

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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December 8, 2010

Janet Wolf, Chair
Board of Supervisors
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101

RE: Santa Barbara County Local Coastal Program Amendment 1-09 (Land Use and Development Code, Montecito Land Use and Development Code, and Two-Parcel Rezone)

Dear Honorable Chair Wolf and Supervisors:

On November 18, 2010 the Coastal Commission approved LCP Amendment STB-MAJ-1-09 with suggested modifications. The Commission's resolution of certification is contained in the staff report dated November 2, 2010 and two addenda dated November 17, 2010. The suggested modifications, as approved by the Commission on November 18, 2010, are attached to this correspondence.

Section 13544 of the Commission's Administrative Regulations requires that after certification the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above the Commission's certification with suggested modifications *shall expire six months* from the date of the Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.
- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object

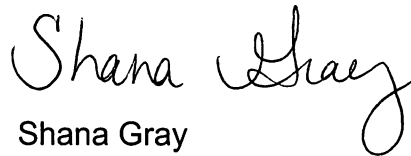
to the Executive Director's determination. If a majority of the Commissioners present object to the Executive Director's determination and find that the local government action does not conform to the provisions of the Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.

- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

The Commission and staff greatly appreciate the County's consideration of this matter.

Authorized on behalf of the California Coastal Commission by:

Peter Douglas
Executive Director



By: Shana Gray
Supervisor, Planning and Regulation

cc: Noel Langle

Attachments:

Suggested Modifications 1-09-A and 1-09-B

Exhibit 4: County LUDC Land Use and Permit Requirement Tables

Exhibit 5: Montecito LUDC Land Use and Permit Requirement Tables

**Suggested Modifications
LCP Amendment 1-09-A (Land Use and Development Code)**

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I. STB-MAJ-1-09-A SUGGESTED MODIFICATIONS TO THE PROPOSED IMPLEMENTATION PLAN AMENDMENT

The staff recommends the Commission certify LCP Amendment 1-09-A and 1-09-B if modified with the modifications as shown below. The County’s proposed amended language to the certified LCP Implementation Plan is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

1. Inland Area

The following modifications provide necessary clarifications to identify sections or provisions of the CLUDC that apply only within Inland Areas (i.e., areas of the County outside of the Coastal Zone), only within the Coastal Zone, or, in some cases, within both the Coastal and Inland Areas. This is necessary to identify the provisions that are part of the certified Local Coastal Program (LCP) and specifically which are not.

Inland Area-Only Clarifications

The Land Use and Development Code shall specifically identify the following Sections as “Inland Area” at the beginning of the applicable section. If indicated after the Section number in this list, then the Section shall specify ‘Inland Area’ as shown further below in this Suggested Modification 1.

<i>Table 1-1, 35.14.020 shall specify the zones that are Inland Area only (As Shown Below)</i>	35.24.070	35.28.160
<i>35.21.030.C.1 (As Shown Below)</i>	35.25.020.B (As Shown Below)	35.28.170
<i>35.22.020.A (As Shown Below)</i>	35.25.020.C (As Shown Below)	35.28.210.D
<i>35.23.020.H (As Shown Below)</i>	35.25.030.C.1	35.28.210.E
<i>35.23.020.L (As Shown Below)</i>	35.25.050.A.1.b	35.34.070.D
<i>35.23.020.M (New, As Shown Below)</i>	35.25.050.A.2	35.34.070.F
<i>35.23.090</i>	35.25.050.A.5.b	35.34.080.C
<i>35.23.110</i>	35.25.050.B.1	35.34.080.D
	35.26.020.A (As Shown Below)	35.34.090.A
	35.26.020.B (As Shown Below)	35.34.090.B
	35.26.030.D.1	35.36.100.I

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35.24.020.A (As Shown Below)	35.26.050	35.36.110.I
35.24.020.D (As Shown Below)	35.26.060	35.36.120.A, B, and C
35.24.020.E (As Shown Below)	35.28.080.C.1 Eastern Goleta Valley Guidelines	35.42.040.B.2 (As Shown Below)
35.24.020.H (As Shown Below)	35.28.080.E Eastern Goleta Valley Guidelines	35.82.070.F.3 Eastern Goleta Valley Guidelines (As Shown Below)
35.24.050.A		
35.24.050.D	35.28.130 Growth Management Ordinance Overlay	
35.24.050.E		

35.21.030.C.1 shall be modified as follows:

1. **Exemptions from floor area calculations.** Within the Inland area, gross floor area associated with the following structures is not included in determining the 20,000 square foot gross floor area threshold for that development which requires a Development Plan.

35.22.020.A shall be modified as follows:

- A. **MT-GOL (Mountainous - Goleta) zone.** The MT-GOL zone is applied within the Inland area to protect mountainous lands in the Goleta Planning Area that are unsuited for intensive development, and that consist of: ...

35.23.020.H - Purposes of the Residential Zones -shall be modified as follows:

- H. **SLP (Small Lot Planned Development) zone.** SLP zone is applied within the Inland area to areas appropriate for increased opportunities for affordable housing, and establishes standards for the development of individual small lots for one-family homes. The intent of this zone is to:
 1. Provide housing opportunities which meet the needs of the community, including housing for low, moderate, and middle income households, families with children, senior citizens, and other identified households in need; and
 2. Ensure a safe and attractive residential environment by promoting high standards of site planning, architecture, and landscaping for small lot planned development.

35.23.020.L - Purposes of the Residential Zones -shall be modified as follows:

- L. **MHS (Mobile Home Subdivision) zone.** The MHS zone is applied within the Inland area to areas appropriate for increasing opportunities for affordable housing, and established standards for the development of mobile home subdivisions. To this end, the intent of this MHS zone is to meet community needs by providing housing opportunities for low, moderate, and middle income households, families with children, senior citizens, and other identified households in need. The intent is also to ensure a safe and attractive residential environment by promoting high standards of site planning, architecture, and landscaping for mobile home developments.

35.23.020.M - Purposes of the Residential Zones -shall be added as follows:

- M. **MR-O (Multi-Family Residential - Orcutt) zone.** The MR-O zone is applied within the Inland area to areas located within the Orcutt Community Plan that are appropriate for new high quality multi-family residential opportunities at densities considered by state law to be affordable by design to very low and low-income households. The regulations will ensure projects located in this zone will provide safe, aesthetically pleasing and desirable new residential neighborhoods that are compatible with existing developments. To achieve these purposes, this zone incorporates a number of basic, self-mitigating design components that promote quality design and efficient land use, the provision of open space, energy conservation, and recreational opportunities for residents and families. In addition, the regulations provide certainty to property owners, developers, and neighbors about the type of development and density allowed on these two sites. The application of the MR-O zone to Orcutt Community Plan Key Sites 3 and 30 will allow the development of not less

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than 372 multi-family housing units. The minimum residential density within the MR-O zone shall be equal to the maximum allowed residential density of 20 units per acre, excluding private and public rights-of-way and except as required by state law.

35.24.020.A - *Purposes of Commercial Zones - shall be modified as follows:*

- A. CN (Neighborhood Commercial) zone.** The CN zone is applied within the Inland area to areas within residential neighborhoods appropriate for local retail or service businesses to meet daily needs for food, drugs, gasoline, and other incidentals of residents in the immediate area. The intent is to provide local serving commercial establishments while preserving the residential character of the area.

35.24.020.D - *Purposes of Commercial Zones - shall be modified as follows:*

- D. C-3 (General Commercial) zone.** The C-3 zone is applied within the Inland area to areas appropriate for wholesale and heavy commercial uses and services that are not suited to the commercial zones that accommodate lighter commercial uses. The intent is to provide for commercial uses in these areas while protecting adjacent uses from negative impacts including noise, odor, lighting, or traffic.

35.24.020.E - *Purposes of Commercial Zones - shall be modified as follows:*

- E. CS (Service Commercial) zone.** The CS zone is applied within the Inland area to areas appropriate for service commercial activities, including wholesale service and business facilities with ancillary offices and inside storage areas, which are more limited in scope than the range of uses permitted in the general commercial zones. The intent is to provide for commercial uses in these areas and ensure compatibility with and the protection of neighboring land uses from negative impacts including noise, odor, lighting, or traffic.

35.24.020.H - *Purposes of Commercial Zones - shall be modified as follows:*

- H. SC (Shopping Center) zone.** The SC zone is applied within the Inland area to areas appropriate for clustered shopping center uses. The intent is to establish provisions for the comprehensive development of property suitable for commercial use, and to prevent piecemeal commercial development in areas that may be more appropriate for a clustered shopping center use. This zone identifies the following two types of shopping centers:...

35.25.020.B - *Purposes of Industrial Zones - shall be modified as follows:*

- B. M-1 (Light Industry) zone.** The M-1 zone is applied within the Inland area and is intended to provide areas exclusively for light industrial uses. The intent is to encourage sound industrial development through appropriate areas for these uses, and to protect nearby residential, commercial, and industrial uses from hazards, noise, and other disturbances.

35.25.020.C - *Purposes of Industrial Zones - shall be modified as follows:*

- C. M-2 (General Industry) zone.** The M-2 zone is applied within the Inland area and is intended to provide areas for all types of industrial uses while providing the level of project review necessary to ensure that adverse impacts will be minimized and that these uses will be compatible with surrounding properties.

35.26.020.A - *Purposes of Special Purpose Zones - shall be modified as follows:*

- A. MU (Mixed Use) zone.** The MU zone is applied within the Inland area to areas that may be suited for mixed use development (i.e., residential, commercial, and/or industrial) because of their unique or unusual size, shape, natural characteristics, or location in relation to existing or planned land uses of adjacent areas. The intent is to plan each designated area as a unit to ensure protection of their unique qualities and to allow flexibility in the location and arrangement of the residential, commercial and industrial development. To this end, the MU zone is designed to provide minimum general standards for development and to encourage maximum cooperation between applicants and the County in determining the specific requirements of individual projects, to ensure that the needs of the community as well as the unique characteristics of a site are addressed in the development plan.

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35.26.020.B - Purposes of Special Purpose Zones - shall be modified as follows:

- B. OT (Old Town) zones.** The OT zones are applied within the Inland area to establish standards for development and guidelines for architectural continuity in areas with unique historic neighborhood characteristics. The intent is to protect and preserve neighborhood character and the architectural styles that have developed historically in these areas.

35.42.040.B.2 shall be modified as follows:

- ~~2. Additional agricultural processing facilities consisting of commercial and/or industrial development, structures, uses, and areas that are directly related to the processing, packaging, treatment and/or sale of agricultural commodities, transportation facilities required to support agriculture or fertilizer manufacturing area allowed in the Inland area within rural areas designated with the Agricultural Industry Overlay on the Comprehensive Plan maps, provided that a Development Plan is approved in compliance with Section 35.82.080 (Development Plans).~~

- 2. Agricultural processing - Extensive, Inland area only.** Within the Rural Area on property that is designated with the Agricultural Industry Overlay as designated on the Comprehensive Plan maps, agricultural processing facilities consisting of commercial and/or industrial development, structures, uses that are directly related agricultural may be allowed for the purposes of (1) the processing, packaging, treatment and/or sale of agricultural commodities, (2) transportation facilities required to support agriculture, and (3) fertilizer manufacturing provided that a Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits) and a Final Development Plan approved in compliance with Section 35.82.080 (Development Plans) are first approved.

35.82.070.F.3 shall be modified as follows:

- 3. Additional findings required for Design Review applications on property located within the Inland area within the Eastern Goleta Valley area.** Where Design Review is required in compliance with Subsection 35.28.080.E (Eastern Goleta Valley), plans for new or altered structures located within the Inland area will be in compliance with the Eastern Goleta Valley Residential Design Guidelines, as applicable. The Eastern Goleta Valley Residential Design Guidelines, which are intended to serve as a guide only, shall constitute “additional design standards” for purposes of Subsection 35.82.070.F.1.(i).

Inland and Coastal Zone Area Clarifications

Table 1-1, 35.14.020 shall be modified as follows:

Table 1-1 Zones

Zone Symbol	Name of Zone	Applicable Code Chapter	County Area Where Zone May Be Applied
Agricultural Zones			
AG-I	Agricultural I	35.21	<u>Coastal Zone & Inland area</u>
AG-II	Agricultural II		<u>Coastal Zone & Inland area</u>
Resource Protection Zones			
MT-GOL	Mountainous - Goleta	35.22	<u>Inland area only</u>
MT-TORO	Mountainous - Toro Canyon		<u>Coastal Zone & Inland area</u>
RMZ	Resource Management		<u>Coastal Zone & Inland area</u>
Residential Zones			
RR	Rural Residential (Coastal Zone) Residential Ranchette (Inland area)	35.23	<u>Coastal Zone & Inland area</u>
E-1	Single Family Estate Residential		<u>Coastal Zone & Inland area</u>
R-1	Single Family Residential		<u>Coastal Zone & Inland area</u>
EX-1	One-Family Exclusive Residential		<u>Coastal Zone & Inland area</u>
R-2	Two-Family Residential		<u>Coastal Zone & Inland area</u>
DR	Design Residential		<u>Coastal Zone & Inland area</u>
MR-O	Multi-Family Residential - Orcutt		<u>Inland area only</u>

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Zone Symbol	Name of Zone	Applicable Code Chapter	County Area Where Zone May Be Applied
PRD	Planned Residential Development		<u>Coastal Zone & Inland area</u>
SLP	Small-Lot Planned Development		<u>Coastal Zone & Inland area</u>
SR-M	Medium Density Student Residential		<u>Coastal Zone only</u>
SR-H	High Density Student Residential		<u>Coastal Zone only</u>
MHP	Mobile Home Planned Development		<u>Coastal Zone & Inland area</u>
MHS	Mobile Home Subdivision		<u>Inland area only</u>

Commercial Zones

CN	Neighborhood Commercial	35.24	<u>Inland area only</u>
C-1	Limited Commercial		<u>Coastal Zone & Inland area</u>
C-2	Retail Commercial		<u>Coastal Zone & Inland area</u>
C-3	General Commercial		<u>Inland area only</u>
CH	Highway Commercial		<u>Coastal Zone & Inland area</u>
CS	Service Commercial		<u>Inland area only</u>
C-V	Resort/Visitor-Serving Commercial		<u>Coastal Zone & Inland area</u>
SC	Shopping Center		<u>Inland area only</u>
PI	Professional and Institutional		<u>Coastal Zone & Inland area</u>

Industrial Zones

M-RP	Industrial Research Park	35.25	<u>Coastal Zone & Inland area</u>
M-1	Light Industry		<u>Inland area only</u>
M-2	General Industry		<u>Inland area only</u>
M-CR	Coastal-Related Industry		<u>Coastal Zone & Inland area</u>
M-CD	Coastal-Dependent Industry		<u>Coastal Zone only</u>

Special Purpose Zones

MU	Mixed Use	35.26	<u>Inland area only</u>
OT-R (1)	Old Town-Residential (1)		<u>Inland area only</u>
OT-R/LC	Old Town - Residential/Light Commercial		<u>Inland area only</u>
OT-R/GC	Old Town - Residential/General Commercial		<u>Inland area only</u>
PU	Public Utilities		<u>Coastal Zone & Inland area</u>
REC	Recreation		<u>Coastal Zone & Inland area</u>
TC	Transportation Corridor		<u>Coastal Zone & Inland area</u>

Overlay Zones

AH	Affordable Housing	35.28	<u>Coastal Zone & Inland area</u>
ARC	Agriculture Residential Cluster		<u>Coastal Zone only</u>
F	Airport Approach		<u>Coastal Zone & Inland area</u>
CA	Carpinteria Agricultural		<u>Coastal Zone only</u>
D	Design Control		<u>Coastal Zone & Inland area</u>
ESH	Environmentally Sensitive Habitat		<u>Coastal Zone only</u>
ESH-GOL	Environmentally Sensitive Habitat - Goleta		<u>Inland area only</u>
ESH-TCP	Environmentally Sensitive Habitat - Toro Canyon		<u>Inland area only</u>
FA	Flood Hazard		<u>Coastal Zone & Inland area</u>
GM	Growth Management		<u>Inland area only</u>
HC	Highway 101 Corridor		<u>Inland area only</u>
HWMF	Hazardous Waste Management Facility		<u>Coastal Zone & Inland area</u>
PA-OTO	Pedestrian Area - Old Town Orcutt		<u>Inland area only</u>
RC-GOL	Riparian Corridor - Goleta		<u>Inland area only</u>
SF	Single Family Restricted		<u>Coastal Zone only</u>
SD	Site Design		<u>Coastal Zone only</u>
VC	View Corridor	<u>Coastal Zone only</u>	

Community Plan Overlay Zones

GOL	Goleta	35.200	<u>Coastal Zone & Inland area</u>
LA	Los Alamos	35.240	<u>Inland area only</u>
ORC	Orcutt	35.300	<u>Inland area only</u>

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Zone Symbol	Name of Zone	Applicable Code Chapter	County Area Where Zone May Be Applied
SUM	Summerland	35.340	<u>Coastal Zone & Inland area</u>
TCP	Toro Canyon Plan	35.360	<u>Coastal Zone & Inland area</u>

Notes:

- (1) Although the OT-R zone (Old Town-Residential) is included within the Special Purpose Zones table, it is still considered a residential zone as this term is applied within this Development Code

35.21.020 - Purposes of the Agricultural Zones - shall be modified as follows:

A. AG-I (Agricultural I) zone.

1. The AG-I zone is applied within the Coastal Zone and the Inland area to areas appropriate for agricultural use within Urban, Inner Rural, Rural (Coastal Zone only), and Existing Developed Rural Neighborhood areas, as defined on the Comprehensive Plan maps. The intent is to provide standards that will support agriculture as a viable land use and encourage maximum agricultural productivity.
2. Within the Coastal Zone, the AG-I zone is intended to designate and protect lands appropriate for long term agricultural use within or adjacent to urbanized areas and to preserve prime agricultural soils.

B. AG-II (Agricultural II) zone.

1. The AG-II zone is applied within the Coastal Zone and the Inland area to areas appropriate for agricultural land uses on prime and non-prime agricultural lands located within the Rural Area as shown on the Comprehensive Plan maps. The intent is to preserve these lands for long-term agricultural use.
2. Within the Coastal Zone, the AG-II zone is intended to provide for agricultural land uses on large properties (a minimum of 40- to 320-acre lots) with prime and non-prime agricultural soils in the rural areas of the County, and to preserve prime and non-prime soils for long-term agricultural use.

35.22.020.B shall be modified as follows:

- B. MT-TORO (Mountainous - Toro Canyon) zone.** The MT-TORO zone is applied within the Coastal Zone and the Inland area to protect mountainous lands in the Toro Canyon area that are unsuited for intensive development, and that consist of:...

35.22.020.C shall be modified as follows:

- C. RMZ (Resource Management) zone.** The RMZ zone is applied within the Coastal Zone and the Inland area to protect lands that are unsuited for intensive development and that have:...

35.23.020.C - Purposes of the Residential Zones - shall be modified as follows:

- C. R-1/E-1 (Single Family Residential) zone.** The R-1 and E-1 zones are applied within the Coastal Zone and the Inland area to areas appropriately located for one-family living at a reasonable range of population densities, consistent with sound standards of public health, safety, and welfare. This zone is intended to protect the residential characteristics of an area and to promote a suitable environment for family life.

35.23.020.D - Purposes of the Residential Zones - shall be modified as follows:

- D. EX-1 (One-Family Exclusive Residential) zone.** The EX-1 zone is applied within the Coastal Zone and the Inland area to areas appropriate for high standards of residential estate development on lots larger than one acre. The intent is to ensure that development protects the residential character of the area and is consistent with sound standards that promote public health, safety, and welfare.

35.23.020.E - Purposes of the Residential Zones - shall be modified as follows:

- E. R-2 (Two-Family Residential) zone.** The R-2 zone is applied within the Coastal Zone and the

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Inland area to areas appropriate for residential development in the form of two-family dwellings (duplexes) and to maintain a residential character similar to that of one-family neighborhoods. This zone is intended to ensure the compatibility of duplex development with surrounding multiple and one-family dwellings and neighborhoods.

35.23.020.F - *Purposes of the Residential Zones - shall be modified as follows:*

- F. DR (Design Residential) zone.** The DR zone is applied within the Coastal Zone and the Inland area to areas appropriate for one-family, two-family, and multi-family dwellings. This zone is intended to ensure comprehensively planned and well designed residential development, while allowing flexibility and encouraging innovation and diverse design, and requiring that substantial open space be maintained within new residential developments.

35.23.020.G - *Purposes of the Residential Zones - shall be modified as follows:*

- G. PRD (Planned Residential Development) zone.** The PRD zone is applied within the Coastal Zone and the Inland area ~~ensures to ensure~~ the comprehensively planned development of large acreage within Urban Areas as designated on the Comprehensive Plan maps that are intended primarily for residential use. The intent of this zone is to:...

35.23.020.K - *Purposes of the Residential Zones - shall be modified as follows:*

- K. MHP (Mobile Home Planned Development) zone.** The MHP zone is applied within the Coastal Zone and the Inland area to areas appropriate for mobile homes on non-permanent foundations, in planned developments including mobile home rental parks and mobile home statutory (air space) condominiums. The intent is to meet community needs by providing affordable housing opportunities. The intent is also to ensure a safe and attractive residential environment by promoting high standards of site planning, architecture, and landscaping design for mobile home developments.

35.24.020.B – *Purposes of Commercial Zones -shall be modified as follows:*

- B. C-1 (Limited Commercial) zone.** The C-1 zone is applied within the Coastal Zone and the Inland area to areas appropriate for both retail and service commercial activities that serve the local community and in the Coastal Zone, the traveling public as well. This zone allows diverse uses, yet restricts allowable uses to those that are also compatible with neighboring residential uses to protect residential uses from negative impacts, including noise, odor, lighting, traffic, or degradation of visual aesthetic values.

35.24.020.C – *Purposes of Commercial Zones -shall be modified as follows:*

- C. C-2 (Retail Commercial) zone.** The C-2 zone is applied within the Coastal Zone and the Inland area to areas appropriate for retail business and commercial needs including stores, shops, and offices supplying commodities or performing services for the residents of the surrounding community.

35.24.020.F – *Purposes of Commercial Zones -shall be modified as follows:*

- F. CH (Highway Commercial) zone.** The CH zone is applied within the Coastal Zone and the Inland area to areas adjacent and accessible to highways or freeways appropriate for uses that serve the highway traveler.

35.24.020.G – *Purposes of Commercial Zones -shall be modified as follows:*

- G. C-V (Resort/Visitor Serving Commercial) zone.** The C-V zone is applied within the Coastal Zone and the Inland area to areas of unique scenic and recreational value appropriate for tourist recreational development, while providing for maximum conservation of site resources through comprehensive site planning. The intent is to provide for maximum public access, enjoyment, and use of an area's scenic, natural, and recreational resources while ensuring preservation of such resources. This zone is not intended for highway related uses that normally service travelers. Where this zone is applied to areas adjacent to the shoreline, uses permitted shall in part require an oceanfront location in order to operate.

35.24.020.I – *Purposes of Commercial Zones -shall be modified as follows:*

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- I. **PI (Professional and Institutional) zone.** The PI zone is applied within the Coastal Zone and the Inland area to areas appropriate for professional uses, and for educational, institutional, governmental, and other public facilities. It is the intent of this zone to ensure that these uses are well-designed and landscaped, and harmonious with surrounding land uses.

35.25.020.A - Purposes of Industrial Zones - shall be modified as follows:

- A. **M-RP (Industrial Research Park) zone.** The M-RP zone is applied within the Coastal Zone and the Inland area and is intended to provide areas exclusively for light industry, technical research, and business headquarters office ~~as the primary land use types,~~uses in well-designed buildings and attractively landscaped areas. The intent is to establish development standards and landscaping requirements to ensure a park-like environment for the uses permitted and compatibility with adjacent non-industrial areas.

35.26.020.D - Purposes of Special Purpose Zones - shall be modified as follows:

- D. **REC (Recreation) zone.** The REC zone is applied within the Coastal Zone and the Inland area to provide public or private open space areas appropriate for various forms of outdoor recreation. The intent is to encourage outdoor recreational uses that will protect and enhance areas with the potential to accommodate both active and passive recreation because of their beauty and natural features. Proposed recreational uses should compliment and be appropriate to the area because of the natural features.

35.26.020.E - Purposes of Special Purpose Zones - shall be modified as follows:

- E. **TC (Transportation Corridor) zone.** The TC zone is applied within the Coastal Zone and the Inland area to established and proposed transportation corridors, to regulate land uses within and adjacent to the corridors, to preserve and protect the corridors, and to provide uniform development standards.

35.28.020 shall be modified to add a new Subsection C. to read as follows:

C. Areas where overlay zones may be applied.

1. **Coastal Zone and Inland area.** The following overlay zones may be applied within both the Coastal Zone and the Inland area: Airport Approach (F) Overlay Zone, Design Control (D) Overlay Zone, Flood Hazard Area (FA) Overlay Zone, Hazardous Waste Management Facility (HWMF) Overlay Zone, and Community Plan Overlays.
2. **Coastal Zone only.** The following overlay zones may be applied only within the Coastal Zone: Agriculture - Residential Cluster (ARC) Overlay Zone, Carpinteria Agricultural (CA) Overlay Zone, Environmentally Sensitive Habitat Area (ESH) Overlay Zone, Single Family Restricted (SF) Overlay Zone, Site Design (SD) Overlay Zone, and View Corridor (VC) Overlay Zone.
3. **Inland area only.** The following overlay zones may be applied only within the Inland area: Environmentally Sensitive Habitat Area-Goleta (ESH-GOL) Overlay Zone, Environmentally Sensitive Habitat Area - Toro Canyon (ESH-TCP) Overlay Zone, Growth Management Ordinance (GMO) Overlay Zone, Hazardous Waste Management Facility (HWMF) Overlay Zone, Highway 101 Corridor (HC) Overlay Zone, Pedestrian Area - Old Town Orcutt (PA-OTO) Overlay Zone, and Riparian Corridor - Goleta (RC-GOL) Overlay Zone.

35.42.280 - Wineries- shall be modified as follows:

...

- B. Coastal Zone permit requirements and development criteria.** The following permit requirements and development criteria apply to wineries located in the Coastal Zone and zoned AG-II.

...

- C. Inland area permit requirements and development criteria.** The following permit requirements and development criteria apply to wineries located in the Inland area and zoned AG-I or AG-II.

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2. References

35.10.040.B- Applicability of the Development Code - shall be modified as follows:

- B. Subdivisions.** Any subdivision of land proposed within the County after the effective date of this Development Code shall be consistent with the minimum lot area and width requirements of Article 35.2 (Zones and Allowable Land Uses), unless a reduction is allowed in compliance with Section 35.82.200 (Variances), ~~the County's subdivision regulations (County Code, Chapter 24)~~ and all other applicable requirements of this Development Code and the Local Coastal Program.

35.14.020.A- Zoning Map and Zones - shall be modified as follows:

- A. Zones established.** The Santa Barbara County shall be divided into zones that implement the Santa Barbara County Comprehensive Plan and the Local Coastal Program. The zones shown in Table 1-1 (Zones) below, are hereby established and shall be shown on the Zoning Map.

35.20.030 - Allowable Development and Planning Permit Requirements - shall be modified as follows:

- A. Allowable land uses.** The land uses allowed by this Development Code in each zone and overlay zone are listed in Chapters 35.21 through 35.28, together with the type of planning permit required for each use. Each listed land use type is defined in Article 35.11 (Glossary).

1.Establishment of an allowable use. ~~Any~~ A land use identified by Chapters 35.21 through 35.28 as being allowable within a specific zone may be established on ~~any~~ a lot within that zone, subject to the planning permit requirements of Subsection B. (Permit requirements) below, and subject to compliance with all applicable requirements of this Development Code and the Local Coastal Program.

35.30.070.C.4 - Fences and Walls - shall be modified as follows:

- 4. Retaining wall exemption.** A retaining wall (retaining earth only) ~~that is exempt from Coastal Development Permit or Land Use Permit requirements when in compliance with the following:~~
- a. ~~The retaining wall shall not be greater~~over ~~than~~ four feet in height measured from the bottom of a the footing to the top of the wall.
 - b. ~~Any grading associated with the retaining wall does not exceed 50 cubic yards or otherwise require and does not require a Grading Permit in compliance with County Code Chapter 14.~~
 - c. ~~The retaining wall and any associated development including grading shall be in compliance with the exemption requirements in Section 35.20.040 (Exemptions from Planning Permit Requirements).~~ is exempt from Coastal Development Permit or Land Use Permit requirements except when located within 300 feet of the edge of a coastal bluff or the inland extent of any beach, or within an Environmentally Sensitive Habitat area located in the Coastal Zone.
 - d. **Coastal Zone.** Within the Coastal Zone, the retaining wall shall be associated with legally existing development.

35.30.080.B - Flood Hazard Development Standards - shall be modified as follows

- B. Development within floodway.** All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway, as determined by the County Public Works Department, unless (1) it is demonstrated through hydrologic and hydraulic analyses submitted by the applicant and acceptable to the Director of the County Public Works Department that the development will not increase flood levels within

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~~the community off-setting improvements in accordance with Housing and Urban Development regulations are provided and (2) the development is consistent with all other provisions of the Comprehensive Plan and the Local Coastal Program. If the proposed development falls within the floodway fringe, development may be permitted, provided that creek setback requirements are met and finished floor elevations are above the projected 100-year flood elevation and further provided that the development is consistent with all other provisions of the Comprehensive Plan and the Local Coastal Program as specified in County Code Chapter 15A (Floodplain Management).~~

35.30.170.C.3 - *Solid Waste and Recycling Storage Facilities* - shall be modified as follows:

3. **Screening requirements.** Solid waste enclosures shall be constructed to be as inconspicuous as possible and, ~~in accordance with Santa Barbara County Code Chapter 17;~~ the contents of enclosures shall be screened from public view.

The following sections with references to "Comprehensive Plan" shall be revised to provide an additional reference to the "Local Coastal Program" in the format specified below:

Comprehensive Plan and the Local Coastal Program

35.20.020.C (As Shown Below)

35.23.080.A

35.30.010.C

35.62.040.C.1.b(6)

35.82.060.E.1.f

35.82.080.E.1.f

35.82.130.E.1.a

35.104.090.A.3.i

35.20.020.C shall be modified as follows:

- C. **Development standards, conditions of approval, Comprehensive Plan and Local Coastal Program.** Each land use and structure shall comply with the development standards of this Chapter, the provisions of Article 35.2 through Article 35.8, all other applicable requirements of this Development Code, the Comprehensive Plan and Local Coastal Program, including any applicable community, specific or area plan, and any applicable conditions imposed by a previously granted planning permit.

35.26.020.E - *Purposes of Special Purpose Zones* - shall be modified as follows:

- E. **TC (Transportation Corridor) zone.** The TC zone is applied to established and proposed transportation corridors, to regulate land uses within and adjacent to the corridors, to preserve and protect the corridors, and to provide uniform development standards.
 1. Notwithstanding any provision of this Development Code, this zone applies local authority to transportation corridor-related matters of public health, safety and welfare, land use, and zoning, insofar as the exercise of this authority does not conflict with applicable general law. The further intent of this zone is to ensure that development within transportation corridors is consistent with the ~~Coastal Land Use Plan and other elements of the Comprehensive Plan and the Local Coastal Program.~~

35.28.190.C - *Site Design (SD) Overlay Zone* - shall be modified as follows:

- C. **Application requirements.** An application for subdivision within the SD overlay zone shall include

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a site design plan with the following information, in addition to the information and materials otherwise required for a subdivision application by ~~County Code Chapter 21 (Subdivisions)~~, unless the proposed subdivision is for the ultimate parcelization of the subject land or a site design plan has been previously approved for the subject land.

...

35.30.050.B – Density - shall be modified as follows:

- B. Density may be increased for an affordable housing project in compliance with Chapter 35.32 (Density Bonus for Affordable Housing) Housing Element policies, provided that any project in the Coastal Zone is found consistent with all applicable provisions of the Local Coastal Program.

35.88.040 - Processing of Specific Plans - shall be modified as follows:

...

D. Transmittal of Commission’s recommendation to the Board.

1. The Commission’s recommendation on the Specific Plan and proposed ~~Coastal Land Use Plan~~ Local Coastal Program Amendment, if applicable, shall be transmitted to the Board by resolution of the Commission carried by the affirmative votes of not less than a majority of its total voting members. A draft ordinance adopting the Specific Plan shall accompany the resolution.
2. The resolution shall be accompanied by a statement of the Commission’s reasons for the recommendation.

...

- I. For sites located within the Coastal Zone.** ~~Within the Coastal Zone~~ ~~For those lots which require preparation of a Specific Plan in compliance with the Coastal Land Use Plan,~~ a Specific Plan shall not be considered adopted until a site development plan, together with the required accompanying data, has been approved by the Board as an Amendment to the Local Coastal Program after consideration at public hearings and a recommendation by the Commission

35.101.020 - Nonconforming Uses of Land and Structures - shall be modified as follows:

F. Limited exceptions for certain nonconforming residential uses. Existing structures devoted to a nonconforming residential use may be enlarged, extended, reconstructed, relocated, and/or structurally altered, subject to the following criteria:

1. The site is within a zone which allows residential use as an allowed use requiring only a Coastal Development Permit or a Land Use Permit.
2. On any lot, only one existing structure devoted to a nonconforming residential use may be enlarged, extended, moved, reconstructed, and/or structurally altered.
3. No enlargements shall result in a structure devoted to a nonconforming residential use that exceeds 1,200 square feet of gross floor area and no enlargements shall be allowed to any structure which has a current legal nonconforming residential gross floor area of 1,200 square feet or more.
4. No enlargement, extension, reconstruction, relocation, or structural alteration shall exceed the height of, or protrude higher than, the highest point of, the existing structure.
5. The structure shall comply with all applicable building, electrical, fire, mechanical, and plumbing codes, and shall not compromise the adequate performance of any existing water system or liquid waste disposal (e.g., septic) system, as determined to the satisfaction of the County Public Health Department.

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6. Any enlargement, extension, reconstruction, relocation, or structural alteration shall comply with all height, lot coverage, parking, setback, and other requirements of the zone in which the structure is located.
7. Except for applicable density requirements, the enlargement, extension, reconstruction, relocation and/or structural alteration complies with the Comprehensive Plan and Local Coastal Program.

35.101.030.B - Nonconforming Structures - shall be modified as follows:

- B. Damage.** This Section identifies the standards for allowing the reconstruction or restoration of a nonconforming structure that is damaged by earthquake, fire, flood, vandalism or other calamity beyond the control of the owner of the structure.

...

- 6. Reconstruction shall commence within 24 months.**

...

- d. If the reconstruction or restoration of the structure does not commence within 24 months or the extended time period that may be granted by the Director, it shall not be restored except in full compliance with the applicable zone regulations and other provisions of this Development Code, the Comprehensive Plan, and the Local Coastal Program.

3. Appeals (LCPA 2-06)

35.82.020.A - Effective Date of Permits - shall be modified as follows:

- A. Coastal Zone.**

...

2. **Development appealable to the Coastal Commission.** The approval of a planning permit for a project that is appealable to the Coastal Commission shall become effective upon:
 - a. The expiration of the Coastal Commission's 10 working-day appeal period which begins the next working day following the receipt by the Coastal Commission of adequate notice of the County's final action unless otherwise indicated in the planning permit; and
 - b. Where an appeal of the review authority's action has not been filed with or by the Coastal Commissioners, the applicant, or any aggrieved person in compliance with the Coastal Act, and where a local appeal has not been filed within 10 calendar days of the date of the decision by the applicable review authority in compliance with Chapter 35.102 (Appeals) unless otherwise indicated in the planning permit.

35.82.050 - Coastal Development Permits - shall be modified as follows:

- A. Purpose and intent.** This Section establishes procedures and findings for the approval, issuance and effective time periods for Coastal Development Permits that are required by this Development Code. The intent of this Section is to ensure that development ~~proposals are~~ is in conformity with the provisions of the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Development Code and any permit conditions established by the County, and to provide public hearing opportunities for ~~certain projects either located within a Geographic Appeals area or constituting a Major Public Works project development that is defined as appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals).~~

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- B. Applicability.** Before using any land or structure, or commencing any work pertaining to any development or use in the Coastal Zone wherein permits are required under the provisions of this Development Code, issuance of a Coastal Development Permit shall be issued is required in compliance with Section 35.82.050 (Coastal Development Permits), unless such activity is identified as exempt by in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements) or ~~that~~ a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or ~~Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances)~~ is required.

...

D. Processing.

- 1. Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and or is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit, or Final Development Plan.** This Section provides the processing requirements for applications for Coastal Development Permits that are not subject to Subsection D.2 or Subsection D.3 below.

a. After receipt of an application for a Coastal Development Permit, the Director shall review the application in compliance with the requirements of the California Environmental Quality Act unless the development is exempt from the California Environmental Quality Act.

ab. The Director shall review each Coastal Development Permit application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan, this Development Code and other applicable conditions and regulations, and approve, conditionally approve or deny the Coastal Development Permit.

...

bc. Before approval or conditional approval of a Coastal Development Permit, notice of the pending decision shall be given in compliance with Chapter 35.106 (Noticing and Public Hearings).

bd. The action of the Director is final, subject to appeal in compliance with Chapter 35.102 (Appeals).

de. No entitlement for development shall be granted prior to the effective date of the Coastal Development Permit. A Coastal Development Permit approved or conditionally approved in compliance with this Section shall not be issued and or deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):

...

ef. In the case of a development which requires a public hearing and final action by the Commission or Zoning Administrator, or final action by the Director, the Director shall not approve any subsequently required Coastal Development Permit within the 10 calendar days immediately following the date that the review authority took final action, during which time an appeal of the action may be filed in compliance with Chapter 35.102 (Appeals).

fg. If a Coastal Development Permit is requested for property subject to a resolution of the Board initiating a Zoning Map Amendment or an Amendment to this Development Code, a Coastal Development Permit shall not be approved or conditionally approved while the proceedings are pending on the amendment unless the proposed uses or structures will conform to both the existing zone and existing provisions of this Development Code and the amendment initiated by the Board or unless a Preliminary or Final Development Plan in compliance with Section 35.82.080 (Development Plans) was approved before the adoption of the Board's resolution and the proposed uses or structures are in conformance with the approved Preliminary or Final Development Plan.

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2. **Coastal Development Permit for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit or Development Plan.** This Section provides the processing requirements for applications for Coastal Development Permits for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and that is not subject to Subsection D.3, below ~~where a public hearing is not otherwise required.~~
 - a. After receipt of the permit application, the Department shall review the application in compliance with the requirements of the California Environmental Quality Act unless the development is exempt from the California Environmental Quality Act.
 - ...
 - e. The requirement for a public hearing may be waived by the Director in compliance with the following requirements:
...
If the requirement for a public hearing is waived, then the Director shall be the review authority for the Coastal Development Permit. A listing of ~~pending~~ Coastal Development Permit applications for which the public hearing may be waived shall be provided on the Zoning Administrator's hearing agendas.
 - f. The action of the ~~Zoning Administrator~~ review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).
 - g. No entitlement for development shall be granted prior to the effective date of the Coastal Development Permit. A Coastal Development Permit approved or conditionally approved in compliance with this Section shall not be issued ~~and~~ or deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):
 - h. If a Coastal Development Permit is requested for property subject to a resolution of the Board initiating a Zoning Map Amendment or an Amendment to this Development Code, a Coastal Development Permit shall not be approved or conditionally approved while the proceedings are pending on the amendment unless the proposed uses or structures will conform to both the existing zone and existing provisions of this Development Code and the amendment initiated by the Board or unless a Preliminary or Final Development Plan in compliance with Section 35.82.080 (Development Plans) was approved before the adoption of the Board's resolution and the proposed uses or structures are in conformance with the approved Preliminary or Final Development Plan.
3. **Coastal Development Permit processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit or Final Development Plan.** This Section provides the processing requirements for applications for Coastal Development Permits for development that also requires a Conditional Use Permit or Minor Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) or a Final Development Plan in compliance with Section 35.82.080 (Development Plans).
 - a. An application for a Coastal Development Permit processed in compliance with this Subsection D.3 shall be processed concurrently and in conjunction with any associated applications for a Conditional Use Permit or Minor Conditional Use Permit or Final Development Plan.
 - a~~b~~. The review authority for the Conditional Use Permit, Minor Conditional Use Permit or Final Development Plan shall be the review authority for the Coastal Development Permit except as described below:
 - (1) If an application for a Coastal Development Permit processed concurrently and in conjunction with an application for a Final Development Plan under the jurisdiction of the Director in compliance with Section 35.82.080 is for

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development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals), then the Zoning Administrator shall be the review authority for both the Coastal Development Permit and the Final Development Plan.

~~The Zoning Administrator shall be the review authority for Coastal Development Permits associated with Final Development Plans under the jurisdiction of the Director (Section 35.82.080) for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals).~~

- bc. After receipt of the Coastal Development Permit application, the Department shall review the application in compliance with the requirements of the California Environmental Quality Act unless the development is exempt from the California Environmental Quality Act.
- ed. The review authority shall review the Coastal Development Permit application for compliance with the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and applicable community and area plans, this Development Code and other applicable conditions and regulations.
- de. For residential structures on lots adjacent to the sea, the application shall be subject to Design Review in compliance with Section 35.82.070 (Design Review).
- ef. **Public hearing requirement.**
 - 1. **Development that is not appealable to the Coastal Commission.** For development that is not appealable to the Coastal Commission in compliance with Section 35.102 (Appeals) the review authority shall approve, conditionally approve, or deny the requested Coastal Development Permit. A public hearing is not required unless required in compliance with Section 35.82.080.D.
 - 2. **Development that is appealable to the Coastal Commission.** For development that is appealable to the Coastal Commission in compliance with Section 35.102 (Appeals) The the review authority shall hold at least one noticed public hearing on the requested Coastal Development Permit and approve, conditionally approve, or deny the request.
- fg. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
- gh. The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).
 - (1) In compliance with Public Resources Code Section 30603, a Coastal Development Permit approved in conjunction with a Conditional Use Permit or Minor Conditional Use Permit (i.e., any development approved by a coastal county that is not designated as the principal permitted use under the zoning ordinance or zoning district map) is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals).
- ...
- hj. No entitlement for development shall be granted prior to the effective date of the Coastal Development Permit. A Coastal Development Permit approved in compliance with this Section shall not be issued and deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):
 - ...
- ij. If a Coastal Development Permit is requested for property subject to a resolution of the Board initiating a Zoning Map Amendment or an Amendment to this Development Code, a Coastal Development Permit shall not be approved or conditionally approved while the proceedings are pending on the amendment unless the proposed uses or structures will conform to both the existing zone and existing provisions of this

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Development Code and the amendment initiated by the Board ~~or unless~~ a Preliminary or Final Development Plan in compliance with Section 35.82.080 (Development Plans) was approved before the adoption of the Board's resolution and the proposed uses or structures are in conformance with the approved Preliminary or Final Development Plan.

E. Findings required for approval.

1. A Coastal Development Permit application that is subject to Subsection D.1 (Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) ~~or and~~ is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit, or Final Development Plan) above, shall be approved or conditionally approved only if the Director first makes all of the following findings:
 - a. The proposed development conforms to:
 - (1) ~~The~~ To the applicable provisions of the Comprehensive Plan and the Local Coastal Program, including the Coastal Land Use Plan and any applicable community or area plan; and
 - (2) ~~The~~ With the applicable provisions of this Development Code or the project falls within the limited exception allowed in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).
 - ...
 - c. The subject property and any development on the property is in compliance with all laws, regulations, and rules pertaining to uses, subdivisions, setbacks, and any other applicable provisions of this Development Code, and any applicable zoning violation enforcement fees and processing fees have been paid. This Subsection shall not be interpreted to impose new requirements on legal nonconforming uses and structures in compliance with Chapter 35.101 (Nonconforming Uses, Structures, and Lots).
 - ...
2. A Coastal Development Permit application that is subject to Subsection D.2 (Coastal Development Permit for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit or Development Plan) above, shall be approved or conditionally approved only if the review authority first makes all of the following findings:
 - ...

F. Permit expiration.

- ~~1. A Coastal Development Permit shall remain valid only as long as compliance with all applicable requirements of this Development Code and the permit continues.~~
- 1. Coastal Development Permits approved in compliance with Section 35.82.050.D.1 or Section 35.82.050.D.2.**

~~A Coastal Development Permit approved in compliance with Subsection D.1 (Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) or is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit, or Final Development Plan) above shall expire two years from the date of issuance if the use and/or structure for which the permit was issued has not been established or commenced in compliance with the effective permit unless a time extension is approved in compliance with Section 35.84.030 (Time Extensions).~~

 - a. The approval or conditional approval of a Coastal Development Permit shall be valid for ~~one year~~ 12 months from date of action by the final review authority including the Coastal Commission if the development is

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~~appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals). Prior to expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval one time for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35.82.050.E can still be made unless a time extension is approved in compliance with Section 35.84.030 (Time Extensions).~~

- ~~3. The approval of a Coastal Development Permit approved in compliance with Subsection D.2 (Coastal Development Permit for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals)) shall be valid for 12 months unless a time extension is approved in compliance with Section 35.84.030 (Time Extensions).~~
 - b. A Coastal Development Permit shall expire two years from the date of issuance if the use, building or structure for which the permit was issued has not been established or commenced in conformance with the effective permit unless a time extension is approved in compliance with Section 35.84.030 (Time Extensions).
- ~~4. The approval of a Coastal Development Permit approved in compliance with Subsection D.3 (Coastal Development Permit processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit or Final Development Plan) above, shall be valid for same time period, including any time extensions, as the Conditional Use Permit or Development Plan as applicable.~~

2. Coastal Development Permits approved in compliance with Section 35.82.050.D.3.

- ~~a. The approval or conditional approval of a Coastal Development Permit shall be valid for one year 12 months from the date of action by the final review authority action including the Coastal Commission if the development is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals). Prior to the expiration of the approval, the review authority who approved the Coastal Development Permit may extend the approval for one year if good cause is shown and the applicable findings for the approval required in compliance with Section 35.82.050.E can still be made unless a time extension is approved in compliance with Section 35.84.030 (Time Extensions).~~
 - ~~(1) Prior to the expiration of a time extension approved in compliance with Subsection 3.a above, the review authority who approved the time extension may approve two additional time extensions for two years each if good cause is shown and the applicable findings for the approval required in compliance with Section 35.82.050.E can still be made.~~
- b. A Coastal Development Permit shall expire two years from the date of issuance if the use or structure for which the permit was issued has not been established or commenced in conformance with the effective permit unless a time extension is approved in compliance with Section 35.84.030 (Time Extensions).
- c. A Coastal Development Permit whose expiration date has been extended in compliance with Subsections 3.a and/or 3.b above will nevertheless expire at the earlier of (1) the expiration of the most recent time extension or (2) the expiration of the associated Conditional Use Permit, Minor Conditional Use Permit or Development Plan (as modified by any extension thereto).

...

35.82.060 - *Conditional Use Permits and Minor Conditional Use Permits - shall be modified as follows:*

...

- C. Contents of application.** An application for a Conditional Use Permit shall be submitted in compliance with Chapter 35.80 (Permit Application Filing and Processing).
 1. If an application for a Conditional Use Permit is submitted for a property located in the Coastal

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Zone, then an application for a Coastal Development Permit for the development requested by the Conditional Use Permit application shall also be submitted and shall be processed concurrently and in conjunction with Conditional Use Permit application ~~except when the Coastal Commission approves the Coastal Development Permit because~~ as follows:

- a. The Coastal Commission is the review authority for the Coastal Development Permit when the development is located:
 - (1) ~~The development is located within~~ Within the retained permit jurisdiction of the Coastal Commission in compliance with Public Resources Code Section 30519(b); or
 - b. (2) ~~The project is located in an area of the County~~ In areas where the County's Local Coastal Program has not been certified by the Coastal Commission.

