or for security shall be arranged in a manner to be fully shielded, downlit and emit no light rays above the horizontal plane and effectively obscure the visibility of the lamp.

**3. Noise.**

- a. The use of generators for cultivation is prohibited, except for temporary use in the event of a power outage or emergency.
- b. Environmental control systems shall be located and/or shielded to avoid generating incompatible noise to sensitive receptors, in compliance with the Santa Barbara County Noise Element.

**4. Odor.**

- a. The Permittee shall prepare an odor abatement plan that includes (but is not limited to):
  - (1) Designating an individual who is responsible for responding to odor complaints, 24-hours a day, seven days a week.
  - (2) Providing property owners and residents of property within a 1,000 foot radius of the cannabis facility, with the contact information of the individual responsible for responding to odor complaints.
  - (3) Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint.
  - (4) The description of methods for reducing odors, including minimizing potential add-on air pollution control equipment.

- 5. Security.** The operator of a dispensary must:
  - a. Prevent individuals from loitering on the premises of the dispensary if they are not engaging in activity expressly related to the operations of the dispensary.
  - b. Establish limited access areas accessible only to authorized dispensary personnel.
  - c. Store all cannabis and cannabis products in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis and cannabis products used for display purposes, samples or immediate sale.
  - d. Install security cameras on site in accordance with State law and regulations.
- 6. Signage.** All Signs shall comply with Chapter 35.38 - Sign Standards.
- F. Records.** The owner and all permittees of cannabis activities requiring approval of a land use entitlement shall maintain clear and adequate records and documentation, in accordance with the States track-and-trace program, demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
- G. Inspection.** All land use permits and permitted cannabis activity sites are subject to review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Chapter and in accordance with Chapter 35.108 (Enforcement and Penalties).
- H. State license required.** The Permittee of a cannabis activity that requires one or more of the State cannabis license types set forth in California Business and Professions Code shall: (1) obtain the requisite State cannabis license for the cannabis activity; and (2) conduct the cannabis activity in compliance with the State cannabis license.
- I. Land use permit compliance.** Following issuance of the land use entitlement for the cannabis activity, all cannabis activities that are subject to a land use entitlement shall be subject to a County inspection to determine compliance with the land use entitlement.
- J. Revocation.**
  1. An entitlement to allow cannabis activities may be revoked in compliance with Section 35.84.060 (Revocations).
  2. In addition to the basis for revocation in compliance with Subsection 35.474.060.A (Revocations), the entitlement may also be revoked if the applicant, after receiving entitlement:
    - a. fails or refuses to inform the County of alterations to the property that would compromise the original permit approval (e.g., removal of required parking, conversion of space);
    - b. has submitted false or misleading information as part of the application;
    - c. fails to comply with the permit conditions;
    - d. fails to obtain or comply with any other required County, state or local permit;
    - e. fails to comply with one or more of the conditions of the entitlement; or
    - f. the ownership or control of the cannabis business has been transferred and/or sold, an entitlement issued pursuant to this Chapter has been transferred and/or sold, or the title of any of the lots constituting the site on which the entitlement was originally issued has been transferred.

## CHAPTER 35.110 - DEFINITIONS

### 35.110.010 - Purpose

This Chapter provides definitions of terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the County Code, these definitions shall control for the purposes of this

Development Code. If a word is not defined in this Chapter, or in other provisions of the Santa Barbara County Code, the Director shall determine the correct definition utilizing State law and the latest edition standard dictionary. In cases where a definition is provided in both State law and the latest edition standard dictionary, and the definitions conflict with one-another, the definition set forth in State law shall take precedent.

### **35.110.020 - Definitions of Specialized Terms and Phrases**

**Cannabis.** The following terms and phrases are defined for the purposes of Chapter 35.42.075 (Cannabis).

- 1. Commercial cannabis activity.** The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of medical or recreational cannabis or a medical or recreational cannabis product, except as set forth in Section 19319 of the Business and Professions Code, related to qualifying patients and primary caregivers of medical cannabis or medical cannabis products.
- 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.
- 3. Outdoor cultivation.** The cultivation of cannabis without the use of light deprivation and/or artificial lighting in the canopy area. Supplemental low intensity lighting is permissible only to maintain immature plants as a source for propagation.
- 4. Indoor cultivation.** The cultivation of cannabis within a structure using 15 artificial bulbs, at a rate greater than 25 watts per square foot.
- 5. Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for their own individual use.
- 6. Permit Types:**
  - a. Cultivation.**
    - 1) Type 1, or “specialty outdoor,” for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.
    - 2) Type 1A, or “specialty indoor,” for indoor cultivation using exclusively artificial lighting of between 501 and 5,000 square feet of total canopy size on one premises.
    - 3) Type 1B, or “specialty mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of between 2,501 and 5,000 square feet of total canopy size on one premises.
    - 4) Type 1C, or “specialty cottage,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
    - 5) Type 2, or “small outdoor,” for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 6) Type 2A, or “small indoor,” for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 7) Type 2B, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 8) Type 3, or “outdoor,” for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.