The application for the Coastal Development Permit shall contain all of the submittal requirements for a Coastal Development Permit in compliance with Section 35.82.060.C that the Director determines to be applicable to the request.

D. Processing.

...

4. The review authority shall hold at least one noticed public hearing on the requested Conditional Use Permit and Coastal Development Permit, if applicable, and approve, conditionally approve, or deny the request.

...

6. The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).

- a. In compliance with Public Resources Code Section 30603, the action of the review authority on a Coastal Development Permit ~~or~~ for a conditionally permitted use is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals).

7. Conditional Use Permits may be granted for a period of time and upon conditions and limitations as may be required to protect the public health, peace, safety, and general welfare of the community. The conditions shall take precedence over and may be more restrictive than those required in the specific zones.

...

G. Requirements prior to commencement of conditionally permitted uses and permit expiration.

1. **Coastal Zone.** For Conditional Use Permits approved for property located in the Coastal Zone, issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) shall be required prior to the commencement of the development and/or authorized use allowed by the Conditional Use Permit.

- a. **Coastal Development Permit required.** A Coastal Development Permit shall be issued prior to the commencement of the development and/or authorized use allowed by the Conditional Use Permit either by the County in compliance with Section 35.82.050.D.3 or the Coastal Commission ~~because~~.

- (1) ~~The development is located within the retained permit jurisdiction of the Coastal Commission, or~~ The Coastal Commission is the review authority for the Coastal Development Permit when the development is located:

- (2) (a) ~~The project is located in an area of the County where the County's Local Coastal Program has not been certified by the Coastal Commission.~~ Within the retained permit jurisdiction of the Coastal Commission in compliance with Public Resources Code Section 30519(b); or

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(b) In areas where the County's Local Coastal Program has not been certified by the Coastal Commission.

b. Land Use Permit required. In addition to the issuance of a Coastal Development Permit in compliance with Subsection G.1.a, above, the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) shall be required ~~if the project requires a Coastal Development Permit issued by the Coastal Commission because:~~ as follows.

(1) ~~The development is located within the retained permit jurisdiction of the Coastal Commission, or The Coastal Commission is the review authority for the Coastal Development Permit when the development is located:~~

(2) (a) ~~The project is located in an area of the County where the County's Local Coastal Program has not been certified by the Coastal Commission. Within the retained permit jurisdiction of the Coastal Commission in compliance with Public Resources Code Section 30519(b); or~~

(b) In areas where the County's Local Coastal Program has not been certified by the Coastal Commission.

The approval of the Coastal Development Permit by the Coastal Commission shall occur prior to the approval of the Land Use Permit by the Director.

(2) The approval of a Substantial Conformity Determination in compliance with Section 35.84.040.C (Substantial Conformity Determinations) is required as a result of changes to the project allowed by the Conditional Use Permit.

The Land Use Permit is the final planning permit required by the Department to represent compliance with any conditions established by the Conditional Use Permit and/or Coastal Development Permit, and does not have any effect on the associated Coastal Development Permit.

c. Zoning Clearance required. In addition to a Coastal Development Permit in compliance with Subsection G.1.a, above, the issuance of a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) shall be required if:

(1) The project does not require a Coastal Development Permit issued by the Coastal Commission, or

(2) The approval of a Substantial Conformity Determination in compliance with Section 35.84.040.C (Substantial Conformity Determinations) is not required as a result of changes to the project allowed by the Conditional Use Permit. ~~Prior to the issuance of the Zoning Clearance the Director shall determine that project allowed by the Conditional Use Permit is in substantial conformity with the Coastal Development Permit previously issued in compliance with Section 35.82.050.D.3. If the Director cannot make this determination, then prior to the commencement of the development and/or authorized use allowed by the Conditional Use Permit, a new Coastal Development Permit shall be issued in compliance with Section 35.82.050. D.3 except that:~~

~~(a) The Director shall be the review authority for the new Coastal Development Permit and shall review the Coastal Development Permit application for compliance with the Comprehensive Plan, including Coastal Land Use Plan and any applicable community and area plans, this Development Code and other applicable conditions and regulations, and approve, conditionally approve or deny the Coastal Development Permit without a public hearing.~~

~~(b) Before approval or conditional approval of a Coastal Development Permit, notice of the pending decision shall be given in compliance with Chapter 35.106 (Noticing and Public Hearings).~~

~~(c) The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).~~

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~~(d) The Director shall approve or conditionally approve the Coastal Development Permit only if the Director first makes all of the applicable findings required in compliance with Section 35.82.050.E (Findings for Approval).~~

...

- 3. Time limits and extensions.** At the time of approval of a Conditional Use Permit, a time limit shall be established within which the Coastal Development Permit, Land Use Permit or Zoning Clearance shall be issued.

...

- c. The review authority ~~that approved~~ responsible for reviewing and making a decision on the application for the Conditional Use Permit in compliance with Table 8-1 (Review Authority) and Subsection 35.80.020.B (Applications subject to more than one review authority) may extend the time limit in compliance with Section 35.84.030 (Time Extensions).

(1) Coastal Zone. An approved time extension shall not extend the time in which to obtain the required Land Use Permit or Zoning Clearance beyond the maximum potential expiration date of the Coastal Development Permit approved in conjunction with the Conditional Use Permit.

- d. A Conditional Use Permit shall be considered void and of no further effect if:

(1) ~~If the~~ The required time limit in which to obtain the required Coastal Development Permit or Land Use Permit or Zoning Clearance has expired and an application for an extension has not been submitted, or then the Conditional Use Permit shall be considered void and of no further effect.

(2) The Coastal Development Permit approved in conjunction with the Conditional Use Permit has expired.

...

35.82.080 - Development Plans - shall be modified as follows:

...

B. Applicability.

...

- 3. Review authority.** The review authority for Development Plans is identified in Table 8-2 (Development Plan Review Authorities) below, except as follows:

a. Conditions of an approved Preliminary Development Plan indicate otherwise.

b. When an application for a Final Development Plan is submitted for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) then Zoning Administrator shall be the review authority if the Director is identified as the review authority in Table 8-2 (Development Plan Review Authorities), below.

...

- C. Contents of application.** An application for a Development Plan shall be submitted in compliance with Chapter 35.80 (Permit Application Filing and Processing).

1. If an application for a Final Development Plan is submitted for property located in the Coastal Zone, then an application for a Coastal Development Permit for the development requested by the Final Development Plan application shall also be submitted and shall be processed concurrently and in conjunction with Final Development Plan application ~~except when the Coastal Commission approves the Coastal Development Permit because~~ as follows:

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- a. The Coastal Commission is the review authority for the Coastal Development Permit when the development is located:
 - (1) ~~The development is located within~~ Within the retained permit jurisdiction of the Coastal Commission in compliance with Public Resources Code Section 30519(b); or
 - (2) ~~The project is located in an area of the County~~ In areas where the County's Local Coastal Program has not been certified by the Coastal Commission.

The application for the Coastal Development Permit shall contain all of the submittal requirements for a Coastal Development Permit in compliance with Section 35.82.060.C that the Director determines to be applicable to the request.

...

- E. **Findings required for approval.** A Development Plan application shall be approved or conditionally approved only if the review authority first makes all of the following findings, as applicable:

...

2. **Additional finding required for Final Development Plans.**

- a. **Substantial conformity.** The plan is in substantial conformity with any previously approved Preliminary Development Plan, except when the review authority considers a Final Development Plan for which there is no previously approved Preliminary Development Plan, then the review authority may consider the Final Development Plan as both a Preliminary and Final Development Plan. To determine whether the Development Plan is in substantial conformity with the original plan, the review authority shall use the Substantial Conformity Guidelines (Appendix H).

...

- F. **Requirements prior to commencement of development authorized by a Final Development Plan.**

- 1. **Coastal Zone.** For Final Development Plans approved for property located in the Coastal Zone, issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) shall be required prior to commencement of the development and/or authorized use allowed by the Final Development Plan.

- a. **Coastal Development Permit required.** A Coastal Development Permit shall be issued prior to the commencement of the development and/or authorized use allowed by the Final Development Plan either by the County in compliance with Section 35.82.050.D.3 or the Coastal Commission ~~because:~~

- (1) ~~The development is located within the retained permit jurisdiction of the Coastal Commission, or~~ The Coastal Commission is the review authority for the Coastal Development Permit when the development is located:
- (2) (a) ~~The project is located in an area of the County where the County's Local Coastal Program has not been certified by the Coastal Commission.~~ Within the retained permit jurisdiction of the Coastal Commission in compliance with Public Resources Code Section 30519(b); or
- (b) In areas where the County's Local Coastal Program has not been certified by the Coastal Commission.

- b. **Land Use Permit required.** In addition to the issuance of a Coastal Development Permit in compliance with Subsection F.1.a, above, the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) shall be required ~~if the project requires a Coastal Development Permit issued by the Coastal Commission because:~~ as

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follows.

- (1) ~~The development is located within the retained permit jurisdiction of the Coastal Commission, or~~ The Coastal Commission is the review authority for the Coastal Development Permit when the development is located:
- (2) ~~(a) The project is located in an area of the County where the County's Local Coastal Program has not been certified by the Coastal Commission. Within the retained permit jurisdiction of the Coastal Commission in compliance with Public Resources Code Section 30519(b); or~~
 - (b) In areas where the County's Local Coastal Program has not been certified by the Coastal Commission.
- (2) The approval of a Substantial Conformity Determination in compliance with Section 35.84.040.C (Substantial Conformity Determinations) is required as a result of changes to the project allowed by the Final Development Plan.

The Land Use Permit is the final planning permit required by the Department to represent compliance with any conditions established by the Final Development Plan and/or Coastal Development Permit, and does not have any effect on the associated Coastal Development Permit.

- c. **Zoning Clearance required.** In addition to the issuance of a Coastal Development Permit in compliance with Subsection F.1.a, above, the issuance of a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) shall be required if:

- (1) The project does not require a Coastal Development Permit issued by the Coastal Commission, or
- (2) The approval of a Substantial Conformity Determination in compliance with Section 35.84.040.C (Substantial Conformity Determinations) is not required as a result of changes to the project allowed by the Final Development Plan. ~~Prior to the issuance of the Zoning Clearance the Director shall determine that project allowed by the Final Development Plan is in substantial conformity with the Coastal Development Permit previously issued in compliance with Section 35.82.050.D.3. If the Director cannot make this determination, then prior to the commencement of the development and/or authorized use allowed by the Final Development Plan, a new Coastal Development Permit shall be issued in compliance with Section 35.82.050.D.3 except that:~~
 - (a) ~~The Director shall be the review authority for the new Coastal Development Permit and shall review the Coastal Development Permit application for compliance with the Comprehensive Plan, including Coastal Land Use Plan and any applicable community and area plans, this Development Code and other applicable conditions and regulations, and approve, conditionally approve or deny the Coastal Development Permit without a public hearing.~~
 - (b) ~~Before approval or conditional approval of a Coastal Development Permit, notice of the pending decision shall be given in compliance with Chapter 35.106 (Noticing and Public Hearings).~~
 - (c) ~~The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).~~
 - (d) ~~The Director shall approve or conditionally approve the Coastal Development Permit only if the Director first makes all of the applicable findings required in compliance with Section 35.82.050.E (Findings required for approval).~~

...

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35.82.110.E - Land Use Permits - shall be modified as follows:

E. Findings required for approval. A Land Use Permit application shall be approved or conditionally approved only if the Director first makes all of the following findings:

1. Findings for all Land Use Permits:

a. The proposed development conforms:

- (1) To the applicable provisions of the Comprehensive Plan and the Local Coastal Program, if applicable, including any applicable community or area plan; and

...

35.84.030.D - Time Extensions shall be modified as follows:

D. Processing.

1. Coastal Development Permit.

a. Approved Coastal Development Permits for appealable development approved in compliance Section 35.82.050.D.1 or Section 35.82.050.D.2.

- (1) **Coastal Development Permits approved by under the jurisdiction of the Director.** The Director may extend the approval of a Coastal Development Permit for appealable development approved by the Director in compliance with Section 35.82.050.D.1 one time for 12 additional months for good cause shown provided the applicable findings for approval required in compliance with Subsection 35.82.050.E (Findings required for approval) can still be made.

...

- ~~(2) Coastal Development Permit approved by the Commission.~~ The Commission may extend the approval of a Coastal Development Permit for appealable development approved by the Commission one time for 12 additional months for good cause shown provided the applicable findings for approval required in compliance with Subsection 35.82.050.E (Findings required for approval) can still be made.

~~(a) After receipt of an application for a Time Extension the Department shall review the application in compliance with the requirements of the California Environmental Quality Act.~~

~~(b) The Commission shall hold at least one noticed public hearing on the requested Time Extension and approve, conditionally approve or deny the request.~~

~~(c) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).~~

~~(d) The action of the Commission is final subject to appeal in compliance with Chapter 35.102 (Appeals).~~

- (32) Coastal Development Permits approved by under the jurisdiction of the Zoning Administrator.** The Zoning Administrator may extend the approval of a Coastal Development Permit for appealable development approved by the Zoning Administrator in compliance with Section 35.82.050.D.2 one time for 12 additional months for good cause shown provided the applicable findings for approval required in compliance with Subsection 35.82.050.E (Findings required for approval) can still be made.

...

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b. Approved Coastal Development Permits approved in compliance Section 35.82.050.D.3.

(1) Coastal Development Permits approved by under the jurisdiction of the Director.

(a) The Director may extend the approval of a Coastal Development Permit under the decision authority of the Director in compliance with Table 8-2 (Development Plan Review Authorities) one time for 12 additional months for good cause shown provided the applicable findings for approval required in compliance with Subsection 35.82.050.E (Findings required for approval) can still be made.

(i) After receipt of an application for a Time Extension the Department shall review the application in compliance with the requirements of the California Environmental Quality Act.

(ii) A public hearing shall not be required if the Director is the review authority for the application for the time extension.

(iii) The Director may approve, conditionally approve or deny the request.

(iv) The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).

(b) Prior to the expiration of a time extension approved in compliance with Subsection D.1.b(1)(a) above, the Director may approve two additional time extensions for two years each for good cause shown provided the applicable findings for the approval required in compliance with Section 35.82.050.E can still be made.

(i) After receipt of an application for a Time Extension the Department shall review the application in compliance with the requirements of the California Environmental Quality Act.

(ii) A public hearing shall not be required if the Director is the review authority for the application for the time extension.

(iii) The Director may approve, conditionally approve or deny the request.

(iv) The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).

(2) Coastal Development Permits approved by the Zoning Administrator or the Commission.

(a) The review authority responsible for reviewing and making a decision on the application for the Coastal Development Permit in compliance with Table 8-1 (Review Authority) and Subsection 35.80.020.B (Applications subject to more than one review authority) may extend the approval of a Coastal Development Permit one time for 12 additional months for good cause shown provided the applicable findings for approval required in compliance with Subsection 35.82.050.E (Findings required for approval) can still be made.

(i) After receipt of an application for a Time Extension the Department shall review the application in compliance with the requirements of the California Environmental Quality Act.

(ii) The review authority shall hold at least one noticed public hearing on the requested Time Extension and approve, conditionally approve or deny the request.

(iii) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106

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(Noticing and Public Hearings).

(iv) The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).

(b) Prior to the expiration of a time extension approved in compliance with Subsection D.1.b(1)(a) above, the review authority may approve two additional time extensions for two years each for good cause shown provided the applicable findings for the approval required in compliance with Section 35.82.050.E can still be made.

(i) After receipt of an application for a Time Extension the Department shall review the application in compliance with the requirements of the California Environmental Quality Act.

(ii) The review authority shall hold at least one noticed public hearing on the requested Time Extension and approve, conditionally approve or deny the request.

(iii) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).

(iv) The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).

bc. **Issued Coastal Development Permits.** The Director may extend the ~~time limit~~ expiration of an issued Coastal Development Permit one time for 12 additional months for good cause shown provided the applicable findings for approval required in compliance with Subsection 35.82.050.E (Findings required for approval) can still be made.

...

35.84.040 - *Changes to an Approved Project - shall be modified as follows:*

...

B. Minor changes to Coastal Development Permits, Land Use Permits, and Zoning Clearances. Minor changes to an approved or issued Coastal Development Permit or Land Use Permit, or issued Zoning Clearance, may be allowed; provided, the changes substantially conform to the approved or issued permit or clearance in compliance with Appendix E (Guidelines for Minor Changes to Coastal Development and Land Use Permits). A request shall be processed in the following manner:

1. The Director may approve a minor change to an approved or issued Coastal Development Permit or Land Use Permit, or issued Zoning Clearance, subject to all of the following:
 - a. The Director determines that the minor change substantially conforms to the approved plans and the originally approved or issued permit;
 - b. There is no change in the use or scope of the development;
 - c. The minor change does not result in a change to the Director's conclusions regarding the project's specific conformance to development standards and findings;
 - d. The Coastal Development Permit, Land Use Permit or Zoning Clearance has not expired; and
 - e. The minor change is exempt from Design Review in compliance with Section 35.82.070 (Design Review).
2. Where a minor change of an approved or issued Coastal Development Permit or Land Use Permit, or issued Zoning Clearance is approved, the permit or clearance shall have the same

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effective and expiration dates as the original permit or clearance and no additional public notice shall be required.

3. Where it cannot be determined that the minor change materially conforms to an approved or issued Coastal Development Permit or Land Use Permit or issued Zoning Clearance in compliance with the above criteria, a new Coastal Development Permit, Land Use Permit, or Zoning Clearance shall be required.
4. The determination to allow a minor change to an approved or issued Coastal Development Permit or Land Use Permit, or issued Zoning Clearance is final and not subject to appeal, ~~except that a decision on a request to revise a Coastal Development Permit which allows development defined as appealable development may be appealed in compliance with Chapter 35.102 (Appeals).~~

C. Substantial Conformity Determinations. The Director may approve a minor change to an approved Conditional Use Permit or Final Development Plan if the Director first determines that the change is in substantial conformity with the approved permit, in compliance with the County's Substantial Conformity Determination Guidelines (see Appendix H).

1. **Notice and public hearing not required.** No public notice or public hearing shall be required for Substantial Conformity Determinations.
2. **Action not subject to appeal.** The action of the Director is final and not subject to appeal, including an appeal to the Coastal Commission.
3. **Conditional Use Permits.** Prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination the issuance of a Land Use Permit in compliance with Section 35.82.110 shall be required. In the Coastal Zone, a change to a Conditional Use Permit may also require the approval of a minor change to the associated Coastal Development Permit in compliance Subsection B above.
 - ~~a. **Coastal Zone.** A Coastal Development Permit approved in compliance with Section 35.82.050 (Coastal Development Permits) shall be required to allow the development and/or use authorized by the Substantial Conformity Determination prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination if the development allowed by the Conditional Use Permit is located in the Coastal Zone.~~
 - ~~(1) The Coastal Development Permit shall be approved only if the review authority first finds, in addition to the findings normally required for a Coastal Development Permit, that the Coastal Development Permit substantially conforms to the previously approved Conditional Use Permit.~~
 - ~~(2) The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).~~
 - b. Inland area.** A Land Use Permit approved in compliance with Section 35.82.110 (Land Use Permits) shall be required to allow the development and/or use authorized by the Substantial Conformity Determination prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination if the development allowed by the Conditional Use Permit is located in the Inland area.
 - a. (1) The Land Use Permit shall be approved only if the review authority first finds, in addition to the findings normally required for a Land Use Permit, that the Land Use Permit substantially conforms to the previously approved Conditional Use Permit.
 - b. (2) The action of the review authority to approve, conditionally approve, or deny the Land Use Permit is final subject to appeal in compliance with Chapter 35.102 (Appeals).
 - c. Where a minor change of an approved Conditional Use Permit is approved by the approval of a Substantial Conformity Determination, the Conditional Use Permit shall have the same effective and expiration dates as the original Conditional Use Permit.

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4. **Final Development Plans.** Prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination the issuance of a Land Use Permit in compliance with Section 35.82.110 shall be required. In the Coastal Zone, a change to a Final Development Plan may also require the approval of a minor change to the associated Coastal Development Permit in compliance Subsection B above.
- a. Coastal Zone, appealable development.** ~~A Coastal Development Permit approved in compliance with Subsection 35.82.050.D.2 (Coastal Development Permits for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals)) shall be required to allow the development and/or use authorized by the Substantial Conformity Determination prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination if the development allowed by the Final Development Plan is located in the Coastal Zone and is defined as appealable development.~~
- (1) ~~The Coastal Development Permit shall be approved only if the review authority first finds, in addition to the findings normally required for a Coastal Development Permit approved in compliance with Subsection 35.82.050.D.2 (Coastal Development Permits for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals)), that the Coastal Development Permit substantially conforms to the previously approved Final Development Plan.~~
- (2) ~~The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).~~
- b. Coastal Zone, not appealable development.** ~~A Coastal Development Permit approved in compliance with Subsection 35.82.050.D.1 (Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals)) shall be required to allow the development and/or use authorized by the Substantial Conformity Determination prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination if the development allowed by the Final Development Plan is located in the Coastal Zone and is not defined as appealable development.~~
- (1) ~~The Coastal Development Permit shall be approved only if the review authority first finds, in addition to the findings normally required for a Coastal Development Permit approved in compliance with Subsection 35.82.050.D.1 (Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals)), that the Coastal Development Permit substantially conforms to the previously approved Final Development Plan.~~
- (2) ~~The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).~~
- c. Inland area.** ~~A Land Use Permit approved in compliance with Section 35.82.110 (Land Use Permits) shall be required to allow the development and/or use authorized by the Substantial Conformity Determination prior to the commencement of the development and/or use authorized by the Substantial Conformity Determination if the development allowed by the Final Development Plan is located in the Inland area.~~
- a. (1) The Land Use Permit shall be approved only if the review authority first finds, in addition to the findings normally required for a Land Use Permit, that the Land Use Permit substantially conforms to the previously approved Final Development Plan.
- b. (2) The action of the review authority to approve, conditionally approve, or deny the Land Use Permit is final subject to appeal in compliance with Chapter 35.102 (Appeals).
- c. Where a minor change of an approved Conditional Use Permit is approved by the

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approval of a Substantial Conformity Determination, the Conditional Use Permit shall have the same effective and expiration dates as the original Conditional Use Permit.

- D. Amendments.** Where a change to an approved Conditional Use Permit or Final Development Plan is determined by the Department to not be in substantial conformity with the approved permit in compliance with Subsection C., above, the ~~Director~~ review authority may approve, conditionally approve or deny an application to add, alter, relocate, replace, or otherwise amend a Conditional Use Permit or Final Development Plan in compliance with the following.

1. Area under review.

a. ~~Conditional Use Permits.~~ ~~The location within the project site that is under review was analyzed for potential environmental impacts and policy consistency under the processing of the approved permit.~~

b. ~~Development Plans.~~ ~~The location within the project site area of the proposed new development that is under review~~ the subject of the application for the Amendment:

~~(1a)~~ Was analyzed for potential environmental impacts and policy consistency as part of the processing of the approved permit and an Addendum to the previous environmental document could be prepared in compliance with the California Environmental Quality Act; or

~~(2b)~~ Was not analyzed for potential environmental impacts and policy consistency as part of the processing of the approved permit, but the proposed new development could be found exempt from environmental review in compliance with the California Environmental Quality Act.

2. Contents of application. An application for an Amendment shall be submitted in compliance with Chapter 25.80 (Permit Application Filing and Processing).

a. If an application for an Amendment is submitted for property located in the Coastal Zone for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals), then an application for a Coastal Development Permit for the development requested by the Amendment application shall also be submitted and shall be processed concurrently and in conjunction with Amendment application except when the Coastal Commission approves the Coastal Development Permit because:

(1) The development is located within the retained permit jurisdiction of the Coastal Commission, or

(2) The project is located in an area of the County where the County's Local Coastal Program has not been certified by the Coastal Commission.

3. Processing.

a. Development that may be appealed to the Coastal Commission. An application for an Amendment to a Conditional Use Permit or Final Development Plan for development that is located in the Coastal Zone and is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and an application for the Coastal Development Permit if required in compliance with Subsection D.2.a., above, shall be processed as follows:

(1) The Department shall review the applications in compliance with the requirements of the California Environmental Quality Act.

(2) The Department shall refer the applications to the Board of Architectural Review and the Subdivision/Development Review Committee for review and recommendations to the review authority. This requirement may be waived by the Director if determined to be unnecessary by the Director.

(3) Notice shall be given in compliance with Section 35.106.020 (Notice of

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Public Hearing and Review Authority Action).

(4) Review authority, action and appeal.

(a) Zoning Administrator.

- (i) The Zoning Administrator shall be the review authority for the application for the Amendment and the application for the Coastal Development Permit.
- (ii) The Zoning Administrator shall hold at least one noticed public hearing the application for the Amendment and the application for the Coastal Development Permit and approve, conditionally approve, or deny the request.
- (iii) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
- (iv) The action of the Zoning Administrator is final subject to appeal in compliance with Chapter 35.102 (Appeals).

(5) Findings.

(a) The application for the Amendment shall be approved or conditionally approved only if the Zoning Administrator first makes all of the following findings:

- (i) That the findings required for approval of the Conditional Use Permit or Final Development Plan, including any environmental review findings made in compliance with the California Environmental Quality Act, that were previously made when the Conditional Use Permit or Final Development Plan was initially approved are still applicable to the project with the addition of the development proposed by the applications for the Amendment and the Coastal Development Permit.
- (ii) That the environmental impacts related to the development proposed by the applications for the Amendment and the Coastal Development Permit are determined to be substantially the same or less than those identified during the processing of the previously approved Conditional Use Permit or Final Development Plan.

(b) The application for the Coastal Development Permit shall be approved or conditionally approved only if the review authority first makes all of the findings required in compliance with Subsection 35.82.050.E.2.

b. Development that may not be appealed to the Coastal Commission. An application for an Amendment to a Final Development Plan for development that is located in the Coastal Zone and is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and an application for an Amendment to a Conditional Use Permit or Final Development Plan for development that is located in the Inland area shall be processed as follows:

- (1) The Department shall review the application in compliance with the requirements of the California Environmental Quality Act.
- (2) The Department shall refer the applications to the Board of Architectural Review and the Subdivision/Development Review Committee for review and recommendations to the review authority. This requirement may be waived by the Director if determined to be necessary by the Director.
- (3) Notice shall be given in compliance with Section 35.106.020 (Notice of Public Hearing and Review Authority Action).

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(4) Review authority, action and appeal.

- (a) The Director shall be the review authority for the application for the Amendment.
- (b) The Director shall review the application for the Amendment for compliance with the Comprehensive Plan, the Local Coastal Program, and applicable community and area plans, this Development Code and other applicable conditions and regulations, and approve, conditionally approve, or deny the Amendment. A public hearing shall not be required before the Director takes action on an application for an Amendment.
- (c) The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).

(5) Findings. The application for the Amendment application shall be approved or conditionally approved only if the Director first makes all of the following additional findings:

- (a) That the findings required for approval of the Conditional Use Permit or Final Development Plan, including any environmental review findings made in compliance with the California Environmental Quality Act, that were previously made when the Conditional Use Permit or Final Development Plan was initially approved are still applicable to the project with the addition of the development proposed by the applications for the Amendment and the Coastal Development Permit.
- (b) That the environmental impacts related to the development proposed by the applications for the Amendment and the Coastal Development Permit are determined to be substantially the same or less than those identified during the processing of the previously approved Conditional Use Permit or Final Development Plan.

4. Permit required prior to commencement of development. Prior to the commencement of the development and/or use authorized by the Amendment, the issuance of a Coastal Development Permit or a Land Use Permit or a Zoning Clearance shall be required in compliance with the following.

a. Coastal Zone, Coastal Development Permit required. If the proposed development and/or use proposed to be allowed by the Amendment is not located within the retained permit jurisdiction of the Coastal Commission, or in areas where the County's Local Coastal Program has not been certified by the Coastal Commission, then the issuance of a Coastal Development Permit in compliance with the following is required.

(1) Development that may be appealed to the Coastal Commission. A Coastal Development Permit approved in compliance with Subsection D.3.a, above shall not be issued and deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):

- (a) Prior to the expiration of the appeal period or, if appealed, prior to final action on the appeal by the review authority, including the Coastal Commission, in compliance with Chapter 35.102 (Appeals).
- (b) Until all conditions of the Coastal Development Permit that are required to be satisfied prior to the issuance of the Coastal Development Permit have been satisfied.
- (c) Until all necessary prior approvals have been obtained.
- (d) Until the applicant has signed the Coastal Development Permit.
- (e) Within the 10 working days following the date of receipt by the Coastal

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Commission of the County's Notice of Final Action during which time an appeal of the action may be filed in compliance with Chapter 35.102 (Appeals).

(2) Development that may not be appealed to the Coastal Commission. A Coastal Development Permit shall be approved and issued in compliance with Subsection 35.82.050.D.1. The Coastal Development Permit shall not be issued and deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):

- (a) Prior to expiration of the appeal period or, if appealed, prior to final action on the appeal by the review authority in compliance with Chapter 35.102 (Appeals).
- (b) Until all conditions of the Coastal Development Permit that are required to be satisfied prior to the issuance of the Coastal Development Permit have been satisfied.
- (c) Until all necessary prior approvals have been obtained.
- (d) For applications for grading of individual building pads on lands located within the Summerland Community Plan area, until the structure that will utilize the building pad has received final Design Review approval in compliance with Section 35.82.070 (Design Review).
- (e) Until the applicant has signed the Coastal Development Permit.

b. Coastal Zone, Land Use Permit required. If the proposed development and/or use proposed to be allowed by the Amendment is located within the retained permit jurisdiction of the Coastal Commission, or in areas where the County's Local Coastal Program has not been certified by the Coastal Commission, then the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) shall be required. The Land Use Permits shall not be issued and deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):

- (1) Prior to the expiration of the appeal period or, if appealed, prior to final action on the appeal by the review authority in compliance with Chapter 35.102 (Appeals).
- (2) Until all conditions of the Land Use Permit that are required to be satisfied prior to issuance of the Land Use Permit have been satisfied.
- (3) Until all necessary prior approvals have been obtained.
- (4) For applications for grading of individual building pads on property located within the Summerland Community Plan area, until the structure that will utilize the building pad has received final Design Review approval in compliance with Section 35.82.070 (Design Review).
- (5) Until the approval of a Coastal Development Permit by the Coastal Commission has been obtained.

c. Inland area, Zoning Clearance required. If the proposed development and/or use proposed to be allowed by the Amendment is located within the Inland area, then the issuance of a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) shall be required. The Zoning Clearance shall not be issued and deemed effective in compliance with Section 35.82.020 (Effective Date of Permits):

- (1) Prior to the expiration of the appeal period or, if appealed, prior to final action on the appeal by the review authority in compliance with Chapter 35.102 (Appeals).

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- ~~(2) Until all conditions of the Zoning Clearance that are required to be satisfied prior to issuance of the Land Use Permit have been satisfied.~~
 - ~~(3) Until all necessary prior approvals have been obtained.~~
 - ~~(4) For applications for grading of individual building pads on property located within the Summerland Community Plan area, until the structure that will utilize the building pad has received final Design Review approval in compliance with Section 35.82.070 (Design Review).~~
- ~~2. **Findings.** An Amendment application shall be approved or conditionally approved only if the Director first makes all of the following additional findings:~~
- ~~a. In addition to the findings required for approval of a Conditional Use Permit or Final Development Plan identified in Subsection 35.82.060.E (Findings required for approval of Conditional Use Permits other than Conditional Use Permit applications submitted in compliance with Chapter 35.38 (Sign Standards)) or Subsection 35.82.080.E (Findings required for approval), as applicable, the Amendment is consistent with the specific findings of approval, including the environmental review findings in compliance with the California Environmental Quality Act, if applicable, which were made when the Conditional Use Permit or Final Development Plan was initially approved.~~
 - ~~b. The environmental impacts related to the proposed Amendment are determined to be substantially the same or less than those identified during the processing of the previously approved Conditional Use Permit or Final Development Plan.~~
- ~~3. **Public hearing not required.** A public hearing shall not be required before the Director takes action on an application for an Amendment to an approved Conditional Use Permit or Final Development Plan, however; notice shall be given at least 10 days before the date of the Director's decision on the Amendment in compliance with Chapter 35.106 (Noticing and Public Hearings).~~

CHAPTER 35.102 APPEALS

35.102.020 - General Appeal Procedures - shall be modified as follows:

A. Who may appeal. An appeal may only be filed by an applicant or any aggrieved person. An aggrieved person is defined as any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing or decision, informed the review authority of the nature of their concerns or who for good cause was unable to do either.

~~1. **Appeals by members of the Coastal Commission.** Within the Coastal Zone, the following decisions on applications for projects that are defined as appealable development may be appealed by any two members of the Coastal Commission:~~

~~a. Decisions by the Director on the approval, denial, or revocation of Coastal Development Permits, except for those actions on Coastal Development Permits which may be appealed to the Coastal Commission in compliance with Subsection 35.102.060.D. (Decisions appealed to the Coastal Commission) below.~~

~~b. The final approval of projects under the jurisdiction of the Director, Commission, or Zoning Administrator.~~

~~c. Decisions of the Board of Architectural Review.~~

B. Timing and form of appeal.

1. Appeals of decisions of the Board of Architectural Review, Director, Commission, or Zoning Administrator. The decisions of the Board of Architectural Review, Director, Commission, or Zoning Administrator may be appealed in compliance with the following

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procedures. In addition, final action on Coastal Development Permits may be appealed to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission), below.

- a. **Filing of the appeal.** An appeal, which shall be in writing and accompanying fee, of a decision of the Board of Architectural Review, Director, Commission, or Zoning Administrator shall be filed with the Department within the 10 calendar days following the date of the decision or determination that is the subject of the appeal, except as follows:
 - (1) Within 30 calendar days following the date of decision by the Director that an oil or gas lease has been abandoned in compliance with Section 35.56.070 (Decision on Application to Defer Abandonment).
 - (2) Except as otherwise provided in this Development Code.
 - b. **Form of appeal.** The appellant shall use the form provided by the Department in addition to any other supporting materials the appellant may wish to furnish in compliance with Subsection C. (Requirements for contents of an appeal) below, explaining the reasons for the appeal. An appeal shall be filed with the Director, who shall process the appeal in compliance with this Chapter, including scheduling the matter before the applicable review authority.
2. **Computation of time for appeal.** The time within which the appeal shall be filed shall commence on the next calendar day following the day on which the decision or determination was made. In the event the last day for filing an appeal falls on a non-business day of the County, the appeal may be timely filed on the next business day.

C. Requirements for contents of an appeal.

1. **General requirements.** The appellant shall specifically provide in the appeal all of the following:
 - a. The identity of the appellant and their interest in the decision;
 - b. The identity of the decision or determination appealed which may include the conditions of that decision or determination;
 - c. A clear, complete, and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the Comprehensive Plan, Local Coastal Program, this Development Code or other applicable law;
 - d. If it is claimed that there was an error or abuse of discretion on the part of the review authority, or other officer or authorized employee, or that there was a lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration leading to the making of the decision or determination that is being appealed, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made, then these grounds shall be specifically stated.
 - e. An appeal of the denial of a Coastal Development Permit for property within the Coastal Zone of the Toro Canyon Planning area shall be submitted with an application for an Economically Viable Use Determination if it is claimed by the appellant that the denial of the Coastal Development Permits constitutes a taking of private property. The Economically Viable Use Determination application shall be in compliance with Subsection 2.d (Economically Viable Use Determination applications) below, and shall provide information supporting the assertion that denial of the Coastal Development Permit would constitute a taking of private property.
2. **Additional requirements for certain appeals.** The following information is required to be submitted for the appeals listed below in addition to the information required to be submitted by Subsection C.1 (General requirements) above:

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- a. **Appeals regarding a previously approved discretionary permit.** If the approval of a Coastal Development Permit or a Land Use Permit required by a previously approved discretionary permit is appealed, the appellant shall also identify:
- (1) Identify whether How the Coastal Development Permit or Land Use Permit is inconsistent with ~~the~~ a previously approved discretionary permit; If so, the applicant shall provide a detailed description of the inconsistency.
 - (2) Identify whether How the discretionary permit's conditions of approval that are required to be completed before the approval of a Coastal Development Permit or Land Use Permit have not been completed; ~~or~~ If so, the applicant shall provide a detailed description of the discretionary permit's conditions that remain to be completed.
 - (3) Identify whether How the approval is inconsistent with Chapter 35.106 (Noticing and Public Hearings). If so, the applicant shall provide a detailed description of the inconsistency.
- b. **Appeals regarding residential second units.**
- (1) **Coastal Zone.** The grounds for an appeal of the approval or conditional approval of a Coastal Development Permit or Land Use Permit for a residential second unit in compliance with Section 35.42.230 (Residential Second Units) shall be limited to whether the approved or conditionally approved project is in compliance with the applicable provisions and policies of the ~~Coastal Land Use Plan~~ Local Coastal Program, including the provisions of this Development Code. If the approval or conditional approval of a Coastal Development Permit ~~or Land Use Permit~~ for a residential second unit is appealed, the appellant shall identify how the approved or conditionally approved project is not in compliance with the applicable provisions and policies of the ~~Coastal Land Use Plan~~ Local Coastal Program and the provisions of this Development Code.
 - (2) **Inland area.** The grounds for an appeal of the approval or conditional approval of a Land Use Permit for residential second unit in compliance with Section 35.42.230 (Residential Second Units) shall be limited to whether the approved or conditionally approved project is in compliance with development standards for residential second units provided in Subsection 35.42.230.G (Development standards). If the approval or conditional approval of a Land Use Permit for a residential second unit is appealed, the appellant shall identify how the approved or conditionally approved project is not in compliance with development standards for residential second units provided in Subsection 35.42.230.G (Development standards).
- c. **Appeals of final decisions of the Board of Architectural Review.** A decision of the Board of Architectural Review to grant final approval may not be appealed to the Commission unless the appellant can demonstrate that the project for which final approval was granted does not substantially conform to the project that was granted preliminary approval. If the Director determines that the appeal does not raise a substantial issue that the project for which final approval was granted does not substantially conform to the project that was granted preliminary approval, then the Director shall make that determination in writing, and the appeal shall not be processed. This decision of the Director is final and not subject to appeal.
- d. **Economically Viable Use Determination applications.** An application for an Economically Viable Use Determination shall include the entirety of all lots that are geographically contiguous and held by the appellant in common ownership at the time of the application and the following information as deemed necessary by the Department shall be submitted:
- (1) The date the appellant purchased or acquired the lot, and from whom.
 - (2) The purchase price paid by the appellant.

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- (3) The fair market value of the lot at the time the appellant acquired it, including information on the basis in which the fair market value was derived, including any appraisals done at the time.
- (4) The Comprehensive Plan and land use designation applicable to the lot at the time the appellant acquired it, and any subsequent changes to these designations.
- (5) Any development or use restrictions, other than the restrictions described in Subsection (4) above, applicable to the property at the time it was acquired or which have been subsequently imposed.
- (6) The date and method of any subsequent changes in the size or configuration of the lot, if applicable.
- (7) Information (e.g., sale, lease or rent prices and associated dates) regarding any subsequent sale or lease of a portion or interest in the lot, if applicable.
- (8) Any title reports, litigation guarantees or similar documents in connection with all or a portion of the lot of which the appellant is aware.
- (9) Any offers to buy all or a portion of the lot which the appellant solicited or received, including the approximate date of the offer and offered price.
- (10) The appellant's costs associated with the ownership of the lot, annualized for each of the last five calendar years including, property taxes, property assessments, debt service costs (such as mortgage and interest costs), operation, and management costs.
- (11) Any income excluding any rents received from the leasing of all or a portion of the lot over the last five calendar years, listed on an annualized basis along with a description of the uses generating the income.
- (12) Any additional information that the Department deems necessary to make the determination.

- D. Acceptance of appeal.** An appeal ~~shall not may be accepted~~ may be rejected by the Director ~~unless if it is complete and complies~~ if it is incomplete or does not comply with all requirements of Subsection C. (Requirements for contents of appeal) above. This decision of the Director is final and not subject to appeal.
- E. Appeal fees.** The appellant shall pay the required filing fee in compliance with the Board's Fee Resolution, at the time of the filing of the appeal.
1. **No fee for developments appealable to the Coastal Commission.** An appeal fee is not required for developments which are appealable to the Coastal Commission in compliance with Subsection 35.102.060.D. (Decisions appealed to the Coastal Commission).

...

CHAPTER 35.102 APPEALS

35.102.030 - Appeals to the Zoning Administrator - shall be modified as follows:

- A. Decisions appealed to the Zoning Administrator.** The following decisions of the Director may be appealed to the Zoning Administrator:
1. Any decision by the Director to approve, conditionally approve, or deny an application for a Coastal Development Permit for a temporary use or Land Use Permit for a temporary use in compliance with Section 35.42.260 (Temporary Uses and Trailers) may be appealed to the Zoning Administrator.
- B. Hearing required.** The Zoning Administrator shall hold a hearing on the appeal ~~no later than 12 hours prior to the time the event is scheduled to commence.~~

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1. Inland area. If the temporary use is proposed for property located solely within the Inland area, The Zoning Administrator shall hold a hearing on the appeal no later than 12 hours prior to the time the event is scheduled to commence.
- C. **Notice required.**
1. Coastal Zone. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings). Notice shall be mailed to the appellant and the applicant, if different than the appellant.
 2. Inland area. Notice of the date, time and location of the hearing shall be ~~provided~~ mailed to the applicant, the appellant, if different than the applicant and any interested person who has filed a written request for notice with the Department.
- D. **Action on appeal.**
1. Coastal Zone. The Zoning Administrator shall affirm, reverse, or modify the decision of the Director. The action of the Zoning Administrator is final and not subject to appeal.
 2. Inland area. The Zoning Administrator shall affirm, reverse, or modify the decision of the Director as soon as practicable following the filing of the appeal and in no case later than the time the temporary use is scheduled to commence. The action of the Zoning Administrator is final and not subject to appeal.
 3. Required findings. Prior to acting on an appeal where the action will result in the approval or conditional approval of the application that is the subject of the appeal, the Zoning Administrator shall first make all of the applicable findings required for that application.

CHAPTER 35.102 APPEALS

35.102.040 - Appeals to the Commission - shall be modified as follows:

- A. **Decisions appealed to the Commission.** The following decisions may be appealed to the Commission provided the appeal complies with the requirements of Subsections 35.102.020.C through Subsection 35.102.020.E above.
1. **Board of Architectural Review decisions.** The following decisions of the Board of Architectural Review may be appealed to the Commission:
 - a. Any decision of the Board of Architectural Review to grant or deny preliminary approval.
 - b. Any decision of the Board of Architectural Review to grant or deny final approval in compliance with Section 35.102.020.C.2.c (Appeals of final decisions of the Board of Architectural Review).
 2. **Building Official decisions (Inland area).** The following decisions of the Building Official may be appealed to the Commission.
 - a. The decision of the Building Official to require an applicant for a solar energy system to apply for a Solar Use Permit. The grounds for an appeal of a decision to require a Solar Use Permit are restricted to a demonstration that the solar energy system would not have a specific, adverse impact upon the public health and safety.
 - b. Any decision of the Building Official to approve, conditionally approved, or deny an application for a Solar Use Permit.
 23. **Director decisions.** The following decisions of the Director may be appealed to the Commission:
 - a. Any determination on the meaning or applicability of the provisions of this Development Code.
 - b. Any determination that a discretionary permit application or information submitted with the application is incomplete as provided by Government Code Section 65943.
 - c. Any decision of the Director to revoke an approved or issued Coastal Development

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Permit or Land Use Permit.

- d. Any decision of the Director to approve, conditionally approve or deny an application for a Coastal Development Permit or Land Use Permit except as follows:
 - (1) Land Use Permits approved in compliance with Section 35.42.260 (Temporary Uses and Trailers) not including Subsection 35.42.260.G (Trailer Use).
- e. Any decision of the Director to revoke an issued Zoning Clearance.
- f. Any decision of the Director to approve, conditionally approved, or deny an application for a Development Plan.
- g. Any decision of the Director to approve, conditionally approved, or deny any other discretionary application where the Director is the designated review authority.
- h. Any other action, decision, or determination made by the Director as authorized by this Development Code where the Director is the review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal.

34. Zoning Administrator decisions. The following decisions of the Zoning Administrator may be appealed to the Commission:

- a. Any decision of the Zoning Administrator to approve, conditionally approve, or deny an application for a Coastal Development Permit, Conditional Use Permit, Development Plan, Lot Line Adjustment, Modification, Overall Sign Plan, Sign Modification, Variance, or other discretionary application where the Zoning Administrator is the applicable review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal.
- b. Any other action, decision, or determination made by the Zoning Administrator as authorized by this Development Code where the Zoning Administrator is the review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal.

...

D. Action on appeal. The Commission shall affirm, reverse, or modify the decision of the Board of Architectural Review, Director, or Zoning Administrator. Prior to acting on an appeal where the action will result in the approval or conditional approval of the application that is the subject of the appeal, the Commission shall first make all of the applicable findings required for that application.

...

1. Decision on the appeal of Solar Use Permits (Inland area). The action of the Commission, and the action of any subsequent County review authority, shall not have the effect of denying the application to install the solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

- a. Any conditions imposed by the Commission on an application to install a solar energy system shall be designed to mitigate the specific, adverse impact upon the public health and safety at the lowest cost possible.

CHAPTER 35.102 APPEALS

35.102.050 - Appeals to the Board - shall be modified as follows:

- A. Decisions appealed to the Board.** The following decisions of the Commission may be appealed to the Board provided the appeal complies with the requirements of Subsection 35.102.020.C through Subsection 35.102.020.E. above.

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1. Any final action on decisions that are appealed to the Commission in compliance with Section 35.102.040 (Appeals to the Commission) above.
 2. Any final action on decisions of the Commission to approve, conditionally approve, or deny an application for a Coastal Development Permit, Conditional Use Permit, Development Plan, Lot Line Adjustment, Tentative Map, Variance, or other discretionary application where the Commission is the designated review authority.
 3. Any other action, decision, or determination made by the Commission as authorized by this Development Code where the Commission is the review authority, except when specifically provided that the action, decision, or determination is final and not subject to appeal.
- B. Report to the Board.** The Department shall transmit to the Board copies of the permit application including all maps and data and a statement identifying the reasons for the decision by the Commission before the hearing on an appeal.
- C. Scope of appeal hearings.** The hearings on the appeal shall be de novo.
- D. Action on appeal.** The Board shall affirm, reverse, or modify the decision of the Commission. The decision of the Board shall be final.
1. **Required findings.** Prior to acting on an appeal where the action will result in the approval or conditional approval of the application that is the subject of the appeal, the Board shall first make all of the applicable findings required for that application.