- 9) Type 3A, or “indoor,” for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
  - 10) Type 3B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
  - 11) Type 4, or “nursery” for cultivation of cannabis solely as a nursery.
  - 12) Type 5, or “outdoor,” for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
  - 13) Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than 22,000 square feet, inclusive, of total canopy size on one premises.
  - 14) Type 5B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than 22,000 square feet, inclusive, of total canopy size on one premises.
- b. Manufacturing.**
- 1) Type 6, or "manufacturing Level 1," for sites that manufacture marijuana products using nonvolatile solvents, or no solvents.
  - 2) Type 7, or “manufacturing Level 2,” for sites that manufacture marijuana products using volatile solvents.
- c. Testing.** Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.
- d. Retail.** Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public. A retailer may conduct sales exclusively by delivery.
- e. Distributor.** Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.
- f. Microbusiness.** Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.
- 7. Mixed-light cultivation.** The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.
- 8. Nursery.** A licensee that produces only clones, immature plants, seeds, and other agricultural products used.
- 9. Sensitive receptor.**
- 1) “Day care center” any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age child care centers.
  - 2) “School” an institution providing instruction in kindergarten or any grades 1 through 12.  
“Youth center” any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership

organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.



COUNTY OF SANTA BARBARA

Planning and Development

**SANTA BARBARA COUNTY  
MONTECITO  
LAND USE & DEVELOPMENT CODE  
SEPTEMBER 2017**

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In this document are staff’s recommended changes to the Santa Barbara County Code to incorporate cannabis activities associated with the Medicinal and Adult-Use Cannabis Regulation and Safety Act including the cultivation, distribution, storage, manufacturing, processing, and selling of cannabis, and industrial hemp, and on personal outdoor cultivation.

Proposed deletions are shown as ~~strikethrough~~ and proposed insertions are shown as **red text**.

## Division 35.2 Montecito Zones and Allowable Land Uses

### 35.422.030 - Resource Protection Zone Allowable Land Uses

<b>Table 2-4</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zone</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>RMZ</b>	
		<b>Specific Use Regulations</b>

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping	S	35.442.040
Aquaculture	CUP	
Cannabis - Cultivation and microbusiness	—	
Cultivated agriculture, orchard, vineyard, new	CUP	
Cultivated agriculture, orchard, vineyard, historic legal use	CUP	
Grazing	E	
Mining	CUP	35.472.140

#### Key to Zone Symbols

RMZ	Resource Management
-----	---------------------

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.422.030.C (Development Plan approval required).

<b>Table 2-4 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zone</b>	E Allowed use, no permit required (Exempt) P Permitted use, Land Use Permit required (2) CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed	
	<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>
	<b>RMZ</b>	<b>Specific Use Regulations</b>

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Cannabis - Distribution	—	
Electrical substation - Minor (3)	CUP	
Electrical substation - Major (3)	CUP	
Electrical transmission line (4)	CUP	
Private services and utilities	CUP	
Public works and utilities	CUP	
Telecommunications facility	S	35.444

**Key to Zone Symbols**

RMZ	Resource Management
-----	---------------------

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.422.030.C (Development Plan approval required).
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

### 35.423.030 – Residential Zones Allowable Land Uses

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

#### AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	35.442.020
Animal keeping (except for equestrian facilities- see RECREATION below)	S	S	35.442.040
<b>Cannabis - Cultivation and microbusiness</b>	—	—	
Cultivated agriculture, orchard, vineyard	E	E	
Greenhouse - commercial or noncommercial, 300 sf or less	P	P	35.442.110
Greenhouse - commercial or noncommercial, greater than 300 sf to less than 800 sf	CUP	CUP	35.442.110

#### Key to Zone Symbols

<b>R-1/E-1</b>	Single-Family Residential
<b>R-2</b>	Two-Family Residential

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).
- (3) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.442.140 (Mobile Homes on Foundations).

<b>Table 2-7 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	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
	R-1/E-1	R-2	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Drainage channel, watercourse, storm drain less than 20,000 sf	—	—	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	—	
Electrical substation - Minor (3)	CUP	CUP	
Electrical substation - Major (3)	CUP	CUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project less than 20,000 sf total area (5)	—	—	
Flood control project 20,000 sf or more total area (5)	—	—	
Public safety facility (6)	CUP	CUP	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area (5)	—	—	
Road, street 20,000 sf or more total area (5)	—	—	
Sea wall, revetment, groin or other shoreline structure	—	—	
Telecommunications facility	S	S	35.444
Utility service line with 4 or fewer connections (5)	—	—	
Utility service line with 5 or more connections (5)	—	—	

**Key to Zone Symbols**

<b>R-1/E-1</b>	Single-Family Residential
<b>R-2</b>	Two-Family Residential

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.
- (6) May include paramedic services associated with a fire station.

<b>Table 2-8</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>DR</b>	<b>PRD</b>	

**AGRICULTURAL, MINING, & ENERGY FACILITIES**

Agricultural accessory structure	—	—	35.442.020
Animal keeping (except for equestrian facilities- see RECREATION below)	S	S	35.442.040
<b>Cannabis - Cultivation and microbusiness</b>	—	—	
Cultivated agriculture, orchard, vineyard	—	—	
Greenhouse, commercial or noncommercial 300 sf or more	P (3)	—	35.442.110
Greenhouse, commercial or noncommercial greater than 300 sf to less than 800 sf	—	—	

**Key to Zone Symbols**

<b>DR</b>	Design Residential
<b>PRD</b>	Planned Residential Development

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.423.030.C (Development Plan approval required).
- (3) Non-commercial only.

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>DR</b>	<b>PRD</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Drainage channel, watercourse, storm drain less than 20,000 sf	—	—	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	—	
Electrical substation - Minor (3)	CUP	CUP	
Electrical substation - Major (3)	CUP	CUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project less than 20,000 sf total area (6)	—	—	
Flood control project 20,000 sf or more total area (6)	—	—	
Public safety facility (7)	CUP	CUP	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area (6)	—	—	
Road, street 20,000 sf or more total area (6)	—	—	
Sea wall, revetment, groin or other shoreline structure	—	—	
Telecommunications facility	S	S	35.444
Utility service line with 4 or fewer connections (6)	—	—	
Utility service line with 5 or more connections (6)	—	—	

**Key to Zone Symbols**

DR	Design Residential
PRD	Planned Residential Development

**Notes:**

See Division 35.10 (Glossary) for land use definitions.

Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).

Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).

Does not include electrical transmission lines outside the jurisdiction of the County.

Not applicable to facilities constructed by the County.

May include paramedic services associated with a fire station

### 35.424.030 – Commercial Zones Allowable Land Uses

<b>Table 2-12</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	CN	CV	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping	S	S	35.442.040
<b>Cannabis - Cultivation and microbusiness</b>	—	—	

#### Key to Zone Symbols

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Must comply with standards of Section 35.424.050.A (Mixed use affordable residential unit standards) or 35.424.060.D (Mixed use affordable residential unit standards) as applicable to the specific zone.

<b>Table 2-12 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	CN	CV	

#### RETAIL TRADE

<b>Cannabis - Retail</b>	—	—	
Drive-through facility	CUP	—	35.442.100
General retail	P	—	
Grocery and specialty food stores	P	—	
Health club, spa	P	P (3)	
Restaurant, café, coffee shop	P	P (3)	
Service station	P	—	35.442.050
Visitor serving commercial	—	P (3)	

#### Key to Zone Symbols

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Use only allowed accessory and incidental to an approved resort or guest ranch.

<b>Table 2-12 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>CN</b>	<b>CV</b>
	<b>Specific Use Regulations</b>	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Drainage channel, water course, storm drain less than 20,000 sf	—	—	
Drainage channel, water course, storm drain 20,000 sf or more	—	—	
Electrical substation - Minor (3)	CUP	CUP	
Electrical substation - Major (3)	CUP	CUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project less than 20,000 sf total area (6)	—	—	
Flood control project 20,000 sf or more total area (6)	—	—	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area (6)	—	—	
Road, street 20,000 sf or more total area (6)	—	—	
Sea wall, revetment, groin, or other shoreline structure	—	—	
Telecommunications facility	S	S	
Utility service line with 4 or fewer connections (6)	—	—	
Utility service line with 5 or more connections (6)	—	—	

**Key to Zone Symbols**

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

### 35.425.030 – Special Purpose Zones Allowable Land Uses

<b>Table 2-14</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>REC</b>	<b>PU</b>	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping (except equestrian facilities- see RECREATION below )	S	S	35.442.040
Cannabis - Cultivation and microbusiness	—	—	

#### RETAIL TRADE

Cannabis - Retail	—	—	
Restaurant, café, coffee shop, accessory to allowed recreation use	CUP	—	

#### Key to Zone Symbols

REC	Recreation
PU	Public Utilities

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.425.030.C (Development Plan approval required).