CHAPTER 35.102 APPEALS

35.102.060 - Appeals to the Coastal Commission - shall be modified as follows:

- A. Coastal Commission jurisdiction.** For developments which are defined as appealable development in compliance with State law (Public Resources Code Section 30603), ~~an~~ a final action by the County on an application for a Coastal Development Permit may be appealed to the Coastal Commission within the 10 working days immediately following the date of receipt by the Coastal Commission of the County's Notice of Final Action by ~~the~~ an applicant, an aggrieved person or any two members of the Coastal Commission. An aggrieved person is defined as any person who in person, or through a representative, appeared at a public hearing in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing or decision, informed the review authority of the nature of their concerns or who for good cause was unable to do either.
- B. Filing of the appeal.** Appeals shall be made in writing and ~~filed with~~ and received by the appropriate Coastal Commission district office by the deadline listed within Subsection A., above.
- C. Exhaustion of local appeals.** An appeal filed in compliance with this Section may not be filed with the Coastal Commission by ~~the~~ an applicant or an aggrieved person until all local appeals on the project permit have been exhausted.
1. **Exhaustion of local appeals not required.** The exhaustion of local appeals shall not be required where a project is appealed by any two members of the Coastal Commission or if any of the following occur:
 - a. The local government or jurisdiction require an appellant to appeal to more local appellate bodies than have been certified as appellate bodies for permits in the coastal zone, in the implementation section of the Local Coastal Program.
 - b. An appellant was denied the right of the initial local appeal by a local ordinance which restricts the class of persons who may appeal a local decision. For purposes of this section, a local ordinance requiring a prospective appellant to have made his/her views known in connection with the original decision prior to taking a local appeal, or otherwise to have exhausted local remedies at the local level prior to taking a local appeal, does not count as a "a local ordinance which restricts the class of persons who may appeal a local decision."
 - c. An appellant was denied the right of local appeal because local notice and hearing

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procedures for the development were not in compliance with Chapter 35.106 (Noticing and Public Hearings).

- d. The local government jurisdiction charges an appeal fee for the filing or processing of appeals.

D. Decisions appealed to the Coastal Commission. In compliance with State law (Public Resources Code Section 30603(a)), an action taken by the County on a permit application for any of the following may be appealed to the Coastal Commission.

1. Developments approved by the County and located between the sea and the first public road paralleling the sea.
2. Developments approved by the County ~~or~~ within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, ~~as indicated on the official County appeals zone maps.~~
- ~~23.~~ 23. Developments approved by the County not included within Subsection D.1 or Subsection D.2, above that are located on public trust lands, submerged lands, tidelands, within 100 feet of any estuary, stream, or wetland, or within 300 feet of the top of the seaward face of any coastal bluff, ~~as indicated on the official County appeals zone maps or as determined by the State Lands Commission.~~
- ~~34.~~ 34. Any development approved by the County that is not designated as the principal permitted use under this Development Code. This includes ~~Developments~~ development approved by the County that requires a Conditional Use Permit or Minor Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits). ~~The approval of a Coastal Development Permit on a conditionally allowed use is also appealable to the Coastal Commission.~~
4. ~~Coastal Development Permits required to allow developments approved by the County that require:~~
 - a. ~~A Conditional Use Permit.~~
 - b. ~~A Final Development Plan for appealable development.~~
5. Developments approved by the County that require a Conditional Certificate of Compliance.
6. ~~Coastal Development Permits for Residential Second Units approved in compliance with Section 35.42.230 (Residential Second Units).~~
- ~~76.~~ 76. Any development which constitutes a major public works project or a major energy facility. The phrase, "major public works project or a major energy facility," as used in ~~State law (Public Resources Code Section 30603(a)(5))~~ and this Development Code shall mean any proposed public works project or energy facility ~~exceeding \$50,000.00 in estimated cost of construction~~ facility that meets the definition in California Code of Regulations, Title 14, Section 13012(b).

E. Grounds for appeal.

4. The grounds for an ~~of~~ appeal of the decision of the Director, Zoning Administrator, Commission, or Board to the Coastal Commission for any development appealable under Subsection D.4 above, shall be limited to one or more of the following an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in the Coastal Act, which is codified in Public Resources Code, Division 20, except that a denial of a permit for development included in Subsection D.6 above, shall be limited to an allegation that the development conforms to the standards set forth in the certified Local Coastal Program and the public access policies set forth in the Coastal Act and codified in Public Resources Code, Division 20.
 - a. ~~The development fails to provide adequate physical access or public or private commercial use or interferes with the uses.~~
 - b. ~~The development fails to protect public views from any road or from a recreation area~~

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~~to, and along, the coast.~~

- ~~e. The development is incompatible with the established physical scale of the area.~~
 - ~~d. The development may significantly alter existing natural landforms.~~
 - ~~e. The development does not comply with shoreline erosion and geologic setback requirements.~~
 - ~~f. The development is not in compliance with the Local Coastal Program.~~
- ~~2. The grounds of appeal for any development appealable under Subsection D.2, through Subsection D.4 above, shall be limited to whether the development is in compliance with the Local Coastal Program.~~

4. Clarification for Removing Follow-Up CDPs In Support of LCPA 2-06

35.21.030.C - Agricultural Zones Allowable Land Uses - shall be modified as follows:

- C. Development Plan approval required.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to concurrent with the approval of a Coastal Development Permit or and prior to the approval of a Land Use Permit or Zoning Clearance for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval, and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).

...

35.22.030.C - Resource Protection Zones Allowable Land Uses - shall be modified as follows:

- C. Development Plan approval required.**
- 1. MT-GOL, MT-TORO, MT-TORO (CZ) and RMZ (CZ) zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to concurrent with the approval of a Coastal Development Permit or and prior to the approval of a Land Use Permit or Zoning Clearance for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
 - 2. RMZ Inland area.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required for all development, including grading.

35.23.030.C - Residential Zones Allowable Land Uses - shall be modified as follows:

- C. Development Plan approval required.** ~~Development Plan approval is required in compliance with Section 35.82.080 (Development Plans) prior to the approval of a Coastal Development Permit or Land Use Permit as follows:~~
- 1. RR, R-1/E-1, EX-1 and R-2 zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required prior to concurrent with the approval of a Coastal Development Permit or and prior to the approval of a Land Use Permit or Zoning Clearance for a structure, other than an agricultural reservoir, that is not

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otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).

2. **DR zone.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for all development within the DR zone, including grading, except that the following do not require Development Plan approval. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
 - a. **Coastal Zone and Inland area.** Within the Coastal Zone and Inland area, one, one-family dwelling and residential accessory uses and structures on a single lot where a Final Development Plan was not previously approved unless required in compliance with Subsection C.1 above. The one-family dwelling shall be subject to the development standards applicable to the R-1/E-1 zone in Section 35.23.040 (Residential Zones Development Standards).
 - b. **Inland area.** Within the Inland area, orchards, vegetable and flower gardens, raising of field crops and uses and structures accessory and customarily incidental thereto.
3. **MHP, MHS and SLP zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for all development, including grading within the MHP, MHS, and SLP zones. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
4. **PRD zone.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for all development, including grading, within the PRD zone, except that orchards, vegetable and flower gardens, the raising of field crops and uses and structures accessory and customarily incidental thereto do not require a Development Plan; but shall be subject to the development standards applicable to the R-1/E-1 zone in Section 35.23.050 (Residential Zones Development Standards). The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
5. **SR-M and SR-H zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for all development, including grading within the SR-M and SR-H zones, except that the development of a one-family dwelling or a duplex does not require a Development Plan. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).

35.24.030.C - Commercial Zones Allowable Land Uses - shall be modified as follows:

- C. **Development Plan approval required.** ~~Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required as follows.~~
 1. **CN and C-1 zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required ~~prior to~~ concurrent with the approval of a

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Coastal Development Permit ~~or~~ and prior to the approval of a Land Use Permit or Zoning Clearance for structures that exceed 5,000 square feet in gross floor area. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).

2. **C-2 and C-3 zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required ~~prior to~~ concurrent with the approval of a Coastal Development Permit ~~or~~ and prior to the approval of a Land Use Permit or Zoning Clearance for buildings and structures that total 5,000 or more square feet in gross floor area or where onsite buildings and structures and outdoor areas designated for sales or storage total 20,000 square feet or more. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
3. **C-S, C-V, SC, and PI zones.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required ~~prior to~~ concurrent with the approval of a Coastal Development Permit ~~or~~ and prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
4. **CH zone.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required ~~prior to~~ concurrent with the approval of a Coastal Development Permit ~~or~~ and prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading, except as provided below. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application). ~~that in~~
 - a. **Coastal Zone.** Within the Coastal Zone a Final Development Plan is not required for the following, provided that all other requirements of the CH zone are complied with:
 - a(1). Additions to uses or structures on property developed as of February 1, 1963; and
 - b(2). Development on a legal lot of less than 20,000 square feet of net land area created on or before February 1, 1963.

35.25.030.D and E- Industrial Zones Allowable Land Uses - shall be modified as follows:

...

DC. Development Plan approval required.

1. **M-RP, M-1, M-2 zones.** Within the M-RP, M-1, or M-2 zones, the approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for all proposed development, including grading, prior to any development, including grading, except except as provided below. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
 - a. **Inland area.** Wwithin the M-1 and M-2 zones,
 - (1) The approval of a Final Development Plan is not required for agricultural uses as permitted on an adjacent lot zoned agricultural or residential.
 - a(2) The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required for a structure that is accessory to a permitted agricultural use, other than an agricultural reservoir, and that is not otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached

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or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area.

2. **M-CR, M-CD zones.** Within the M-CR and M-CD zones, the approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit ~~or~~ and prior to the approval of a Land Use Permit or Zoning Clearance for ~~is required~~ for a structure, other than an agricultural reservoir, that is not otherwise required by this Development Code to have discretionary permit approval and is 20,000 or more square feet in gross floor area, or is an attached or detached addition that together with existing structures on the site will total 20,000 square feet or more in gross floor area. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).

ED. Design Review required.

1. Design Review is required prior to the approval of a planning permit for a structure, or an addition to or alteration of, an existing structure in the M-RP, M-1, and M-2 zones, in compliance with Section 35.82.070 (Design Review).
2. Design Review may be required prior to the approval of a planning permit for a structure, or an addition to or alteration of, an existing structure in the MC-D and MC-R (Coastal and Inland) zones, in compliance with Section 35.82.070 (Design Review).

35.26.030.C - *Special Purpose Zones Allowable Land Uses - shall be modified as follows:*

C. Development Plan approval required. ~~Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required as follows:~~

1. **MU, PU, and REC zones.** Within the MU, PU, and REC zones, the approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for prior to any development, including grading. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).
2. **OT zones.**
 - a. **OT-R/LC and OT-GC.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required for structures that total 5,000 square feet or more in gross floor area, or developments that total 10,000 square feet or more.
 - b. **OT-R.** The approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required for all multi-family residential development, including grading.
 - c. **Lot subject to the Pedestrian Area - Old Town Orcutt (PA-OTO) Overlay Zone.** If a lot is subject to Section 35.28.160 (Pedestrian Area - Old Town Orcutt (PA-OTO) Overlay Zone), then the development plan requirements of Section 35.28.160 (Pedestrian Area - Old Town Orcutt (PA-OTO) Overlay Zone) shall apply instead of Subsections 2.a. and 2.b., above.
3. **TC zone.** Within the TC zone, the approval of a Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required concurrent with the approval of a Coastal Development Permit and prior to the approval of a Land Use Permit or Zoning Clearance for any development, including grading prior to any development, including grading, except as listed provided below. The Coastal Development Permit shall be processed concurrently and in conjunction with the Final Development Plan in compliance with Section 35.82.080.C (Contents of Application).

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- a. Transportation-related development or structures necessary for the operation of railroads or highways in existence at the time of adoption of the ordinance creating the TC zone (August 10, 1994) shall not be deemed legal non-conforming uses. This provision is intended to permit new development without requiring a Development Plan for existing public works or public utilities that will not be affected by the new development, and to allow for the repair of existing facilities.
- b. Safety, signalization, barriers, and grade crossing devices installed for the purpose of improving the safe operation of railroads or highways shall be exempt from the permit requirements of the TC zone.

35.28.030.D – *Affordable Housing Overlay - shall be modified as follows:*

D. Permit and processing requirements.

1. **Final Development Plan required.** Final Development Plan approval in compliance with Section 35.82.080 (Development Plans) is required ~~prior to~~ concurrent with the approval of a Coastal Development Permit ~~or~~ and prior to the approval of a Land Use Permit or Zoning Clearance for all development, including grading. Final Development Plan approval shall be subject to conditions and requirements determined by the review authority to be appropriate and necessary to ensure compliance with the purposes of the County's affordable housing program, the Housing Element and applicable provisions of the Comprehensive Plan.

...

35.82.210.B - *Zoning Clearance - shall be modified as follows:*

B. Applicability.

1. **Zoning Clearance required.** A Zoning Clearance shall be issued by the Director where a Zoning Clearance is required in compliance with this Development Code, unless other requirements of this Development Code specify that the Zoning Clearance is not required or the activity is exempt from the approval of a planning permit in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - a. **Coastal Zone.** Within the Coastal Zone, Zoning Clearances shall not take the place of a required Coastal Development Permit.
2. **Zoning Clearance approval.**
 - a. **Coastal Zone.** Within the Coastal Zone, the issuance of a Zoning Clearance certifies that the land use or development will satisfy:
 - (1) All prior-to-issuance provisions of the Coastal Development Permit.
 - (2) All conditions of approval of any existing approved permits for the subject property, including applicable discretionary projects (e.g., Conditional Use Permit, Final Maps, Development Plans, Parcel Maps).
 - b. **Inland area.** Within the Inland area, the issuance of a Zoning Clearance certifies that the land use or development will satisfy all applicable provisions of this Development Code, including the conditions of approval of any existing approved permits for the subject property, including applicable discretionary projects (e.g., Conditional Use Permit, Final Maps, Development Plans, Parcel Maps). In cases where a construction permit is required by Chapter 10 of the County Code, the Zoning Clearance is processed and issued as part of the construction permit application and approval process. Issuance of a Zoning Clearance may also enable the establishment of a land use or structure that does not require a construction permit but is still subject to the standards of this Development Code.

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5. Noticing (LCPA 2-06 and Clarifications)

CHAPTER 35.106 NOTICING AND PUBLIC HEARINGS

35.106.020 - Notice of Public Hearing and Review Authority Action - shall be modified as follows:

~~A. **Minimum requirements.** Except for decisions on Coastal Development Permits subject to Subsection 35.82.050.D.1, Land Use Permits, applications for Design Review (see Subsection 35.106.030.A Sections 35.106.050 and 35.106.060 below, for respective noticing requirements), and Zoning Clearances, notice shall be given by the Department in compliance with Government Code Sections 65090-65096 for all projects that require a noticed public hearing or notice of review authority action decision and the following minimum requirements. Each notice shall comply with the following minimum requirements.~~

A. Minimum noticing requirements for projects that require a public hearing or a discretionary notice of review authority action. Except for applications for Coastal Development Permits subject to Subsection 35.82.050.D.1, Land Use Permits, and Design Review (see Subsection 35.106.030, Sections 35.106.050 and 35.106.060 below, for respective noticing requirements), notice shall be given by the Department in compliance with Government Code Sections 65090-65096 for all projects that require a noticed public hearing or notice of review authority action, including notice of the application and pending action on a Coastal Development Permit subject to either Subsection 35.82.050.D.2 (Coastal Development Permit for development that is appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals)) or Subsection 35.82.050.D.3 (Coastal Development Permits processed in conjunction with a Conditional Use Permit or Final Development Plan). Each notice shall comply with the following minimum requirements.

1. **By the Department.** Notice shall be given by the Department in compliance with the following:

a. **Newspaper publication.** Notice shall be published in at least one newspaper of general circulation within the County and circulated in the area affected by the project at least 10 days before the scheduled hearing or action by the review authority.

2. **b. Mailed notice.** Notice shall be mailed at least 10 days before the scheduled hearing or action to:

(1) **Notice of filing of an application.** Notice of the filing of an application shall be mailed within the 15 calendar days following the Department's determination in compliance with Section 35.80.050 (Initial Application Review) that an application is complete for processing to:

a. (a) Any person who has filed a written request for notice and has supplied the Department with self-addressed stamped envelopes.

b. (b) The applicant.

c. (c) The owner of the subject lot, if different from the applicant;

d. (d) Owners of property located within a 300-foot radius of the exterior boundaries of the subject lot. ~~The names and addresses used for the notice shall be those shown on the equalized County assessment roll, as updated from time to time.~~

e. (e) Residents of property located within a 300 foot radius of the exterior boundaries of the subject lot of an application for a commercial or noncommercial telecommunications facility, and additions thereto, allowed in compliance with Chapter 35.44 (Telecommunications Facilities). ~~The names and addresses used for the notice shall be those shown on the equalized County assessment roll, as updated from time to time.~~

f. (f) Owners and residents of property located within a 1,000 foot radius of the exterior boundaries of the subject facility lease area of an application for a commercial telecommunications facility, and additions thereto, allowed in

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compliance with Section 35.44.010 (Commercial Telecommunication Facilities), if the subject lease area is located on a lot with a residential zone designation and the application includes a new freestanding antenna that is visible from the surrounding area. ~~The names and addresses used for the notice shall be those shown on the equalized County assessment roll, as updated from time to time.~~

- ~~g.~~ (g) Owners and residents of property located within a 1,000 foot radius of the exterior boundaries of the subject facility lease area of an application for a commercial telecommunications facility, and additions thereto, allowed in compliance with Section 35.44.010 (Commercial Telecommunication Facilities), if the subject lease area is located within 1,000 feet of a lot with a residential zone designation and the application includes a new freestanding antenna that is visible from the surrounding area. ~~The names and addresses used for the notice shall be those shown on the equalized County assessment roll, as updated from time to time.~~
- (h) If the subject lot is located in the Coastal Zone, all residents located within a 100 foot radius of the exterior boundaries of the subject lot and the Coastal Commission.
- (2) Notice of public hearing or review authority action.** Notice of public hearing or review authority action shall be mailed at least 10 days before the scheduled hearing or action to all parties required to receive notice in compliance with Subsection A.1.b.(1), above.
- ~~3.~~ **Additional requirements for sites within the Coastal Zone.** ~~Within the Coastal Zone, in addition to the notice required by Subsections A.1 and A.2 above, notice of a public hearing or action on a site located within the Coastal Zone shall also be mailed at least 10 days before the scheduled hearing or action to:~~
- ~~a.~~ All residents located within a 100 foot radius of the exterior boundaries of the subject lot; and
- ~~b.~~ The Coastal Commission.
- ~~B.~~ **c. Optional notice to more than 1,000 owners of property.** If the number of owners and residents to whom notice would be mailed or delivered in compliance with this Chapter is greater than 1,000, the County may instead provide notice required by Subsections A.1.a and A.1.b.(2) above by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the County at least 10 days before the scheduled hearing or action.
- d. Optional notice authorized by the Director.** In areas of the County where mail delivery is not available, in lieu of providing mailed notice to persons specified in Subsections A.1.b.(1) and A.1.b.(2), above, that only have street addresses on record, the Director may authorize that notice be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the County in compliance with the following.
- (1) The notice shall be published in compliance with the requirements for mailing of notice contained in Subsection A.1.b.(1) or Subsection A.1.b.(2), above, as applicable.
- (2) Mailed notice shall continue to be sent to all relevant parties in compliance with Subsection A.1.b.(1) or Subsection A.1.b.(2), above, where mail delivery is available to addresses appearing on the equalized County assessment roll.
- ~~G.~~ **e. Contents of notice.** The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below.
- f. The names and addresses used for mailed notice to property owners shall be those appearing on the equalized County assessment roll, as updated from time to time.

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2. By the applicant. Notice shall be given by the applicant in compliance with the following:

a. Posted notice.

- (1) The applicant shall conspicuously post a notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest street. If the subject lot is a through lot, then the applicant shall conspicuously post a notice adjacent to each street frontage in a location that can be viewed from the street.
- (2) The language and form of the notice shall be provided to the applicant by the Department. The notice shall be a minimum of 18 inches tall by 24 inches wide, except that for the following applications the notice shall be a minimum of two feet tall by three feet wide:
 - (a) Applications for development that is under the jurisdiction of the Commission and requires the approval of a Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).
 - (b) Applications for development that is under the jurisdiction of the Commission and requires the approval of a Development Plan in compliance with Section 35.82.080 (Development Plans), not including applications for Development Plan required solely in compliance with Section 35.21.030.C., Section 35.22.030.C.1., Section 35.23.030.C.1., and Section 35.25.030.D.1.a.
 - (c) Applications for legislative actions under the jurisdiction of the Board as the designated review authority in compliance with Table 8-1 (Review Authority) of Chapter 35.80 (Permit Application Filing and Processing).
- (3) Said notice shall be posted by the applicant:
 - (a) At least 10 days before the scheduled public hearing or review authority action if the application is determined to be exempt from the requirements of the California Environmental Quality Act.
 - (b) If the application is determined to subject to the requirements of the California Environmental Quality Act, on or before the beginning of the first public comment period on the document prepared in compliance with the California Environmental Quality Act.
- (4) The notice shall be required to be continuously posted from the date required by Subsection A.2.a.(3) above until at least 10 days following an action of the review authority to approve, conditionally approve, or deny the application, including an action on an appeal of the decision of the review authority.
- (5) The applicant shall provide proof of the posting of the required notice by filing an affidavit of noticing and any other required documentation with the Department no later than 10 days before the scheduled initial public hearing or action by the review authority. Failure of the applicant to comply with this Section may result in postponement of the public hearing or action by the review authority.

35.106.030 - *Coastal Development Permits and Land Use Permits within the Coastal Zone - shall be modified as follows:*

~~1. **Minimum requirements.** Notice of the application and pending action on a Coastal Development Permit for development that is not appealable to the Coastal Commission in compliance with Section 35.102 (Appeals) and Land Use Permits that do follow a previous discretionary action shall be given in compliance with the following.~~

~~**A. Minimum noticing requirements, permits that do not require a public hearing or notice of**~~

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~~review authority action.~~ Notice of the application and pending action on a Coastal Development Permit processed in compliance with Subsection 35.82.050.D.1 (Coastal Development Permits for development that is not appealable to the Coastal Commission in compliance with Chapter 35.102 (Appeals) and is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit, or Final Development Plan), or a Land Use Permit for property located with the Coastal Zone, not following a previous discretionary action, shall be given in compliance with the following.

1. **By the Department.** Notice shall be given by the Department in compliance with the following:

a. Mailed notice. Mailed notice shall be provided to:

- (1) All owners of property located within a 300-foot radius of the exterior boundaries of the subject lot.
- (2) All residents of property located within a 100-foot radius of the exterior boundaries of the subject lot.
- (3) All residents of property located within a 300 foot radius of the exterior boundaries of the subject lot of an application for a commercial telecommunication facility, and additions thereto, allowed in compliance with Subsection 35.44.010.C.1.
- (4) Any person who has filed a written request therefore and has supplied the Department with self-addressed stamped envelopes.
- (5) The Coastal Commission.

ab. Posted notice. The Department shall conspicuously post notice at a minimum of one public place within the County's jurisdiction (e.g., at the Department).

~~b. The notice shall also be mailed to any person who has filed a written request therefore and has supplied the Department with self-addressed stamped envelopes.~~

~~c. The notice shall be mailed and posted or mailed no later than 15 days following the filing of a complete application with the Department, but in no case shall said notice be mailed or posted less than and:~~

- (1) If the application is subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least 10 days before the scheduled date of the initial review by the Board of Architectural Review-including conceptual review, or;
- (2) If the application is not subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least ~~Seven~~ seven days before an action by the Director to approve, conditionally approve or deny a Coastal Development Permit or Land Use Permit, if Design Review in compliance with Section 35.82.070 (Design Review) is not required.

~~d. The posted notice shall be required to be continuously posted for a minimum of 17 days from the date required by Subsection A.1.c. above and shall remain posted for a minimum of 10 days following an action of the Director to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit.~~

~~e. The names and addresses used for mailed notice to property owners shall be those appearing on the equalized County assessment roll, as updated from time to time.~~

f. Optional notice authorized by the Director. In areas of the County where mail delivery is not available, in lieu of providing mailed notice to persons specified in Subsections A.1.b.(1) and A.1.b.(2), above, that only have street addresses on record, the Director may authorize that notice be provided by placing a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the County in compliance with the following.

- (1) The notice shall be published in compliance with the requirements for mailing of notice contained in Subsection A.1.b.(1) or Subsection A.1.b.(2), above, as applicable.

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- (2) Mailed notice shall continue to be sent to all relevant parties in compliance with Subsection A.1.b.(1) or Subsection A.1.b.(2), above, where mail delivery is available to addresses appearing on the equalized County assessment roll.
- f. The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below.
2. **By the applicant.** Notice shall be given by the applicant in compliance with the following:
- a. ~~Mailed notice shall be provided to:~~
 - (1) ~~All residents and owners of property located within a 100 foot radius of the exterior boundaries of the subject lot.~~
 - (2) ~~The Coastal Commission.~~
 - b. ~~Mailed notice of applications for Coastal Development Permits and Land Use Permits, not including those that follow a discretionary action, shall be provided to all owners of property located within a 300 foot radius of the exterior boundaries of the subject lot for the specific types of projects listed below. The applicant shall also conspicuously post a notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest public street.~~
 - (1) ~~Development that requires Design Review in compliance with Section 35.82.070 (Design Review);~~
 - (2) ~~A new dwelling containing two or three-story elements or a second or third story addition to an existing dwelling;~~
 - (3) ~~A new accessory structure in excess of 120 square feet of gross floor area or where the gross floor area of the existing accessory structure plus the addition exceeds 120 square feet;~~
 - (4) ~~A change in the allowed use of a structure or a portion of the structure;~~
 - (5) ~~Home occupations where clients come to the lot where the home occupation is conducted;~~
 - (6) ~~Residential second units and additions thereto, allowed in compliance with Section 35.42.230 (Residential Second Units). The notice shall state that the grounds for appeal of an approved or conditionally approved Coastal Development Permit or Land Use Permit are limited to the demonstration that the project is inconsistent with the applicable provisions and policies of the Coastal Land Use Plan and the provisions of this Development Code standards set forth in the certified Local Coastal Program or does not conform to the public access policies set forth in the Coastal Act (Public Resources Code, Division 20;~~
 - (7) ~~Large Family Day Care Homes and additions thereto, allowed in compliance with Section 35.42.090 (Community Care Facilities);~~
 - (8) ~~Non-residential Child Care Centers and additions thereto, allowed in compliance with Section 35.42.090 (Community Care Facilities);~~
 - (9) ~~Commercial telecommunication facilities, and additions thereto, allowed in compliance with Section 35.44.010 (Commercial Telecommunication Facilities); and~~
 - (10) ~~Noncommercial telecommunication facilities allowed in compliance with Section 35.44.020 (Noncommercial Telecommunication Facilities) where the height of the antenna and associated support structure exceeds 50 feet.~~
 - c. ~~Mailed notice shall be provided to all residents located within a 300 foot radius of the exterior boundaries of the subject lot of an application for a commercial telecommunication facility, and additions thereto, allowed in compliance with Subsection 35.44.010.C.1.~~

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~~d. For all other types of projects that require a Coastal Development Permit or a Land Use Permit and are not included under Subsection 2.b. and Subsection 2.c. above, notice shall be provided in compliance with the following:~~

~~(1) The applicant shall also conspicuously post a notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest public street.~~

~~e. The names and addresses used for mailed notice shall be those appearing on the equalized County assessment roll, as updated from time to time.~~

a. Posted notice. Notice shall be given by the applicant in compliance with the following:

(1) The applicant shall conspicuously post a notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest street. If the subject lot is a through lot, then the applicant shall conspicuously post a notice adjacent to each street frontage in a location that can be viewed from the street.

F(2) The language and form of the notice shall be provided to the applicant by the Department. The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below. The notice shall be a minimum of 18 inches tall by 24 inches wide.

G(3) The notice shall be mailed and posted by the applicant no later than 15 days following the filing of a complete application with the Department, but in no case shall said notice be mailed and posted less than and:

(4a) If the application is subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least 10 days before the scheduled date of the initial review by the Board of Architectural Review including conceptual review, or;

(2b) If the application is not subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least seven seven days before an action by the Director to approve, conditionally approve or deny a Coastal Development Permit or Land Use Permit, if Design Review in compliance with Section 35.82.070 (Design Review) is not required.

H(4). The notice shall be required to be continuously posted for a minimum of 17 days from the date required by Subsection A.2.g above and shall remain posted for a minimum of 10 days following an action of the Director to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit.

I(5). The applicant shall provide proof of the mailing and posting of the required notice by filing an affidavit of noticing and any other required documentation with the Department no later than 10 days before the scheduled date of the initial review by the Board of Architectural Review or 10 days following an action by the Director to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit prior to the action of the Director to issue the Coastal Development Permit or Land Use Permit. Failure of the applicant to comply with this Chapter may result in denial and/or revocation of the Coastal Development Permit or Land Use Permit.

~~**B. Minimum requirements for permit following a discretionary action.** Notice of an application and pending action or action on a Coastal Development or Land Use Permit following a discretionary action and with the same project description shall be given in compliance with the following.~~

~~1. **By the Department.** Notice shall be given by the Department in compliance with the following:~~

~~**a. Mailed notice.** Mailed notice shall be provided to:~~

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- ~~(1) All owners and residents located within a 100-foot radius of the exterior boundaries of the subject lot and the Coastal Commission.~~
- ~~(2) All parties that received notice of the previous discretionary action.~~
- ~~(3) Any person who has filed a written request therefore and has supplied the Department with self-addressed stamped envelopes.~~
- ~~ab. **Posted notice.** The Department shall conspicuously post notice at a minimum of one public place within the County's jurisdiction (e.g., at the Department).~~
- ~~b. The notice shall also be mailed to any person who has filed a written request therefore and has supplied the Department with self-addressed stamped envelopes.~~
- ~~c. The notice shall be mailed and posted no later than 15 days following the filing of a complete application with the Department, but in no case shall said notice be mailed and posted less than and:~~
 - ~~(1) If the application is subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least 10 days before the scheduled date of the initial review by the Board of Architectural Review including conceptual review, or;~~
 - ~~(2) If the application is not subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least 10 days before an action by the Director to issue the Coastal Development Permit or Land Use Permit~~
- ~~d. The notice shall be required to be continuously posted from the date required by Subsection B.1.c above, until at least 10 days following an action of the Director to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit.~~
- ~~e. The names and addresses used for mailed notice to property owners shall be those appearing on the equalized County assessment roll, as updated from time to time.~~
- ~~f. The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below.~~
- 2. By the applicant.** Notice shall be given by the applicant in compliance with the following:
 - ~~a. Mailed notice shall be provided to all residents located within a 100-foot radius of the exterior boundaries of the subject lot and the Coastal Commission.~~
 - ~~b. Mailed notice shall be provided to all parties that received notice of the previous discretionary action.~~
 - ~~ca. **Posted notice.** The applicant shall also conspicuously post a notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest public street. If the subject lot is a through lot, then the applicant shall conspicuously post a notice adjacent to each street frontage in a location that can be viewed from the street. The applicant shall also conspicuously post a notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest street.~~
 - ~~d. The names and addresses used for mailed notice shall be those appearing on the equalized County assessment roll, as updated from time to time.~~
 - ~~E(1) The language and form of the notice shall be provided to the applicant by the Department. The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below. The notice shall be a minimum of 18 inches tall by 24 inches wide.~~
 - ~~F(2) The notice shall be mailed and posted by the applicant no later than 15 days following the filing of a complete application to the Department, but in no case shall said notice be mailed and posted less than:~~
 - ~~(a) If the application is subject to Design Review in compliance with Section~~

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~~35.82.07010 (Design Review), at least 10 days before the scheduled date of the initial review by the Board of Architectural Review including conceptual review, or;~~

- (b) ~~If the application is not subject to Design Review in compliance with Section 35.82.07010 (Design Review), at least 10 days before an action by the Director to issue the Coastal Development Permit or Land Use Permit, if Design Review in compliance with Section 35.82.070 (Design Review) is not required.~~

~~G(3) The notice shall be required to be continuously posted from the date required by Subsection B.2.f.c above, until at least 10 days following an action of the Director to approve, conditional approve, or deny the Coastal Development Permit or Land Use Permit.~~

~~H(4) The applicant shall provide proof of the mailing and posting of the required notice by filing an affidavit of noticing and any other required documentation with the Department no later than 10 days before the scheduled date of the initial review by the Board of Architectural Review or 10 days following an action by the Director to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit prior to the action of the Director to issue the Coastal Development Permit or Land Use Permit.~~

- i. ~~Failure of the applicant to comply with this Chapter may result in denial and/or revocation of the Coastal Development Permit or Land Use Permit.~~

~~3. Contents of Notice. The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below.~~

CHAPTER 35.106 NOTICING AND PUBLIC HEARINGS

35.106.040 - Notice of Final Action Appealable to the Coastal Commission shall be modified as follows:

- A. Provision of notice.** For those developments that are appealable to the Coastal Commission in compliance with the definition of appealable development and Section 35.102 (Appeals), a Notice of Final Action of the approval or conditionally approval of a Coastal Development Permit shall be mailed to the Coastal Commission and to any interested person who has requested the notice and has submitted a self-addressed stamped envelope to the Department.
- B. Notice within five days.** The notice shall be mailed within the five calendar days following the County's final action on the Coastal Development Permit. An action shall be considered final only after exhaustion of County appeal procedures.
- C. Contents of notice.** The notice shall include the ~~conditions of approval and findings of the Coastal Development Permit, and the procedures for appeal of the County's final action to the Coastal Commission,~~ following:
- The applicable review authority.
 - The date of final action.
 - The status of any appeals.
 - The conditions of approval of the Coastal Development Permit.
 - The findings of the Coastal Development Permit.
 - The procedure for appeal of the County's final action to the Coastal Commission.

CHAPTER 35.106 NOTICING AND PUBLIC HEARINGS

35.106.060 - Design Review - shall be modified as follows:

- A. Minimum Requirements.** Notice of applications for Design Review shall be given in compliance with the following:
- By the Department.** Notice shall be given by the Department in compliance with the

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following:

- a. **Mailed notice.** Mailed notice shall be provided to:
 - (1) All owners of property located within a 300-foot radius of the exterior boundaries of the subject lot.
 - (a) Within the Toro Canyon Plan Area mailed notice of applications for Design Review shall be provided to all owners of property located within a 500 foot radius of the exterior boundaries of the subject lot.
 - (2) Any person who has filed a written request therefore and has supplied the Department with self-addressed stamped envelopes.
 - (3) The names and addresses used for such notice shall be those appearing on the equalized County assessment roll, as updated from time to time.
 - b. **Posted notice.** The Department shall conspicuously post notice at a minimum of one public place within the County's jurisdiction (e.g., at the Department).
 - ~~b. The notice shall also be mailed to any person who has filed a written request therefore and has supplied the Department with self-addressed stamped envelopes.~~
 - c. The notice shall be mailed ~~or~~ and posted no later than 15 days following the filing of a complete application with the Department, ~~but in no case shall said notice be mailed or posted less than~~ and at least 10 days before the scheduled date of the initial review by the Board of Architectural Review, including conceptual review.
 - d. The notice shall be required to be continuously posted from the date required by Subsection A.1.c above, until at least 10 days following final action by the Board of Architectural Review.
 - e. ~~Notice shall also be given in compliance with the requirements of:~~ The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below.
 - ~~(1) Bylaws of the Central, North and South Boards of Architectural Review as approved by the Board.~~
 - ~~(2) Architectural guidelines that have been adopted by the Board for specific regional areas.~~
2. **By the applicant.** ~~Notice shall be given by the applicant in compliance with the following if notice is not otherwise provided in compliance with Section 35.106.030 (Coastal Development Permits and Land Use Permits within the Coastal Zone) and Section 35.106.050 (Land Use Permits – Inland Area) above~~ Except for applications for Design Review that are submitted in association with an application that is noticed in compliance with Section 35.106.020 (Notice of Public Hearing and Review Authority Action), notice shall be given in compliance with the following:
- a. **Posted notice.** ~~Mailed notice of applications for Design Review shall be provided to all owners of property located within a 300 foot radius of the exterior boundaries of the subject lot. The applicant shall also conspicuously post notice at a minimum of one location on the subject lot with at least one notice posted in a location that can be viewed from the nearest public street. If the subject lot is a through lot, then the applicant shall conspicuously post a notice adjacent to each street frontage in a location that can be viewed from the street.~~
 - ~~(1) Within the Toro Canyon Plan Area mailed notice of applications for Design Review shall be provided to all owners of property located within a 500 foot radius of the exterior boundaries of the subject lot.~~
 - b. ~~The names and addresses used for such notice shall be those appearing on the equalized County assessment roll, as updated from time to time.~~
- ~~G(1)~~ The language and form of the notice shall be provided to the applicant by the

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Department. ~~The contents of the notice shall be in compliance with Section 35.106.080 (Contents of Notice) below. The notice shall be a minimum of 18 inches tall by 24 inches wide.~~

- ~~D~~(2) The notice shall be ~~mailed and~~ posted by the applicant no later than 15 days following the filing of a complete application to the Department, ~~but in no case shall said notice be mailed and posted less than and at least 10 days before the scheduled date of the initial review by the Board of Architectural Review, including conceptual review.~~
- ~~E~~(3) The notice shall be required to be continuously posted from the date required by Subsection ~~A.2.d.c~~ above, until at least 10 days following ~~the final an~~ action by the Board of Architectural Review to grant final approval.
- ~~F~~(4) The applicant shall provide proof of the ~~mailing and~~ posting of the required notice by filing an affidavit of noticing and any other required documentation with the Department no later 10 days before the scheduled date of the initial review by the Board of Architectural Review, including conceptual review. Failure of the applicant to comply with this Chapter may result in ~~denial and/or revocation of the Coastal Development Permit, Land Use Permit, or Zoning Clearance~~ postponement of the review by the Board of Architectural Review.

35.106.080 – Contents of Notice- shall be modified as follows:

- A. Notice for all projects.** The following shall be included in all notices required to be provided in compliance with this Section not including notices that are required to be posted by the applicant:
1. The date of filing of the application and the name of the applicant.
 2. The Department case number assigned to the application.
 3. The name of the Department staff person assigned to review the application and their postal mail address, electronic mail address, and telephone number.
 4. A description of the project, its location, and a statement that the project is located is within the Coastal Zone, if applicable.
- B. Notice for projects that require a public hearing or discretionary review authority action.** The following shall be included in all notices for projects that require a public hearing or discretionary action by a review authority not including notices that are required to be posted by the applicant.
1. All information required by Subsection A. (Notice for all projects) above.
 2. The place, date, and general time of the hearing at which the project will be heard by the review authority, if the action requires a public hearing. If the project does not require a public hearing, then only the date of pending action of the review authority is required.
 3. A general description of the County procedures concerning the conduct of public hearings and local actions, including the submission of public comments either in writing or orally before the hearing or local decision, and requirements regarding the procedure to appeal the decision.
 4. The procedure for Coastal Commission appeals, including any required appeals fees, if applicable.
 5. Notice of a pending decision by the Director to approve, conditionally approve or deny a Development Plan for a telecommunications facility in compliance with Chapter 35.44 (Telecommunications Facilities) shall include a statement that the person to whom the notice was mailed may request a public hearing on the proposed Development Plan by submitting a written request to the Department within 10 days of the date of such notice. If a written request is received, the public hearing shall be conducted in compliance with Section 35.106.110 (Hearing Procedure) below.
- C. Notice for projects that do not require a public hearing or discretionary review authority action.** The following shall be included in all notices for projects that do not require a public hearing or discretionary action by a review authority not including notices that are required to be posted by the applicant.

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1. All information required by Subsection A. (Notice for all projects) above.
2. A general description of the County procedures concerning the review of an application for a Coastal Development Permit or Land Use Permit, including:
 - a. How to participate in the review of the application for the Coastal Development Permit or Land Use Permit;
 - b. How to receive notification of any pending review in compliance with Section 35.82.070 (Design Review) if applicable, or action to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit;
 - c. How to submit comments either in writing or orally before review by the Board of Architectural Review if applicable, or action to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit; and
 - d. Requirements regarding the procedure to appeal the decision of the Board of Architectural Review if applicable, or action of the Director to approve, conditionally approve, or deny the Coastal Development Permit or Land Use Permit.
3. If applicable, the date of the pending action on the application for the Coastal Development Permit or Land Use Permit, and the date of expiration of the appeal period.
4. If the subject lot is located in the Coastal Zone, a statement that the public comment period commences upon the date that such notice is given and allows for submission of public comments on the requested Coastal Development Permit. However, for Land Use Permits, in the Coastal Zone, excluding permits that follow a previous discretionary approval, no public comment period is applicable.

35.106.110.B - *Hearing Procedure - shall be modified as follows:*

B. Hearing may be continued.

1. Any public hearing may be continued from time to time without further notice; provided, the chairperson of the review authority announces the date, time, and place to which the hearing will be continued before the adjournment or recess of the hearing
2. ~~If an announcement of a continued date, time, and place is not given, notice of further hearings shall be provided in compliance with this Chapter.~~ If a public hearing on a project is continued by the local government to a time which is neither (1) previously stated in the notice nor (b) announced at a hearing as being continued to a date, time, and place to which the hearing will be continued, notice of the further hearing(s) shall be given in compliance with Section 35.106.020 (Notice of Public Hearing and Review Authority Action), above.

6. Design Review (LCPA 1-05-A)

35.82.070 - *Design Review - shall be modified as follows:*

...

B. Applicability.

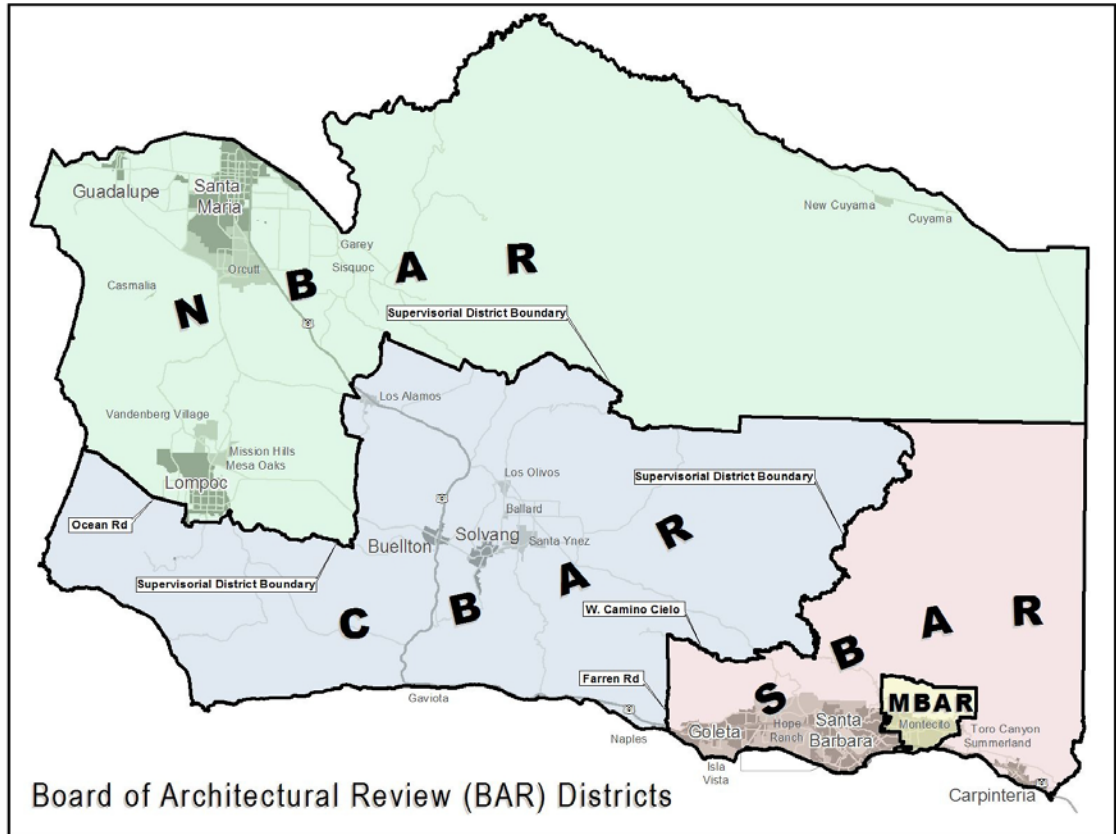
1. **Board of Architectural Review.** ~~The Board of Architectural Review shall be interpreted to mean the Central County Board of Architectural Review, the Montecito Board of Architectural Review, the North County Board of Architectural Review, and the South County Board of Architectural Review, as these whichever has jurisdiction, depending on the location of the project site.~~
 - a. Within the Coastal Zone, the geographic boundaries of said boards are as depicted in the original map which is located in the files of the Clerk of the Board and illustratively shown below in Figure 8-1 (Regional Board of Architectural Review Jurisdictional Areas).
 - b. Within the Inland area, the Boards of Architectural Review are established and identified in Article V of Chapter 2 of the County Code. The applicable Board of

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Architectural Review shall govern the provisions of this Section within their respective jurisdictional areas as established by Article V of Chapter 2 of the County Code.

Figure 8-1 - Regional Board of Architectural Review Jurisdictional Boundaries



...

C. Exceptions to Design Review requirements. Design review approval shall not be required for the following:

2. Special Provisions for projects in the jurisdictional area of the North County Board of Architectural Review. The following are special provisions that apply to projects that are within the jurisdictional area of the North County Board of Architectural Review:

a. Exemptions. The following projects shall be exempt from Design Review by the North County Board of Architectural Review if they cannot be viewed from public roadways or other areas of public use. Landscape screening shall not be taken into consideration when determining whether the project is visible from public roadways. This exemption is only applicable to review by the North County Board of Architectural Review and does not eliminate the project from any other applicable discretionary review, including Coastal Development Permits.

...

c. Time limits. The North County Board of Architectural Review shall seek to complete its review of all projects within its purview as expeditiously as possible. Therefore, one-family dwellings shall be reviewed by the North County Board of Architectural Review at no more than three ~~times~~ separate hearings on three separate dates or for no longer than three months from the date of filing an application, whichever occurs first unless the project changes or requests for a continuance ~~are~~ initiated by the applicant require

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further review. If the North County Board of Architectural Review fails to render its advice within this limitation, then the project shall proceed to the review authority of the planning permit without a recommendation by the North County Board of Architectural Review.

...

7. Application Contents

CHAPTER 35.80 – PERMIT APPLICATION FILING AND PROCESSING

35.80.030 - *Application Preparation and Filing - shall be modified as follows:*

A. Application contents.

1. Each application for a permit, amendment, or other matter pertaining to this Development Code shall be filed with the Director on a Department application form, together with required fees and/or deposits, and all other information and materials as identified in the Department application for the specific type of application. At a minimum the application shall include all information and materials necessary for the review authority to make an informed decision regarding the consistency of the application with the Comprehensive Plan, the Local Coastal Program, and the regulations of this Development Code.

2. Submittal requirements may be increased or waived on a project specific basis as determined necessary or appropriate by the Director.

3. It is the responsibility of the applicant to establish evidence in support of the findings required by the applicable permit, amendment, or other matter pertaining to this Development Code.

8. Applicability, Interpretation and Conflicts

35.10.010 - *Purpose of Development Code - shall be modified to add Subsection F as follows:*

F. Within the Coastal Zone, it is also the purpose of this Development Code to:

1. Protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and manmade resources.

2. Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of this County and of the State.

3. Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

4. Assure priority for coastal-dependent and coastal-related development over other development on the coast.

5. Provide a definite plan for development so as to guide the future growth of the County within the Coastal Zone.

6. Protect the character and stability (social and economic) of agricultural, residential, commercial, and industrial areas.

35.10.020.C - *Authority, Relationship to Comprehensive Plan and Local Coastal Program - shall be modified as follows:*

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- C. **Local Coastal Program provisions.** ~~The County's Local Coastal Program (LCP) is comprised of a certified Land Use Plan (LUP) component and a certified Implementation Plan (IP) component in compliance with the California Coastal Act. The County's certified LUP is comprised of the Comprehensive Plan, which includes the Coastal Land Use Plan as well as the policies of the Community Plans and Area Plans in the Coastal Zone. The Implementation Plan carries out the provisions of the certified Land Use Plan. The provisions of this Development Code identified as applicable within the Coastal Zone constitute, in conjunction with the certified language in Chapter 9A (Brush Removal Southeasterly Coastal Area and Coastal Zone), and the certified language in Chapter 14 (Grading), the implementation provisions within applicable Community Plans and Area Plans, and the County's certified Zoning Map, the County's ordinances for the Implementation Plan of the Local Coastal Program, in compliance with the California Coastal Act.~~

35.10.040 - Applicability of the Development Code - shall be modified as follows:

...

- C. **Continuation of an existing land use.** An existing land use is lawful and not in violation of this Development Code only when the land use was lawfully established either prior to or in compliance with this Development Code and when operated and maintained in compliance with all applicable provisions of this Development Code, including Chapter 35.101 (Nonconforming Uses, Structures, and Lots). However, the requirements of this Development Code are not retroactive in their effect on a land use that was lawfully established before the effective date of this Development Code or any applicable Amendment, except as otherwise provided by Chapter 35.101 (Nonconforming Uses, Structures, and Lots).

...

- E. **Incorporation of existing ordinances and development plans, Inland area.** Previously adopted ordinances which added development and zone text provisions applicable to particular property in compliance with the following provisions of previously adopted zoning regulations are hereby incorporated by reference into this Section and shall have the same force and effect as if the provisions of those ordinances were specifically and fully set forth in this Section.

1.Ordinances.

- a.Ordinance No. 453, Article 3.1.
- b.Ordinance No. 661, Article IV.
- c.Preliminary Development Plans incorporated into rezoning ordinances in compliance with Article II of Chapter 35 of the County Code.
- d.Preliminary Development Plans incorporated into rezoning ordinances in compliance with Article III of Chapter 35 of the County Code.

2.Development Plans.

- a.Development Plans and Precise Plans previously adopted in compliance with Ordinance No. 661.
- b.Development Plans and Plot Plans within the Coastal Zone which received County approval prior to February 1, 1973.
- c.Development Plans and Plot plans that received a Coastal Development Permit from the State Coastal Commission.
- d.Development Plans previously adopted in compliance with Article II of Chapter 35 of the County Code.
- e.Development Plans previously adopted in compliance with Article III of Chapter 35 of the County Code.

- F. **Incorporation of existing ordinances and development plans, Coastal Zone.** All the Sections of zoning ordinances previously adopted which added development plans and zone district text

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provisions applicable to particular property by amendments of Article IV of Ordinance No. 661 or 3.1 of Ordinance No. 453 of the County of Santa Barbara are hereby incorporated by reference into this section, apply as provisions of this Land Use Development Code, and shall have the same force and effect as if the provisions of said sections were specifically and fully set out in this Section. Additionally, Development Plans and Plot Plans which have received County approval prior to February 1, 1973, or have received a Coastal Development Permit from the State Coastal Commission shall continue in force and effect as if they were approved under the provisions of this Article.

FG.Conflicting requirements.

1.Development Code and County Code provisions. If conflicts occur between requirements of this Development Code or between this Development Code and the Santa Barbara County Code, or other regulations of the County, the most restrictive shall control unless specifically indicated otherwise. Within the Coastal Zone, conflicts shall be resolved in manner which on balance is the most protective of significant coastal resources. if there is a conflict between a provision of the LCP and a provision of the Comprehensive Plan, or any other County-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and such other plan, resolution or ordinance, the LCP shall take precedence and the development shall not be approved unless it complies with the LCP provision. Within the Coastal Zone, protection of environmentally sensitive habitat areas (ESH) and public access shall take priority over other development standards and where there is any conflict between general development standards and ESH and/or public access protection, the standards that are most protective of ESH and public access shall have precedence.

2.Development Agreements or Specific Plans. If conflicts occur between the requirements of this Development Code and standards adopted as part of any Development Agreement or applicable Specific Plan, the requirements of the Development Agreement or Specific Plan shall apply. In the Coastal Zone, a Development Agreement may require an LCP Amendment in compliance with Chapter 35.86 (Development Agreements) and Chapter 35.104 (Amendments).

3.Private agreements. This Development Code applies to all land uses and development regardless of whether it imposes a greater or lesser restriction on the development or use of structures or land than a private agreement or restriction (for example, CC&Rs) without affecting the applicability of any agreement or restriction. The County shall not enforce any private covenant or agreement unless it is a party to the covenant or agreement, or a portion thereof.

GH.State, County, Local Agency, and School District sites and facilities.

...

2.Coastal Zone. Any person (including the State or County or any agency thereof, any utility, any special district, or any other local government agency) wishing to perform or undertake any development within the Coastal Zone of the unincorporated area of the County of Santa Barbara shall comply with the provisions of this Development Code, except for. Within the unincorporated areas of the County within the Coastal Zone, the provisions of this Development Code do not apply to development on the following governmental properties and the following activities:

a.Lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government, its officers or agents (16 USC Section1453, Federal Coastal Zone Management Act of 1972). Irrespective of the applicability of this Development Code to development in such areas, development on these lands may require other permits or authorizations in compliance with applicable laws. Notably, development may require a review and approval or other determination by the California Coastal Commission or successor agency.

b.New or expanded thermal electric generating plants and electric transmission lines connecting such plants to existing electric transmission systems under the exclusive jurisdiction of the California Energy Resources Conservation and Development Commission in compliance with Public Resources Code Sections 25500 and 30264.

a.Lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government, its officers or agents (16 USC Section1453, Federal Coastal Zone

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Management Act of 1972). Irrespective of the applicability of this Development Code to development in such areas, development on these lands may require other permits or authorizations in compliance with applicable laws. Notably, development may require a review and approval or other determination by the California Coastal Commission or successor agency.

~~d. Repair and maintenance, other than within an environmentally sensitive habitat area, undertaken by the County or any district or agency of which the Board is the governing body.~~

Renumber Remainder of Subsection due to addition of new Subsection "F" above.

35.12.030.E - *Rules of Interpretation* - shall be modified as follows:

- E. State law requirements. In the Inland area, w**Where this Development Code references applicable provisions of State law (e.g., the California Government Code, Coastal Act, Subdivision Map Act, or Public Resources Code) the reference shall be construed to be to the applicable State law provisions as they may be amended from time to time. In the Coastal Zone, where provisions of State law (e.g., the California Government Code, Coastal Act, Subdivision Map Act, or Public Resources Code) are amended in such a way that they are inconsistent with the LCP, such changes require an LCP amendment in compliance with Chapter 35.104 (Amendments).

35.14.020.B - *Zoning Map and Zones* - shall be modified as follows:

- B. Inclusion by reference.** The existing zone boundaries have been previously adopted by the Board in compliance with Government Code Sections 65800 et seq., and are hereby incorporated into this Development Code by reference as though they were fully included herein.

1. In the Coastal Zone, the following certified zoning maps and zoning overlay maps, which zone the unincorporated area of the County lying within the Coastal Zone, are hereby specifically included by reference into this Section:

- a. Carpinteria Valley Coastal Plan: Zoning Overlay. (Adopted by Ord. 4339, 10/27/98).
- b. Channel Islands Coastal Plan: Zoning.
- c. Gaviota Coast Rural Region Zoning (Adopted by Ord. 4339, 10/27/98).
- d. Gaviota Coast Coastal Plan: Zoning Overlay (Adopted by Ord. 4339, 10/27/98).
- e. Goleta Community Plan Zoning Southern Section (Adopted by Ord. 4112, 7/20/93).
- f. Goleta Community Plan Zoning Overlay (Adopted by Ord. 4112, 7/20/93).
- g. Goleta Community Plan Area - Southern Section Environmentally Sensitive Habitats and Riparian Corridor Protection Zoning Overlays (Adopted by Ord. 4112, 7/20/93).
- h. Guadalupe Dunes/Point Sal Coastal Plan: Zoning Overlay.
- i. Montecito Community Plan Zoning Southern Section (Adopted by Ord. 4083, 12/15/92).
- j. Montecito Community Plan Zoning Overlay (Adopted by Ord. 4083, 12/15/92).
- k. Montecito Community Plan Environmentally Sensitive Habitat Zoning Overlay (Adopted by Ord. 4083, 12/15/92).
- l. North Gaviota Coast Rural Region Zoning Districts (Adopted by Ord. 4339, 10/27/98).
- m. Lompoc Valley Rural Region Zoning (Adopted by Ord. 4339, 10/27/98).
- n. Point Conception Coastal Plan: Zoning Overlay. (Adopted by Ord. 4339, 10/27/98).
- o. Santa Barbara Area Zoning and Zoning Overlay (Adopted by Ord. 4110, 7/20/93).
- p. Santa Maria Valley Rural Region Zoning (Adopted by Ord. 4339, 10/27/98).
- q. South Coast Rural Region Zoning (Adopted by Ord. 4339, 10/27/98).

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- r. Summerland Community Plan Zoning Districts (Adopted by Ord. 4036, 5/19/92).
- s. Summerland Community Plan Zoning Overlay Districts (Adopted by Ord. 4036, 5/19/92).
- t. Summerland Community Plan Environmentally Sensitive Habitat Zoning Overlay (Adopted by Ord. 4036, 5/19/92).
- a. Carpinteria Rural Region Zoning Map (Section 35-204.2.8 and Section 35-54.1.19) and Overlay (Section 35-54.2). (Amended by Ord. 4339, 10/27/98)
- b. North Gaviota Coast Rural Region Zoning Districts Map (Section 35-54.70.0) and Point Conception Coastal Plan Overlay (Section 35-54.10). (Amended by Ord. 4339, 10/27/98)
- c. Santa Maria Rural Region Zoning Districts Map (Section 35-54.30.0) and Overlay (Section 35-54.12). (Amended by Ord. 4339, 10/27/98)
- d. Channel Islands Coastal Plan: Zoning (Section 35-54.13).
- e. Gaviota Coast Rural Region Zoning Districts Map (Section 35-54.60.0) and Overlay (Section 35-54.15) and Overlay (Section 35-54.10). (Amended by Ord. 4339, 10/27/98)
- f. Summerland Community Plan: Zoning – Articles II and III (Section 35-54.16) and Overlay (Section 35-54.17). (Added by Ord. 4034, 5/19/92)
- g. Montecito Community Plan: Zoning – Article II (Section 35.54.3.6), Overlay (Section 35.54.4.5), and ESH Overlay (Section 35-54.5). (Added by Ord. 4081, 12/15/92)
- h. Goleta Community Plan Zoning Districts Southern Section Coastal Plan (Section 35-54.20.0), Goleta Community Plan Overlay Districts Coastal Zone (Section 35-54.21.0), and Goleta Community Plan Environmentally Sensitive Habitat Land Use Overlay Southern Section Coastal Zone (Section 35-54.22.0). (Added by Ord. 4110, 7/20/93)
- i. Santa Barbara Area Zoning and Zoning Overlay (Section 35-54.7.8). (Added by Ord. 4110, 7/20/93)
- j. Lompoc Valley Rural Region Zoning Districts Map (Section 35.54.70.0) and Overlay (Section 35-54.2). (Added by Ord. 4339, 10/27/98)

35.28.030.B - Affordable Housing (AH) Overlay Zone - shall be modified as follows:

B. Applicability.

1. ...
2. The density increase shall be inclusive of the density bonus authorized by state law (e.g., density increase must be at least 20 percent over the base density as required by Government Code Sections 65915 and 65918) ~~or successor statutes~~. The maximum density for a lot within the AH overlay shall be indicated on the Zoning Map.

Chapter 35.30 - Standards for All Development and Land Uses

35.30.020 - Applicability - shall be modified as follows:

The requirements of this Article shall apply to all proposed development and new land uses, except as specified in Chapter 35.101 (Nonconforming Uses, Structures, and Lots) and shall be considered in combination with the standards for the applicable zone in Article 35.2 (Zones and Allowable Land Uses) and those in Article 35.4 (Standards for Specific Land Uses). If there is a conflict, the standards in Article 35.4 (Standards for Specific Land Uses) shall control. Within the Coastal Zone, protection of environmentally sensitive habitat areas (ESH) and public access shall take priority over other development standards and where there is any conflict between general development standards and ESH and/or public access protection, the standards that are most protective of ESH and public access shall have precedence.

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Chapter 35.42 - Standards for Specific Land Uses

35.42.010.B - Purpose and Applicability - shall be modified as follows:

B. Applicability. A land use and/or activity addressed by this Chapter shall comply with the provisions of each Section applicable to the specific use, in addition to all other applicable provisions of this Development Code.

...

3. Development standards. The standards for specific uses in this Chapter supplement and are required in addition to those in Article 35.2 (Zones and Allowable Land Uses) and Article 35.3 (Site Planning and Other Project Standards). In the event of any conflict between the requirements of this Chapter and those of Article 35.2 or Article 35.3, the requirements of this Chapter shall control. Within the Coastal Zone, conflicts shall be resolved in a manner which on balance is the most protective of significant coastal resources, protection of environmentally sensitive habitat areas (ESH) and public access shall take priority over other development standards and where there is any conflict between general development standards and ESH and/or public access protection, the standards that are most protective of ESH and public access shall have precedence.

9. Allowed Land Uses and Permit Requirements Tables

The "Allowed Land Uses and Permit Requirements" Tables for all zones in Article 35.2 shall be modified as shown in Exhibit 4, Modifications to Allowed Land Use and Permit Requirements.

35.20.020.B - Prerequisites for Development and New Land Uses - shall be modified as follows:

B. Permit and approval requirements. Any planning permit or other approval required by Section 35.20.030 (Allowable Development and Planning Permit Requirements) shall be obtained before the issuance of any grading, building, or other construction permit, and before commencing any work pertaining to any development or use or using any land or structure, unless such structure or use is ~~listed~~ exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

35.20.030.B - Allowable Development and Planning Permit Requirements - shall be modified as follows:

B. Permit requirements. Proposed development and land uses shall comply with the following permit requirements, in addition to the requirements of a Building Permit or other permit required by the County Code.

1. General planning permit requirements. The allowable land use tables within Chapters 35.21 through 35.26 provide for land uses that are:

a. Permitted subject to compliance with all applicable provisions of this Development Code, subject to first obtaining a Coastal Development Permit in compliance with (Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with (Section 35.82.110 (Land Use Permits) as applicable.

(1) Coastal Zone. Within the Coastal Zone, permitted uses are shown in the tables as either "PP" which denotes a Principal Permitted Use or "P" which denotes a non-principal Permitted Use.

(a) An action by the review authority to approve or conditionally approve a permit application for a use other than a Principal Permitted Use may be appealed to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).

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(2)Inland area. Within the Inland area, permitted uses ~~These~~ are shown as "P" uses in the tables;

- b. Allowed subject to the approval of a Minor Conditional Use Permit in compliance with (Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) and shown as "MCUP" uses in the tables; Within the Coastal Zone, a Coastal Development Permit shall be processed concurrently and in conjunction with the Minor Conditional Use Permit in compliance with Section 35.82.060.C (Contents of Application).
- c. Allowed subject to the approval of a Conditional Use Permit in compliance with (Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) and shown as "CUP" uses in the tables; Within the Coastal Zone, a Coastal Development Permit shall be processed concurrently and in conjunction with the Conditional Use Permit in compliance with Section 35.82.060.C (Contents of Application).
- d. Allowed as an exempt use as listed in Section 35.20.040 (Exemptions from Planning Permit Requirements) and shown as "E" uses in the tables; The exempt use or structure is exempt only if it is in compliance with the requirements of Section 35.20.040 (Exemptions from Planning Permit Requirements).
- e. Allowed subject to the type of County approval required by a specific provision of Chapter 35.42 (Standards for Specific Land Uses) and shown as "S" uses in the tables; and
- f. Not allowed in particular zones and shown as "—" in the tables. Use may be subject to a similar use determination in compliance with Subsection A.3 (Similar and compatible use may be allowed) above.
- g. Where the last column in each table ("Specific Use Regulations") includes a section number, the referenced Section may affect whether the use requires a Coastal Development Permit, Land Use Permit, Development Plan, Minor Conditional Use Permit, or Conditional Use Permit, and/or may establish other requirements and standards applicable to the use.

A proposed land use type that is not listed in the tables is not allowed, except as provided by Subsection A.3 (Similar and compatible use may be allowed) above, or if allowed in compliance with Chapter 35.28 (Overlay Zones), or if allowed in compliance with Article 35.4 (Standards for Specific Land Uses).

2. **Design Review.** Development authorized in compliance with Subsection B.1 (General planning permit requirements) above may also require Design Review approval in compliance with Section 35.82.070 (Design Review).
3. **Coastal Development Permit.** Proposed development and land uses within the Coastal Zone shall require the approval of a Coastal Development Permit by the County in compliance with Section 35.82.050 (Coastal Development Permits), unless the use or development is exempt in compliance with Section 35.20.040. ~~otherwise indicated in this Development Code or if a development or use is located within the original permit jurisdiction of the Coastal Commission or within an area in the County's Coastal Zone in which the Local Coastal Program has not been certified by the Coastal Commission, application for a Coastal Development Permit shall be made directly to the California Coastal Commission, in which case a Land Use Permit is required following the issuance of a Coastal Development Permit by the Coastal Commission.~~

35.21.030.A - Agricultural Zones Allowable Land Uses - shall be modified as follows:

- A. **General permit requirements.** Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) identifies the uses of land allowed by this Development Code in each Agricultural zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements). Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all

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development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), including development not specifically listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) such as subdivisions, lot line adjustments, and lot mergers.

1. Coastal Zone. "Permit Required by Zone" columns that include "CZ" after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
2. Inland area. "Permit Required by Zone" columns that do not include "CZ" after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

35.22.020.C - *Purposes of the Resource Protection Zones - shall be modified as follows:*

...

The intent is to allow reasonable but limited development because of extreme fire hazards, minimum services, and/or environmental constraints, and to encourage the preservation of these areas for uses including grazing, scientific and educational study, and limited residential uses, and within the Inland area only, grazing.

35.22.030.A - *Resource Protection Zones Allowable Land Uses - shall be modified as follows:*

- A. General permit requirements.** Table 2-4 (Allowed Land Uses and Permit Requirements for Resource Protection Zones) identifies the uses of land allowed by this Development Code in each Resource Protection Zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements). Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), including development not specifically listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) such as subdivisions, lot line adjustments, and lot mergers.
1. Coastal Zone. "Permit Required by Zone" columns that include "CZ" after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
 2. Inland area. "Permit Required by Zone" columns that do not include "CZ" after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

35.23.030.A - *Residential Zones Allowable Land Uses - shall be modified as follows:*

- A. General permit requirements.** Tables 2-7, 2-8, and 2-9 (Allowed Land Uses and Permit Requirements for Residential Zones) identify the uses of land allowed by this Development Code in each residential zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements). Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), including development not specifically listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) such as subdivisions, lot line adjustments, and lot mergers.
1. Coastal Zone. "Permit Required by Zone" columns that include "CZ" after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
 2. Inland area. "Permit Required by Zone" columns that do not include "CZ" after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

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35.24.030.A - *Commercial Zones Allowable Land Uses - shall be modified as follows:*

- A. General permit requirements.** Tables 2-14, 2-15, and 2-16 (Allowed Land Uses and Permit Requirements for Commercial Zones) identify the uses of land allowed by this Development Code in each commercial zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements). Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), including development not specifically listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) such as subdivisions, lot line adjustments, and lot mergers.
1. Coastal Zone. "Permit Required by Zone" columns that include "CZ" after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
 2. Inland area. "Permit Required by Zone" columns that do not include "CZ" after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

35.25.030.A - *Industrial Zones Allowable Land Uses - shall be modified as follows:*

- A. General permit requirements.** Table 2-20 (Allowed Land Uses and Permit Requirements for Industrial Zones) identifies the uses of land allowed by this Development Code in each industrial zone and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements). Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), including development not specifically listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) such as subdivisions, lot line adjustments, and lot mergers.
1. Coastal Zone. "Permit Required by Zone" columns that include "CZ" after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
 2. Inland area. "Permit Required by Zone" columns that do not include "CZ" after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

35.26.030.A - *Special Purpose Zones Allowable Land Uses - shall be modified as follows:*

- A. General permit requirements.** Tables 2-22 and 2-23 (Allowed Land Uses and Permit Requirements for Special Purpose Zones) identify the uses of land allowed by this Development Code in each special purpose zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements). Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), including development not specifically listed in Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) such as subdivisions, lot line adjustments, and lot mergers.
1. Coastal Zone. "Permit Required by Zone" columns that include "CZ" after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
 2. Inland area. "Permit Required by Zone" columns that do not include "CZ" after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

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35.26.030.F - *Special Purpose Zones Allowable Land Uses - shall be modified as follows:*

- F. TC zone allowable land uses and permit requirements.** The uses allowed as a principally permitted use or as a permitted use in zones abutting a site in the TC zone (i.e., those shown as "PP" or "P" uses) are also allowed in the TC zone with Conditional Use Permit approval in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) in addition to the land uses listed in Table 2-23 (Allowed Land Uses and Permit Requirements for the Special Purpose Zones) as permitted or conditionally permitted within the TC zone.

35.28.020.B - *Applicability of Overlay Zones - shall be modified as follows:*

- B. Allowed land uses, permit requirements, development standards.** Except as may be otherwise provided by this Chapter for a specific overlay zone:
1. Any land use normally allowed in the primary zone by this Chapter may be allowed within an overlay zone, subject to any additional requirements of the overlay zone;
 2. Development and land uses within a overlay zone shall obtain the planning permits required by this Chapter for the primary zone, and the overlay zone, as applicable; and
 3. Development and land uses within an overlay zone shall comply with all applicable development standards of the primary zone and the overlay zone, except as modified by this Chapter.
 4. Development and land uses within an overlay zone shall comply with all applicable requirements of this Development Code, the Comprehensive Plan, and the Local Coastal Program

35.42.060.B - *Animal Keeping - shall be modified as follows:*

- B. Applicability.** This Section applies to any keeping of animals as either an accessory and incidental use or principal use, except for pet stores, animal clinics, animal hospitals and veterinarian offices. This Section shall not apply to animals that are less than six months in age.
- C. In general.**
1. Animal keeping uses shall comply with the standards in Subsection F. (Specific animal keeping standards) below, and other applicable standards and requirements of this Development Code.
 2. Animal keeping activities are subject to the requirements of this Section regardless of whether a permit is required.
 3. Additional permits may be required by other provisions of this Development Code for structures used to enclose or house animals.
 - a. Coastal Zone.** Within the Coastal Zone, confined animal facilities require a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) unless otherwise exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - (1) Confined animal facilities that are incidental, appropriate and subordinate to animal keeping designated as a Principal Permitted Use are also considered a Principal Permitted Use.
 4. Certain animal keeping activities may also be subject to the permit requirements of County departments other than the Department in compliance with the County Code.

- D. Types of animals, permit requirements, maximum numbers, and minimum site areas for animal keeping.** Table 4-1 through Table 4-8 identify the type of animal or animal keeping activity allowed in each zone, the permit requirements, the maximum allowable number of animals per lot, and the minimum required site area. Where the last column in a table (Additional Regulations)

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includes a Section number, the referenced Section may establish other requirements and standards applicable to the animal keeping activity.

- 1. Coastal Zone.** Zone symbols in the “Permit Required by Zone” columns that include “CZ” after the zone symbol only apply within the Coastal Zone unless indicated otherwise. In cases where confined animal facilities have been legally established for a given animal-keeping activity, a Coastal Development Permit is not required for replacement of animals or the addition of animals provided that the total amount of animals does not exceed the maximum number allowed on the lot on which the animal keeping occurs in compliance with Table 4-1 through Table 4-8. The establishment of new or additional confined animal facilities requires a Coastal Development Permit.
- 2. Inland area.** Zone symbols in the “Permit Required by Zone” columns that do not include “CZ” after the zone symbol only apply outside the Coastal Zone within the Inland area unless indicated otherwise.

35.42.090 - Community Care Facilities - shall be modified as follows:

C. Child care centers.

...

- f. The review of non residential child care centers in compliance with this Section, when allowed by a Coastal Development or Land Use Permit, shall be a ministerial action exempt from the requirements of the California Environmental Quality Act unless the approval is subject to approval of an appealable Coastal Development Permit in compliance with Section 35.102 (Appeals). ~~within a Geographic Appeals Area within the Coastal Zone.~~

...

D. Special care homes.

1. In general.

- a. Structural installations that are necessary to accommodate disabled residents (e.g., ramps, lifts, handrails) in compliance with the Fair Housing Act shall be allowed without having to obtain a Variance or Modification if otherwise required.

...

2. Special care homes serving six or fewer clients.

d. Ministerial action.

- (1) The review of special care homes serving six or fewer clients shall be a ministerial action exempt from the requirements of the California Environmental Quality Act, unless the approval is subject to approval of a an appealable Coastal Development Permit in compliance with Section 35.102 (Appeals). ~~within a Geographic Appeals Area within the Coastal Zone.~~

...

35.82.190.A - Use Determinations - shall be modified as follows:

- A. Purpose and intent.** The purpose of this Section is to provide procedures for evaluating proposed land uses that are not specifically enumerated in a zone but may be allowed if they are found to be similar in character to uses that are already enumerated as a principal permitted use or other permitted uses within that zone. The intent of this Section is to provide specific consideration of such uses. Within this section “permitted uses” shall mean those uses in Tables 2-1, 2-4, 2-7 through 2-9, 2-14 through 2-16, 2-20, 2-22 and 2-23 in which the “Permit Requirement” is ~~denoted~~ designated with a “PP” or “P”.

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35.82.200 – Variances

...

D. Processing.

1. In the Inland area, an application filed in compliance with this Section that is determined by the Director to be inconsistent with the use and/or density requirements of this Development Code or the Comprehensive Plan shall be accompanied by an application to make the project consistent.
2. In the Inland area, the Department may refuse to accept for processing any application the Director finds to be inconsistent with the Comprehensive Plan.
3. The Zoning Administrator shall hold at least one noticed public hearing on the requested Variance and approve, conditionally approve, or deny the request.
4. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
5. The Zoning Administrator, in approving the Variance may require conditions as deemed reasonable and necessary to promote the purpose and intent of this Development Code and the public health, safety, and welfare.
6. The action of the Zoning Administrator is final subject to appeal in compliance with Chapter 35.102 (Appeals).
7. The issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) is required prior to the commencement of any development allowed by the Variance unless such development is exempt from planning permits in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - a. Prior to the issuance of any planning permit required to effectuate the approved Variance, the applicant shall agree, in writing, to comply with all conditions imposed by the review authority in the granting of the Variance.

10. Accessory Structures and Uses

35.21.030 - Agricultural Zones Allowable Land Uses - shall be modified as follows:

A. **General permit requirements.** Table 2-1 (Allowed Land Uses and Permit Requirements for Agricultural Zones) identifies the uses of land allowed by this Development Code in each Agricultural zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).

1. A use may be exempt from the requirement to obtain a planning permit when in compliance with 35.20.040 (Exemptions from Planning Permit Requirements).

...

E. **Accessory structures and uses.** Each use allowed by Table 2-1 (Allowed Land Uses and Permit Requirements for the Agricultural Zones) may include accessory structures and uses that are customarily incidental to the primary use.

1. **Accessory To A Principal Permitted Use within the Coastal Zone.** Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use (PP), in compliance with the following:
 - a. **Accessory to the principal permitted primary agricultural use.** For the purpose of determining whether an accessory development subordinate to the principal permitted

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primary agricultural use can be processed as a component of the Principal Permitted Use, agricultural accessory development shall be interpreted as defined in Section 35.110.020 (Definitions of Specialized Terms and Phrases) under the term "Accessory Agricultural Structure."

- b. **Accessory to the principal permitted primary residential use.** Except as provided in Subsection E.1.c., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use, may be permitted as a component of the Principal Permitted residential use.
- c. **Accessory structures and uses listed separately.** Where an accessory structure or use is listed separately in Table 2-1 (Allowed Land Uses and Permit Requirements for the Agricultural Zones) and the required permit is not designated as "PP" then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally approve the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission). Notwithstanding this provision, artist studios, guesthouses and home occupations, which are listed separately in Table 2-1 (Allowed Land Uses and Permit Requirements for the Agricultural Zones), may be permitted as a component of the Principal Permitted Use where designated in the Table.

F. Principal permitted dwellings (Coastal Zone).

1. In the Coastal Zone, the primary dwelling on the lot may be considered a component of the principal permitted agricultural use and permitted as a Principal Permitted Use (PP) when in compliance with the following standards:
 - a. There is an existing principal permitted primary agricultural use on the lot on which the primary dwelling is located.
 - b. The occupancy of the dwelling is restricted to the operator of the principal permitted primary agricultural use including the family of the operator, or the owner of the lot including the dependent family of the owner.
 - c. The gross floor area of the primary dwelling does not exceed 5,000 square feet.
 - d. The primary dwelling and all accessory structures and landscaping associated with the primary dwelling shall occupy a development area of no more than 10,000 square feet.
2. Before issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) for a primary dwelling as a Principal Permitted Use (PP), a Notice to Property Owner prepared by the Department shall be recorded by the property owner in the County public records. The Notice to Property Owner shall specify, at a minimum, that the compliance with these standards is required in order for the primary dwelling to be occupied.
3. If compliance with these standards cannot be demonstrated then primary dwelling may be permitted as a non-principal permitted use and the decision of the review authority to approve or conditionally the application for the accessory use or structure may be appealed to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).

35.22.030 – *Resource Protection Zones - shall be modified as follows:*

- A. General permit requirements.** Table 2-4 (Allowed Land Uses and Permit Requirements for Resource Protection Zones) identifies the uses of land allowed by this Development Code in each Resource Protection Zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).

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1. A use may be exempt from the requirement to obtain a planning permit when in compliance with 35.20.040 (Exemptions from Planning Permit Requirements).

...

- E. Accessory structures and uses.** Each use allowed by Table 2-4 (Allowed Land Uses and Permit Requirements for the Resource Protection Zones) may include accessory structures and uses that are customarily incidental to the primary use.

1. **Accessory to a Principal Permitted Use within the Coastal Zone.** Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use, in compliance with the following:

- a. **Accessory to the principal permitted primary residential use.** Except as provided in Subsection E.1.b., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use, may be permitted as a component of the Principal Permitted residential use.

- b. **Accessory structures and uses listed separately.** Where an accessory structure or use is listed separately in Table 2-4 (Allowed Land Uses and Permit Requirements for the Resource Protection Zones) and the required permit is not designated as "PP" then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally approve the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission). Notwithstanding this provision, artist studios and home occupations, which are listed separately in Table 2-4 (Allowed Land Uses and Permit Requirements for the Resource Protection Zones), may be permitted as a component of the Principal Permitted Use where designated in the Table.

F. Principal permitted dwellings (Coastal Zone).

1. In the Coastal Zone, the primary dwelling on the lot may be considered as a Principal Permitted Use (PP) when in compliance with the following standards:

- a. The principal dwelling and all accessory structures and landscaping associated with the principal dwelling shall occupy a development area of no more than 10,000 square feet.

- b. The development area shall not occupy slopes of 30 percent or greater.

2. If compliance with these standards cannot be demonstrated then principal dwelling may be permitted as a non-principal permitted use and the decision of the review authority to approve or conditionally the application for the accessory use or structure may be appealed to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).

35.23.030 - Residential Zones Allowable Land Uses - shall be modified as follows:

- A. General permit requirements.** Tables 2-7, 2-8, and 2-9 (Allowed Land Uses and Permit Requirements for Residential Zones) identify the uses of land allowed by this Development Code in each residential zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).

1. A use may be exempt from the requirement to obtain a planning permit when in compliance with 35.20.040 (Exemptions from Planning Permit Requirements).

...

- E. Accessory structures and uses.** Each use allowed by Tables 2-7, 2-8, and 2-9 (Allowed Land uses and Permit Requirements for Residential Zones) may include accessory structures and uses that are customarily incidental to the primary use.

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1. Requirements for all accessory structures and uses. All accessory structures and uses shall comply with the following: ~~provided that the accessory structures or uses are~~
 - 4a. Within the R-1/E-1, EX-1, ~~MR-O,~~ R-2, DR, SLP, SR-M and SR-H zones, accessory structures and uses when that are accessory to dwellings shall be restricted to those that are for the exclusive use of the residents of the site and their guests and shall not involve a commercial enterprise on the site; ~~and~~
 - 2b. The accessory structures or uses are In compliance with all applicable requirements of this Development Code, including standards for specific ~~uses and structures and uses~~ in Chapter 35.42 (Standards for Specific Land Uses).
2. Accessory to a Principal Permitted Use within the Coastal Zone. Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use, in compliance with the following:
 - a. Accessory to the principal permitted primary residential use. Except as provided in Subsection E.2.b., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use, may be permitted as a component of the Principal Permitted residential use.
 - b. Accessory structures and uses listed separately. Where an accessory structure or use is listed separately in Table 2-7, 2-8 and 2-9 (Allowed Land Uses and Permit Requirements for the Residential Zones) and the required permit is not designated as "PP" then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally approve the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission). Notwithstanding this provision, artist studios, guesthouses and home occupations, which are listed separately in Tables 2-7, 2-8 and 2-9 may be permitted as a component of the Principal Permitted Use where designated in the relevant Table.

35.24.030 - Commercial Zones Allowable Land Uses - shall be modified as follows:

- A. **General permit requirements.** Tables 2-14, 2-15, and 2-16 (Allowed Land Uses and Permit Requirements for Commercial Zones) identify the uses of land allowed by this Development Code in each commercial zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).
 1. A use may be exempt from the requirement to obtain a planning permit when in compliance with 35.20.040 (Exemptions from Planning Permit Requirements).
- ...
- E. **Accessory ~~uses and structures and uses.~~** Each use ~~nonresidential~~ allowed by Tables 2-14, 2-15, and 2-16 (Allowed Land uses and Permit Requirements for Commercial Zones) may include accessory ~~uses and structures and uses~~ that are customarily incidental to the primary use; ~~provided that:~~
 1. Requirements for all accessory structures and uses located within the C-1, C-2, C-3, C-3, and PI (Coastal Zone) zones. Within the C-1, C-2, C-3, C-3, and PI (Coastal Zone) zones, accessory structures and uses shall comply with the following:
Within the C-1, C-2, C-3, and C-S zones:
 - a. C-1, C-2, C-3, and C-S zones. ~~Within the C-1, C-2, C-3, and C-S zones t~~
 - (1) There shall be no manufacture, assembly, processing, or compounding of products other than as is customarily incidental or essential to the allowed use.

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(4a) Within the Coastal Zone, there shall be no more than five persons engaged in the manufacture, assembly, processing, or compounding of products.

b-(2) The operations shall ~~are~~ not be 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.

2b. Within the PI zone (Coastal Zone). The accessory structure or use shall be subordinate to the allowed use.

2. Accessory to a Principal Permitted Use within the Coastal Zone. ~~Accessory uses and structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use, in compliance with the following:~~

a. Accessory to the principal permitted commercial use. ~~Except as provided in Subsection E.2.b., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a commercial use, and does not change the character of the commercial use, may be permitted as a component of the Principal Permitted commercial use.~~

b. Accessory structures and uses listed separately. ~~Where an accessory structure or use is listed separately in Table 2-14, 2-15 and 2-16 (Allowed Land Uses and Permit Requirements for the Commercial Zones) and the required permit is not designated as "PP" then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).~~

35.25.030 - Industrial Zones Allowable Land Uses - shall be modified as follows:

A. General permit requirements. Table 2-20 (Allowed Land Uses and Permit Requirements for Industrial Zones) identifies the uses of land allowed by this Development Code in each industrial zone and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).

1. A use may be exempt from the requirement to obtain a planning permit when in compliance with 35.20.040 (Exemptions from Planning Permit Requirements).

...

GE. Accessory uses and structures and uses. ~~Each A use allowed by Table 2-20 (Allowed Land Uses and Permit Requirements for Industrial Zones) may include accessory uses and structures or uses that are customarily incidental to the primary uses as follows.~~

1. **Requirements for all accessory structures and uses.** All accessory structures and uses shall comply with the following:

1a. M-1 and M-2 zones. Accessory structures and uses customarily incidental to a permitted use, ~~not including~~ may be allowed provided there are no retail sales by a manufacturing enterprise.

2b. M-CD, M-CR, M-RP zones. Accessory structures and uses customarily incidental to a permitted use may be allowed.

2. Accessory to a Principal Permitted Use within the Coastal Zone. ~~Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use, in compliance with the following:~~

a. Accessory to the principal permitted industrial use. ~~Except as provided in Subsection E.2.b., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a industrial use, and does not change the character~~

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of the industrial use, may be permitted as a component of the Principal Permitted industrial use.

- b. Accessory structures and uses listed separately.** Where an accessory structure or use is listed separately in Table 2-20 (Allowed Land Uses and Permit Requirements for Industrial Zones) and the required permit is not designated as “PP” then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).

35.26.030 - Special Purpose Zones Allowable Land Uses - shall be modified as follows:

- A. General permit requirements.** Tables 2-22 and 2-23 (Allowed Land Uses and Permit Requirements for Special Purpose Zones) identify the uses of land allowed by this Development Code in each special purpose zone, and the planning permit required to establish each use, in compliance with Section 35.20.030 (Allowable Development and Planning Permit Requirements).

1. A use may be exempt from the requirement to obtain a planning permit when in compliance with 35.20.040 (Exemptions from Planning Permit Requirements).

- D. ~~Accessory uses and structures and uses.~~** Each use allowed by Tables 2-22, and 2-23 (Allowed Land Uses and Permit Requirements for the Special Purpose Zones) may include accessory ~~uses and structures and uses~~ that are customarily incidental to the primary use, ~~provided that~~

1. **Requirements for all accessory structures and uses.** Accessory structures and uses shall comply with the following:

~~1a.~~ 1a. Within the MU zone there shall be no manufacture, assembly, processing, or compounding of products other than as is customarily incidental or essential to the allowed use, ~~and~~

~~2b.~~ 2b. Within the REC zone, accessory structures and uses shall be limited to those required to support the recreational activities (e.g., parking areas, water and sanitary facilities, boat launching facilities, ranger stations and limited concession facilities).

2. **Accessory to a Principal Permitted Use within the Coastal Zone.** Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use, in compliance with the following:

a. Accessory to the principal permitted special purpose use. Except as provided in Subsection E.2.b., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a special purpose use, and does not change the character of the special purpose use, may be permitted as a component of the Principal Permitted special purpose use.

b. Accessory structures and uses listed separately. Where an accessory structure or use is listed separately in Tables 2-22, and 2-23 (Allowed Land Uses and Permit Requirements for the Special Purpose Zones) and the required permit is not designated as “PP” then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).

35.42.020.A - Accessory Structures and Uses - shall be modified as follows:

- A. Purpose and applicability.** This Section provides standards for accessory structures and uses, where allowed by Article 35.2 (Zones and Allowable Land Uses). Accessory structures, including

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agricultural accessory structures shall comply with the requirements of this Section, except that mobile home site accessory structures within a Mobile Home Park shall instead comply with the requirements of the MHP District in Section 35.23.080 (MHP Zone Standards). Accessory structures shall also comply with all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 through Article 35.7 of this Development Code.

11. Exemptions

35.20.040 - Exemptions from Planning Permit Requirements - shall be modified as follows:

The requirements of this Development Code that one or more planning permits (e.g., Coastal Development Permit, Land Use Permit, Conditional Use Permit, Minor Conditional Use Permit, Development Plan) be obtained prior to proposed development or the establishment of a land use do not apply to the land uses, structures, and activities identified by this Section.

A. General requirements for exemption. The land uses, structures, and activities identified by Subsections B and C. ("Exempt activities and structures...") below, are exempt from the planning permit requirements of this Development Code only when:

1. The use, activity, or structure is established and operated in compliance with the setback requirements, height limits, parking requirements, and all other applicable standards of this Development Code, the required provisions and conditions of any existing, approved permits for the subject lot and, where applicable, Chapter 35.101 (Nonconforming Uses, Structures, and Lots); and
2. Any permit or approval required by regulations other than this Development Code is obtained (for example, a Building Permit and/or Grading Permit).

B. Exempt activities and structures, Inland Area. The following are exempt from all planning permit requirements of this Development Code when in compliance with Subsection A. (General requirements for exemptions) above, except if addressed by Policy OS-O-5 and Development Standards 5.1 through 5.3 of the Orcutt Community Plan, the MT-GOL (Mountainous-Goleta) zone, the ESH-GOL (Environmentally Sensitive Habitat-Goleta) overlay zone, and the RC-GOL (Riparian Corridor-Goleta) overlay zone, and the ESH (Environmentally Sensitive Habitat) overlay zone within the Coastal Zone.

~~1. **Activities and structures exempt both within the Inland area and the Coastal Zone.** The following activities and structures are exempt in compliance with this Section when located either in the Inland area or the Coastal Zone.~~

~~**A1. Animal keeping.** Animal keeping when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following) and the Animal Keeping Table (Table 4-1 and following) in Section 35.42.060 (Animal Keeping).~~

~~**B2. Antennas.** Ground or roof mounted receive-only satellite dish or wireless television antenna less than one meter in diameter used solely by the occupants of the property on which the antenna is located for the noncommercial, private reception of communication signals, see Chapter 35.44 (Telecommunications Facilities).~~

~~**C3. Cultivated agricultural, orchards and vineyards.** Cultivated agriculture, orchards and vineyards when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following).~~

~~**4. Damaged or destroyed structure.** The replacement or restoration of a conforming structure damaged or destroyed by a disaster, as determined by the Director.~~

- ~~a. The replaced or restored structure shall comply with all requirements of the applicable zone (including permitted uses), shall be for the same use, shall be in the same general footprint location, and shall not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent, or 250 square feet, whichever is less. For the purposes of this Section only, bulk is defined as total interior cubic~~

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volume as measured from the exterior surfaces of the structure.

- b. If the Director determines that the exterior design or specifications are proposed to be changed, the restored or replaced structure shall require Design Review in compliance with Section 35.82.070 (Design Review), if the structure is otherwise required to have Design Review (e.g. the site is within the Design Control overlay).
- 5. Demolition.** The demolition of a structure less than 50 years old or, if the structure is 50 years old or greater, either the Director or the Historic Landmark Advisory Commission has determined that it is not historically significant.
- D6. Fences, gates, gateposts, walls, retaining walls.** See Section 35.30.070 (Fences and Walls).
- 7. Final or Parcel Map recordation.** The recordation of a Final Map or Parcel Map following the approval of a Tentative Map including Vesting Tentative Maps.
- 8. Grading.** Grading activities that do not require the approval of a Development Plan by the requirements of the applicable zone, and that comply with the following, except in addressed in Policy GEO-O-3 of the Orcutt Community Plan, the MT-GOL (Mountainous-Goleta) zone, the ESH-GOL (Environmentally Sensitive Habitat-Goleta) overlay zone, and the RC-GOL (Riparian Corridor-Goleta) overlay zone.
- a. General grading.** Grading for which a permit is not required by County Code Chapter 14 (Grading).
- b. Oil field grading.** Grading in a State-designated oil field involving less than 1,500 cubic yards of cut or fill on a slope of less than 30 percent; provided that the grading:
- (1) Does not have the potential to change or adversely affect an intermittent or perennial stream or regional watercourse;
 - (2) Will not adversely impact paleontological, archaeological, or uniquely important cultural resources;
 - (3) Will not adversely affect exceptional wildlife values;
 - (4) Is not proposed to be located within one mile and in the visible area of a scenic highway, public park, or area designated as recreational or open space on the Comprehensive Plan Land Use Maps; or
 - (5) Does not require the removal of three or more trees that are each greater than 17 inches in circumference measured two feet above the ground.
- The requirements of this Subsection shall not be construed to alter the provisions and regulations of County Code Chapter 14 (Grading).
- E9. Grazing.** Grazing when shown as an "E" in the Land Use Tables in Chapters 35.21 through 35.26 (Table 2-1 and following) and the Animal Keeping Tables (Table 4-1 and following), in Section 35.42.060 (Animal Keeping).
- F10. Interior alterations.** Interior alterations that do not increase the gross floor area within the structure, do not increase the required number of parking spaces, or do not result in a change in the permitted use of the structure.
- G11. Irrigation lines.** The installation of irrigation lines that do not require a Grading Permit in compliance with County Code Chapter 14.
- H12. Lot Line Adjustment recordation.** The recordation of documents required to complete a Lot Line Adjustment.
- H13. Minor additions, accessory and temporary filming structures.** The following improvements and structures are exempt from planning permit requirements within the Inland area, and are exempt within the Coastal Zone provided that the lot upon which the improvement is proposed is not located within 300 feet of the edge of a coastal bluff, or the

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~~inland extent of any beach, and is not within or contiguous to an Environmentally Sensitive Habitat area.~~

- ~~(1)~~**a. Accessory structures.** One story detached accessory structures used as tool or storage sheds, playhouses, gazebos, pergolas, and similar structures, provided that the height does not exceed 12 feet, roof area does not exceed 120 square feet, and the structure does not have plumbing or electrical facilities.
- ~~(2)~~**b. Agricultural accessory structures.** In the RR, AG-I, and AG-II zones, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and do not have plumbing or electrical facilities.
- ~~(3)~~**c. Decks, platforms, walk, driveways.** Decks, platforms, walks, and driveways that are not required to have a Building Permit or Grading Permit, and that are not over 30 inches above finish grade, or located over a basement or story below.
- ~~(4)~~**d. Door, window features and skylights.** Doors, windows, and skylights, and window awnings that are supported by an exterior wall and project no more than 54 inches from an exterior wall of a building.
- ~~(5)~~**e. Spa, hot tub, pond.** A spa, hot tub, fish pond, or other water feature that does not exceed a total area of 120 square feet, including related equipment, or does not contain more than 2,000 gallons of water.
- ~~(6)~~**f. Temporary filming structures.** Structures and related development required for temporary motion picture, television, and theater stage sets and scenery, and still photographic sessions, provided that the development does not require alterations of the natural environment such as removal of vegetation, grading, or earthwork, and is in compliance with all applicable requirements of County Code Chapter 14C (Film Permit Office).

F14. Oil drilling and production accessory equipment. In the AG-II, M-2 or M-CR zones accessory equipment, excluding the installation of water flooding or steam injection systems using fresh groundwater, incidental to existing production facilities when the installation of such equipment will not require grading or expansion of the site.

G15. Onsite wastewater disposal systems.

- ~~(1)~~ Onsite wastewater treatment systems and the installation and performance testing of dry wells for sewage disposal, except for lots in designated Special Problem Areas.
- ~~(2)~~ The replacement of all or any portion of an onsite wastewater treatment system on a lot in a designated Special Problem Area, provided that the replacement system is installed in substantially the same area as the existing system.

~~**116. Propane tanks.**~~ Propane tanks located in residential or agricultural zones.

~~**J17. Repair and maintenance.**~~ Repair and maintenance activities that:

- ~~(1)~~ Do not result in addition to, or enlargement or expansion of the object of the repair or maintenance activities; and
- ~~(2)~~ Within the Coastal Zone, comply with the County Guidelines on Repair and Maintenance, and Utility Connection to Permitted Development herein incorporated by reference (see Appendix C).