<b>Table 2-14 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	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
	REC	PU	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Electrical substation - Minor (3)	CUP	P	
Electrical substation - Major (3)	CUP	P	
Electrical transmission line (4)	CUP	CUP	
Public works and utilities	CUP	CUP	
Telecommunications facility	S	S	35.444

**Key to Zone Symbols**

REC	Recreation
PU	Public Utilities

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.425.030.C.
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

## CHAPTER 35.442 - STANDARDS FOR SPECIFIC LAND USES

### 35.442.055 - Cannabis Regulations

#### A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls 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 the medicinal and adult use of cannabis.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Section 35.110.020 (Definition of Specialized Terms and Phrases). Cannabis activities must also comply with the following:
  - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
  - 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, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
  - 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 cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

#### B. Allowed uses.

- a. **Personal Use.** Personal use cultivation of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:
  - (1) Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
  - (2) The individual, possesses, stores, or cultivates cannabis exclusively for their personal use, and does not provide, donate, sell, or distribute cannabis to any other person.
  - (3) Personal growing of cannabis is limited to six plants per legally established dwelling.
  - (4) Outdoor cultivation shall not be permitted.

- (5) The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
- (6) None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
- (7) No cannabis shall be cultivated in accessory structures.

## CHAPTER 35.500 – DEFINITIONS

### 35.500.010 - Purpose

This Chapter provides definitions of terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the County Code, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Chapter, or in other provisions of the Santa Barbara County Code, the Director shall determine the correct definition utilizing **State law and the latest edition standard dictionary**. **In cases where a definition is provided in both State law and the latest edition standard dictionary, and the definitions conflict with one-another, the definition set forth in State law shall take precedent.**

### 35.500.020 - Definitions of Specialized Terms and Phrases

**Cannabis.** The following terms and phrases are defined for the purposes of Division 35.2 - Montecito Zones and Allowable Land Uses and Chapter 35.442.055 (Cannabis).

1. **Commercial cannabis activity.** The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of medical or recreational cannabis or a medical or recreational cannabis product, except as set forth in Section 19319 of the Business and Professions Code, related to qualifying patients and primary caregivers of medical cannabis or medical cannabis products.
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.
3. **Outdoor cultivation.** The cultivation of cannabis without the use of light deprivation and/or artificial lighting in the canopy area. Supplemental low intensity lighting is permissible only to maintain immature plants as a source for propagation.
4. **Indoor cultivation.** The cultivation of cannabis within a structure using 15 artificial bulbs, at a rate greater than 25 watts per square foot.
5. **Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for their own individual use.
6. **Permit Types:**
  - a. **Cultivation.**
    - 1) Type 1, or “specialty outdoor,” for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.
    - 2) Type 1A, or “specialty indoor,” for indoor cultivation using exclusively artificial lighting of between 501 and 5,000 square feet of total canopy size on one premises.
    - 3) Type 1B, or “specialty mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of between 2,501 and 5,000 square feet of total canopy size on one premises.

- 4) Type 1C, or “specialty cottage,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
- 5) Type 2, or “small outdoor,” for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
- 6) Type 2A, or “small indoor,” for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
- 7) Type 2B, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
- 8) Type 3, or “outdoor,” for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- 9) Type 3A, or “indoor,” for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- 10) Type 3B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- 11) Type 4, or “nursery” for cultivation of cannabis solely as a nursery.
- 12) Type 5, or “outdoor,” for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
- 13) Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than 22,000 square feet, inclusive, of total canopy size on one premises.
- 14) Type 5B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than 22,000 square feet, inclusive, of total canopy size on one premises.

**b. Manufacturing.**

- 1) Type 6, or “manufacturing Level 1,” for sites that manufacture marijuana products using nonvolatile solvents, or no solvents.
- 2) Type 7, or “manufacturing Level 2,” for sites that manufacture marijuana products using volatile solvents.

**c. Testing.** Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.

**d. Retail.** Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s

premises may be closed to the public. A retailer may conduct sales exclusively by delivery.

- e. **Distributor.** Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.
  - f. **Microbusiness.** Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.
7. **Mixed-light cultivation.** The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.
  8. **Nursery.** A licensee that produces only clones, immature plants, seeds, and other agricultural products used.