~~**K18. Seismic retrofitting.**~~ Seismic retrofits to existing structures that are limited to the addition of foundation bolts, hold-downs, lateral bracing at cripple walls and other structural elements required by County Ordinance 4062. The seismic retrofits shall not increase the gross square footage of the structure, involve exterior alterations to the structure, alter the footprint of the structure, nor increase the height of the structure.

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~~L19. Signs, flags, and similar devices.~~ Signs, flags and similar devices in compliance with Section 35.38.030 (Exempt Signs, Flags, and Devices).

~~M20. Solar energy collectors systems.~~ The addition of solar energy collection systems to the roofs of existing structures.

~~2. Activities and structures exempt within the Inland area.~~ The following activities and structures are exempt within the Inland area, in addition to those listed in Subsection B.1 (Activities and structure exempt both within the Inland area and the Coastal Zone) above, but are not exempt in the Coastal Zone.

~~a. Damaged or destroyed structure.~~ The replacement or restoration of a conforming structure damaged or destroyed by a disaster, as determined by the Director.

~~(1) The replaced or restored structure shall comply with all requirements of the applicable zone (including permitted uses), shall be for the same use, shall be in the same general footprint location, and shall not exceed the floor area, height, or bulk of the destroyed structure by more than 10 percent, or 250 square feet, whichever is less. For the purposes of this Section only, bulk is defined as total interior cubic volume as measured from the exterior surfaces of the structure.~~

~~(2) If the Director determines that the exterior design or specifications are proposed to be changed, the restored or replaced structure shall require Design Review in compliance with Section 35.82.070 (Design Review), if the structure is otherwise required to have Design Review (e.g. the site is within the Design Control overlay).~~

~~b. Demolition.~~ The demolition of a structure less than 50 years old or, if the structure is 50 years old or greater, either the Director or the Historic Landmark Advisory Commission has determined that it is not historically significant.

~~c. Final or Parcel Map recordation.~~ The recordation of a Final Map or Parcel Map following the approval of a Tentative Map including Vesting Tentative Maps.

~~d. Grading.~~ Grading activities that do not require the approval of a Development Plan by the requirements of the applicable zone, and that comply with the following, except in addressed in Policy GEO-O-3 of the Orcutt Community Plan, the MT-GOL (Mountainous-Goleta) zone, the ESH-GOL (Environmentally Sensitive Habitat-Goleta) overlay zone, and the RC-GOL (Riparian Corridor-Goleta) overlay zone.

~~(1) General grading.~~ Grading for which a permit is not required by County Code Chapter 14 (Grading).

~~(2) Oil field grading.~~ Grading in a State-designated oil field involving less than 1,500 cubic yards of cut or fill on a slope of less than 30 percent; provided that the grading:

~~(a) Does not have the potential to change or adversely affect an intermittent or perennial stream or regional watercourse;~~

~~(b) Will not adversely impact paleontological, archaeological, or uniquely important cultural resources;~~

~~(c) Will not adversely affect exceptional wildlife values;~~

~~(d) Is not proposed to be located within one mile and in the visible area of a scenic highway, public park, or area designated as recreational or open space on the Comprehensive Plan Land Use Maps; or~~

~~(e) Does not require the removal of three or more trees that are each greater than 17 inches in circumference measured two feet above the ground.~~

~~— The requirements of this Subsection shall not be construed to alter the provisions and regulations of County Code Chapter 14 (Grading).~~

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- ~~e. **Lot Line Adjustment recordation.** The recordation of documents required to complete a Lot Line Adjustment.~~
- ~~f. **Oil drilling and production accessory equipment.** In the AG-II, M-2 or M-CR zones accessory equipment, excluding the installation of water flooding or steam injection systems using fresh groundwater, incidental to existing production facilities when the installation of such equipment will not require grading or expansion of the site.~~
- ~~g. **Onsite wastewater disposal systems.**~~
 - ~~(1) Onsite wastewater treatment systems and the installation and performance testing of dry wells for sewage disposal, except for lots in designated Special Problem Areas.~~
 - ~~(2) The replacement of all or any portion of an onsite wastewater treatment system on a lot in a designated Special Problem Area, provided that the replacement system is installed in substantially the same area as the existing system.~~

~~H21. **Structures of limited value.** A structure with an aggregate value of less than \$2,000, as determined by the Director~~

~~i22. **Utility facilities.** Poles, wires, underground gas pipelines less than 12 inches in diameter, and similar installations erected, installed, or maintained by a public agency or public service or utility district or company. However, these structures shall comply with the applicable height limitations of the F (Airport Approach Area) overlay zone.~~

~~j23. **Water wells.**~~

- ~~(1)a. The testing and installation of a water well to serve one domestic, commercial, industrial, or recreational connection.~~
- ~~(2)b. Except in zones requiring Development Plans, water wells for water systems for agricultural purposes.~~

~~C. **Exempt activities and structures, Coastal Zone.** Within the Coastal Zone, the following types of development (and only the following types) are exempt from the requirements of this Development Code to obtain a Coastal Development Permit, except as noted below.~~

~~1. The exemptions described in Subsections C.2 and C.3 below shall not apply, and a Coastal Development Permit shall be required in addition to any other required planning permit, where:~~

- ~~a. The development or the structure being improved is located within or adjacent to a wetland, stream, lake, beach, environmentally sensitive habitat area, on or within 50 feet of the edge of a coastal bluff, or within areas designated in the LUP as highly scenic.~~
- ~~b. Any significant alteration of land forms, including removal or placement of vegetation, occurs on a beach, wetland, stream, or sand dune, or within 50 feet of the edge of a coastal bluff, in environmentally sensitive habitat areas, or within areas designated as highly scenic.~~
- ~~c. The development or structure has the potential to adversely impact public access to the beach or public hiking and equestrian trails, including existing informal trails within the Coastal Zone.~~
- ~~d. On property that is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in designated significant scenic resources areas, a development results in:~~

~~(1) An increase of 10 percent or more of internal floor area of an existing structure or an additional improvement of 10 percent or less where an improvement to the structure had previously been undertaken pursuant to the exemption in sub-section~~

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C.2, below, or the analogous exemption in Coastal Act (PRC § 30610(a) or (b)), which would result in a total increase in floor area of 10 percent or more, and/or

(2) An increase in height by more than 10 percent of an existing structure and/or any significant non-attached structure such as a garage.

- e. The improvement is to a non-residential structure and changes the intensity of use of the structure.
- f. The improvement is to a structure where the development permit issued for the original structure by the Coastal Commission, regional Coastal Commission, or County indicated that any future improvements would require a Coastal Development Permit.
- g. In areas which the County or Coastal Commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified water-using development not essential to residential use including swimming pools, or the construction or extension of any landscaping irrigation system.
- h. The expansion or construction of water wells or septic systems.

2. Improvements to a structure, other than a public works facility. The following development and uses may constitute improvements to a structure, other than a public works facility, that are exempt from the requirement to obtain a Coastal Development Permit except as provided in Section 35.20.040.C.1 above. For purposes of this section, where there is an existing structure, other than a public works facility, (1) all fixtures and other structures directly attached to the structure; and (2) landscaping on the lot, shall be considered a part of that structure. Additionally, the following development and uses may be determined by the Director to be improvements to a structure, other than a public works facility, even when the development and use is not directly attached to the existing structure, provided that the development and use is accessory to the existing structure:

- a. Accessory structures.** One story detached accessory structures used as tool or storage sheds, playhouses, gazebos, pergolas, and similar structures, provided that the height does not exceed 12 feet, roof area does not exceed 120 square feet, and the structure does not have electrical, gas, or plumbing facilities.
- b. Animal keeping.** Animal keeping when shown as an "E" in the Animal Keeping Table (Table 4-1 and following) in compliance with Section 35.42.060 (Animal Keeping), not including confined animal facilities except for confined animal facilities associated with exempt household pet animal keeping, or unless a confined animal facility is ~~unless such development~~ is otherwise exempt in compliance with this Section.
- c. Antennas.** Ground or roof mounted receive-only satellite dish or wireless television antenna less than one meter in diameter used solely by the occupants of the property on which the antenna is located for the noncommercial, private reception of communication signals, see Chapter 35.44 (Telecommunications Facilities).
- d. Decks, platforms, walk, driveways.** Decks, platforms, walks, and driveways that are not required to have a Building Permit or Grading Permit, and that are not over 30 inches above finish grade, or located over a basement or story below.
- e. Doors, window features and skylights.** Doors, windows, and skylights, and window awnings that are supported by an exterior wall and project no more than 54 inches from an exterior wall of a building.
- f. Fences, gates, gateposts, and walls.** See Section 35.30.070 (Fences and Walls).
- g. Grading.** Grading activities of 50 cubic yards or less that do not require the approval

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of a Grading Permit.

h. Interior alterations. Interior alterations that do not result in any of the following:

- (1) A conversion from non-habitable area to habitable area.
- (2) An increase in the gross floor area within the structure.
- (3) An increase the required number of parking spaces.
- (4) A change in the permitted use of the structure.

i. Propane tanks. Propane tanks located in residential or agricultural zones.

j. Seismic retrofitting. Seismic retrofits to existing structures that are limited to the addition of foundation bolts, hold-downs, lateral bracing at cripple walls and other structural elements required by County Ordinance 4062. The seismic retrofits shall not increase the gross square footage of the structure, involve exterior alterations to the structure, alter the footprint of the structure, nor increase the height of the structure.

k. Signs, flags, and similar devices.

- (1) Signs, flags and similar devices in compliance with Section 35.38.030 (Exempt Signs, Flags, and Devices), provided the development does not exceed a maximum height of 35 feet and is not lighted.
- (2) Signs that may be permitted in compliance with Chapter 35.38 (Sign Standards) that are proposed to be affixed to existing, lawfully constructed structures.

l. Solar energy systems. The addition of solar energy systems to the roofs of existing lawful structures.

m. Spa, hot tub, pond. A spa, hot tub, fish pond, or other water feature that does not exceed a total area of 120 square feet, including related equipment, or does not contain more than 2,000 gallons of water.

3. Agricultural activities. As part of existing, on-going lawfully established agricultural operations, the following development and uses are exempt from the requirement to obtain a Coastal Development Permit, except as provided in Section 35.20.040.C.1 above. In the Coastal Zone, new or expanded areas of agricultural activities are not exempt and require the issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) unless they are in compliance with Subsection 3.e or 3.i, below.

a. Agricultural accessory structures.

- (1) One story detached accessory structures used as tool or storage sheds and similar structures, provided that the height does not exceed 12 feet, roof area does not exceed 120 square feet, and the structure does not have electrical, gas or plumbing facilities.
- (2) In the RR, AG-I, and AG-II zones, agricultural accessory structures that are roofed and supported by posts or poles, do not exceed 500 square feet of roof area, are unenclosed on all sides, and do not have plumbing or electrical facilities.

b. Agricultural product sales. See Section 35.42.050 (Agricultural Product Sales).

c. Animal keeping. Animal keeping when shown as an "E" in the Animal Keeping Table (Table 4-1 and following) in compliance with Section 35.42.060 (Animal Keeping), not including confined animal facilities except for confined animal facilities associated with exempt household pet animal keeping, or unless a confined animal

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facility is otherwise exempt in compliance with this Section.

d. Cultivated agricultural, orchards and vineyards, historic legal use. Cultivated agriculture, orchards and vineyards where the agricultural activities occur within existing areas of cultivated agriculture, orchards, and vineyards.

e. Cultivated, agricultural, orchards and vineyards, new or expanded areas. New cultivated agriculture, orchards and vineyards where the agricultural activities do not occur within existing areas of cultivated agriculture, orchards, and vineyards may also be exempt if the development of new cultivated agriculture, orchards or vineyards:

(1) Does not occur on slopes of 30 percent or greater or require any cut or fill that exceeds three feet in vertical distance or require grading over 100 cubic yards. For the purposes of this subsection C.3.e, grading includes cut and fill but does not include tilling of the soil.

(2) Is not located within 100 feet of the top of bank of any creek, stream or watercourse.

(3) Is not located within 100 feet of environmentally sensitive habitat areas, riparian areas, or wetlands.

(4) Does not result in the removal of native or non-native protected trees.

The proposed new or expanded agricultural operation shall not be implemented prior to the Director providing specific written confirmation that the proposed new or expanded agricultural operation conforms to the exemption criteria listed above.

f. Fences, gates, gateposts, and walls. See Section 35.30.070 (Fences and Walls).

g. Grading. Grading activities of 50 cubic yards or less that do not require the approval of a Grading Permit.

h. Grazing, historic legal use. Grazing when located in existing grazing areas, including the normal rotation of livestock from one pasture to another.

i. Grazing, new or expanded areas. New grazing located outside of existing grazing areas may also be exempt if the grazing:

(1) Does not occur on slopes of 30 percent or greater or require any cut or fill that exceeds three feet in vertical distance or require grading over 100 cubic yards. In this case, grading includes cut and fill but does not include tilling of the soil.

(2) Is not located within 100 feet of the top of bank of any creek, stream or watercourse.

(3) Is not located within 100 feet of environmentally sensitive habitat areas, riparian areas, or wetlands.

(4) Does not result in the removal of native or non-native protected trees.

The proposed new or expanded agricultural operation shall not be implemented prior to the Director providing specific written confirmation that the proposed new or expanded agricultural operation conforms to the exemption criteria listed above.

j. Irrigation lines. The installation of irrigation lines.

k. Propane tanks. Propane tanks located in residential or agricultural zones.

l. Signs, flags, and similar devices.

(1) Signs, flags and similar devices in compliance with Section 35.38.030 (Exempt Signs, Flags, and Devices), provided the development does not exceed a maximum height of 35 feet and is not lighted.

(2) Signs that may be permitted in compliance with Chapter 35.38 (Sign

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Standards) that are proposed to be affixed to existing, lawfully constructed structures.

4. Utility Hook-Up Exclusion.

- a. Utility connection to approved development. Installation, testing, placement in service, or the replacement of any necessary utility connection between an existing service facility and any development that has been granted a Coastal Development Permit.

5. Temporary Events and Filming.

- a. Temporary Events. Temporary events when shown as an "E" in the Allowed Temporary Uses and Permit Requirements Tables 4-10 through 4-15 in compliance with Section 35.42.260.

- b. Temporary filming structures. Structures and related development required for temporary motion picture, television, and theater stage sets and scenery, and still photographic sessions, provided that the development does not require alterations of the natural environment such as removal of vegetation, grading, or earthwork.

6. Repair and maintenance.

- a. Repair and maintenance activities are exempt from the requirement to obtain a Coastal Development Permit, except as provided in Section 35.20.040.C.6.b, below, provided the activities:

- (1) Do not result in addition to, or enlargement or expansion of the object of the repair or maintenance activities; and
- (2) Comply with the *County Guidelines on Repair and Maintenance, and Utility Connection to Permitted Development* herein incorporated by reference (see Appendix C).

- b. The exemption in Section 35.20.040.C.6.a above shall not apply to the extraordinary methods of repair and maintenance which require a coastal development permit because they involve a risk of adverse environmental impact as described in Section III of the *County Guidelines on Repair and Maintenance, and Utility Connection to Permitted Development* herein incorporated by reference (see Appendix C).

7. Structure Destroyed By Natural Disaster.

- a. Damaged or destroyed structure. In compliance with the intent of Public Resources Code Section 30610(g) and this Development Code, the restoration or reconstruction of a conforming structure (other than a public works facility) damaged or destroyed by a disaster, as determined by the Director. For the purposes of this Section only, disaster is defined as a situation in which the force or forces that destroyed the structure to be replaced were beyond the control of the owners.

- (1) The replaced or restored structure shall comply with all requirements of the applicable zone (including permitted uses), shall be for the same use as the destroyed structure, shall be in the same footprint location, and shall not exceed the floor area, height, or bulk of the damaged or destroyed structure by more than 10 percent. For the purposes of this Section, "structure" shall include landscaping and any erosion control structure or device; and bulk is defined as total interior cubic volume as measured from the exterior surfaces of the structure.
- (2) If the Director determines that the exterior design or specifications are proposed

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to be changed, the restored or replaced structure shall require Design Review in compliance with Section 35.82.070 (Design Review), if the structure is otherwise required to have Design Review (for example, the site is within the Design Control (D) Overlay Zone).

35.42.050.C - Agricultural Product Sales - shall be modified as follows:

- C. Permit requirements.** An appropriate application shall be filed with the Department as provided below. Additional permits may be required by other provisions of this Development Code (e.g., for structures accessory to the agricultural sales). Prior to the issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits), a permit for the sale of agricultural products shall be obtained from the Department of Public Health (Title 17, California Administrative Code Section 13653) if required.
1. Within the AG-I, AG-II, RR, M-1, M-2, M-CD, and M-CR zones, the following activities shall be exempt from the requirement to obtain a Coastal Development Permit or Land Use Permit provided the activity is conducted in compliance with the requirements of 35.20.040.C (Exemptions from Planning Permit Requirements) and the development standards specified in Subsection D. (Standards) below. ~~However, within the Coastal Zone the following activities shall be exempt from the requirement to obtain a Coastal Development Permit only if the development will: (1) not be located within or adjacent to a wetland, beach, environmentally sensitive habitat area or on or within 50 feet of a coastal bluff; and (2) not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantive evidence of prescriptive rights); and (3) not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.~~

12. Development Standards

35.21.050.A - Agricultural Zones Development Standards - shall be modified as follows:

- A. General development standards.** Development within the Agricultural zones shall be designed, constructed, and established in compliance with the requirements in Table 2-3 (AG-I and AG-II Zones Development Standards) below, and all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 ~~Article 35.3~~ through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.

35.22.050.A - Resource Protection Zones Development Standards - shall be modified as follows:

- A. General development standards.** Development within the Resource Protection zones shall be designed, constructed, and established in compliance with the requirements in Table 2-6 (MT and RMZ Zones Development Standards), below and all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 ~~Article 35.3~~ through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.

35.23.050.A - Residential Zones Development Standards - shall be modified as follows:

- A. General development standards.** Development within the residential zones shall be designed, constructed, and established in compliance with the requirements in Table 2-11 (Residential Zones Development Standards) below and all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 ~~Article 35.3~~ through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.

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35.24.040.A - Commercial Zones Development Standards - shall be modified as follows:

- A. General standards.** Development within the commercial zones shall be designed, constructed, and established in compliance with the requirements in Table 2-17 (Commercial Zones Development Standards) below, and all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 ~~Article 35.3~~ through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.

35.25.040.A - Industrial Zones Development Standards - shall be modified as follows:

- A. General standards.** New and existing development within the industrial zones shall be designed, constructed, and established in compliance with the requirements in Table 2-21 (Industrial Zones Development Standards) below, and all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 ~~Article 35.3~~ through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.

35.26.040.A - Special Purpose Zones Development Standards - shall be modified as follows:

- A. General standards.** Development within the Special Purpose zones shall be designed, constructed and established in compliance with the requirements in Table 2-24 (Special Purpose Zones Development Standards) below, and all applicable standards in the Comprehensive Plan, the Local Coastal Program, and Article 35.2 ~~Article 35.3~~ through Article 35.7 of this Development Code. These standards apply within the Coastal Zone and Inland area, except where noted.

Table 2-3 – AG-I and AG-II Zones Development Standards shall be modified as follows:

Heading “~~Residential Density, Maximum density~~” shall be deleted and replaced with the heading “Allowed residential development”

Delete text “~~residential agricultural units~~” under “Residential density, maximum density”

Modify Ag-I, Height limit as follows

Coastal Zone - 35 ft.

Inland - 35 ft. for a residential structure, no limit otherwise

Toro Canyon Plan area - 25 ft. for a residential structure.

Table 2-6 – MT and RMZ Zones Development Standards shall be modified as follows:

Heading “~~Residential Density, Maximum density~~” shall be deleted and replaced with the heading “Allowed residential development”

Table 2-11 – Residential Zones Development Standards shall be modified as follows:

All instances of Heading “~~Residential Density, Maximum density~~” shall be deleted and replaced with the heading “Allowed residential development”

RR (CZ) and R-1/E-1 (CZ) “Front – Primary” Setback where it states “20 ft from private easement serving 5 or more lots” shall be modified as follows:

...20 ft from private easement serving or having the potential to serve 5 or more lots.

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R-2 (CZ) "Front – Primary" Setback where it states "or 20 ft from easement serving 5 or more lots" shall be modified as follows:

or 20 ft from private easement serving or having the potential to serve 5 or more lots.

SR-M (CZ) and SR-H (CZ) "Building separation" shall be modified as follows:

5 ft between a habitable structure and any other building, ~~none otherwise.~~ unless a more stringent standard is required by Building Code

Table 2-17 – Commercial Zones Development Standards shall be modified as follows:

All instances of Heading "~~Residential Density, Maximum density~~" shall be deleted and replaced with the heading "Allowed residential development"

PI (CZ) "Front – Primary" Setback shall be modified as follows:

45 ft from road centerline and 15 ft from right-of-way; 20 ft from right-of-way for a garage or carport that opens directly on the street.

Table 2-21 – Industrial Zones Development Standards shall be modified as follows:

All instances of Heading "~~Residential Density, Maximum density~~" shall be deleted and replaced with the heading "Allowed residential development"

Table 2-24 – Special Purpose Zones Development Standards shall be modified as follows:

All instances of Heading "~~Residential Density, Maximum density~~" shall be deleted and replaced with the heading "Allowed residential development"

35.24.050.B.2 - C-1 Zones Additional Standards - shall be modified as follows:

2. **One-family dwellings.** A one-family dwelling may be established within the C-1 zone only on a lot with no commercial use, provided the residential structure and use, and any accessory structures and uses, are in compliance with the applicable development standards for the R-1/E-1 zone as provided in Section 35.23.050 (Residential Zones Development Standards). Where a one-family dwelling is allowed, any residential accessory use or structure shall also comply with the requirements of Section 35.42.020 (Accessory Structures and Uses).

A new subsection shall be added in Section 35.21.050:

35.21.050.C Prime agricultural soils, Coastal Zone. Development, including agricultural facilities, residential structures, or greenhouses that do not rely on in-ground cultivation, within the Agricultural zones shall be sited to avoid prime agricultural soils to the maximum extent feasible,

13. Subdivisions

35.30.190 - Subdivisions, Lot Size – shall be modified as follows:

...

E. Coastal Development Permit Requirement. In the Coastal Zone, subdivisions and other divisions of land (including mergers and redivisions) are not a principal permitted use and therefore require an appealable Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits).

EE. Findings for subdivision approval in the Coastal Zone. Approval of a subdivision in the Coastal

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Zone shall require that the review authority first make the following findings, in addition to all findings required by County Code Chapter 21 (Subdivision Regulations).

1. The subdivider has demonstrated that adequate water is available to serve the newly created lots except for lots to be designated as "Not A Building Site" on the Final Map or Parcel Map; and
2. For a proposed subdivision of agricultural land designated as AG-I or AG-II, the long-term agricultural productivity of the land will not be diminished by the proposed division.

14. Lot Line Adjustments

35.30.110 - Lot Line Adjustments - shall be modified as follows:

A. Purpose and applicability. This Section establishes standards for the approval of a Lot Line Adjustment consistent with this Development Code, the Comprehensive Plan, any other applicable provisions of the Local Coastal Program and County Code Chapter 21 (Subdivision Regulations), in compliance with Map Act Section 66412. The provisions of this Section and the procedures and requirements in County Code Chapter 21 shall apply to all applications for Lot Line Adjustments.

B. Required findings for approval. The approval of a Lot Line Adjustment application shall require that the review authority first make all of the following findings.

1. The Lot Line Adjustment is in conformity with all applicable provisions of the Comprehensive Plan, the Local Coastal Program, and this Development Code.
2. No lot involved in the Lot Line Adjustment that (in its pre-adjusted form) conforms to the minimum lot size of the applicable zone ~~shall~~would be adjusted by the proposed lot line adjustment so as to become nonconforming as to lot size as a result of the Lot Line Adjustment.
3. Except as provided in this Section, all lots resulting from the Lot Line Adjustment shall comply with the minimum lot size requirements of the applicable zone. A Lot Line Adjustment may be approved that results in one or more lots that are nonconforming as to size, provided that it complies with all of the following requirements.
 - a. Four or fewer existing lots are involved in the adjustment.
 - b. The Lot Line Adjustment shall not result in increased subdivision potential for any affected lot.
 - c. The Lot Line Adjustment will not result in a greater number of residential developable lots than existed prior to the adjustment. For the purposes of this Subsection B.3 only, a lot shall not be deemed residentially developable if the documents reflecting its approval and/or creation identify that, 1) the lot is not a building site, or 2) the lot is designated for a non-residential purpose including well sites, reservoirs and roads. A lot shall be deemed residentially developable for the purposes of this Subsection B.3 if it has an existing one-family dwelling constructed in compliance with a valid County permit, or existing and proposed lots comply with all of the following criteria.

....

(8) Consistency with Comprehensive Plan and Development Code. Development of the lot is consistent with the setback, lot coverage and parking requirements of the Development Code and consistent with the Comprehensive Plan, the Local Coastal Program, and the public health, safety and welfare of the community.

To provide notification to existing and subsequent property owners when a finding is made that a lot is deemed not to be residentially developable, a statement of this finding shall be recorded concurrently with the deed of the lot, in compliance with County Code Section 21-92 (Procedures).

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...

7. For lot line adjustments of agricultural land located within the Coastal Zone and zoned AG-I or AG-II, the long-term agricultural productivity of the land will not be diminished by the proposed division.

C....

- D. Coastal Development Permit Requirement.** In the Coastal Zone, lot line adjustments are not a principal permitted use and therefore require an appealable Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits).

15. ESHA Clarifications

35.28.090 - Environmentally Sensitive Habitat Area (ESH) Overlay Zone - shall be modified as follows:

- A. Purpose and intent.** The Environmentally Sensitive Habitat Area (ESH) overlay zone is applied to areas within the Coastal Zone with unique natural resources and/or sensitive animal or plant species, where existing and potential development and other activities may despoil or eliminate the resources. This overlay is intended to:

1. Protect and preserve ~~specified~~ areas in which plant or animal life or their habitats are either rare or especially valuable because of their role in the ecosystem, and that could be easily disturbed or degraded by human activities and developments; and
2. Ensure that development ~~permitted~~ in the overlay zone is designed and carried out in a manner that will provide maximum ~~feasible~~ protection to sensitive habitat areas.

B. Applicability.

1. **Determination of applicability.** The Zoning Map shall guide determining whether this overlay zone applies to any area of land or water. If a particular lot or lots within an ESH overlay zone are determined by the Director not to contain the pertinent species or habitat, and no such species or habitat was destroyed or removed unlawfully, the regulations of this overlay zone shall not apply.
2. **Identification of newly documented sensitive habitat areas.** If an environmentally sensitive habitat area is identified by the Director to be located on or adjacent to the project site during permit application review, but the habitat area does not have an ESH overlay zone designation, the applicable requirements of Subsection C through Subsection O. below, shall apply to the development. The Director will periodically update the Zoning Map to apply the ESH overlay zone to the new habitat areas and applicable setback areas (including the 250-foot area around the habitat).
3. **Relationship to primary zone.** Each land use and proposed development within the ESH overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this Section. If a requirement of this Section conflicts with a requirement of the primary zone, the requirements of this Section shall control.
4. **Relationship to overlay zone.** Each land use and proposed development subject to the requirements of Subsection C through Subsection O below, either due to its location within the ESH overlay zone or due to the new identification of sensitive habitat, shall comply with all applicable requirements of any additional overlay zone, in addition to the requirements of this Section. If a requirement of this Section conflicts with a requirement of the any other overlay zone, the requirements of this Section shall control.

...

- C. Permit and processing requirements.** An application for development within the ESH overlay zone shall be submitted in compliance with Chapter 35.80 (Permit Application Filing and Processing) and the requirements of this Section.

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1. **Application review.** Upon receipt of an application for development within the ESH overlay zone, the Director shall determine the potential of the proposed development to adversely impact an environmentally sensitive habitat area.
 - a. **Project with no adverse impact.** If the proposed development is exempt from the California Environmental Quality Act and is determined by the Director to have no potential for adverse impact on an environmentally sensitive habitat area and meets all the other requirements for a Coastal Development Permit, the ~~Director~~ review authority shall approve the permit in compliance with Subsection C.2 (Findings required for Coastal Development Permit approval) below.
 - b. **Project with potential adverse impact.** If the proposed development is exempt from the California Environmental Quality Act and is determined by the ~~Director~~ review authority to have the potential for adverse impacts on an environmentally sensitive habitat area, the project shall require environmental review and, where necessary, a site inspection by a qualified biologist to be selected jointly by the County and the applicant shall be required.
 - (1) If the environmental document indicates that the development has no significant unavoidable adverse impacts on an environmentally sensitive habitat area and meets all the other requirements for a Coastal Development Permit, the Director review authority shall approve the Coastal Development Permit in compliance with Subsection C.2 (Findings required for Coastal Development Permit approval) below, with appropriate conditions if necessary.
 - (2) If the environmental document indicates that the development has significant unavoidable adverse impacts on an environmentally sensitive habitat area, the Commission shall be the review authority for the application for development.
 - (a) The Commission shall hold at least one public hearing on the requested application and shall approve, conditionally approve or deny the request.
 - (b) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
 - (c) The action of the Commission is final subject to appeal in compliance with Chapter 35.102 (Appeals).
2. **Findings required for Coastal Development Permit approval.** The approval of a Coastal Development Permit (Section 35.82.050) for a project within the ESH overlay zone shall require that the ~~Director~~ review authority first find that the proposed development meets all applicable development standards contained in Subsection D. through Subsection O. below, in addition to the findings required for a Coastal Development Permit (Section 35.82.050) in compliance with Section 35.82.050 (Coastal Development Permits).
3. **Conditions of approval.** An application for a Coastal Development Permit (Section 35.82.050) may be approved with conditions of approval as determined by the ~~Director~~ review authority to be necessary to ensure protection of the habitat areas. The conditions may, among other matters, limit the size, kind, or character of the proposed work, require replacement of vegetation, establish required monitoring procedures and maintenance activity, stage the work over time, or require the alteration of the design of the development to ensure protection of the habitat. The conditions may also include deed restrictions and conservation and resource easements. The conditions may also expressly alter any regulation of the primary zone in furtherance of the purposes of the ESH overlay zone, except the land uses that are permitted or conditionally permitted by the primary zone.

...

K. Development standards - Streams.

1. **Stream habitat buffer.**

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- a. The minimum buffer strip for streams in Rural Areas as designated on the Comprehensive Plan maps shall be presumptively 100 feet from the outer edge of the canopy or the top of creek bank , whichever is greater ~~top-of-bank~~, and 50 feet from the outer edge of the canopy or the top of creek bank , whichever is greater for streams in Urban Areas as designated on the Comprehensive Plan maps.
- (1) For the purposes of the habitat protection policies and development standards of this Section 35.28.090 (Environmentally Sensitive Habitat Area (ESH) Overlay Zone) top of creek bank shall be defined as the recognized geologic top of slope.
- b. These minimum buffers may be adjusted upward or downward on a case-by-case basis. To protect the biological productivity and water quality of streams, each buffer shall be established based on an investigation of the following factors, and after consultation with the California Department of Fish and Game and California Regional Water Quality Control Board:
- a(1). Soil type and stability of stream corridors;
 - b(2). How surface water filters into the ground;
 - c(3). Slope of land on either side of the stream; and
 - d(4). The location of the 100-year flood plain boundary.
- c. Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except in association with channelization, the buffer shall allow for the re-establishment of riparian vegetation to its prior extent to the greatest degree possible.

35.28.100.B - *Environmentally Sensitive Habitat Area-Goleta (ESH-GOL) Overlay Zone, Inland Area - shall be modified as follows:*

- B. Applicability.** The ESH-GOL overlay may only be applied in the Inland area to property located within the Goleta Community Plan area. The provisions of this overlay zone shall apply to any area designated as ESH-GOL on the applicable Santa Barbara County Zone Overlay Map. In the Coastal Zone, environmentally sensitive habitat in the Goleta Community Plan area is subject to the provisions of Section 35.28.090 (Environmentally Sensitive Habitat Area (ESH) Overlay Zone).

35.28.110.A - *Environmentally Sensitive Habitat Area - Toro Canyon (ESH-TCP) Overlay Zone, Inland Area - shall be modified as follows:*

- A. Purpose and intent.** The Environmentally Sensitive Habitat Area - Toro Canyon (ESH-TCP) overlay zone is only applied to Inland areas within the Toro Canyon Plan with unique natural resources and/or sensitive animal or plant species, where existing and potential development and other activities may despoil or eliminate the resources. In the Coastal Zone, environmentally sensitive habitat in the Toro Canyon Plan area is subject to the provisions of Section 35.28.090 (Environmentally Sensitive Habitat Area (ESH) Overlay Zone). This overlay is intended to:

35.101.030.B - *Nonconforming Structures - shall be modified as follows:*

- B. Damage.** This Section identifies the standards for allowing the reconstruction or restoration of a nonconforming structure that is damaged by earthquake, fire, flood, vandalism or other calamity beyond the control of the owner of the structure.

...

- 5. Sites within the Toro Canyon Plan Area.** Notwithstanding the above, the following standards apply to nonconforming structures on lots identified within the Toro Canyon Plan Area. In case of a conflict, the standards of this Subsection shall take precedence.

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...

b. Coastal Zone. The following shall apply to the repair or reconstruction of nonconforming structures located within the Coastal Zone.

(1) Residential structures.

- (a) A nonconforming residential structure that is damaged or destroyed by earthquake, fire, flood, vandalism, or other calamity beyond the control of the owner of the structure may be reconstructed to the same or lesser size on the same site and in the same general footprint location.
- (b) A nonconforming residential structure, located within an Existing Developed Rural Neighborhood as designated on the Comprehensive Plan maps and either located ~~within an Environmentally Sensitive Habitat area~~ or within an Environmentally Sensitive Habitat buffer area, which requires partial or complete reconstruction or structural repair due to normal wear-and-tear (e.g., structural pest damage or dry rot) may be reconstructed or repaired to the same or lesser size on the same site and in the same footprint location. If the reconstructed residence is proposed to be larger than the existing structure, it may only be allowed where findings are first made that the development does not adversely impact the adjacent riparian species, complies with all other provisions of the Toro Canyon Plan, and the Local Coastal Program including development standards for native and non-native protected tree species, and complies with Development Standards BIO-TC-5.1 through 5.4 of the Toro Canyon Plan. Reconstruction includes any project that results in the demolition of more than 50 percent of the exterior walls, calculated cumulatively.
- (c) A primary dwelling, located within an Existing Development Rural Neighborhood, that is nonconforming solely due to its location within an Environmentally Sensitive Habitat buffer area may be expanded upward, or outward and away from the Environmentally Sensitive Habitat area, consistent with Development Standards BIO-TC-5.1 and BIO-TC-5.4 of the Toro Canyon Plan and in a manner that otherwise complies with the regulations of the Toro Canyon Plan and this Development Code.
- (d) For the purpose of this Subsection, "residential structure" shall mean primary dwellings, secondary dwellings including Residential Second Units, farm employee dwellings, and all attached appurtenances (e.g., garages and storage rooms) that share at least one common wall with the residential structure. One detached private garage structure may be included within the meaning of "residential structure" in compliance with Section 35.82.140 (Nonconforming Status and Extent of Damage Determination).

...

- (5) Expansion of nonconforming structures located on a bluff top or beach.** Additions to nonconforming structures located on a bluff top or on the beach that increase the size of the structure by 50 percent or more are not allowed unless the entire structure is brought into compliance with the policies and standards of the Local Coastal Program. Demolition and reconstruction that results in the demolition of more than 50 percent of the exterior walls, calculated cumulatively, of a nonconforming structure is not allowed unless the entire structure is brought into compliance with the policies and standards of the Local Coastal Program.

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16. Flood Hazard Overlay

35.28.120 - Flood Hazard Area (FA) Overlay Zone – shall be modified as follows:

- A. Purpose and intent.** The Flood Hazard (FA) overlay zone is intended to promote public health, safety and welfare and to minimize public and private losses due to flood conditions in areas within the 100-year flood plain by alerting property owners that County Code Chapter 15A (Floodplain Management) applies to their property, and avoiding the exposure of new development to flood hazards, minimizing the need for future flood control protective works and resulting alteration of stream and wetland environments. This overlay zone serves as a mechanism whereby members of the public and staff can easily identify areas of special flood hazard that are subject to County Code Chapter 15A (Floodplain Management).
- B. Applicability.** The requirements of this Section apply to special flood hazard areas ~~as defined in County Code Chapter 15A (Floodplain Management)~~ as areas having special flood hazard as shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map issued by the Federal Emergency Management Agency as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.
- 1. Additional standards.** Each land use shall comply with the requirements of the primary zone and ~~"development" as defined in County Code Chapter 15A~~ any man-made change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials shall also ~~comply with the additional requirements in~~ be subject to Chapter 15A.
 - 2. Flood Hazard Overlay Map.** The Flood Hazard Overlay Map shall reflect the boundaries of special flood hazard areas as shown on the current Federal Emergency Management Agency (FEMA) maps on file with the County Flood Control and Water Conservation District (referred to in this Section as the "Flood Control District").
 - 3. Relationship to primary zone.** Each land use and proposed development within the FA overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this Section, the Comprehensive Plan, and the Local Coastal Program.
- C. Permit and processing requirements.**
- 1. Referral and determination.** Prior to the issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances), all development subject to the FA overlay zone shall be referred to the Flood Control District for a determination as to whether the development is subject to the requirements of County Code Chapter 15A. If the Flood Control District determines that the proposed development is subject to Chapter 15A, the development shall comply with the requirements of Chapter 15A. If the Flood Control District determines that the proposed development is not subject to Chapter 15A, the development is exempt from the requirements of Chapter 15A.
 - 2. Permit requirement.** After obtaining the appropriate clearance or receiving a written exemption from the Flood Control District, the proposed development shall comply with the Coastal Development or Land Use Permit or Zoning Clearance requirements of the primary zone.

17. Hazardous Waste Management Facility (HWMF) Overlay

35.28.140 - Hazardous Waste Management Facility (HWMF) Overlay Zone - shall be modified as follows:

- A. Purpose and intent.** The Hazardous Waste Management Facility (HWMF) overlay zone provides a mechanism for the siting of off-site hazardous waste management facilities and is intended to ensure that the facilities are sited consistent with both the requirements of the ~~Hazardous Waste Element of the Comprehensive Plan~~ and the primary zone.

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B. Applicability.

1. **Siting criteria.** A project on a site for which rezoning to the HWMF overlay zone has been initiated shall comply with all Hazardous Waste Element siting criteria.
2. **Relationship to primary zone.** Each land use and proposed development within the HWMF overlay zone shall comply with all applicable requirements of the primary zone, in addition to the requirements of this Section, the Comprehensive Plan, and the Local Coastal Program. If a requirement of this Section conflicts with a requirement of the primary zone, the regulations more protective of the public health and the environment shall control. In the Coastal Zone, if there is a conflict between a provision of the Local Coastal Program and a provision of the Comprehensive Plan, or any other County-adopted plan, resolution, or ordinance not included in the Local Coastal Program, and it is not possible for the development to comply with both the Local Coastal Program and such other plan, resolution or ordinance, the Local Coastal Program shall take precedence and the development shall not be approved unless it complies with the Local Coastal Program provision.

18. Rural Recreation

35.42.240 - Rural Recreation shall be modified as follows:

A. Purpose and applicability. This Section provides standards for rural recreation, where allowed in compliance with Article 35.2 (Zones and Allowable Land Uses).

B. Allowable uses and permit requirement.

1. Coastal Zone. Low-intensity recreational development (e.g., hiking trails, public riding stables, recreational camps, ~~hostels~~, campgrounds, retreats, and guest ranches) may be allowed subject to a Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) provided the development complies with the applicable standards included in Subsection C. below.

2. Inland area. Low-intensity recreational development (e.g., recreational camps, hostels, campgrounds, retreats, and guest ranches, trout farm, rifle range, and duck shooting farm) may be allowed subject to a Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) provided the development complies with the standards included in Subsection C. (Standards) below.

C. Standards.

1. AG-II and AG-II CZ zones. The following development standards shall apply to projects located in the AG-II and AG-II CZ zones.

4a. Is in character with the rural setting.

2b. Does not interfere with agricultural production on or adjacent to the lot on which it is located.

3c. Does not include commercial facilities open to the general public who are not using the recreational facility.

4d. Does not require an expansion of urban services that shall increase pressure for conversion of the affected agricultural lands.

2. RMZ, RMZ CZ, MT-TORO and MT-TORO CZ zones.

a. Retreats.

~~5.~~(1) Groups may be assembled for periods of not to exceed 21 days.

~~6.~~(2) When retreats are located within Rural Areas as designated on the Comprehensive Plan maps, the retreat must require or benefit from a location surrounded by open land

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and the facility development shall be limited and subordinate to the character of the surrounding natural environment.

b.Rural recreation facilities shall not contain accommodations for recreational vehicles if located in the RMZ, RMZ CZ, MT-TORO and MT-TORO CZ zones.

19. Allowed Temporary Uses

35.42.260 - Temporary Uses and Trailers - shall be modified as follows:

...

B. Applicability.

1. **Does not apply to wineries or amusements regulated separately - Inland area.** Within the Inland area, this Section shall not apply to any use of property that is regulated by Section 35.42.280 (Wineries) of this Article or Chapter 6 (Amusements) of the County Code.
2. **Permits required.** Each temporary use of land including trailers identified in Table 4-10 through Table 4-15, below, may be allowed in compliance with the approval of the applicable permit identified in the table.
 - a. **Coastal Zone.** “Permit Required by Zone” columns that include “CZ” after the zone symbol in the column heading only apply within the Coastal Zone unless indicated otherwise.
 - b. **Inland area.** “Permit Required by Zone” columns that do not include “CZ” after the zone symbol in the column heading only apply outside the Coastal Zone within the Inland area unless indicated otherwise.
3. **Similar temporary events/uses.**
 - a. **Exempt from permit requirements.** Other temporary uses that are not included in Table 4-10 through Table 4-15 may be allowed as exempt from the planning permit requirement in compliance with this Chapter without the requirement for a permit when the Director determines that the proposed temporary use:
 - (1) Is similar to those identified in this Section as being exempt from permit requirements; and
 - (2) The proposed temporary use does not have the potential to result in an adverse effect on surrounding properties.
 - b. **Coastal Development Permit or Land Use Permit required.** Other temporary uses that are not included in Table 4-10 through Table 4-15 may be allowed by a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) if the Director determines that the proposed temporary use is similar to those uses allowed by a Coastal Development Permit or Land Use Permit.
4. **Other approvals required.** All temporary electrical facilities, temporary toilet and plumbing facilities, and temporary shelters or structures shall receive all necessary approvals from the Director, the Public Health Department, and the County Fire Department or applicable fire protection district.

...

F. Permit requirements and development standards for specific temporary uses.

...

8. **Public property.** Events held at a County park or on other County-owned land are exempt from permit requirements when conducted with the approval of the County. Within the Coastal Zone, the temporary event shall also be in compliance with Subsection

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35.42.260.D.2 (Exempt temporary uses within the Coastal Zone).

G. Trailer use.

...

12. **Storage of trailers as accessory to a residential use.** Trailers designed for or capable of human habitation or occupancy may be stored on a lot as accessory to the residential use of the lot provided:
 - a. Trailers shall not exceed 8.5 feet in width, 13.5 feet in height (as measured from the surface upon which the vehicle stands to the top of the roof of the trailer), and 40 feet in length.
 - b. Trailers shall be screened from view from abutting streets.
 - c. The trailer shall not be used for human habitation while kept on the lot.
 - d. Within the Coastal Zone, the storage of a trailer does not require a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) if the trailer will:
 - (1) Not be located within or adjacent to a wetland, beach, an environmentally sensitive habitat area, or on or within 50 feet of a coastal bluff; and
 - (2) Not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including where there is substantial evidence of prescriptive rights); and
 - (3) Not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas and public roadways.
 - (4) Meets all other exemption criteria in compliance with Section 35.20.040.C.1 (Exemption from Planning Permit Requirement)

20. Telecommunications Facilities (LCPA 1-05-C)

35.44.010 - *Commercial Telecommunications Facilities - shall be modified as follows:*

...

B. Applicability.

1. **Affected facilities and equipment.** The provisions of this Section shall apply to commercial telecommunication facilities that transmit or receive electromagnetic signals (e.g., radio, television, and wireless communication services including personal communication, cellular, and paging). This Section shall not be construed to apply to handheld, vehicular, or other portable transmitters or transceivers, including cellular phones, CB radios, emergency services radio, and other similar devices.
2. **Allowable zones and permit requirements.** Table 4-16 (Allowable Zones and Permit Requirements for Commercial Telecommunications Facilities) below establishes the allowable zones, permit requirements, and development standards applicable to commercial telecommunications facilities as allowed by this Section. Different permit processes shall be required depending on the type of the commercial telecommunication facility being proposed and whether the facility complies with different development standards.

a. Coastal Zone.

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- (1) Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), all development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits).
- (2) A Coastal Development Permit shall be processed concurrently and in conjunction with a Development Plan, Minor Conditional Use Permit or Conditional Use Permit in compliance with Section 35.82.060.C (Contents of Application).

Table 4-16 - Allowable Zones and Permit Requirements for Commercial Telecommunications Facilities

Project Level Tier (1)	Zones Where Allowed	Permit Requirements (2)	Development Standards
Tier 1 Project (Very small facilities only)	All zones	Coastal Development Permit or Land Use Permit	35.44.010.C.1.(a) 35.44.010.D
Tier 1 Project (Other than very small facilities)	Nonresidential zones	Coastal Development Permit or Land Use Permit	35.44.010.C.1.(b) 35.44.010.D
Tier 2 Project (Tenant improvements)	Nonresidential zones	Development Plan approved by the Director (3)	35.44.010.C.2.(a) 35.44.010.D
Tier 2 Project (Other than tenant improvements)	Nonresidential zones, except not allowed in the Recreation (REC) zone	Development Plan approved by the Director (3)	35.44.010.C.2.(b) 35.44.010.D
Tier 3 Project	Nonresidential zones, except not allowed in the Recreation (REC) zone (4)	Minor Conditional Use Permit	35.44.010.C.3 35.44.010.D
Tier 4 Project	All zones (5)	Conditional Use Permit	35.44.010.C.4 35.44.010.D

Notes:

- (1) See Subsections C.1 through C.4 below, for more specific descriptions of development allowed under the respective tiers.
- (2) Commercial telecommunication facilities shall be subject to Design Review in compliance with Section 35.82.070 (Design Review) under the following circumstances:
 - a. The facility includes the construction of a new structure or the remodel of or addition to an existing structure that is otherwise subject to Design Review in compliance with Section 35.82.070 (Design Review).
 - b. The facility is under the jurisdiction of the Commission.
- (3) The Director shall act as the review authority unless a public hearing is requested in compliance with Chapter 35.106 (Noticing and Public Hearings), in which case the Zoning Administrator shall be the review authority.
- (4) Tier 3 facilities described in Subsection 35.44.010.C.3.b may be allowed within all nonresidential zones, including the REC zone.
- (5) Tier 4 facilities described in Subsection 35.44.010.C.4.b are limited to nonresidential zones.

C. Processing. Permits for commercial telecommunication facilities shall be approved in compliance with the following requirements, including the requirements of Subsection D. through Subsection H. unless otherwise specified. Modifications to zone regulations in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) or Section 35.82.080 (Development Plans) may be allowed only as specified in this Section....

D. Additional development standards for telecommunication facilities. In addition to the development standards in Subsection C. (Processing) above, ~~commercial~~ telecommunication facilities regulated by this Section 35.44.010 (Commercial Telecommunications Facilities) shall also comply with the following development standards unless otherwise indicated below.

1. Telecommunication facilities shall comply in all instances with the following development standards:

...

h. Lighting. The facility shall be unlit except for the following:

- (1) A manually operated light or light controlled by motion-detector that includes a timer located above the equipment structure door that shall be kept off except when personnel are present at night.
- (2) Where an antenna support structure is required to be lighted, the lighting shall be shielded or directed to the greatest extent possible so as to minimize the amount of light that falls onto nearby residences and habitat.

...

2. Telecommunication facilities shall comply with the following development standards in all

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instances, except that the review authority may exempt a facility from compliance with one or more of the following development standards if requested by the applicant.

Within the Coastal Zone, an exemption shall only be granted if the review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance (a) will not increase the visibility of the facility, and will not decrease public safety, and will not result in greater impact to coastal resources, including sensitive habitat, coastal waters, and public access; or (b) is required due to technical considerations such that if the exemption were not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility; or (c) would avoid or reduce the potential for environmental impacts, and will not increase the visibility of the facility, and will not decrease public safety, and will not result in greater impact to coastal resources, including sensitive habitat, coastal waters and public access.

~~However~~ Within the Inland area, an exemption may only be granted if the review authority finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance either will not increase the visibility of the facility or decrease public safety, or it is required due to technical considerations that if the exemption were not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.

...

- b. ~~In the Inland area, Disturbed areas associated with the development of a facility shall not occur within the boundaries of an environmentally sensitive habitat area. See Subsection D.3.e below regarding allowance for disturbance within environmentally sensitive habitat areas located within the Coastal Zone.~~
- c. Collocation on an existing support structure shall be required for facilities allowed in compliance with Subsection C.2.b, through Subsection C.4.of this Section, unless:
 - (1) The applicant can demonstrate that reasonable efforts, acceptable to the review authority, have been made to locate the antenna on an existing support structure and these efforts have been unsuccessful; or
 - (2) Collocation cannot be achieved because there are not existing facilities in the vicinity of the proposed facility; or
 - (3) The review authority determines that:
 - (a) ~~collocation~~ Collocation of the proposed facility would result in greater visual impacts than if a new support structure were ~~proposed~~ constructed, and
 - (b) The non-collocated development, if located within the Coastal Zone, will not result in greater impact to coastal resources, including sensitive habitat, coastal waters, and public access.

All proposed ~~Proposed~~ facilities shall be assessed as potential collocation facilities or sites to promote facility and site sharing so as to minimize the overall visual ~~impact~~ and environmental impacts. Sites determined by the Department to be appropriate as collocated facilities or sites shall be designed in a way that antenna support structures and other associated features (e.g. parking areas, access roads, utilities, equipment buildings) may be shared by site users. Criteria used to determine suitability for collocation include the visibility of the existing site, potential for exacerbating the visual impact of the existing site, availability of necessary utilities (power and telephone), existing vegetative screening, availability of more visually suitable sites that meet the radiofrequency needs in the surrounding area, avoiding or minimizing disturbance to environmentally sensitive habitats, and cumulative radiofrequency emission studies showing compliance with radiofrequency standards established by the Federal Communications Commission. Additional requirements regarding collocation are located in Subsection E.3 (Collocation) below.

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- f. In the Coastal Zone, facilities shall be prohibited in areas that are located between the sea and the seaward side of the right-of-way of the first through public road parallel to the sea, unless a location on the seaward side would result in less visible impact. An exemption may be approved only upon showing of sufficient evidence that there is no other feasible location in the area or other alternative facility configuration that would avoid or minimize visual impacts.
3. Telecommunication facilities shall comply with the following development standards in all instances, except that the review authority may exempt a facility from one or more standards if requested by the applicant. If an exemption from one or more of the following standards is requested, then the facility shall require a Conditional Use Permit approved by the Commission in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

Within the Coastal Zone, an exemption shall only be granted if the Commission finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance (a) will not increase the visibility of the facility, and will not decrease public safety, and will not result in greater impact to coastal resources, including sensitive habitat, coastal waters, and public access; or (b) is required due to technical considerations such that if the exemption were not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility; or (c) would avoid or reduce the potential for environmental impacts, and will not increase the visibility of the facility, and will not decrease public safety, and will not result in greater impact to coastal resources, including sensitive habitat, coastal waters and public access.

Within the Inland area, an An exemption shall only be granted if the Commission finds, after receipt of sufficient evidence, that failure to adhere to the standard in the specific instance shall not increase the visibility of the facility or decrease public safety, or is required due to technical considerations and if the exemption was not granted the area proposed to be served by the facility would otherwise not be served by the carrier proposing the facility, or it would avoid or reduce the potential for environmental impacts.

...

35.44.020 - Noncommercial Telecommunications Facilities

...

B. Applicability.

1. **Affected facilities and equipment.** The provisions of this Section shall apply to all noncommercial telecommunication facilities that transmit or receive electromagnetic signals (e.g., amateur radio stations, other noncommercial telecommunication signals).
2. **Allowable zones and permit requirements.** Table 4-17 (Allowable Zones and Permit Requirements for Noncommercial Telecommunications Facilities) below establishes the allowable zones, permit requirements, and development standards applicable to noncommercial telecommunications facilities as allowed by this Section. Different permit processes shall be required depending on the type of the noncommercial telecommunication facility being proposed and whether the facility complies with different development standards.

a. Coastal Zone.

- (1) Unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements), development in the Coastal Zone requires a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits).

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(2) A Coastal Development Permit shall be processed concurrently and in conjunction with a Development Plan, Minor Conditional Use Permit or Conditional Use Permit in compliance with Section 35.82.060.C (Contents of Application).

C. Processing. Permits for Tier 1 or Tier 2 noncommercial telecommunication facilities shall be approved in compliance with the requirements of Subsection D. through Subsection F. below, unless otherwise specified.

D. Development standards.

1. Coastal Zone and Inland area. The following standards shall apply to the construction or erection of antennas and antenna support structures associated with amateur radio stations.

a. Access. An antenna and its support structure shall not impede access by fire or other safety personnel to portions of the lot that the antenna and support structure is located on. Where this access would be impeded, a minimum of three feet clearance shall be provided between the antenna support structure and another structure or other obstacle.

b. Location on roofs. Antenna support structures that are located on roofs shall be located on the portion of that structure that faces away from public viewing areas (e.g., public streets, parks) whenever feasible.

c. Permit Requirements. Required Building and Electrical Permits shall be obtained before erecting or operating the antenna support structure and associated antenna.

d. Extension over neighboring property. An antenna, regardless of height, shall be located to ensure that it does not extend over neighboring lot without the express written, notarized consent of the affected lot owner. If the affected lot changes ownership, the written, notarized consent shall be obtained from the new owner within 120 days from the transfer of ownership. If a new agreement cannot be reached within this time period, then the antenna shall be modified so that it does not extend over the lot line. If the antenna support structure must be relocated, then a new Coastal Development Permit or Land Use Permit or Zoning Clearance in compliance with Section 35.82.050 (Coastal Development Permits), Section 35.82.110 (Land Use Permits), or Section 35.82.210 (Zoning Clearances) shall be obtained before relocation of the antenna support structure.

e. Compliance with Article 35.2. Antennas and support structures shall comply with all applicable regulations of the Comprehensive Plan and Local Coastal Program including setbacks except as specifically allowed in compliance with Subsection 35.44.020.D.1.d.

...

21. Bluff Development

35.60.060 - Bluff Development - Coastal Zone - shall be modified as follows:

...

C. Landscaping, grading, and drainage. Within a required blufftop setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements (e.g., patios and fences that do not require structural foundations or otherwise impact bluff stability) may be permitted but in no case shall minor ancillary structures or improvements be sited closer than 15 feet from the bluff edge except as provided in Subsection C.1., below. Ancillary structures shall be removed or relocated landward when threatened by erosion. Surface water shall be directed away from the top of the bluff or be handled in a manner satisfactory to prevent damage to the bluff by surface and percolating water.

1. Visually permeable and visually compatible fences required for safety purposes and public accessways (e.g. public trails) that qualify as minor improvements may be located closer than

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15 feet from the bluff edge but in no case shall said fences and public trails be located closer than five feet from the bluff edge. Notwithstanding the other provisions of this code regarding repair and replacement of non-conforming structures, lawfully established public bicycle paths closer than 15 feet from the bluff edge may be repaired and maintained, including structural repairs.

...

- E. Bluff face development, drainage structures.** No development shall be permitted on the bluff face, except for engineered staircases or access ways to provide public beach access, and pipelines for scientific research or coastal dependent industry. Drainpipes shall be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe, and beach. Drainage devices extending over the bluff face shall not be permitted if the property can be drained away from the bluff face.

1. Notwithstanding the other provisions of this code regarding repair and replacement of non-conforming structures, lawfully established staircases and access ways that provide beach access and are not available for use by the general public may be:
 - a. Repaired and maintained, including structural repairs, provided that cumulatively no more than 50 percent of the structural underpinnings (including foundations, pilings, and support beams but not including individual stairs and railings) are reconstructed or replaced over the life of the structure. The reconstruction or replacement of 50 percent or more of a staircase is not repair and maintenance but instead constitutes a replacement structure.
 - b. Restored or reconstructed in compliance with Section 35.20.040.C.7 (Structure Destroyed by Natural Disaster).

22. Clarifications Regarding Planning Permit Modifications

35.36.080.K - Parking - shall be modified as follows:

...

- K. Modifications of parking requirements.** Modifications to the parking requirement may be granted, in compliance with Section 35.42.230 (Residential Second Units), Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), Section 35.82.080 (Development Plans), Section 35.82.130 (Modifications) or Section 35.82.200 (Variances). In the Coastal Zone, modifications shall be consistent with the resource protection policies of the Local Coastal Program, including protection of public access, environmentally sensitive habitat resources, visual and scenic resources, visitor-serving uses, water quality, and the long-term viability of agriculture.

35.82.060.I.1 - Conditional Use Permits and Minor Conditional Use Permits - shall be modified as follows:

...

- I. Conditions, restrictions, and modifications.**

1. At the time the Conditional Use Permit is approved, or subsequent amendments or revisions are approved, the review authority may modify the applicable distance between structures, landscaping, parking except as provided within Subsection I.1.a below, screening requirements, setbacks, structure coverage, structure height limit, or yard areas when the review authority finds that the modifications are justified and consistent with the Comprehensive Plan and the intent of other applicable regulations and guidelines. Within the Coastal Zone, modifications shall be consistent with the coastal resources protection policies of the Local Coastal Program, including protection of public access, environmentally sensitive habitat resources, visual and scenic resources, visitor-serving uses, water quality, and the long-term viability of agriculture.
 - a. The parking standards of the SR-M and SR-H zones listed within Table 3-4 (Residential Parking Standards), of Section 35.35.050 (Required Number of Spaces:

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Residential Uses) and Section 35.36.100.H (Medium and High Density Student Residential (SR-M and SR-H) zones) and the parking standards of the SF overlay zone listed within Section 35.28.180 (Single Family Restricted (SF) overlay zone) and may not be modified.

2. As a condition of approval of any Conditional Use Permit, or of any subsequent amendments or revisions, the review authority may impose any appropriate and reasonable conditions or require any redesign of the project as the review authority may deem necessary to protect the persons or property in the neighborhood, to preserve the neighborhood character, natural resources or scenic quality of the area, to preserve or enhance the public health, peace, safety and welfare, or to implement the purposes of this Development Code.
3. The review authority may require as a condition of approval of any Conditional Use Permit, or of any subsequent amendment or revision, the preservation of trees existing on the subject property.

35.82.080.H.1 - *Development Plans - shall be modified as follows:*

H. Conditions, restrictions, and modifications.

1. At the time the Preliminary or Final Development Plan is approved, or subsequent amendments or revisions are approved, the review authority may modify the distance between structures, landscaping, parking except as provided within Subsection H.1.a below, screening requirements, setbacks, structure coverage, structure height limit, or yard areas specified in the applicable zone and Chapter 35.36 (Parking and Loading Standards) when the review authority finds that the modification is justified. Within the Coastal Zone, modifications shall be consistent with the resource protection policies of the Local Coastal Program, including protection of public access, environmentally sensitive habitat resources, visual and scenic resources, visitor-serving uses, water quality, and the long-term viability of agriculture.
...
2. As a condition of approval of any Preliminary or Final Development Plan, the review authority may impose any appropriate conditions or require any redesign of the subject project as it may deem to be reasonable and necessary in order to protect the persons or property in the neighborhood, to preserve the natural resources or scenic quality of the area, to preserve the neighborhood character, to preserve or enhance the public health, peace, safety, and general welfare, or to implement the purposes of this Development Code.

23. Development Agreements

35.86.040 - *Standards of Review, Findings and Decision - shall be modified as follows:*

C. Approval of Development Agreement. The Board's approval of a Development Agreement shall be by the adoption of an ordinance. The Board may enter into the Agreement after the ordinance approving the Development Agreement takes effect.

1. Development Agreements for property located in the Coastal Zone. A Development Agreement for property located in the Coastal Zone shall not become effective until the Development Agreement has been certified as an amendment to the County's certified Local Coastal Program in compliance with Chapter 35.104 (Amendments) in either of the following circumstances:

a. Geographic implementation. Where the provisions of the development agreement propose to supersede or replace those of the certified implementation plan for a geographic area (or of the land use plan and implementation plan for the geographic area).

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- b.** Not congruent with the Local Coastal Program. Where the development agreement applies to a geographic area of the certified Local Coastal Program, but the development agreement's provisions are not congruent with provisions of the certified Local Coastal Program, including situations where (1) the development agreement's provisions as to the permitted land uses, density or intensity of use, maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes are different from those of the certified Local Coastal Program, and (2) the development agreement includes additional provisions that conflict with or modify provisions of the Local Coastal Program. For the purposes of this Subsection C.1, "congruent" means "in agreement, corresponding; harmonious."
- c.** In both of the above situations, the Development Agreement shall include a provision that the Local Coastal Program is controlling as to matters not addressed by the development agreement.

24. Signs

35.38.030 - Permit Requirements - shall be modified as follows:

35.38.030 - Exempt Signs, Flags, and Devices

A. Exempt from Sign Certificate of Conformance. The following signs, flags, and devices are exempt from the provisions of this Chapter.

- ~~A~~1. Flags of a governmental entity (e.g., United States, California, Santa Barbara County, municipalities within Santa Barbara County, other governmental entities).
- ~~B~~2. Signs and devices erected by a governmental entity, including public schools.
- ~~C~~3. Signs erected by a public utility or common carrier to warn of dangers (e.g., the location of underground facilities and railroad crossings).
- ~~D~~4. Signs required to be maintained or posted by law or governmental order, rule, or regulation.
- ~~E~~5. Signs located entirely within structures.

B. Coastal Zone. The signs, flags, and devices listed in Subsection A above, are not exempt from the requirement to obtain a Coastal Development Permit except as allowed in compliance with Section 35.20.040.C (Exemption from Planning Permit Requirements).

35.38.040 - Permit Requirements - shall be modified as follows:

A. Permit requirements.

...

2.Coastal Development Permit required. Within the Coastal Zone, signs are development that require the issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) except where exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

1. A sign that is incidental, appropriate and subordinate to a use designated as a Principal Permitted Use shall be also be considered a Principal Permitted Use.
2. If the issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) is required then a Sign Certificate of Conformance shall not be required in addition to the Coastal Development Permit.

23.Application. The required permit application shall be filed in compliance with Section 35.80.030 (Application Preparation and Filing)

...

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25. Economic Hardship

Section 35.84.030.D (Time Extensions) of Chapter 35.84, Post Approval Procedures of the County LUDC shall be modified as follows:

...

2. **Conditional Use Permits and Minor Conditional Use Permits.**

- a. **Extension of permit approval.** The review authority ~~that approved~~ responsible for reviewing and making a decision on the application for the Conditional Use Permit or Minor Conditional Use Permit in compliance with Table 8-1 (Review Authority) and Subsection 35.80.020.B (Applications subject to more than one review authority) may extend the approval of a Conditional Use Permit or Minor Conditional Use Permit one time for good cause shown in compliance with the following:

...

3. **Development Plans (Preliminary and Final).**

- a. **Extension of permit approval.** The review authority ~~that approved~~ responsible for reviewing and making a decision on the application for the Development Plan in compliance with Table 8-1 (Review Authority) may extend the approval of the Development Plan in compliance with Table 8-1 (Review Authority) and Subsection 35.80.020.B (Applications subject to more than one review authority) one time for 12 additional months for good cause shown in compliance with the following:

...

8. In addition to the Time Extensions provided in Subsection D.1 through Subsection D.7 above, the Director for good cause may extend the expiration of a planning permit for an additional 24 months in compliance with the following:

- a. The Director has determined that an additional Time Extension is necessary due to an economic hardship resulting from a national economic recession.
- b. The time extension request is filed with the Department before the expiration of the planning permit that is the subject of the Time Extension request.
- c. A Time Extension application shall be approved or conditionally approved only if the Director first finds that applicable determination or findings for approval required in compliance with Chapter 35.82 (Permit Review and Decision) that were made in conjunction with the initial approval of the planning permit for which the Time Extension is requested can still be made.
- d. The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).

This Subsection D.8 shall expire, and be of no further force or effect, on January 12, 2012, unless extended by ordinance and LCP amendment.

26. Energy

35.51.070.B - *Onshore Processing Facilities Related to Offshore Oil and Gas Development* - shall be modified as follows:

...In addition to the regulations in Article 35.2 (Zones and Allowable Land Uses for the ~~applicable~~ M-CD and M-CR zones in which onshore processing facilities related to offshore oil and gas development are

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allowed, the following ~~regulations~~ standards shall apply to onshore processing facilities related to offshore oil and gas development.

...

35.51.090.B - Consolidated Pipeline Terminals - shall be modified as follows:

...In addition to the regulations in Article 35.2 (Zones and Allowable Land Uses) for the AG-II and M-CR zones in which consolidated pipeline terminals are allowed, the following standards shall apply to consolidated pipeline terminals.

...

35.51.100.A.5 - Oil and Gas Pipelines - Coastal Zone - shall be modified as follows:

5. Pipelines located within a lease area that are necessary for onshore oil and gas production operations of onshore oil and gas reservoirs shall be subject to the regulations in Subsection 35.51.060.B (Development Standards).

35.51.110.B - Onshore Exploration or Production of Offshore Oil and Gas Reservoirs - shall be modified as follows:

B. Development standards for exploration activities. In addition to the regulations in *Article 35.2 (Zones and Allowable Land Uses)* for the applicable AG-II and M-CR zones in which onshore exploration or production of offshore oil and gas reservoirs are allowed, the following standards shall apply. Where applicants seek an Exploration Plan in conjunction with a Production Plan simultaneously, only the development standards in Subsection C. (Development standards for production activities), shall apply.

~~1. Other applicable development standards. The development standards required for onshore exploratory oil and gas drilling, as identified in Subsection 35.51.050.B (Development standards), shall apply. Where applicants seek an Exploration Plan in conjunction with a Production Plan simultaneously, only the development standards in Subsection C. (Development standards for production activities) below, shall apply.~~

1. Setbacks. In addition to the well spacing and setback requirements of County Code Chapter 25 (Oil and Petroleum Wells), Section 25-21 (Spacing), exploratory oil or gas wells or related facilities shall not be allowed within 300 feet of either the average high tide line or an occupied residence.

2. Delivery hours. Except in an emergency, materials, equipment, tools, or pipe used for drilling shall not be delivered to or removed from a drilling site within or through streets within a residential zone, between the hours of 7 p.m. and 7 a.m. of the next day.

...

Renumber Section 35.41.110.B due to addition of #1 and #2 above. Note: CCC staff is leaving it to County staff to determine the priority order and numbering for the above additional standards to fit into the existing list of standards in Section 35.41.110.B.

35.51.110 C - Onshore Exploration or Production of Offshore Oil and Gas Reservoirs - shall be modified as follows:

C. Development standards for production activities. In addition to the regulations in Article 35.2 (Zones and Allowable Land Uses) for the applicable AG-II and M-CR zones in which onshore exploration or production of offshore oil and gas reservoirs are allowed, the following standards shall apply.

~~1. Onshore oil and gas production. The development standards required for onshore oil and gas production, as identified in Subsection 35.51.060.B (Development standards) shall apply.~~

1. Setbacks. In addition to the well spacing and setback requirements of County Code Chapter 25 (Oil and Petroleum Wells), Section 25-21 (Spacing) oil and gas production wells or related

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facilities shall not be allowed within 300 feet of either the average high tide line, or an occupied residence.

2. **Maximum number of drilling/production sites.** Not more than one drilling/production site shall be allowed for each 10 acres of land area within a lease so as to minimize the area of disturbance. A drill site may contain any number of wells.

3. **Screening from public view.** Following drilling and testing of the reservoir, production equipment and facilities shall be recessed, covered, or otherwise screened from view. Trees or shrubbery shall be planted and maintained to develop attractive landscaping and to screen the site and production equipment, structures, tanks, and facilities on the site from public view, unless the equipment, structures, tanks, and facilities are screened from public view by reason of an isolated location, existing trees, or shrubbery, intervening surface contours, or a wall constructed as herein provided.

4. **Exterior color.** Permanent structures and equipment shall be painted a neutral color to ensure that they blend in with natural surroundings.

...

Renumber Section 35.41.110.C due to addition of #1 through #4 above. Note: CCC staff is leaving it to County staff to determine the priority order and numbering to fit the above additional standards to fit into the existing list of standards Section 35.41.110.C.

35.51.120.A- Marine Terminals - Coastal Zone - shall be modified as follows:

- A. Applicability.** The specific regulations contained within this Section shall apply to the onshore portion of the components of a existing and new marine terminals which include loading and/or unloading equipment, storage tanks, terminal control and safety equipment, and navigational facilities, but not including ~~excluding~~ pipelines and facilities related to pipelines which are separately regulated by ~~The regulations for pipelines and related facilities that are located in~~ Section 35.51.100 (Oil and Gas Pipelines - Coastal Zone). ~~These regulations shall apply to existing and new marine terminals.~~

35.51.120.B.2 - Marine Terminals - Coastal Zone shall be modified as follows:

2. Authority to construct. ~~The applicant has received~~ shall obtain "authority to construct" from the Air Pollution Control District.

27. Glossary

Article 35.11, Glossary, shall be modified as follows:

Accessory Agricultural Structure. A structure designed and constructed primarily for storing farm implements or supplies, hay, grain, poultry, livestock or horticultural products that supports the agricultural use of the lot. Within the Coastal Zone, accessory agricultural structures may include confined animal facilities and fencing incidental, appropriate and subordinate to the agricultural use but shall not include residential development, equestrian facilities, packing or shipping facilities.

Agricultural Improvement. Agricultural activities or structures on agriculturally designated lands which are not subject to building, grading, or brush clearing permits. These activities and structures may be subject to special agricultural building, agricultural grading, or agricultural brush-clearing permits. In the Coastal Zone, these activities require a Coastal Development Permit, unless exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

Agricultural Products Shipping Facility. A facility used for the transportation of agricultural products produced on the same site ("on-premise products") or from other properties ("off-premise products"), for offsite marketing.

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Appealable Development. In the Coastal Zone and in compliance with Public Resources Code Section 30603(a), appealable development consists of the following:

1. Development approved by the County between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of any beach, or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, ~~as indicated on the official County appeals zone maps.~~
2. Development approved by the County not included within paragraph 1., above located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff, ~~as indicated on the official County appeals zone maps or as determined by the State Lands Commission.~~
3. ~~Development that is located within a sensitive coastal resource area~~ Any development approved by the County that is not designated as the principal permitted use under this Development Code or the zoning map. This includes developments approved by the County that require the approval of a Conditional Use Permit or Minor Conditional Use Permit.
4. ~~Development authorized by the County through Conditional Use Permit approval.~~
54. A Any development which constitutes a major public works project or a major energy facility, as defined in this glossary.

Animal Keeping. The keeping, feeding or raising of animals as a commercial agricultural venture, avocation, hobby or school project, either as a primary land use or subordinate to a residential use. Includes the keeping of common farm animals, apiaries, aviaries, worm farms, household pets, etc. See Section 35.42.060 (Animal Keeping).

Buffer. An open area or barrier used to separate potentially incompatible activities and/or development features; for example, a required setback to separate an area of development from environmentally sensitive habitat, to reduce or eliminate the effects of the development on the habitat. For the purposes of Section 35.28.090 (Environmentally Sensitive Habitat Area (ESH) Overlay Zone), buffers shall mean natural vegetation buffers.

Campground. A site for temporary occupancy by campers, which may include individual campsites, but where utility hookups for recreational vehicles are not provided. See also "Recreational Vehicle Park."

Coastal Resources. Any resource which is afforded protection under the policies of Chapter 3 of the Coastal Act, California Public Resources Code Section 30200 *et seq.*, including public access, marine and other aquatic resources, environmentally sensitive habitat, and the visual quality of coastal areas.

Comprehensive Plan.

Coastal Zone. The Coastal Land Use Plan and all Community Plans and Area Plans, or portions thereof, that comprise the Land Use Plan (LUP) portion of the certified Local Coastal Program for Santa Barbara County as well as applicable elements of the Santa Barbara County Comprehensive Plan. Within the Coastal Zone, the certified Local Coastal Program shall prevail over other Comprehensive Plan elements to resolve conflicts.

Inland area. The Santa Barbara County Comprehensive Plan, including the Coastal Land Use Plan and all Community or Area Plans, as it may be amended by the Board of Supervisors from time to time.

Confined Animal Facilities. Facilities where animals are corralled, penned, or otherwise housed or caused to remain in restricted areas. Confined animal facilities include corrals, fencing for pastures, barns, stables, or other development designed to house or restrict the movement of animals. Also includes animal enclosures.

Creek, Top of Bank. The uppermost ground elevation paralleling a creek or watercourse where the gradient changes from a more defined vertical component to more horizontal.

Cultivated Agriculture, Orchard, Vineyard. Commercial agricultural production field and orchard uses,

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including the production of the following, primarily in the soil on the site and not in containers, other than for initial propagation prior to planting in the soil on the site. Examples of this land use include the following:

field crops	ornamental crops
flowers and seeds	tree nuts
Fruits	trees and sod
Grains	Vegetables
Melons	wine and table grapes

Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, and crop processing. Does not include agricultural processing or greenhouses which are separately defined. Does not include non-commercial home gardening, which is allowed as an accessory use without County approval in all zones that otherwise allow residential uses. Activities that constitute grading are separately regulated under Chapter 14 of the County Code.

- 1. Limited Slope.** For Inland areas, the purposes of the MT-GOL and MT-TORO zones, "Cultivated Agriculture, Orchard, Vineyard - Limited Slope" means that the listed new or expanded agricultural activities occur on slopes of 40 percent or less, or on slopes greater than 40 percent where the cumulative area of disturbance (pre-existing and proposed) totals five acres or less. Within the Coastal Zone, "Cultivated Agriculture, Orchard, Vineyard - Limited Slope" means new or expanded agricultural activities that occur on slopes of 30 percent or less.
- 2. Steep Slope.** For Inland areas, the purposes of the MT-GOL and MT-TORO zones, "Cultivated Agriculture, Orchard, Vineyard - Steep Slope" means that the listed new or expanded agricultural activities occur on slopes greater than 40 percent, where the cumulative area of disturbance (pre-existing and proposed) exceeds five acres. Within the Coastal Zone, "Cultivated Agriculture, Orchard, Vineyard - Steep Slope" means new or expanded agricultural activities that occur on slopes greater than 30 percent.
- 3. Historic Legal Use.** "Cultivated Agriculture, Orchard, Vineyard - Historic Legal Use" means that there is evidence of a permitted or legal nonconforming use on the site within the previous 10-year period.

Development. The definition of "Development" differs within the Coastal Zone and Inland, as follows:

- 1. Coastal Zone.** On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including subdivision in compliance with the Subdivision Map Act (Government Code Section 66410 et seq.), and any other division of land, including lot splits, except where the land division is in connection with the purchase of the land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). Also includes a change in the land use of a site and/or the change in the intensity of an existing land use, and Lot Line Adjustments.

...

Development Area (Coastal Zone). Within the Coastal Zone, development area is defined as the approved portion of a project site that is developed, including the building pad and all graded slopes, all structures, and parking areas. The area of one access driveway or roadway not to exceed twenty feet wide, and one hammerhead safety turnaround, as required by the Fire Department not located within the approved building pad shall be excluded from the total development area. The fuel modification area required by the Fire Department for approved structures may extend beyond the limits of the approved development area.

Floodway Fringe. The area between the floodway and the boundary of the 100-year flood, and which

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encompasses the portion of the flood plain that could be completely obstructed without increasing the water-surface elevation of the 100-year flood, no more than one foot at any point, as defined within County Code Chapter 15A (Flood Plain Management) which may be amended from time to time.

Food and Beverage Product Manufacturing. Manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of this land use include the following:-----

Freeway. As defined by the Comprehensive Plan, a four or six lane divided arterial highway with full control of access and with grade separations at intersections. As the highest type of road facility, Freeways provide maximum service and safety for through traffic. Freeways serve as the principal arterials of the inter- and intra-state system of highways, carrying traffic between cities, traffic generators and points of interest.

Grazing. To put livestock out to feed.

- 1. Limited Slope.** Within the Coastal Zone, "Grazing - Limited Slope" means new or expanded grazing activities that occur on slopes of 30 percent or less.
- 2. Steep Slope.** Within the Coastal Zone, "Grazing - Steep Slope" means new or expanded grazing activities that occur on slopes greater than 30 percent.
- 3. Historic Legal Use.** "Grazing- Historic Legal Use" means that there is evidence of a permitted or nonconforming use of the site for grazing within the previous 10-year period.

Inland Extent of Beach. The point where a sandy beach area terminates at the base of a coastal bluff, at the edge of continuous ground covering vegetation, or continuous pavement beyond which are soil types that are not predominantly sand. For purposes of interpreting provisions of the Coastal Act of 1976, the inland extent of the beach shall be determined as follows: (1) from a distinct linear feature (e.g., a seawall, road, or bluff, etc.); (2) from the inland edge of the further inland beach berm as determined from historical surveys, aerial photographs, and other records or geological evidence; or (3) where a beach berm does not exist, from the further point separating the dynamic portion of the beach from the inland area as distinguished by vegetation, debris or other geological or historical evidence.

Limited Concession Facility. A structure, either permanent or temporary, from which food and related items may be sold to persons using the recreational facility, and incidental public, in which the structure is located. The structure shall be incidental, appropriate and subordinate to the recreational facility.

Local Coastal Program. The County's (a) Coastal Land Use Plan, (b) Development Code and other implementing ordinances, (c) Zoning Map, and (d) within sensitive coastal resource areas, other implementing actions, that when taken together, meet the requirements of, and implement the provisions and policies of the Coastal Act of 1976 within the County.

Lot. An existing area of land under one ownership that was lawfully created as required by the Subdivision Map Act and predecessor ordinances and statutes, and local ordinances, that can lawfully be conveyed in fee as a discrete unit separate from any contiguous lot. A lot also means a lot for which a Certificate of Compliance or Conditional Certificate of Compliance has been recorded and the boundaries of which have not subsequently been altered ~~by merger or further subdivision~~. Within the Coastal Zone:

1. For the purposes of this definition, "lawfully created" includes as required by the California Coastal Act, certified Local Coastal Program.
2. A Coastal Development Permit shall be required to have been issued for the lot that is the subject of the Certificate of Compliance or Conditional Certificate of Compliance if the Certificate of Compliance or Conditional Certificate of Compliance is recorded after the effective date of the Coastal Act or its predecessor initiative (unless the lot was created, and

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Certificate of Compliance or Conditional Certificate of Compliance was recorded, prior to the effective date of the Coastal Act or its predecessor initiative in compliance with the Subdivision Map Act and predecessor ordinances and statutes and local ordinances).

Major Public Works Project and Major Energy Facility - Coastal Zone. ~~A public works project or energy facility exceeding \$50,000 in estimated cost of construction).~~

1. "Major public works" and "Major energy facilities" mean facilities that cost more than one hundred thousand dollars (\$100,000) with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index, except for those governed by the provisions of Public Resources Code Sections 30610, 30610.5, 30611 or 30624.
2. Notwithstanding the criteria in (a), "major public works" also means publicly financed recreational facilities that serve, affect, or otherwise impact regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

Native Protected Tree. A native tree that is at least six inches in diameter (largest diameter for non-round trunks) as measured 4.5 feet above level ground (or as measured on the uphill side where sloped).

Nonconforming Use. A use of land, or structure that was lawful prior to the effective date of this Development Code or any amendment, or previously adopted County Ordinances, and that does not conform to the present regulations on use of this Development Code, including:

1. A land use established where the use is not identified as a permitted use by the zone applicable to the lot on which the use is located;
2. A land use that is identified as a permitted use or principal permitted use by the zone applicable to the lot on which the use is located but is not allowable on the particular site because of planning area standards of a Community and Area Plan Overlay;
3. A land use that was lawfully established without the planning permit or other entitlement (e.g., Conditional Use Permit, Development Plan) now required by this Development Code;
4. A land use that is operated or conducted in a manner that does not now conform with the standards of this Development Code, including floor area ratios, minimum site area, limitations on use, or location criteria; or
5. A residential use that exceeds the number of dwelling units or bedrooms allowed on the lot by this Development Code.

Non-native Protected Tree. A non-native tree that is at least 25 inches in diameter as measured 4.5 feet above level ground (or as measured on the uphill side where sloped). Non- native trees, regardless of size, may be subject to the ESH Overlay in compliance with Section 35.28.090 (Environmentally Sensitive Habitat Area (ESH) Overlay) where such trees comprise habitat for sensitive species such as monarch butterflies, raptors, or other protected species.

Operator. As used within Section 35.82.160 (Reclamation and Surface Mining Permits) "operator" means any person who is engaged in surface mining operations, himself, or who contracts with others to conduct operations on his behalf, except a person who is engaged in surface mining operations as an employee with wages as his sole compensation.

Permitted Use. A use listed in Article 35.2 (Zones and Allowable Land Uses) or other applicable section of the Development Code as a permitted use that may be allowed subject to obtaining the necessary permits and compliance with all applicable development standards identified in the Development Code.

Principal Permitted Use. A use that clearly carries out the designated land use and the intent and purpose of a particular zone. The uses defined as part of the principal permitted use for each of the basic zones in Article 35.2 (Zones and Allowable Land Uses), the approvals of which are not appealable to the Coastal Commission except as specified in Section 35.102.060 (Appeals to the Coastal Commission).

Public Property. Property owned in fee or held as an easement by the government.

Public Works, Transportation Related. All public transportation facilities, including streets, roads, highways, bridges, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, trolley wires, and other related facilities financed, ~~and~~ owned, or

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regulated by the government.

Residential Project Convenience Facilities. Accessory uses and structures customarily incidental and subordinate to a multiple unit residential project (e.g., laundry facilities, common rooms, swimming pools).

Rural Area. An area ~~shown~~ designated on the Comprehensive Plan maps as "Rural Area".

Rural Recreation. Low intensity recreational uses including campgrounds with minimum facilities ~~(not including accommodations for recreational vehicles)~~, hunting clubs, retreats, and summer camps.

Solar Energy System. Solar energy system means either (a) any solar collector or other solar energy device whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating, space cooling, electric generation, or water heating, or (b) any structural design feature of a building, whose primary purpose is to provide for the collection, storage, and distribution of solar energy for electricity generation, space heating or cooling, or for water heating. Additionally, the following terms and phrases are defined for the purposes of permitting solar energy systems:

- 1. Feasible method to satisfactorily mitigate or avoid the specific adverse impact.** A "feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes any cost-effective method, condition, or mitigation imposed by the County on another similarly situated application in a prior successful application for a permit. The County shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code.
- 2. Specific, adverse impact.** A "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Subdivision. The division, by any subdivider, of any lawfully established unit or portion of land shown on the latest equalized Santa Barbara County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes the following, as defined in Civil Code Section 1715: a condominium project; a community apartment project; or the conversion of five or more existing dwelling units to a stock cooperative.

Telecommunications, Ridgeline. When used within Section 35.44.010 (Commercial Telecommunication Facilities), ridgeline shall mean a visually prominent, relatively long and narrow strip or crest of land, which includes the highest points of elevation forms a distinct part of the skyline within a watershed, that separates one drainage basin from another.

Telecommunications, Utility Pole Existing. A pole or similar structure owned by a public body or utility that provides support for electrical, telegraph, telephone or television cables, and is in place at the time that an application is submitted to attach telecommunications equipment thereto, and which was installed in compliance with all necessary permits and approvals. For the purposes of siting telecommunications facilities on existing structures within the Coastal Zone, a new utility pole approved in compliance with a Coastal Development Permit may be considered an existing utility pole. A new utility pole that replaces an existing utility pole within the Inland area is also considered to be existing provided the height and width of the replacement pole are substantially the same as the pole it replaces.

Urbanization (Inland Area). Within the Inland area, any ~~Any~~ commercial, industrial, or residential structure on lots of less than five acres in size, or the creation by land divisions of lots of less than five acres in size.

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28. Revert to Certified Language

35.25.020.D - Purposes of Industrial Zones - shall be modified as follows:

- D. **M-CR (Coastal-Related Industry) zone.** The M-CR zone is applied within the Coastal Zone and the Inland area and is intended to provide areas ~~that are appropriate for coastal-related industrial uses within the Inland area. The intent is to provide standards and conditions that will ensure that environmental damage will be avoided or minimized to the maximum extent feasible, within the Coastal Zone for certain energy and industrial uses that are dependent on coastal-dependent development of uses as prescribed in M-CD, Coastal-Dependent Industry, but do not require a site on or adjacent to the sea to be able to function at all. The intent is to provide standards and conditions that will ensure that environmental damage will be avoided or minimized to the maximum extent feasible while accommodating those industrial uses determined to be coastal-related industry.~~

35.28.030 - Affordable Housing (AH) Overlay Zone - shall be modified as follows:

- A. **Purpose and intent.** The Affordable Housing (AH) overlay zone is intended to promote affordable housing production, and implement the policies of the Housing Element by providing substantial incentives to developers through standards of development and performance. Within the Coastal Zone, standards of development and performance shall be consistent with all applicable policies and provisions of the Local Coastal Program, and where feasible may be designed to provide incentives to developers to construct affordable housing while retaining good design and architectural compatibility with adjacent land uses.

B. **Applicability.**

...

2. **Relationship to primary zone.** Each land use and proposed development within the AH overlay shall comply with all applicable requirements of the primary zone in addition to the requirements of this Section.

- a. **Coastal Zone.** ~~In the Coastal Zone, if a requirement of this Section conflicts with a requirement of the primary zone, the requirements of the Coastal Land Use Plan shall control; all uses of land shall comply with the regulations of the primary zone. Exceptions may be made for the AH Overlay District provided the overlay is applied in a manner consistent with all applicable policies and provisions of the Local Coastal Program. If a requirement of this Section conflicts with a requirement of the primary zone, the conflict shall be resolved consistent with the provisions of the Local Coastal Program.~~

...

- E. **Modifications to Development Code requirements.** The approval of a Final Development Plan for a site located on property zoned with the AH overlay zone may include the following modifications to requirements of this Development Code, in addition to the density modifications provided by Subsection B.1 (Density bonus) above.

1. **Zoning or improvement standards.** Facilities, improvements, and/or development or zoning standards normally required for residential development, other than those in this Section, may be modified by the Commission if deemed necessary to ensure dwelling unit affordability or to provide additional incentives. Examples of the modified facility requirements include the waiver or phasing of any required off-site improvements. Within the Coastal Zone, a modification may be approved as described above, provided that the project, as modified, shall be found consistent with all applicable policies and provisions of the Local Coastal Program.

...

3. **Development standards.** The following standards shall apply to all qualified AH overlay

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zone projects in the DR (Design Residential) and PRD (Planned Residential Development) zones, provided that the modifications are consistent with all applicable provisions of the ~~Coastal Plan~~ Local Coastal Program for projects in the Coastal Zone.

- a. One side yard setback per lot may be reduced from the requirement of the applicable zone to a zero setback. The width of any setback thereby reduced shall be applied to the opposite side yard setback. In cases of corner lots, the side yard setback may be reduced to zero with no additional setback requirement for the opposite setback.
- b. The total amount of common and/or public open space may be reduced to 30 percent of the gross acreage.

35.28.200 - *View Corridor (VC) Overlay Zone - shall be modified as follows:*

...

4. **Criteria for denial.** If, after review, the Board of Architectural Review determines that a proposed structure obstructs views to the ocean, is of a height or scale that is inharmonious with the surrounding area, or is of an undesirable or unsightly appearance, the Board of Architectural Review shall confer with the applicant in an attempt to bring the plans into conformance with the standards in Subsection C.3 (Criteria for approval) above. If the plans are not brought into conformance with said standards, the Board of Architectural Review shall disapprove the plans and a Coastal Development Permit shall not be approved.

35.36.100.C - *Standards for Residential Zones and Uses - shall be modified as follows:*

C. **One-Family Exclusive Residential (EX-1) zone.**

1. Required parking shall be provided with adequate provisions for ingress from and egress to the street at the time the main structure is constructed or enlarged or at the time a guesthouse is erected.
2. **Overnight parking of commercial vehicles.** Not more than one bus or nonpassenger motor vehicle or trailer used in commerce may be parked overnight on a lot. The bus, motor vehicle, or trailer shall not exceed two axles, four tons, or eight feet in height. This restriction shall not apply to the emergency overnight parking of disabled motor vehicles or trailers and the occasional overnight parking of moving vans, pickup, or delivery or construction vehicles or trailers when occasional overnight parking is reasonably serving the residential use of a particular lot.

35.42.060.F - *Animal Keeping - shall be modified as follows:*

- F. **Specific animal keeping standards.** The following requirements apply to the keeping of animals identified in Subsection D. (Types of animals, permit requirements, maximum numbers, and minimum site areas for animal keeping) above, in addition to other applicable standards of this Section and Development Code.

...

2. **Special standards and requirements for animal keeping in the RR, R-1/E-1, R-2, DR, EX-1, MU and OT-R zones.**

29. **Errors and General Clarifications**

35.42.230G.3 - *Residential Second Units shall be modified as follows:*

...

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e. ~~The following development standards shall also apply to detached residential second units located within the Inland area;~~ (4) The development of a detached residential second unit in agricultural zones shall avoid or minimize significant impacts to agricultural and biological resources to the maximum extent feasible by:

(1a) Avoiding prime soils or where there are no prime soils be sited ~~so as~~ to minimize impacts to ongoing agriculturally-related activities.

(2b) Including buffers from sensitive areas.

(3e) Preserving natural features, landforms and native vegetation such as trees to the maximum extent feasible.

f. (2) In residential zones located in the Inland area, all development associated with the construction of a detached residential second unit shall be located no less than 50 feet from a designated environmentally sensitive habitat area in urban areas and no less than 100 feet from a designated environmentally sensitive habitat area in rural areas. If the habitat area delineated on the applicable zoning maps is determined by the County not to be located on the particular lot or lots during review of an application for a permit, this development standard shall not apply.

35.23.100.A - PRD Zone Standards - shall be modified as follows:

A. Specific Plans. For areas requiring a Specific Plan in compliance with the Comprehensive Plan, a Specific Plan shall be filed and approved in compliance with Chapter 35.88 (Specific Plans) prior to or concurrent with the submittal of a Preliminary Development Plan and for property located within the Coastal Zone shall require an amendment of the Local Coastal Program in compliance with Chapter 35.104 (Amendments). The Director may waive the requirement for the Preliminary Development Plan if the Director determines that the approved Specific Plan provides the same information as required for a Preliminary Development Plan. All Development Plans shall comply with the Specific Plan for the project area.

35.23.120 - SR-M and SR-H Zones Standards - shall be modified as follows:

B.C. Structure placement.

...

G.D. Sidewalks. Prior to the issuance of a Coastal Development Permit for a structure, all plans for new or altered structures shall be reviewed by the Public Works Department, Road Division for frontage improvement conditions. As a condition to the approval of a Coastal Development Permit for any structure, the owner or their agent shall dedicate rights of way and engineer and construct street pavement, curbs, gutters, and sidewalks on the street frontage of the owner's property that are determined by the Public Works Department, Road Division to be reasonably related to the proposed use of the property.

35.26.020.C - Purposes of Special Purpose Zones - shall be modified as follows:

C. PU (Public Works Utilities and Private Services Facility) zone. The PU zone is applied within the Coastal Zone and the Inland area to areas appropriate for the siting of large scale public works, utilities and private service facilities. In the Inland area, provided that the requirements of this zone do not apply to local agencies exempted by Section 35.20.040 (Exemptions from Planning Permit Requirements) in compliance with Section 35.10.040 (Applicability of the Development Code). The intent is to provide adequate design requirements to ensure that these facilities are compatible with surrounding land uses.

35.28.210 - Community Plan Overlays - shall be modified as follows:

...

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F. Summerland Community Plan area.

...

- b. **Duplexes.** The maximum allowed FAR is 0.27, except where reduced in compliance with Subsection f (Reductions in maximum FAR) below. The ~~maximum~~ cumulative floor area of both units of the duplex shall be limited to 3,600 square feet of total living area for ~~both units of the duplex~~.

FG. Toro Canyon Plan area.

...

- 2. **Lot re-configuration.** Within the Coastal Zone, Land Divisions, Lot Line Adjustments and Conditional Certificates of Compliance shall be permitted if each lot being established could be developed without adversely impacting resources, consistent with Toro Canyon Plan policies and other applicable provision.
- 3. **Development Standards.** All non-agricultural structures shall be in compliance with the following development standards:

...

- d. The exterior surfaces of the structure, including water tanks, walls, and fences, shall use non-reflective building materials and colors shall be compatible with the surrounding terrain (including rock outcrops, soils, and vegetation). Where paints are used, they shall be non-reflective.

35.30.070 - Fences and Walls - shall be modified as follows:

Table 3-1 - Fence Height and Permit Requirements in all Zones Except in Agricultural Zones

<u>Fence and/or Gatepost Location</u>	<u>Fence and/or Gatepost Height</u>	<u>Permit Requirement</u>
<u>Within required front setback</u>	<u>Fence 6 ft or less in height; gatepost 8 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 6 ft high; gatepost more than 8 ft high</u>	<u>Minor Conditional Use Permit (2)</u>
<u>Within side and rear setbacks</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>	<u>Minor Conditional Use Permit (2)</u>
<u>Within interior lot setback 20 ft or less from a street right-of-way</u>	<u>Fence 6 ft or less in height; gatepost 8 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 6 ft high; gatepost more than 8 ft high</u>	<u>Minor Conditional Use Permit (2)</u>
<u>Within interior lot setback more than 20 ft from a street right-of-way</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>	<u>Minor Conditional Use Permit (2)</u>
<u>Outside of a required setback</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>	<u>Coastal Development Permit or Land Use Permit</u>

Fence Location	Permit Requirement
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	<u>Exempt from Planning Permit (1)(2)</u>	<u>Coastal Development or Land Permit Required</u>	<u>Minor Conditional Use Permit Required(3)</u>
<u>Within required front setback</u>	<u>Fence 6 ft or less in height; gatepost 8 ft or less in height</u>	<u>Not Applicable; CDP Required Concurrent With Mnor CUP</u>	<u>Fence more than 6 ft high; gatepost more than 8 ft high</u>
<u>Within side and rear setbacks</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Not Applicable; CDP Required Concurrent With Mnor CUP</u>	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>
<u>Within interior lot setback 20 ft or less from a street right-of-way</u>	<u>Fence 6 ft or less in height; gatepost 8 ft or less in height.</u>	<u>Not Applicable; CDP Required Concurrent With Mnor CUP</u>	<u>Fence more than 6 ft high; gatepost more than 8 ft high</u>
<u>Within interior lot setback more than 20 ft from a street right-of-way</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Not Applicable; CDP Required Concurrent With Mnor CUP</u>	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>
<u>Outside of a required setback</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Fence more than 8 ft high; gatepost more than 10 ft high; CDP Required Concurrent With Mnor CUP</u>	<u>Not Applicable</u>

Notes:

- (1) Within the Coastal Zone, fences shall be exempt from the required Coastal Development Permit only if the development will:
 - a. Not be located: between the first public road and the sea, within or adjacent to a wetland, beach, environmentally sensitive habitat or on or within 50 feet of a coastal bluff; ~~and~~
 - b. Not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including existing informal trails where there is substantive evidence of prescriptive rights); ~~and~~
 - c. Not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.
 - d. Comply with the requirements for an exemption provided in Section 35.20.040.
 If the fence does not meet all of the preceding criteria for an exemption, then a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) is required.
- (2) Within the Coastal Zone, a Coastal Development Permit is required to be processed concurrently with the Minor Conditional Use Permit.
- (3) Fences and gateposts that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

Table 3-2 Fence Height and Permit Requirements in Agricultural Zones

<u>Fence and/or Gatepost Location</u>	<u>Fence and/or Gatepost Height</u>	<u>Permit Requirement</u>
<u>Within required front setback</u>	<u>Fence 6 ft or less in height; gatepost 8 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 6 ft high; gatepost more than 8 ft high</u>	<u>Coastal Development Permit or Land Use Permit</u>
<u>Within side and rear setbacks</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>	<u>Coastal Development Permit or Land Use Permit</u>
<u>Within interior lot setback 20 ft or less from a street right-of-way</u>	<u>Fence 6 ft or less in height; gatepost 8 ft or less in height.</u>	<u>Exempt (1)</u>
	<u>Fence more than 6 ft high; gatepost more than 8 ft high</u>	<u>Coastal Development Permit or Land Use Permit</u>
<u>Within interior lot setback more than 20 ft from a street right-of-way</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>	<u>Coastal Development Permit or Land Use Permit</u>
<u>Outside of a required setback</u>	<u>Fence 8 ft or less in height; gatepost 10 ft or less in height</u>	<u>Exempt (1)</u>
	<u>Fence more than 8 ft high; gatepost more than 10 ft high</u>	<u>Coastal Development Permit or Land Use Permit</u>

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Fence Location	Permit Requirement		
	Exempt from Planning Permit (1)(2)	Land Use or Coastal Development Permit Required	Minor Conditional Use Permit Required (3)
Within required front setback	Fence 6 ft or less in height; gatepost 8 ft or less in height	Fence more than 6 ft high; gatepost more than 8 ft high	Not Applicable
Within side and rear setbacks	Fence 8 ft or less in height; gatepost 10 ft or less in height	Fence more than 8 ft high; gatepost more than 10 ft high	Not Applicable
Within interior lot setback 20 ft or less from a street right-of-way	Fence 6 ft or less in height; gatepost 8 ft or less in height	Fence more than 6 ft high; gatepost more than 8 ft high	Not Applicable
Within interior lot setback more than 20 ft from a street right-of-way	Fence 8 ft or less in height; gatepost 10 ft or less in height	Fence more than 8 ft high; gatepost more than 10 ft high	Not Applicable
Outside of a required setback	Fence 8 ft or less in height; gatepost 10 ft or less in height	Fence more than 8 ft high; gatepost more than 10 ft high	Not Applicable

Notes:

- (1) Within the Coastal Zone, fences shall be exempt from the required Coastal Development Permit only if the development will:
- Not be located: between the first public road and the sea, within or adjacent to a wetland, beach, environmentally sensitive habitat area or on or within 50 feet of a coastal bluff; ~~and~~
 - Not result in any potential adverse effects to public access to the beach or public hiking and equestrian trails (including existing informal trails where there is substantive evidence of prescriptive rights); ~~and~~
 - Not result in significant adverse impacts to scenic views from beaches, parklands, public viewing areas, and public roadways.
 - Comply with the requirements for an exemption provided in Section 35.20.040.C.1.
- If the fence does not meet all of the preceding criteria for an exemption, then a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) is required.
- (2) Fences and gateposts that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

35.30.160 - Solar Panels - shall be modified as follows:

35.30.160 - Solar Panels Energy Systems

A. Coastal Zone.

1. Roof mounted. Solar panels energy systems located on the roof of an existing lawfully established structure are exempt from design review and do not require planning permit approval, except where a Coastal Development Permit is required in compliance with Section 35.20.040.C.1 (Exemption from Planning Permit Requirements).

B. 2. ~~Freestanding.~~ ~~Freestanding solar panels energy systems located on the ground shall be classified as accessory structures, and shall require the issuance of either a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) as applicable. Solar energy systems that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).~~

a. Development that may be appealed to the Coastal Commission. Applications for Coastal Development Permits for development which is defined as appealable development in compliance with State law (Public Resources Code Section 30603) that would normally be processed in compliance with Section 35.82.050.D.2 (Coastal Development Permit for development that is appealable to the Coastal Commission in compliance with Chapter 35.35.102 (Appeals)) shall, in compliance with Government Code Section 65805.5(b), instead be processed in compliance with Section

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35.82.050.D.1 (Coastal Development Permit for development that is not appealable to the Coastal Commission in compliance with Chapter 35.35.102 (Appeals) or is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit, or Final Development Plan).

(1) Notwithstanding the language of Section 35.106.020 (Notice of Public Hearing and Review Authority Action) and Section 35.106.030 (Coastal Development Permits and Land Use Permits within the Coastal Zone), notice of the application and pending decision on the application shall be in compliance with Section 35.106.020 (Notice of Public Hearing and Review Authority Action).

(2) The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals), and shall also be subject to appeal to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).

b. Development that may not be appealed to the Coastal Commission. Applications for Coastal Development Permits for development which is not defined as appealable development in compliance with State law (Public Resources Code Section 30603) shall be processed in compliance with Section 35.82.050.D.1 (Coastal Development Permit for development that is not appealable to the Coastal Commission in compliance with Chapter 35.35.102 (Appeals) or is not processed in conjunction with a Conditional Use Permit, Minor Conditional Use Permit, or Final Development Plan).

(1) Notice of the application and pending decision on the application shall be in compliance with Section 35.106.030 (Coastal Development Permits and Land Use Permits within the Coastal Zone).

(2) The action of the Director is final subject to appeal in compliance with Chapter 35.102 (Appeals).

35.34.100 - Landscaping Requirements for Parking Areas - shall be modified as follows:

In addition to the applicable landscaping requirements contained within Section 35.34.050 through Section 35.34.090 above, parking areas in all zones shall be landscaped in compliance with the following requirements. For the purpose of landscaping and screening requirements within this Chapter, parking area includes the parking spaces and the maneuvering space necessary for their use.

...

D. Additional requirements for uncovered parking areas exceeding 3,600 square feet. When the total uncovered parking area on the project site (including adjoining lots over which the project has parking privileges) exceeds 3,600 square feet, the following shall be required, in addition to other provisions of this Section, as part of a landscape plan:

1. Trees, shrubbery, and ground cover shall be provided at suitable intervals in order to break up the continuity of the parking area. Planting islands for these trees and shrubs shall be protected from automobile traffic by either asphalt or concrete curbs.
2. ~~Within the Inland area, I~~landscape islands shall be provided at the ends of all parking lanes.

Table 3-4 - Residential Parking Standards - shall be modified as follows:

Notes:

- (1) In the Single Family Restricted (SF) Overlay, an additional parking space shall be required for development that results in a total of more than 1,800 square feet of living space.
- (2) If located within a one-mile radius of the boundaries of a college or university, a minimum of 2 parking spaces shall be provided, one of which shall be covered.
- (3) One additional parking space shall be provided for each 80 square feet of cumulative excess area (from all units on site and/or associated with the development), calculated as follows:
Bedrooms, area in excess of 160 square feet per bedroom (excluding area devoted to closets)
Living room, area in excess of 400 square feet

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Dining room, area in excess of 400 square feet
For each studio unit in excess of 500 square feet

Total area of any room not a bathroom, kitchen, bedroom, living or dining room or a meeting room if dwelling is occupied by non-profit organization

- (4) Regardless of the number of bedrooms, lots of 7,500 square feet (net) require no more than 4 parking spaces provided no additional parking spaces are required due to excess area as calculated per (3) above.
- (5) Does not apply to special care homes serving 6 or fewer clients that are permitted as a one-family dwelling.

35.36.080 - *Standards for All Zones and Uses - shall be modified as follows:*

A. Bicycle parking requirements.

...

2. **SR-M and SR-H zones.** For residential development within the SR-M or SR-H zones bicycle parking shall be provided in compliance with Subsection 35.36.100. ~~JH~~ (Medium and High Density Student Residential (SR-M) and (SR-H) zones) below.

35.42.040 - *Agricultural Processing Facilities - shall be modified as follows:*

C. Permit requirements (Coastal Zone).

2. A Conditional Use Permit for an agricultural processing facility shall not be required under this Section if the facility is primarily devoted to the processing of products grown on the premises.
- a. **AG-I zone.** On lots zoned AG-I this may include the processing of products, ~~which may include products~~ grown off-premises if accessory and customarily incidental to the marketing of the products in their natural form that are grown on premises.

35.42.140 - *Greenhouses - shall be modified as follows:*

- A. **Purpose and applicability.** This Section provides standards for the establishment of greenhouses and greenhouse-related development where allowed by Article 35.2 (Zones and Allowable Land Uses).

35.62.040 - *Ridgeline and Hillside Development Guidelines - shall be modified as follows:*

- B. **Applicability.** Each structure proposed where there is a 16 foot drop in elevation within 100 feet in any direction from the proposed building footprint shall be subject to Design Review in compliance with Section 35.82.070 (Design Review) for conformity with the development guidelines in Subsection C (Development guidelines) below.
1. **Exempt structures.** The following structures are exempt from these Ridgeline and Hillside Development guidelines. This does not exempt the development from planning permits.
- a. Windmills and water tanks for agricultural purposes.
- b. Poles, towers, antennas, and related facilities of public utilities used to provide electrical, communications, or similar services.

35.80.020 - *Authority for Land Use and Zoning Decisions*

...

B. Applications subject to more than one review authority.

...

3. This ~~Section~~ Subsection B shall not apply to applications for:

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35.84.060 - Revocations - shall be modified as follows:

This Section provides procedures for revocation or ~~modification~~ of issued Coastal Development Permits, Land Use Permits and Zoning Clearances and approved Conditional Use Permits and Minor Conditional Use Permits. The County's action to revoke a permit or approval shall have the effect of terminating the permit and denying the privileges granted by the original approval.

30. LCP Amendments

Chapter 35.104 - Amendments - shall be modified as follows:

35.104.010 - Purpose and Intent

The purpose of this Chapter is to provide procedures for changing the zoning designation on properties where the change is warranted by consideration of location, surrounding development, and timing of development, to provide for text Amendments to this Development Code as the County may deem reasonable, necessary, or desirable and to provide for Amendments to any ordinances, resolutions, or implementation programs carrying out the provisions of the Local Coastal Program. The intent of this Chapter is to provide the mechanism consistent with Government Code Section 65000 et seq. and the Coastal Act, for amending this Development Code and the certified Implementation Plan of the Local Coastal Program. This Chapter does not provide guidance on any other necessary or associated Comprehensive Plan amendments, including the Coastal Land Use Plan, of the Local Coastal Program.

35.104.020 - Applicability

- A. **Development Code.** A Development Code Amendment may modify or add a new standard, requirement, allowed use, or procedure applicable to land use or development within the County.
- B. **Local Coastal Program.** An amendment to this Development Code, which is a component of the Implementation Plan of the Local Coastal Program, ~~Amendment~~ may include revisions to Development Code text or Zoning maps.
- C. **Zoning Map.** A Zoning Map Amendment has the effect of rezoning property from one zone to another, including the addition or deletion of overlay zones.
- D. **Compliance with Chapter.** All Amendments shall be initiated, filed, processed, considered, and acted upon in full compliance with this Chapter.

35.104.030 - Initiation of Amendments

An Amendment may only be initiated in the following manner:

- A. **Board.** By a resolution of intention by the Board;
- B. **Commission.** By a resolution of intention by the Commission;
- C. **Director.** By the Director; or
- D. **Applicant.** By an application by an authorized applicant as follows:
 - 1. **Local Coastal Program Amendment.** Application by one or more persons owning property representing at least 50 percent of the assessed valuation of the property which will be affected by the Amendment.
 - 2. **Development Code Amendment.**
 - a. **Coastal Zone.** An application to amend the text of the Development Code in a manner which will affect land within the Coastal Zone may be made by one or more persons owning property representing at least 50 percent of the assessed valuation of the property which will be affected by the Amendment.
 - b. **Inland area.** An application to amend the text of the Development Code in a manner which will not have any effect on land within the Coastal Zone may be made by any

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person with a substantial interest in the proposed Amendment.

3. **Zoning Map Amendment.** Application by one or more persons owning property representing at least 50 percent of the assessed valuation of the property for which the zone classification change is sought.

35.104.040 - Processing of Amendments

- A. **Application shall ensure consistency.** Any application for an amendment filed in compliance with this Chapter that is inconsistent with the use and/or density requirements of this Development Code or the adopted Comprehensive Plan or Local Coastal Program, as applicable, shall be accompanied by an application to make the project consistent. In the Coastal Zone, an amendment to the Coastal Land Use Plan or other Comprehensive Plan component, may be necessary.
- B. **Department may refuse to accept inconsistent applications.** The Department may refuse to accept for processing any application the Director finds to be inconsistent with the Comprehensive Plan or Local Coastal Program, as applicable.
- C. **Contents of application.** If initiated by a person other than the Board, Commission, or Director, an Amendment application shall be filed and processed in compliance with Chapter 35.80 (Permit Application Filing and Processing).
- D. **Application shall include a Preliminary Development Plan.** Unless the Commission expressly waives the requirement, an application for a Zoning Map Amendment to rezone property to any of the zones listed below shall require the submittal of a Preliminary Development Plan in compliance with Section 35.104.090 (Rezoning Requirements for Specific Zones) below.
 - ARC overlay (Agriculture - Residential Cluster)
 - HWMF overlay (Hazardous Waste Management Facility)
 - DR (Design Residential)
 - MHP (Mobile Home Planned Development)
 - MHS (Mobile Home Subdivision)
 - PRD (Planned Residential Development)
 - SLP (Small-lot Planned Development)
 - C-V (Resort/visitor Serving Commercial)
 - SC (Shopping Center)
 - OT-R (Old Town Residential)
 - PI (Professional and Institutional)
 - M-RP (Industrial Research Park)
 - M-1 (Light Industry)
 - M-2 (General Industry)
 - MU (Mixed Use)
 - PU (Public Works Utilities and Private Services Facility)
 - REC (Recreation)
- E. **Environmental review required.** The Department shall process the application in compliance with the California Environmental Quality Act.
- F. **Sites with valid Conditional Use Permit.** If there is a valid and operational Conditional Use Permit associated with a proposed Zoning Map Amendment site and under the new zone the conditionally allowed use would become an allowed use, the Conditional Use Permit conditions of approval shall remain valid and in force, unless altered or deleted in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).

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35.104.050 - Action on Amendments

A. Commission's recommendation.

1. **Public hearing required.** The Commission shall hold at least one noticed public hearing on the proposed Amendment. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
2. **Commission's recommendation for all Amendments.** The Commission's recommendation shall be transmitted to the Board by resolution of the Commission carried by the affirmative votes of a majority of its total voting members.
3. **Commission's recommendation for denial of Zoning Map Amendment.** If the Commission recommends denial of a Zoning Map Amendment, the Board shall not be required to hold a public hearing or take any further action on the matter unless within 10 days after the Commission decision, the applicant or any other interested person files a written request for the hearing with the Clerk of the Board.
4. **Recommendation shall include reasons with findings.** The Commission's recommendation shall include the reasons for the recommendation in compliance with the findings identified in Section 35.104.060 (Findings Required for Approval of Amendments) below.

B. Board hearing required.

1. Following the Commission's recommendation for approval or where a hearing has been requested in compliance with Subsection A.3 (Commission's recommendation for denial of Zoning Map Amendment) above, the Board shall hold at least one noticed public hearing on the proposed Amendment.
2. Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).

C. Board's action on the proposed Amendment.

1. The Board may approve, modify, or deny the recommendation of the Commission in compliance with the findings identified in Section 35.104.060 (Findings Required for Approval of Amendments) below.
2. Any modification of the proposed Amendment by the Board not previously considered by the Commission during its hearing shall first be referred back to the Commission for report and recommendation.
3. The Commission shall not be required to hold a public hearing on the referral.
4. Failure of the Commission to report to the Board within 40 days after the initial referral, or a longer period designated by the Board, shall be deemed to be approval of the proposed modification.

D. Compliance with Measure A96 required.

1. **Vote required for onshore support facility for offshore oil and gas activity.** Any legislative approval by the Board (e.g., Comprehensive Plan, Development Code, Local Coastal Program, or Zoning Map Amendment) which would authorize or allow the construction, development, installation, or expansion of any onshore support facility for offshore oil and gas activity on the South Coast of the County (from Point Arguello to the Ventura County border) and outside the South Coast Consolidation Areas is subject to a vote by the voters of the County in a regular election in compliance with Section 35.51.020 (Voter Approval Required).
2. **Measure A96 to terminate in 2021.** This voter approval requirement was added to this Development Code in compliance with the Measure A96 voter approval initiative, passed by the voters of the County on March 26, 1996, is in effect for 25 years, terminating in 2021.

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35.104.060 - Findings Required for Approval of Amendments

An Amendment to the Development Code, Local Coastal Program, or Zoning Map may be approved only if all of the following findings are made, as applicable to the type of Amendment.

A. Findings for Development Code, Local Coastal Program and Zoning Map Amendments.

1. The request is in the interests of the general community welfare.
2. The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code. If the Amendment involves an Amendment to the Local Coastal Program, then the request shall also be found to be consistent with the Coastal Land Use Plan.
3. The request is consistent with good zoning and planning practices.

35.104.070 - Effective Dates

~~A. **Coastal Zone, Development Code or Zoning Map.** A Development Code or Zoning Map Amendment shall become effective on the 31st day following the adoption of an ordinance by the Board.~~ An Amendment to the certified Local Coastal Program shall become effective in compliance with Section 35.104.080 (Certification of Local Coastal Program Amendments), below.

~~B. **Inland area, Local Coastal Program** An Amendment to the certified Local Coastal Program shall become effective in compliance with Section 35.104.080 (Certification of Local Coastal Program Amendments), below. A Development Code or Zoning Map Amendment shall become effective on the 31st day following the adoption of an ordinance by the Board.~~

...

31. Attachments

Attachment 1 shall be amended to include an introduction as follows:

Introduction

This Attachment 1 is not adopted as part of or incorporated into the Land Use and Development Code and is not certified as part of the County's Local Coastal Program. This Attachment 1 includes summaries of policies from the adopted Community, Specific and Area plans only to serve as a resource to the user. The applicable policy or development standard reference is noted after each development standard summary. Where necessary for clarity of the development standard, the supporting policy language has also been provided. The complete policy text and other information may be found within the applicable Community, Specific or Area plans. For Community, Specific or Area plans certified by the Coastal Commission as part of the Local Coastal Program, the precise language must be obtained from the applicable Community, Specific or Area plan.

Please refer to the applicable Community, Specific or Area plan for the entirety of the development standards, the policy framework from which the development standards were derived and any attachments, appendices or figures referenced within the applicable Community, Specific or Area plans development standards.

32. Surface Mining and Reclamation Act

35.82.160 - Reclamation and Surface Mining Permits

A. **Purpose and intent.** This Section provides regulations for surface mining operations in compliance with the California Surface Mining and Reclamation Act of 1975 (Public Resources Code Section 2710 et seq.), hereinafter referred to as SMARA; Public Resources Code Section 2207; and California Code of Regulations, Title 14, Section 3500 et seq., to ensure that:

1. **Adverse environmental effects to be prevented or minimized.** The adverse environmental effects of surface mining operations will be prevented or minimized and that the reclamation

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of mined lands will provide for the beneficial, sustainable long-term productive use of the mined and reclaimed lands for alternative land uses; and

2. **Production and conservation of minerals to be encouraged.** The production and conservation of minerals will be encouraged while eliminating hazards to public health and safety and avoiding or minimizing adverse effects on the environment (e.g., air pollution, damage to biological resources, degradation of scenic quality, erosion, flooding, geologic subsidence, noise pollution, and water quality degradation), while giving proper consideration to community values relating to aesthetic enjoyment, range and forage, recreation, watershed, and wildlife.
- B. Definitions.** Definitions of the specialized terms and phrases used in this Section are in Article 35.11 (Glossary).
- C. Incorporation of SMARA and State Regulations.**
1. **Coastal Zone.** Within the Coastal Zone, the provisions of SMARA, Public Resources Code Section 2207, and the California Code of Regulations implementing SMARA (14 California Code of Regulations, Section 3500 et seq.), as may be amended from time to time, are made part of this Section only following the certification by the Coastal Commission of an amendment to the County's Local Coastal Program to add these provisions and any amendments thereto.
 2. **Inland area.** The Within the Inland area, the provisions of SMARA, Public Resources Code Section 2207, and the California Code of Regulations implementing SMARA (14 California Code of Regulations, Section 3500 et seq.), as either may be amended from time to time, are made a part of this Section by reference, with the same force and effect as if these provisions were specifically and fully contained within this Section. These regulations shall hereafter be referred to in this Section as the State Regulations.
- D. Applicability.** Unless exempted by the provisions of SMARA, the State Regulations, or Subsection D.1 (Exemptions) below, any person ~~(as defined in the State Regulations)~~ or operator who proposes surface mining operations shall, before the commencement of any operations, obtain both a permit to mine in compliance with Article 35.2 (Zones and Allowable Land Uses) and approval of a Reclamation Plan in compliance with this Section, except that within the Coastal Zone, surface mining operations that are either exempt by the provisions of SMARA or are exempt in compliance with Subsection D.1, below, shall, at a minimum, require the approval and issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) that is appealable to the Coastal Commission unless the activity is determined to be exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
1. **Exemptions.** This Section and its permit and Reclamation Plan requirements in Subsection E. (Permit and Reclamation Plan Requirements) below, do not apply to the following activities: However, other permits may be required in compliance with Article 35.2 (Zones and Allowable Land Uses).
 - a. Excavations or grading conducted for farming or onsite construction or for the purpose of restoring land following a flood or natural disaster. (SMARA Section 2714(a)).
 - b. Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in a total amount of less than 1,000 cubic yards in one or more locations or lots under the control of one operator that do not exceed a total of one acre. A Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits), as applicable, ~~and Grading Permit in compliance with Section 14.6 of County Code Chapter 14, the Grading Ordinance, may shall~~ be required for excavations or extractions of more than 50 cubic yards unless the activity is determined to be exempt in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - c. Surface mining operations that are required by federal law in order to protect a mining claim, if the operations are conducted solely for that purpose. (SMARA Section 2714(e))

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- d. Onsite excavation and onsite earthmoving activities that are an integral and necessary part of a construction project that are undertaken to prepare a site for construction of structures, landscaping, or other land improvements associated with these structures, including the related excavation, grading, compaction, or the creation of fills, road cuts, and embankments, whether or not surplus materials are exported from the site subject to the conditions in SMARA Section 2714(b).
 - e. Other surface mining operations which the State Mining and Geology Board determines to be of an infrequent nature and which involve only minor surface disturbances. (SMARA Section 2714(f))
2. **Vested rights, Conditional Use Permit not required.** Surface mining operations may be conducted without a Conditional Use Permit provided the operator established the vested right to conduct surface mining operations and obtained an approved reclamation plan prior to July 1, 1990. A person shall be deemed to have vested rights if, prior to January 1, 1976, he or she has, in good faith and in reliance upon a permit or other authorization, if the permit or other authorization was required, diligently commenced surface mining operations and incurred substantial liabilities for work and materials therefore. (SMARA Section 2776)
 3. **Earthwork.** Reclamation activities shall be consistent with the applicable provisions of the Grading Ordinance (County Code Chapter 14), and with other established engineering and geologic standards.
 4. **Authority of Building Official to prevent engineering hazards.** The approval of a Coastal Development Permit, Conditional Use Permit, Minor Conditional Use Permit, Land Use Permit, or Reclamation Plan shall not prevent the Building Official from thereafter requiring the correction of errors in the permit or Reclamation Plan for earthwork specification, or from preventing surface mining operations or reclamation efforts being carried out in compliance with a permit or Reclamation Plan, where the Building Official has determined that a significant engineering hazard threatening public health and safety, or substantial physical damage to off-site property or lands outside of the approved boundary of the mining operation is likely to occur, or has occurred, as a result of surface mining operations or reclamation efforts.
 - a. **Curtailment order.** The Building Official may order that correction of earthwork specifications and/or curtailment of activities is required to protect the public health and safety, or to prevent or minimize substantial physical damage to off-site property or lands outside of the approved boundary of the mining operations.
 - b. **Notice and hearing.** Before issuing any correction or curtailment order, the Building Official shall establish a time for hearing and shall give written notice of the time and place of the hearing and the engineering hazard to be abated.
 - (1) The notice shall be given to the operator 10 days before the hearing at which time there will be an opportunity for all concerned parties to present evidence. The notice may be served in person or by certified mail.
 - (2) The notice shall include procedures for appeal of the determination by the Building Official to the Commission and, thereafter, to the Board in compliance with Chapter 35.102 (Appeals).
 - (a) The determination of the Building Official is not considered a planning permit as defined in this Development Code and is therefore not subject to appeal to the Coastal Commission in compliance with Section 35.102.060 (Appeals to the Coastal Commission).
 - (3) At the same time that notice of the order is conveyed, the Building Official shall establish a date, time, and place for a publicly noticed hearing and review of the order as soon as possible, which date shall be no later than 48 hours after the order is issued or served.
 - (4) The hearing shall be conducted in the same manner as a hearing on prior notice.

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- (5) After the hearing, the Building Official may modify, revoke, or retain the emergency curtailment order.
 - c. **Curtailment order without notice or hearing.** In the event the Building Official determines there is an imminent danger to the public health and safety resulting from an alleged engineering hazard, the Building Official may summarily order the necessary curtailment of activities without prior notice and hearing and the order shall be obeyed upon notice of same, whether written or oral.
 - d. **Appeal and effect of appeal.** An affected person may appeal an order of the Building Official to the Commission in compliance with Chapter 35.102 (Appeals), within 10 days of the date that notice of the order is given.
 - (1) If there is an appeal, the order of the Building Official shall remain in full force and effect until action is taken by the Commission or, upon appeal, the Board.
 - (2) The decision of the Commission or Board on an appeal shall constitute a final action by the County.
 - (3) The decision shall not preclude a surface mining operator from seeking judicial relief.
 - (4) If an appeal is not filed, the Building Official's order becomes final.
- E. Permit and Reclamation Plan requirements.** The following requirements apply to all surface mining operations in all zones.
1. ~~Conditional Use Permit~~ **Planning permit and Reclamation Plan.** A (1) Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits), Conditional Use Permit or Minor Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), and/or Land Use Permit in compliance with Section 35.82.110 (Land Use Permits), as determined by Article 35.2, Zones and Allowable Land Uses, (2) a Reclamation Plan prepared in compliance with SMARA and this Section, and (3) a lead agency approved financial assurance, shall be required prior to the commencement of any surface mining operations, unless the operations are exempted by the provisions of SMARA, the State Regulations, or Subsection D.1 (Exemptions) above.
 - a. **Coastal Zone.**
 - (1) **AG-II zone.** In the Coastal Zone, surface mining operations on property zoned AG-II for building or construction material, including diatomaceous earth, are a permitted use requiring only a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits); however, any such operations that exceed 20,000 square feet shall require environmental review before the Coastal Development Permit may be approved.
 - (2) **Appealable development.** Surface mining operations are not considered a principal permitted use; therefore any Coastal Development Permit for surface mining operations approved in compliance with Section 35.82.050 (Coastal Development Permits) may be appealed to the Coastal Commission in compliance with Article 35.102 (Appeals).
 2. ~~Coastal Development Permit or Land Use Permit required~~ **Requirements prior to commencement of conditionally permitted uses.**
 - a. **Coastal Zone.** ~~Except as provided in Subsection E.3 (Zoning Clearance required) below for Agricultural Soil Export Mining, a~~ A surface mine operator shall obtain a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits), and/or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances), as applicable in compliance with Section 35.82.060.G.1, prior to the initiation of mining and reclamation activities approved in compliance with a Conditional Use Permit and Reclamation Plan. The surface mine operator shall also

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obtain a separate ~~Coastal Development Permit~~ or Land Use Permit to implement a Reclamation Plan.

- 3b. ~~Zoning Clearance required~~ Inland area.** Any applicant for Agricultural Soil Export Mining shall obtain a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearance) prior to the initiation of mining and reclamation activities approved under a Minor Conditional Use Permit and Reclamation Plan. The same Zoning Clearance may also be used to implement a Reclamation Plan.

- F. Application requirements.** An application for a Coastal Development Permit, Conditional Use Permit or Minor Conditional Use Permit, and/or Land Use Permit, and Reclamation Plan shall include: be submitted in compliance with Chapter 35.80 (Permit Application Filing and Processing).

- ~~1. The application forms provided by the Department and each of the informational items listed on the Conditional Use Permit or Minor Conditional Use Permit and Reclamation Plan application forms;~~

21. The applications shall also include Documentation of how the mining operation authorized under the proposed Conditional Use Permit or Minor Conditional Use Permit would be in compliance with the minimum acceptable surface mining practices specified in California Code of Regulations, Title 14, Section 3503; and

32. A proposed Reclamation Plan that shall includes all of the information required by SMARA Section 2772(c) and California Code of Regulations, Title 14, Section 3502, including documentation of how the proposed plan satisfies the reclamation standards specified in California Code of Regulations, Title 14, Sections 3700 - 3713, and a grading plan that illustrates the existing (pre-mining) topography, the topography at the end of any designated phase of mining and reclamation, and the topography of the final reclaimed surface to remain after the cessation of mining activities.

3. Coastal Zone. If an application for a Conditional Use Permit or Minor Conditional Use Permit is submitted for a property located in the Coastal Zone, then an application for a Coastal Development Permit shall be processed concurrently and in conjunction with the application for the Conditional Use Permit and Reclamation Plan.

4. The Conditional Use Permit or Minor Conditional Use Permit application, the Coastal Development Permit application if applicable, and the proposed Reclamation Plan shall be submitted concurrently but compiled and presented as two separate documents. The number of copies of the Conditional Use Permit or Minor Conditional Use Permit and Reclamation Plan applications to be submitted shall be determined by the Department.

- G. Processing.**

- 1. Agency notification.**

- a. Department of Conservation.** Within 30 days of receipt of an application for a Conditional Use Permit or Minor Conditional Use Permit for surface mining operations or substantial amendment, and/or a Reclamation Plan, the County shall notify the Director of the Department of Conservation of the filing of the application. (SMARA Section 2774(e))

- b. Department of Transportation.** Whenever mining operations are proposed in the 100-year flood plain of any stream, as shown in Zone A of the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency, and within one mile, upstream or downstream, of any state highway bridge, the Department shall also notify the state Department of Transportation that the application has been received. (SMARA Section 2770.5)

- c. County departments.** The Department shall provide a copy of the applications to each County department represented on the Subdivision/Development Review Committee for review and recommendation to the review authority.

- 2. Environmental review.** Upon a determination by the County that the applications are

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~~complete, the~~ After receipt of the applications for Conditional Use Permit or Minor Conditional Use Permit and Reclamation Plan, and if applicable, a Coastal Development Permit, the Department shall review the applications ~~approval shall be reviewed~~ in compliance with the requirements of the California Environmental Quality Act.

3. Public hearings.

a. Conditional Use Permit and Minor Conditional Use Permits.

- (1) The review authority shall consider the Conditional Use Permit or Minor Conditional Use Permit at a noticed public hearing and shall approve, conditionally approve, or deny the request.
- (2) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
- (3) The action of the review authority is final subject to appeal in compliance with Chapter 35.102 (Appeals).
- (4) In the Coastal Zone, a decision of the Board to approve a Conditional Use Permit or Minor Conditional Use Permit in compliance with this Section may be appealed to the Coastal Commission in compliance with Chapter 35.102 (Appeals).

b. Reclamation Plan and financial assurances.

(1) Agricultural Soil Export Mining (Inland area only).

- (a) The Department shall submit the Reclamation Plan, financial assurances, or amendments to the Director of the Department of Conservation for review, together with an analysis of the proposed Reclamation Plan, financial assurances, or amendments and its certification that the documents and their content comply with all applicable State Regulations. (SMARA Section 2774(c))
- (b) The Director of the Department of Conservation shall have 30 days from the date of receipt of the Reclamation Plan or plan amendments, and 45 days from the date of receipt of financial assurances, to prepare written comments, if the Director of the California Department of Conservation so chooses. (SMARA Section 2774(d))
- (c) The Zoning Administrator shall then consider the Reclamation Plan, financial assurances, or amendments and all comments received from the Director of the Department of Conservation that are submitted within the statutory comment period at a noticed public hearing and shall approve, conditionally approve or deny the Reclamation Plan and financial assurances.
- (d) The Zoning Administrator shall incorporate the comments and recommendations of the Director of the Department of Conservation into the Reclamation Plan as part of plan approval or shall adopt detailed written responses that explain why specific comments or recommendations were not accepted. (SMARA, Section 2774(d))
- (e) Copies of any written comments received and responses prepared by the Zoning Administrator shall be promptly forwarded to the surface mining operator.
- (f) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
- (g) The action of the Zoning Administrator is final subject to appeal in compliance with Chapter 35.102 (Appeals).
- (h) A decision of the Board on a Reclamation Plan may be appealed to the

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State Mining and Geology Board in compliance with Public Resources Code Section 2770, and California Code of Regulations, Title 14, Section 3650.

(2) Mining other than Agricultural Soil Export Mining.

- (a) Prior to taking final action on the Reclamation Plan, the Commission shall first conceptually approve the Reclamation Plan, financial assurances, and any amendments thereto, at a noticed public hearing before submitting them to the Director of the Department of Conservation for review.
 - (b) The Commission shall then submit the Reclamation Plan, financial assurances, or amendments to the Director of the Department of Conservation for review, together with its certification that the documents and their content comply with all applicable State Regulations. (SMARA, Section 2774(c))
 - (c) The Director of the Department of Conservation shall have 30 days from the date of receipt of the conceptually approved Reclamation Plan or plan amendments, and 45 days from the date of receipt of financial assurances, to prepare written comments, if the Director so chooses. (SMARA Section 2774(d))
 - (d) The Commission shall consider all comments from the Director of the Department of Conservation that are submitted within the statutory comment period at a noticed public hearing and shall take final action to approve, conditionally approve or deny the Reclamation Plan and financial assurances.
 - (e) The Commission shall incorporate the comments and recommendations of the Director of the Department of Conservation into the Reclamation Plan as part of plan approval or shall adopt detailed written responses that explain why specific comments or recommendations were not accepted. (SMARA Section 2774(d))
 - (f) Copies of any written comments received and responses prepared by the Commission shall be promptly forwarded to the surface mining operator.
 - (g) Notice of the time and place of the hearing shall be given and the hearing shall be conducted in compliance with Chapter 35.106 (Noticing and Public Hearings).
 - (h) The final action of the Commission is final subject to appeal in compliance with Chapter 35.102 (Appeals).
 - (i) Reclamation Plans for property located in the Coastal Zone are not defined as appealable development in compliance with State law (Public Resources Code Section 30603) and therefore the final action by the County on the Reclamation Plan may not be appealed to the Coastal Commission.
 - (j) A decision of the Board on a Reclamation Plan may be appealed to the State Mining and Geology Board in compliance with Public Resources Code Section 2770, and the California Code of Regulations, Title 14, Section 3650.
- 4. State notification of County approval.** The Department shall forward a copy of each approved Conditional Use Permit or Minor Conditional Use Permit for mining operations and/or approved Reclamation Plan to the Director of the Department of Conservation.
- 5. State review of financial assurances.** The Department shall also forward a copy of the approved financial assurances to the Director of the Department of Conservation for review. See Subsection J.2 (Requirements, forms, and amount) below.

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H. Performance standards.

1. Surface mining operations.

- a. **Compliance with State Regulations required.** All surface mining operations for which a new or revised Conditional Use Permit or Minor Conditional Use Permit is required shall comply with the requirements contained in SMARA and implementing State Regulations.
- b. **Compliance with County standards required.** The following standards shall apply in addition to the State Regulations as determined by the review authority to be appropriate to surface mining operations that are subject to a new or substantially revised Conditional Use Permit or Minor Conditional Use Permit.
 - (1) **Appearance.** Mining operations shall be conducted in a neat and orderly manner, free from junk, trash, or unnecessary debris. Where in public view, salvageable equipment stored in a non-operating condition shall be suitably screened or stored in an enclosed structure.
 - (2) **Noise and vibration.** Noise and ground vibration shall be controlled so as to minimize any disturbance of neighbors. The volume of sound measured outside during calm air conditions, generated by any use on the subject property shall not exceed 65 dB(A) LDN as measured at the location of the nearest noise sensitive use (as defined in the County Noise Element) beyond the property line of the mining operation.
 - (3) **Traffic safety.**
 - (a) Parking shall be provided in compliance with Chapter 35.36 (Parking and Loading Standards). Adequate provision shall be made for the queuing and loading of trucks.
 - (b) Haul roads shall be located away from property lines where possible, except where adjoining property is part of the mining operation. Where processing facilities are not located on the same site as the mining operation, off-site haul routes shall be specified in the mining permit. The haul routes as well as other transport routes from the processing facilities to market destinations shall avoid, to the maximum extent feasible, routing through residential neighborhoods.
 - (c) The number and location of access points to the mining operation shall be specified in the mining permit.
 - (4) **Dust control.** During hours of operations, all access roads shall be contained, protected, or wetted in a manner designed to minimize the generation of dust.
 - (5) **Public health and safety.**
 - (a) Appropriate measures, including fencing, shall be provided where determined by the review authority to be necessary for public safety.
 - (b) Excavations shall be posted to give reasonable public notice where determined by the review authority to be necessary for public safety.
 - (c) A body of water created during operations within the excavation shall be maintained in a manner designed to provide for maximum mosquito control and to prevent the creation of health hazards or a public nuisance.
 - (d) Any generation of offensive fumes or odors, glare, heat, noxious gases or liquids, or radiation and all other activities shall be conducted in a manner that will not be injurious to the health, safety, or general welfare of persons residing or working in the neighborhood by reason of danger to life or property.
 - (6) **Screening.** To the maximum extent feasible, screening or other aesthetic

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treatments (e.g., berms, fences, plantings of suitable shrubs and/or trees) shall be required, where necessary, to minimize visibility from public view of cut slopes or mining operations, structures, and equipment. Mining operations that are visible from a scenic highway designated in the Comprehensive Plan, as well as from a route classified as having highest scenic values in the Open Space Element, shall be screened or other appropriate and effective aesthetic treatments shall be used to minimize impacts on scenic resources.

- (7) **Protection of streams and groundwater basins.** All surface mining operations shall incorporate measures to protect surface and groundwater quality as determined necessary and required by law by relevant county, state and federal agencies.
- (8) **Slope stability.** All excavation or placement of fill associated with mining operations shall be conducted in a manner that avoids landslides or other slope instabilities.
- (9) **Annual report.** Each surface mining operator shall forward an annual status report to the Director of the Department of Conservation and the Department on a date established by the Director of the Department of Conservation upon forms furnished by the State Mining and Geology Board. (Public Resources Code Section 2207, Subdivisions (a) through (g))

2. Reclamation Plans.

- a. **Compliance with State standards required.** Each new or substantially amended Reclamation Plan shall comply with the minimum statewide performance standards required by SMARA Section 2773(b), and identified in California Code of Regulations, Title 14, Section 3700 et seq., regarding:
 - (1) Backfilling, recontouring;
 - (2) Regrading, revegetation, and slope stability;
 - (3) Closure of surface openings; diversion structures, drainage, erosion control, and waterways;
 - (4) Prime agricultural land reclamation, other agricultural land, equipment, and structure removal;
 - (5) Stream protection, including groundwater and surface;
 - (6) Tailing and mine waste management;
 - (7) Topsoil maintenance, redistribution, and salvage; and
 - (8) Wildlife habitat.
- b. **Compliance with County standards required.** The following standards shall apply in addition to the state standards, as determined by the review authority to be appropriate to surface mining operations that are subject to new or substantially amended Reclamation Plans.
 - (1) **Revegetation.** All revegetation and/or re-establishment shall comply with an approved landscaping plan, in compliance with Chapter 35.34 (Landscaping Standards).
 - (2) **Visual resources.** The Reclamation Plan shall, to the maximum extent feasible, provide for the protection and reclamation of the visual resources of the area affected by the mining operation. Measures may include re-soiling, re-contouring of the land to be compatible with the surrounding natural topography, and revegetation and the end uses specified by the landowner. Where the mining operation requires the cutting, leveling, removal, or other alteration of ridgelines on slopes of 20 percent or more, the Reclamation Plan shall ensure that the mined areas are found compatible with the surrounding natural topography and

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other resources of the site.

(3) Grading regulations. Each Reclamation Plan shall comply with applicable provisions of the Grading Ordinance (County Code Chapter 14).

(4) Phasing of reclamation. See also Subsection K. (Inspections) below.

(a) A Reclamation Plan shall include a description of and plan for the type of surface mining to be employed and an estimated time schedule that will provide for the completion of surface mining on each segment of the mined lands so that reclamation can be initiated at the earliest possible time on those portions of the mined lands that will not be subject to further disturbance by the surface mining operation. (SMARA, Section 2772(f))

(b) Where appropriate, interim management may also be required for mined lands that have been disturbed and will be disturbed again in future operations and yet do not qualify as "idle" within the meaning of SMARA Section 2727.1.

(c) The interim management is for the purpose of minimizing adverse environmental impacts during extended periods of inactivity before resumption of mining and ultimate reclamation.

(d) Reclamation may be done on an annual basis, or in stages compatible with continuing operations, or on completion of all excavation, fill, or removal as approved by the review authority.

(e) Each phase of reclamation shall be specifically described in the Reclamation Plan and shall include the estimated beginning and ending dates for each phase, all reclamation activities required, criteria for measuring completion of specific reclamation activities, and estimated costs in compliance with Subsection J. (Financial assurances for Reclamation Plans) below.

(f) The reclamation schedule shall be subject to review authority approval.

I. Findings for approval.

1. **Surface mining operations.** In addition to the findings required for the approval of a Conditional Use Permit or Minor Conditional Use Permit by Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits), a Conditional Use Permit or Minor Conditional Use Permit application for surface mining operations shall be approved or conditionally approved only if the review authority also first finds that the project complies with Subsection H.1 (Surface mining operations) above.

2. **Reclamation Plans.** An application for a Reclamation Plan shall be approved or conditionally approved only if the review authority first makes all of the following findings:

a. The Reclamation Plan complies with applicable requirements of SMARA and associated State Regulations, with applicable provisions of the County's Grading Ordinance (County Code Chapter 14), and with other appropriate engineering and geologic standards.

b. The Reclamation Plan and the potential use of reclaimed land in compliance with the plan are consistent with the provisions of this Development Code and the Comprehensive Plan.

c. In approving or conditionally approving the Reclamation Plan, the required findings in compliance with the California Environmental Quality Act can be made.

d. The land and/or resources (e.g., water bodies to be reclaimed) will be reclaimed to a condition that is compatible with the surrounding natural environment, topography, and other resources.

e. The Reclamation Plan will reclaim the mined lands to a usable condition which is readily

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adaptable for alternative land uses specified by the landowner and consistent with this Development Code and the Comprehensive Plan. Any Reclamation Plan for Agricultural Soil Export Mining will reclaim the graded land solely for the purpose of agricultural activity, as defined in California Code of Regulations, Title 14, Section 3501.

- f. A written response to the Director of the Department of Conservation has been prepared, describing the disposition of the major issues raised by the Director of the Department of Conservation. Where the review authority does not agree with the recommendations and objections raised by the Director of the Department of Conservation, the response shall address, in detail, why specific comments and suggestions were not accepted. (SMARA, Section 2774(d))

J. Financial assurances for Reclamation Plans.

1. **Purpose.** This Section is intended to ensure that reclamation will proceed in compliance with ~~an~~ the approved Reclamation Plan, as it may be amended, through the maintenance of funds available to the County and the State that are adequate to reclaim the site in the event of a default by the operator.
2. **Requirements, forms, and amount.**
 - a. The operator shall post a financial assurance instrument or mechanism in a form authorized under California Code of Regulations, Title 14, Section 3800 et seq. of the State Mining and Geology Board reclamation regulations.
 - b. Financial assurances shall be made payable to the County and the Department of Conservation. (SMARA, Section 2773.1(a)(4))
 - c. The amount of the financial assurance to be posted with the County shall be equivalent to the estimated cost of reclamation of the site from its current condition in a manner consistent with the approved Reclamation Plan, plus an amount to ensure reclamation of the additional ground disturbance anticipated to occur in the following year. The financial assurance shall be based on a cost estimate prepared using the Financial Assurance Guidelines adopted by the State Mining and Geology Board. All financial assurances shall be approved by the County and the Department of Conservation.
 - d. The financial assurance amount shall be based on an estimate of "third-party" costs to reclaim the mined lands. These costs shall include direct costs for onsite reclamation activities, such as revegetation, grading, and equipment removal, and indirect costs, such as supervision, mobilization, profit and overhead, contingencies, and lead agency monitoring. The operator shall submit a reclamation cost estimate using the State Financial Assurance Guidelines or similar instrument, for review and approval by the County and Department of Conservation prior to posting of a new or revised Financial Assurance.

K. Inspections. Each Surface Mining Permit and Reclamation Plan shall provide for periodic compliance inspections as follows.

1. The Department or other designated County agency shall conduct an inspection of a surface mining operation within 180 days of receipt of the annual report required in Subsection H. (Performance standards) above, filed by the mining operator in compliance with Public Resources Code Section 2207, solely to determine whether the surface mining operation is in compliance with the approved Conditional Use Permit or Minor Conditional Use Permit and/or Reclamation Plan, and the State Regulations. (SMARA, Section 2774 (b))
2. In no event shall less than one inspection be conducted within any single calendar year.
3. The inspection may be made by a state-registered civil engineer, state-registered forester, state-registered geologist, state-licensed landscape architect, or other qualified specialist, as approved by the County.
4. All inspections shall be conducted using a form approved by the Department of Conservation or the State Mining and Geology Board.

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5. The County shall notify the Director of the Department of Conservation within 30 days of completion of the inspection that the inspection has been conducted and shall forward a copy of the inspection report and any supporting documentation to the Director of the Department of Conservation and mining operator.
6. The operator shall be solely responsible for the reasonable cost of the inspection by the County and its designees.

L. Interim management plan requirements.

1. **Timing, content, processing.** Within 90 days of a surface mining operation becoming idle, the operator shall file an interim management plan with the Department. (SMARA, Section 2770 (h))
 - a. The interim management plan shall comply with all applicable requirements of SMARA, Section 2770(h) and shall provide measures the operator will implement to maintain the site in compliance with SMARA, including all conditions of the any applicable Coastal Development Permit, Conditional Use Permit or Minor Conditional Use Permit, Land Use Permit, Zoning Clearance and/or Reclamation Plan.
 - b. Any development authorized by the interim management plan shall be in conformance with the development approved by the applicable Coastal Development Permit, Conditional Use Permit or Minor Conditional Use Permit, Land Use Permit, and/or Zoning Clearance for the surface mining operation for which the interim management plan is submitted.
 - b.c. The interim management plan shall be processed as an amendment to the Reclamation Plan and shall not be considered a project for the purposes of environmental review in compliance with the California Environmental Quality Act. ((SMARA, Section 2770(h))
 - ed. The idle mine shall comply with the financial assurance requirements for reclamation specified in SMARA, Section 2773.1.
2. **Review authority review and decision.** The Commission shall be the review authority for an interim management plan associated with mining operation other than Agricultural Soil Export Mining and the Zoning Administrator shall be the review authority for an interim management plan associated with an Agricultural Soil Export Mining operation.
 - a. Within 60 days of receipt of the interim management plan, or longer period mutually agreed upon by the Department and the operator, the review authority shall review, and approve or deny the plan in compliance with Subsection G. (Processing) above.
 - (1) The operator shall have 30 days, or a longer period mutually agreed upon by the operator and the Department, to submit a revised plan.
 - (2) The review authority shall approve or deny the revised interim management plan within 60 days of receipt of the plan.
 - (3) An action of the review authority to deny the revised interim management plan may be appealed in compliance with Chapter 35.102 (Appeals).
3. **Time limit, extension.** The interim management plan shall remain in effect for a maximum of five years, at which time the review authority may renew the plan for one additional five-year period, or require the surface mine operator to commence reclamation in compliance with the approved Reclamation Plan. (SMARA Section 2770(h)(2))

M. Time limit for commencement of surface mining operation. The time limit for commencing a surface mining operation allowed in compliance with this Section shall be the same as the time limit of the Conditional Use Permit or Minor Conditional Use Permit required in compliance with Subsection E. (Permit and Reclamation Plan requirements) above.

N. Violations and penalties.

1. **Failure to comply with approved Reclamation Plan.** If the County, based upon an annual

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inspection or otherwise confirmed by an inspection of the mining site, determines that a surface mining operation is not in compliance with its approved Reclamation Plan, the County shall follow the procedures in SMARA Sections 2774.1 and 2774.2 concerning violations and penalties.

2. **Failure to comply with Conditional Use Permit or Minor Conditional Use Permit.** If the County, based upon an annual inspection or otherwise confirmed by an inspection of the mining site, determines that a surface mining operation is not in compliance with its Conditional Use Permit or Minor Conditional Use Permit, the County shall follow the procedures for permit revocation and other enforcement actions specified in Section 35.84.060 (Revocations) and Chapter 35.108 (Enforcement and Penalties).
- O. **Fees.** The Board Fee Schedule shall include fees as reasonable and necessary to cover the costs of implementing this Section and the State Regulations, including application processing, preparation of annual reports, compliance inspections, and enforcement.
- P. **Post approval procedures.** The procedures and requirements in Chapter 35.84 (Post Approval Procedures), and those related to appeals in Article 35.10 (Land Use and Development Code Administration), shall apply following the decision on an application for a Reclamation and Surface Mining Permit.

33. Density Bonus

Chapter 35.32 - Density Bonus for Affordable Housing - shall be modified as follows:

35.32.010 - Purpose and Intent

~~As required by Government Code Section 65915, this Chapter offers density bonuses, incentives or concessions for affordable and senior housing development as identified in Section 35.32.020 (Eligibility for Density Bonus, Incentives or Concessions) below. This Chapter is intended to implement the state mandated Density Bonus Program, including the requirements of Government Code Sections 65915 through 65918 or successor statute, 2003-2008 Housing Element Policy 1.1 (Density Bonus Program), and the Housing Element Implementation Guidelines.~~

The purpose of this section is to implement the incentive programs provided in the State density bonus regulations (Government Code Sections 65915 through 65918) in order to provide additional opportunities for the provision of affordable housing within the County. The intent of the following regulations is to ensure that, to the maximum extent feasible, the provisions of Government Code 65915 through 65918 are implemented (1) in a manner that is consistent with the policies the Comprehensive Plan including the Coastal Land Use Plan, and, specific to the Coastal Zone, (2) in a manner that is consistent with the policies of Chapter 3 of the Coastal Act.

35.32.020 - Applicability and Eligibility for Density Bonus, Incentives or Concessions

A. **Applicability.** This Section only applies to a “housing development”, as defined in Government Code Section 65915(i), that comply with the following:

1. The development is for the type of housing specified in Government Code Section 65915(b)(1), (b)(2) or (b)(3).
2. The land use designations in the Comprehensive Plan including the Coastal Land Use Plan allow development of at least five residential units on the parcel or parcels where the project is located, and the project proposes a housing development of five or more dwelling units.

B. **Eligibility for Density Bonus, Incentives or Concessions.**

A1. Residential units.

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- a. Coastal Zone.** Within the Coastal Zone, the County shall grant a density bonus and other incentives or concessions to applicants for residential projects who agree to provide affordable or senior housing pursuant to the provisions of Government Code Sections 65915 through 65918, provided that within the Coastal Zone the project (as modified to include a density bonus, incentives, or concessions) is found consistent with all applicable policies and provisions of the Local Coastal Program.
- b. Inland area.** Within the inland area, the County shall grant a density bonus and other incentives or concessions to applicants for residential projects who agree to provide affordable or senior housing pursuant to the provisions of Government Code Sections 65915 through 65918 or successor statute, 2003-2008 Housing Element Policy 1.1 and the Housing Element Implementation Guidelines.

B2. Land donations and child care facilities.

- a. Coastal Zone.** The County shall grant an additional density bonus or other incentives or concessions to applicants for residential projects who agree to donate land for affordable housing development and/or provide a child care facility pursuant to the provisions of Government Code Sections 65915 through 65918, provided that within the Coastal Zone the project (as modified to include a density bonus, incentives, or concessions) is found consistent with all applicable policies and provisions of the Local Coastal Program.
- b. Inland area.** Within the Inland area, the County shall grant an additional density bonus or other incentives or concessions to applicants for residential projects who agree to donate land for affordable housing development and/or provide a child care facility pursuant to the provisions of Government Code Sections 65915 through 65918 or successor statute, 2003-2008 Housing Element Policy 1.1 and the Housing Element Implementation Guidelines.

- ~~C. Minimum project size.~~** ~~The density bonus and incentives or concessions provided by this Chapter shall be available only to housing developments of five or more dwelling units.~~

35.32.030 - Allowed Density Bonuses

~~The amount of the density bonus granted shall be determined pursuant to the provisions of Government Code Sections 65915 through 65918 or successor statute, 2003-2008 Housing Element Policy 1.1 and the Housing Element Implementation Guidelines.~~

In accordance with Government Code Section 65915(f), the density bonus shall be calculated based on the otherwise maximum allowable residential density under the Comprehensive Plan including the Coastal Land Use Plan and this Development Code. Within the Coastal Zone, "otherwise maximum allowable residential density" shall mean the maximum density determined by applying all site-specific environmental development constraints applicable under the County's Local Coastal Program.

A. Bonus determination.

1. Coastal Zone. The County may choose to grant a density bonus greater than provided in the provisions of Government Code Sections 65915 through 65918 or successor statute for a development that exceeds the requirements of state law, provided that the project (as modified to include a density bonus) is found consistent with all applicable policies and provisions of the Local Coastal Program and provided that the density bonus is no greater than 50% above the base zone density.
2. Inland Area. The County may choose to grant a density bonus greater than provided in the

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provisions of Government Code Sections 65915 through 65918 or successor statute for a development that exceeds the requirements of state law.

- B. Requirements for Amendments or discretionary approval.** The granting of a density bonus shall not be interpreted, in and of itself, to require a Comprehensive Plan or Local Coastal Program Amendment, zoning change or other discretionary approval separate from the discretionary approval otherwise required for the project.

35.32.040 - Allowed Incentives or Concessions

A. Applicant request and County approval.

1. Coastal Zone. Within the Coastal Zone, an applicant may submit to the County a proposal for the specific incentives or concessions listed in Subsection B. (Types of incentives) below, that the applicant requests in compliance with this Chapter. The County shall grant an incentive or concession request that complies with this Section unless the County makes a specific finding, pursuant to Government Code Sections 65915 through 65918, of any of the following:

a. The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915 (c).

b. The development incentive or concession, requested by an applicant in compliance with this section will have an adverse effect on coastal resources. If the County determines that the requested incentive or concession will have an adverse effect on coastal resources, the County shall consider all feasible alternative incentives and concessions and their effects on coastal resources. The County may grant one or more of those incentives or concessions that do not have an adverse effect on coastal resources.

c. The concession or incentive would be contrary to state or federal law, including implementation of the Coastal Act. Within the Coastal Zone, the project (as modified to include a density bonus, incentives, or concessions shall be consistent with all applicable policies and provisions of the Local Coastal Program.

2. Inland area. Within the Inland area, an applicant may submit to the County a proposal for the specific incentives or concessions listed in Subsection B. (Types of incentives) below, that the applicant requests in compliance with this Chapter. The County shall grant an incentive or concession request that complies with this Section unless the County makes specific findings pursuant to Government Code Sections 65915 through 65918 or successor statute.

- B. Types of incentives.** For the purposes of this Chapter, incentives or concessions include any of the following:

1. Modification of development standards. A reduction in site development standards of this Development Code or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission in compliance with Health and Safety Code Section 18901 *et seq.*, that would otherwise be required, that result in identifiable, financially sufficient, and actual cost reductions;

2. Mixed use project approval. Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial or other land uses will reduce the cost of the housing development and if the commercial, office, industrial or other land uses are compatible with the housing project and the existing or planned development in the area where the housing project will be located; and

3. Other regulatory incentives. Other regulatory incentives proposed by the applicant or the County that will result in identifiable, financially sufficient and actual cost reductions.

- C. Additional parking incentives or concessions.** An applicant may request alternative vehicular parking ratios in addition to other incentives or concessions provided in this Section.

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- D. **Requirements for amendments or discretionary approval.** The granting of an incentive or concession shall not be interpreted, in and of itself, to require a Comprehensive Plan or Local Coastal Program amendment, Development Code text amendment, Zoning Map amendment or other discretionary approval separate from the discretionary approval otherwise required for the project.

35.32.050 - Siting Criteria.

Density bonus projects are encouraged to be sited based on the following criteria:

A. Coastal Zone. Density bonus projects shall be sited based on the following criteria:

- A1. Land use and development standards. All uses of land ~~should~~ shall comply with the regulations of the primary zone. In cases where conflict occurs between the primary zone standards and the provisions of the Density Bonus Program, ~~the provisions of the Density Bonus Program shall apply except in the Coastal Zone, where the conflict shall be resolved in compliance with the provisions of the Coastal Land Use-Local Coastal Program Plan.~~
- B2. Location of project. The site ~~should~~ shall be located within an existing Urban area as designated on the Comprehensive Plan maps.
- C3. Access to transportation. All proposed development ~~should~~ shall be sited to provide maximum access to transit and alternative transportation services and facilities to the maximum extent feasible.
- D4. Water and sewer service. Density bonus projects ~~should~~ shall be located in areas served by municipal water providers and municipal sanitary service providers.
5. All proposed development shall be found consistent with applicable policies and provisions of the Local Coastal Program.

B. Inland Area. Density bonus projects are encouraged to be sited based on the following criteria:

1. Land use and development standards. All uses of land should comply with the regulations of the primary zone. In cases where conflict occurs between the primary zone standards and the provisions of the Density Bonus Program, the provisions of the Density Bonus Program shall apply.
2. Location of project. The site should be located within an existing Urban area as designated on the Comprehensive Plan maps.
3. Access to transportation. All proposed development should be sited to provide maximum access to transit and alternative transportation services and facilities.
4. Water and sewer service. Density bonus projects should be located in areas served by municipal water providers and municipal sanitary service providers.

35.32.060 - Processing of Density Bonus and Incentive Request

A. Preliminary proposal and formal application.

1. Consistent with Government Code Section 65915(d) and Section 35.32.040 (Allowed Incentives or Concessions) above, ~~prior~~ Prior to the submittal of a formal application, an applicant ~~should obtain~~ is encouraged to apply for a pre-application conference and other preliminary consultations with the Department and other officials in order to obtain information and guidance before entering into binding commitments and incurring substantial expense in the preparation of plans, surveys and other data.
2. The pre-application conference or other preliminary consultation should relate to a specific development proposal that outlines the concept and characteristics of the project, and the application for the pre-application conference or other preliminary consultation shall contain the following information. ~~If no preliminary proposal is submitted, the applicant shall provide the following information at the time of formal application in addition to the County's standard application requirements. The County may, at its discretion, waive any of these submittal requirements.~~

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- 1a. Site information.** The Assessor's Parcel Number, gross and net acreage, land use and zone designation of the project site.
 - 2b. Number of units.** The total number of units proposed (not including ~~the~~ requested density bonus units).
 - 3c. Density bonus units.** The number of density bonus units requested.
 - 4d. Affordable units.** The number of very low income, low income, moderate income and/or senior units proposed.
 - 5e. Incentives.** Any additional incentives requested.
 - 6f. Financial information.** Complete financial information and projections for the project. ~~The County may request and the~~ applicant shall provide any additional information the County deems necessary to determine the financial feasibility of the income restricted units. The County may require the applicant to pay for a review by an independent consultant to assist the County in determining whether certain development incentives are necessary to make the income restricted units economically feasible.
 - g. The information required to demonstrate that the project meets all requirements of Government Code Section 65915.
 - h. Information demonstrating that any requested incentive or concession is necessary in order to provide for affordable housing costs, as defined in Health and Safety Code section 50052.5, or for rents for the targeted units to be set as specified in Government Code section 65915(c).
 - i. Coastal Zone.** If the project is located in the Coastal Zone, then the following additional information shall be submitted:
 - (1) A discussion of whether the method proposed by the applicant for accommodating the requested density bonus will have an adverse effect on coastal resources. If the applicant indicates, or if the County determines, that the method proposed for accommodating a requested density bonus will have an adverse effect on coastal resources, the applicant must submit an evaluation of: all feasible methods of accommodating the requested density increase, the effects of each method on coastal resources, and the method that avoids adverse impacts to coastal resources.
 - (2) A discussion of whether any incentive or concession requested by the applicant will have an adverse effect on coastal resources. If the applicant indicates, or if the County determines, that an incentive or concession that is requested will have an adverse effect on coastal resources, the applicant must submit an evaluation of all feasible alternative incentives or concessions and their effects on coastal resources, and which of the feasible incentives or concessions avoids adverse impacts to coastal resources.
3. Within 45 days of receipt of a complete ~~written proposal~~ application for a pre-application or other preliminary consultation, the Department shall notify the applicant in writing of: the types of incentives which may be recommended in order to comply with this Section; and whether staff may support the granting of a density bonus on the basis of required development standards and findings.
- B. Application submittal.** An formal application for a project that includes a request for a density bonus and/or other incentives or concessions, shall include all the information required in compliance with Subsection A.2., above, in addition to the standard application requirement for the specific type of application in compliance with Chapter 35.80 (Permit Application Filing and Processing). If this information was provided as part of an application for an application for a pre-application or other preliminary consultation, then this information may be used as part of the formal application provided the Department determines that the information is still accurate and applicable to the project that is the subject of the formal application.

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C. **Protection of coastal resources.**

1. Within the Coastal Zone, any housing development approved pursuant to Government Code Section 65915 shall be consistent with all otherwise applicable certified local coastal program policies and development standards. If the County approves development with a density bonus, the County must find that the development, if it had been proposed without the density increase, would have been fully consistent with the policies and development standards of the certified local coastal program. If the County determines that the means of accommodating the density increase proposed by the applicant do not have an adverse effect on coastal resources, the County shall require that the density increase be accommodated by those means. If, however, the County determines that the means for accommodating the density increase proposed by the applicant will have an adverse effect on coastal resources, before approving a density increase, the County shall identify all feasible means of accommodating the density increase and consider the effects of such means on coastal resources. The County shall require implementation of the means that avoids adverse impacts to coastal resources.

BD. **Affordable Housing (AH) overlay zone.** The Affordable Housing (AH) overlay zone provides density bonus and other incentives for projects that provide a significant amount of affordable housing. Density bonuses and other development incentives granted pursuant to the AH overlay zone shall be inclusive of the incentives offered in this Section, and shall not be in addition to the development incentives offered in this Section.

CE. **Density bonus distribution.** A project that includes multiple lots is not required to distribute the density bonus evenly over each of the lots. The density bonus units may be concentrated on only a portion of the project site with lower residential densities on other portions of the project site.

DE. **Affordable housing agreement.** Prior to the issuance of a Coastal Development Permit in compliance with Section 35.82.050 (Coastal Development Permits) or a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits) or a Zoning Clearance in compliance with Section 35.82.210 (Zoning Clearances) ~~for a density bonus project~~ any housing development where the County approves a density bonus, each project the owners shall record an affordable housing agreement and resale and/or rental restrictive covenant, or other equivalent document approved as to form by County Counsel, which outlines:

1. The sales and/or rental prices for the various types of units to be established; and
2. Provisions for the sale, resale, renting and restrictions that will be applicable to the project and which ensure the continued availability of units for purchase or occupancy by persons of very low, low and moderate incomes. All affordable units shall be restricted for the maximum period allowed by Government Code Sections 65915 through 65918 or successor statute.

34. **Sea Level Rise**

The following new Section shall be added as Section 35.60.070 and the subsequent sections renumbered accordingly:

35.60.070 Coastal Hazards Analysis– Coastal Zone

The following standards are applicable within the Coastal Zone only. Development at nearshore sites shall comply with the following standards.

A.General requirements for coastal hazard analysis.

1. The best available scientific information with respect to the level of future sea level rise; the effects of long-range sea level rise shall be considered in the preparation of findings and recommendations for all requisite geologic, geo-technical, hydrologic, and engineering investigations.
2. All development located at nearshore sites shall be analyzed for potential coastal hazards from erosion, flooding, wave attack, scour and other conditions in conjunction with sea level

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rise scenarios indicated below depending on the type of development, and shall also consider localized uplift or subsidence, tide range, wave climate, local topography, bathymetry, geologic conditions, and potential tsunami inundation areas.

3. All input parameters for hazard analysis shall be clearly described in the analysis and, if judgment was used to choose between a range of values, the basis for the selection should be provided.
4. At a minimum, sea level rise scenarios shall assume 16 inches of sea level rise by 2050 and 55 inches (4.6 feet) of sea level rise by 2100. Significant community support functions (such as waste water treatment, provision of potable or fire fighting water, or fire and life safety command and equipment centers), energy production and distribution infrastructure, critical community shelter facilities used in an emergency, or structures that house vulnerable populations that cannot be readily evacuated, including hospitals, schools, and care facilities for the elderly and/or disabled, shall assume a minimum sea level rise rate of 55 inches (4.6 feet) by 2100.
4. The hazard analysis shall be used to identify current and future site hazards, to help guide site design and hazard mitigation and identify sea level rise thresholds after which limitations in the development's design and siting would cause the improvements to become significantly less stable.

Remaining Sections in 35.60 shall be renumbered to incorporate this section as 35.60.080.

35. School Expansion

Add a new Subsection F. to Section 35.21.030 (Agricultural Zones Allowable Land Uses) as follows:

F. Specific use regulations for schools allowed by Conditional Use Permit.

1. In the Coastal Zone, within the AG-I and AG-II zones, schools allowed by a Conditional Use Permit are limited to:
 - a. The expansion of lawful, existing facilities, including the development of new facilities located on a lot that is both adjacent to and under the same ownership as the lot on which the lawful, existing facility is located.
 - b. The re-establishment of a school in facilities that were formerly occupied by the school. This may include the development of new facilities on a lot that is both adjacent to the lot on which the school facility is located and is owned by the school.

(1) Specific to the Vista del Mar School District, this allows the development of new school facilities on property known as Assessor's Parcel Nos. 081-130-058 and 081-130-059 that are owned by the school district prior to November 18, 2010.
2. Lawful, existing school facilities are considered to be conforming development and are not subject to the restrictions of Chapter 35.101 (Nonconforming Uses, Structures, and Lots).
3. Within this Subsection F., adjacent includes lots that are separated by a street that is not a freeway or highway or the frontage road of a freeway or highway.

36. Renumbering

All existing indices, section references, and figure and table numbers contained in Section 35-1, Santa Barbara County Land Use and Development Code, and Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, shall be revised and renumbered as appropriate to reflect the suggested modifications enumerated above.

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37. Interim Montecito Zoning Code

Existing Article II (rather than the Countywide LUDC, if certified) shall apply to Montecito until and unless the Montecito LUDC is certified by the Coastal Commission as a separate zoning document through the LCP amendment process.

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II. STB-MAJ-1-09-B SUGGESTED MODIFICATIONS TO THE PROPOSED IMPLEMENTATION PLAN AMENDMENT

The staff recommends the Commission certify the following, with the modifications as shown below. The proposed amended language to the certified LCP Implementation Plan is shown in straight type. Language recommended by Commission staff to be deleted is shown in ~~line-out~~. Language proposed by Commission staff to be inserted is shown underlined. Other suggested modifications that do not directly change LCP text (e.g., revisions to maps, figures, instructions) are shown in italics.

1. Conformance with Suggested Modifications in LCPA 1-09-A

The Montecito LUDC shall be amended to conform with all applicable Suggested Modifications 1 – 37 as specified in LCP Amendment 1-09-A above, except as specifically modified by these suggested modifications for LCPA 1-09-B herein:

2. Montecito Community Plan Area Zones

Table 1-1 shall be revised as follows:

Table 1-1 - Zones

Zone Symbol	Name of Zone	Applicable Code Chapter	County Area Where Zone May Be Applied
<i>Agricultural Zones</i>			
AG-I	Agricultural I	35.421	<u>Coastal Zone only</u>
<i>Resource Protection Zones</i>			
RMZ	Resource Management	35.422	<u>Inland area only</u>
<i>Residential Zones</i>			
E-1	Single Family Estate Residential	35.423	<u>Coastal Zone & Inland area</u>
R-1	Single Family Residential		<u>Coastal Zone & Inland area</u>
R-2	Two-Family Residential		<u>Coastal Zone & Inland area</u>
DR	Design Residential		<u>Coastal Zone only</u>
PRD	Planned Residential Development		<u>Coastal Zone & Inland area</u>
<i>Commercial Zones</i>			
CN	Neighborhood Commercial	35.424	<u>Coastal Zone & Inland area</u>
C-V	Resort/Visitor-Serving Commercial		<u>Coastal Zone & Inland area</u>
<i>Special Purpose Zones</i>			
PU	Public Utilities	35.425	<u>Coastal Zone & Inland area</u>
REC	Recreation		<u>Coastal Zone & Inland area</u>
TC	Transportation Corridor		<u>Coastal Zone only</u>
<i>Overlay Zones</i>			
AH	Affordable Housing	35.428	<u>Inland area only</u>
ESH	Environmentally Sensitive Habitat		<u>Coastal Zone & Inland area</u>
FA	Flood Hazard		<u>Coastal Zone & Inland area</u>
GMO	Growth Management Ordinance		<u>Coastal Zone & Inland area</u>
H-MON	Montecito Hillside		<u>Inland area only</u>
SD	Site Design		<u>Coastal Zone only</u>

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Zone Symbol	Name of Zone	Applicable Code Chapter	County Area Where Zone May Be Applied
VC	View Corridor		<u>Coastal Zone only</u>

Note, All other modifications in LCPA 1-09-A Suggested Modification 1 shall apply as determined by LCPA 1-09-B Suggested Modification 1 above.

3. Allowed Land Use and Permit Requirements Tables

The “Allowed Land Uses and Permit Requirements” Tables for all zones in Article 35.2 shall be modified as shown in Exhibit 5, Modifications to Allowed Land Use and Permit Requirements.

Note, all other modifications in LCPA 1-09-A Suggested Modification 9 shall apply as determined by LCPA 1-09-B Suggested Modification 1 above.

4. Accessory Structures and Uses

Note, all other modifications in LCPA 1-09-A Suggested Modification 10 shall apply as determined by LCPA 1-09-B Suggested Modification 1 above. However, in addition to the changes in LCPA 1-09-A Suggested Modification 10, principal permitted accessory uses shall be identified for the one additional zone in the MLUDC, Neighborhood Commercial as follows:

35.424.030 – Commercial Zones Allowable Land Uses -*shall be modified as follows:*

E. Accessory uses and structures and uses. Each use allowed by Table 2-12 (Allowed Land Uses and Permit Requirements for Commercial Zones) may include accessory ~~uses and structures and~~ uses that are customarily incidental to the permitted use.

1. Accessory to a Principal Permitted Use within the Coastal Zone. Accessory structures and uses that are incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) may be considered a component of the Principal Permitted Use, and permitted as a Principal Permitted Use, in compliance with the following:

a. Accessory to the principal permitted commercial use. Except as provided in Subsection E.1.b., below, any structure and/or use that is customarily a part of, and clearly incidental and secondary to a commercial use, and does not change the character of the commercial use, may be permitted as a component of the Principal Permitted commercial use.
b. Accessory structures and uses listed separately. Where an accessory structure or use is listed separately in Table 2-12 (Allowed Land Uses and Permit Requirements for the Commercial Zones) and the required permit is not designated as “PP” then it shall not be considered a component of the Principal Permitted Use and the decision of the review authority to approve or conditionally the application for the accessory use or structure is appealable to the Coastal Commission in compliance with Section 35.492.060 (Appeals to the Coastal Commission).

5. Neighborhood Commercial (CN)

Chapter 35.424, Commercial Zones shall be modified as follows:

35.424.020.A - *Purposes of Commercial Zones -shall be modified as follows:*

A. CN (Neighborhood Commercial) zone. The CN zone is applied within the Coastal Zone and Inland area to areas within residential neighborhoods appropriate for local retail or service businesses to meet daily needs for food, drugs, gasoline, and other incidentals of

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residents in the immediate area. The intent is to provide local-serving commercial establishments while preserving the residential character of the area.

...

35.424.050

A. Mixed use affordable residential unit standards. Residential units allowed as part of a mixed use project in the CN zone shall be attached to the primary commercial structure, and shall comply with the following standards.

1. Floor area limitations. The maximum net floor area shall not exceed 800 square feet for a studio or one-bedroom unit, and 1,000 square feet for a two-bedroom unit.

a. Coastal Zone. Within the Coastal Zone, the total gross floor of the residential development shall not exceed the total gross floor area of the commercial uses.

2. Limitation on rental. The unit shall be rented only to a low or moderate income household at a level that meets the County's affordability criteria.

3. Limitation on sale. The residential unit shall not be sold or financed separately from the principal commercial structure.

...

6. Affordable Housing Overlay

The Affordable Housing Overlay Section in the MLUDC shall not be modified as indicated in Suggested Modifications in LCPA 1-09-A above. Section 35.428.030, Affordable Housing (AH) Overlay Zone, shall be modified as follows (AH does not apply in the Coastal Zone):

35.428.030 - Affordable Housing (AH) Overlay Zone

A.Purpose and intent. The Affordable Housing (AH) overlay zone is applied within the Inland area intended to promote affordable housing production, and implement the policies of the Housing Element by providing substantial incentives to developers through standards of development and performance.

...

B. Applicability.

...

2. Relationship to primary zone. Each land use and proposed development within the AH overlay zone shall comply with all applicable requirements of the primary zone in addition to the requirements of this Section.

~~**a. Coastal Zone.** In the Coastal Zone, if a requirement of this Section conflicts with a requirement of the primary zone, the requirements of the Coastal Land Use Plan shall control.~~

ba. Inland area. In the Inland area, if a requirement of this Section conflicts with a requirement of the primary zone, the requirements of this Section shall control.

...

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- E. Modifications to Development Code requirements.** The approval of a Final Development Plan for a site located on property zoned with the AH overlay zone may include the following modifications to requirements of this Development Code, in addition to the density modifications provided by Subsection B.1 (Density bonus) above.

...

- 3. Development Standards.** The following modifications may be approved for all qualified AH overlay zone projects in the DR (Design Residential) and PRD (Planned Residential Development) zones, ~~provided that the modifications are consistent with all applicable provisions of the Coastal Land Use Plan for projects in the Coastal Zone.~~

...

- G. Affordable housing agreement.** Prior to issuance of a ~~Coastal Development Permit (Section 35.472.050)~~ or Land Use Permit (Section 35.472.110) or Zoning Clearance (Section 35.472.190) for an AH overlay zone project, each project shall record an affordable housing agreement and resale and rental restrictive covenant, or other equivalent document approved as to form by the County Counsel, which outlines:

...

7. School Expansion

LCPA 1-09-A Suggested Modification 35, School Expansion, shall not apply to the Montecito LUDC.

35.21.030 - Agricultural Zones Allowable Land Uses

Table 2-1 Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Abalone shell processing	—	—	CUP	CUP	
Agricultural accessory structure	P	P(5)	P	P(5)	35.42.020
Agricultural processing - On-premise products	P	P(6)	P	P(6)	35.42.040
Agricultural processing - Off-premise products	—	CUP	CUP	CUP	35.42.040
Agricultural processing - Extensive	—	—	CUP(37)	—	35.42.040
<u>Agricultural products shipping facility - On-premise products</u>	<u>P</u>	<u>P (6)</u>	<u>P</u>	<u>P (6)</u>	
<u>Agricultural products shipping facility - Off-premise products</u>	<u>—</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	
Animal keeping (except equestrian facilities, see RECREATION)	S	S	S	S	35.42.060
Aquaculture	—	—	CUP	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	E	E PP	E	E PP	
Grazing	E	E PP	E	E PP	
Greenhouse	P	P(8)	P	P(8)	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	CUP	CUP	35.82.160
Mining- Surface, less than 1,000 cubic yards	P(49)	CUP	P(49)	P	35.82.160
Mining- Surface, 1,000 cubic yards or more	CUP	CUP	CUP	P	35.82.160
Oil and gas uses	S	S	S	S	35.5
Winery	S	—	S	CUP	35.42.280

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Composting facility	MCUP	—	MCUP	—	35.42.100
Fertilizer manufacturing	—	—	CUP(37)	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Country club	CUP	—	CUP	—	
Equestrian facilities	CUP	CUP	P	CUP	
Fairgrounds	CUP	CUP —	CUP	CUP —	
Golf course	CUP	CUP —	CUP	CUP —	
Golf driving range	CUP	CUP —	CUP	CUP —	
Meeting facility, public or private	CUP	—	CUP	—	
Meeting facility, religious	CUP	— (10)	CUP	— (10)	
Museum	CUP	—	CUP	—	
Rural recreation	—	—	CUP	CUP	35.42.240
School	CUP	CUP (11)	CUP	CUP (11)	
School - Business, professional or trade	CUP	CUP —	CUP	CUP —	
Sports and outdoor recreation facilities	CUP	CUP —	CUP	CUP —	

Key to Zone symbols

AG-I	Agriculture I	AG-II	Agriculture II	CZ	Coastal Zone
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Notes: (1) See Article 35.11 (Glossary) for land use definitions.

- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.21.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Agricultural accessory uses and structures that are considered a component of an agricultural use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP).
- (6) Facilities that are not considered greenhouse-related development and are cumulatively less than 20,000 square feet in area may be permitted as a Principal Permitted Use (PP).
- (37) Use limited to areas designated on the Land Use Element Maps with the “Agricultural Industry overlay.”
- (8) Greenhouses and greenhouse-related development that are cumulatively less than 20,000 square feet in area may be permitted as a Principal Permitted Use (PP).
- (49) 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.
- (10) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for

such a permit.

(11) See 35.21.030.G (Specific use regulations for schools allowed by Conditional Use Permit) for specific use regulations.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

RESIDENTIAL USES

Agricultural employee housing, 4 or fewer employees	MCUP	MCUP	MCUP	MCUP	35.42.030
Agricultural employee housing, 5 or more employees	CUP	CUP	CUP	CUP	35.42.030
Artist studio	P	P(7)	P	P(7)	35.42.150
Dwelling, one-family (35)	P	P(6)	P	P(6)	
Guesthouse	P	P(7)	P	P(7)	35.42.150
Home occupation	P	P(7)	P	P(7)	35.42.190
Monastery	CUP	—	CUP	—	
Residential accessory uses and structures	P	P(7)	P	P(7)	35.42.020
Residential agricultural unit, attached (4)	—	—	P	—	35.42.210
Residential agricultural unit, detached and clustered (4)	—	—	P	—	35.42.210
Residential agricultural unit, remotely sited	—	—	MCUP	—	35.42.210
Residential second unit - attached (48)	P	P	—	—	35.42.230
Residential second unit - detached (48)	MCUP	MCUP	—	—	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

Agricultural product sales	P	P(9)	P	P(9)	35.42.050
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SERVICES

Cemetery	CUP	CUP —	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP —	CUP	CUP —	
Large family day care home	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Residential	MCUP	MCUP	MCUP	MCUP	35.42.090
Lodging - Guest ranch	—	—	CUP	CUP	
Lodging - Hostel	CUP	—	CUP	—	
Mausoleum	CUP	—	CUP	—	
Medical services - Animal hospital	MCUP	CUP	P	CUP	35.42.250
Mortuary, accessory to cemetery	CUP	—	CUP	—	35.42.120

Key to Zone Symbols

AG-I	Agriculture I	CZ	Coastal Zone
AG-II	Agriculture II		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.21.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.42.205.
- (6) A primary dwelling may be considered a component of the principal permitted agricultural use in compliance with 35.21.030.F.
- (7) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP).; see Section 35.21.030.E, and Section 35.42.020 for additional limitations.
- (48) Limited to specific locations. See the limitations on location for the use in Chapter 35.42 (Standards for Specific Land Uses).
- (9) Agricultural product sales may be permitted as a Principal Permitted Use (PP) if the sales and storage area are no larger than 600 square feet and the agricultural products sold there from are restricted to those grown on the premises.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Agricultural product transportation facility	—	—	CUP	CUP	35.42.040.B.2
Airport, public	CUP	—	CUP	—	
Airstrip, private and temporary	CUP	—	CUP	—	
Airstrip, temporary	—	CUP	—	CUP	
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(6)	
Electrical substation - Minor (35)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (46) (57)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (68)	P	P	P	P	
Flood control project, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	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	P	P	
Road, street, 20,000 sf or more total area	P	MCUP	P	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	35.60.080
Telecommunications facility	S	S	S	S	35.44
Utility service line with less than 5 connections (46)	—	P(9)	—	P(9)	
Utility service line with 5 or more connections (46)	—	MCUP	—	MCUP	
Wind turbines and wind energy systems	S	§—	S	§—	35.57

Key to Zone Symbols

AG-I	Agriculture I	CZ	Coastal Zone
AG-II	Agriculture II		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.21.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Use is subject to the standards of the standards of the PU zone.
- (46) Does not include electrical transmission lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for Agricultural Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	AG-I	AG-I CZ	AG-II	AG-II CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	—	CUP	
Desalination facility, less than 15 connections	—	MCUP	—	MCUP	
Desalination facility, 15 to less than 200 connections	—	CUP	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(35)	P	P(35)	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(35)	MCUP	P(35)	MCUP	
Reservoir, less than 20,000 sf of total development	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf of total development	P	MCUP	P	MCUP	
Reservoir, 50,000 sf or more of total development	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	P(6)	E	P(6)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	
Water diversion project	P	MCUP	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station (57)	—	P	—	P	
Water system with 1 connection	E	P(6)	E	P(6)	
Water system with 2 to less than 5 connections	P	MCUP	P	MCUP	
Water system with 5 or more connections (68)	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	E	PP	E	PP	

Key to Zone Symbols

AG-I	Agriculture I	CZ	Coastal Zone
AG-II	Agriculture II		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.21.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (4) ~~Only if designated a Special Problem Area due to sewage disposal constraints; otherwise “E” if located in the Inland area or “P” if located in the Coastal Zone~~
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

35.22.030 - Resource Protection Zones Allowable Land Uses

Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use. Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MT-GOL	MT-TORO	MT-TORO CZ	RMZ	RMZ CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	35.42.060
Aquaculture	CUP	—	—	CUP	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	—	—	—	—	CUP	
Cultivated agriculture, orchard, vineyard - Historic legal use	—	E	E	MCUP	MCUP	
Cultivated agriculture, orchard, vineyard - Limited slope	E	MCUP	MCUP	CUP	CUP	
Cultivated agriculture, orchard, vineyard - Steep slope	MCUP	MCUP	MCUP	CUP	CUP	
Grazing	E	—	—	E	E	
Grazing - Limited slope	E	—	—	E	MCUP	
Grazing - Steep slope	E	—	—	E	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(35)	P(35)	P	P(35)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas development, offshore, from onshore location	—	—	—	S	S	35.5
Oil and gas development, onshore	CUP	CUP	CUP	S	S	35.5
Oil and gas treatment and processing	—	—	—	S	S	35.5

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Country club	CUP	CUP	CUP	CUP	—	
Education or research facility, limited	CUP	CUP	CUP	CUP	P	
Equestrian facilities	CUP	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	
Golf course	CUP	CUP	CUP	CUP	CUP	
Golf driving range	CUP	CUP	CUP	CUP	CUP	
Library	—	CUP	CUP	—	—	
Meeting facility, public or private	CUP	CUP	CUP	CUP	—	
Meeting facility, religious	CUP	CUP	—(6)	CUP	—(6)	
Museum	CUP	CUP	CUP	CUP	—	
Rural recreation	CUP	CUP	CUP	CUP	CUP	35.42.240
School	CUP	CUP	CUP	CUP	CUP	
School - Business, professional or trade	CUP	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	CUP	

Key to Zone Symbols

MT-GOL	Mountainous - Goleta	RMZ	Resource Management
MT-TORO	Mountainous - Toro Canyon	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.22.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (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, than a CUP is required.
- (6) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for such a permit.

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>				
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>				
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>				
	MCUP	Minor Conditional Use Permit required <u>(4)</u>				
	CUP	Conditional Use Permit required <u>(4)</u>				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MT-GOL	MT-TORO	MT-TORO CZ	RMZ	RMZ CZ	

RESIDENTIAL USES

Agricultural employee housing, 4 or fewer employees	MCUP	—	—	—	—	35.42.030
Artist studio	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.150
Dwelling, one-family	P	P	P(5)	P	P(5)	
Guesthouse	P	P	P(6)	P	P(6)	35.42.150
Home occupation	P	P	P(6)	P	P(6)	35.42.190
Monastery	CUP	CUP	—	CUP	—	
Residential accessory uses and structures	P	P	P(6)	P	P(6)	35.42.020
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

Agricultural product sales	—	—	—	—	—	
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SERVICES

Cemetery	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	
Large family day care home	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Residential	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Drive-through facility, accessory to a permitted use	—	CUP	CUP	—	—	
Lodging - Guest ranch, low intensity	—	CUP	CUP	CUP	CUP	
Lodging - Hostel	CUP	CUP	—	CUP	—	
Mausoleum	CUP	CUP	CUP	CUP	—	
Medical services - Clinic	—	CUP	CUP	—	—	
Medical services - Extended care	—	CUP	CUP	—	—	
Medical services - Hospital	—	CUP	CUP	—	—	
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	—	35.42.120
Mortuary	—	—	CUP	—	—	35.42.120
Music recording studio	—	CUP	—	—	—	

Key to Zone Symbols

MT-GOL	Mountainous - Goleta	RMZ	Resource Management
MT-TORO	Mountainous - Toro Canyon	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.22.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) A primary dwelling may be considered a component of the principal permitted use in compliance with 35.22.030.F.
- (6) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP); see Section 35.22.030.E. and Section 35.42.020 for additional limitations.

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>				
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>				
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>				
	MCUP	Minor Conditional Use Permit required <u>(4)</u>				
	CUP	Conditional Use Permit required <u>(4)</u>				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MT-GOL	MT-TORO	MT-TORO CZ	RMZ	RMZ CZ	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Airport, public	CUP	CUP	—	CUP	—	
Airstrip, private and temporary	CUP	CUP	—	CUP	—	
Airstrip, temporary	CUP	—	CUP	—	CUP	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor <u>(35)</u>	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line <u>(46)</u> <u>(57)</u>	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area <u>(68)</u>	P	P	P	P	P	
Flood control project, 20,000 sf or more total area <u>(68)</u>	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	
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 <u>(68)</u>	P	P	P	P	P	
Road, street, 20,000 sf or more total area <u>(68)</u>	P	P	MCUP	P	MCUP	
Seawall, revetment, groin, or other shoreline structure	—	—	CUP	—	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Utility service line with less than 5 connections <u>(46)</u>	—	—	P ⁽⁹⁾	—	P ⁽⁹⁾	
Utility service line with 5 or more connections <u>(46)</u>	—	—	MCUP	—	MCUP	
Wind turbines and wind energy systems	S	S	—	S	—	35.57

Key to Zone Symbols

MT-GOL	Mountainous - Goleta	RMZ	Resource Management
MT-TORO	Mountainous - Toro Canyon	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.22.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (35) Use is subject to the standards of the PU zone.
- (46) Does not include lines outside the jurisdiction of the county.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>				
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>				
PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
MCUP	Minor Conditional Use Permit required <u>(4)</u>					
CUP	Conditional Use Permit required <u>(4)</u>					
S	Permit determined by Specific Use Regulations					
—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MT-GOL	MT-TORO	MT-TORO CZ	RMZ	RMZ CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	CUP	—	CUP	
Desalination facility - less than 15 connections	—	—	MCUP	—	MCUP	
Desalination facility - 15 to less than 200 connections	—	—	MCUP	—	MCUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P (35)	P (35)	P	P (35)	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P (35)	P (35)	MCUP	P (35)	MCUP	
Reservoir, less than 20,000 sf of total development	P	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	P	MCUP	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	E	P (6)	E	P (6)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	CUP	
Water diversion project	P	P	MCUP	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station <u>(57)</u>	—	—	P	—	P	
Water system with 1 connection	E	E	P (6)	E	P (6)	
Water system with 2 to less than 5 connections	P	P	MCUP	P	MCUP	
Water system with 5 or more connections (68)	MCUP	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	E	E	P	E	P	

Key to Zone Symbols

MT-GOL	Mountainous - Goleta	RMZ	Resource Management
MT-TORO	Mountainous - Toro Canyon	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.22.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- ~~(4) Only if designated a Special Problem Area due to sewage disposal constraints; otherwise “E” if located in the Inland area or “P” if located in the Coastal Zone.~~
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- ~~(68) In the Coastal Zone, limited to less than 200 connections.~~

35.23.030 - Residential Zones Allowable Land Uses

Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	35.42.060
Aquaculture	CUP	CUP	—	—	—	—	35.42.070
Cultivated agriculture, orchard, vineyard	E	E P	E	E P	E	E P	
Greenhouse, 300 sf or less	P	P	P	P	P	P	35.42.140
Greenhouse, more than 300 sf to 800 sf	CUP	CUP	MCUP	MCUP	MCUP	MCUP	35.42.140
Greenhouse, 800 sf or more	CUP	CUP	—	—	—	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(35)	P	P(35)	P	P(35)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	S	—	—	—	—	35.5

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Community center	—	—	P	P	P	P	
Conference center	—	—	CUP	CUP	—	—	
Country club	CUP	—	CUP	CUP	CUP	CUP	
Equestrian facilities	CUP	CUP	CUP	CUP	—	—	
Fairgrounds	CUP	CUP	CUP	CUP	—	—	
Golf course	CUP	CUP	CUP	CUP	P	P	
Golf driving range	CUP	CUP	CUP	CUP	CUP	CUP	
Library	—	—	CUP	CUP	—	—	
Meeting facility, public or private	CUP	—	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	—	—CUP	
Meeting room accessory to organization house	—	—	—	—	—	—	
Museum	CUP	—	CUP	CUP	—	—	
Park, playground - Commercial	—	—	—	—	—	—	
Park, playground - Private	—	—	—	—	P	P	
Park, playground - Public	—	—	P	P	P	P	
Private residential recreational facility	—	—	—	—	—	—	
School	CUP	CUP	CUP	CUP	CUP	CUP	
School - Business, professional or trade	CUP	CUP	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

RESIDENTIAL USES

Dwelling, one-family	P (35) (46)	PP (46)	P (35) (46)	PP (46)	P (35) (46)	PP (46)	
Dwelling, two-family	—	—	—	—	—	—	
Dwelling, multiple	—	—	—	—	—	—	
Emergency shelter	—	—	—	—	—	—	
Guesthouse or artist studio	P	P(7)	P	P(7)	P	P(7)	35.42.150
Home occupation	P	P(7)	P	P(7)	P	P(7)	35.42.190
Mobile Home Park	CUP	CUP	CUP	CUP	CUP	CUP	
Monastery	CUP	—	CUP	—	CUP	—	
Organizational house (sorority, monastery, etc.)	—	—	—	—	—	—	
Residential accessory use or structure	P	P(7)	P	P(7)	P	P(7)	35.42.020
Residential project convenience facilities	—	—	—	—	—	—	
Residential second unit	P	P	P	P	P	P	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit 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.
- (46) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.42.205.
- (7) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP); see Section 35.23.030.E. and Section 35.42.020 for additional limitations.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	—	—	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	—	—	
Large family day care home	P	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	—	—	—	—	—	—	
Child care center, Residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Drive-through facility, accessory to permitted use	—	—	CUP	CUP	—	—	35.42.130
Lodging - Hostel	CUP	—	CUP	—	—	—	
Lodging - Hotel or motel	—	—	—	—	—	—	
Mausoleum	CUP	—	CUP	CUP	—	—	
Medical services - Clinic	—	—	CUP	CUP	—	—	
Medical services - Extended care	—	—	CUP	CUP	—	—	
Medical services - Hospital	—	—	CUP	CUP	—	—	
Mortuary	—	—	—	CUP	—	—	35.42.120
Mortuary, accessory to cemetery	CUP	—	CUP	CUP	—	—	35.42.120
Music recording studio	—	—	CUP	—	—	—	
Personal services	—	—	—	—	—	—	
Resort visitor-serving facilities	—	—	—	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	—	—	—	
Airstrip, private and temporary	CUP	—	CUP	—	—	—	
Airstrip, temporary	—	CUP	—	CUP	—	—	
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 <u>(35)</u>	MCUP	MCUP	MCUP	MCUP	CUP	CUP	
Electrical substation - Major	—	—	—	—	CUP	CUP	
Electrical transmission line <u>(46)</u> <u>(57)</u>	CUP	CUP	CUP	CUP	—	CUP	
Flood control project, less than 20,000 sf total area <u>(68)</u>	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area <u>(68)</u>	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 <u>(68)</u>	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area <u>(68)</u>	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 <u>(46)</u>	—	P ⁽⁹⁾	—	P ⁽⁹⁾	—	P ⁽⁹⁾	
Utility service line with 5 or more connections <u>(46)</u>	—	MCUP	—	MCUP	—	MCUP	
Wind turbines and wind energy systems	S	—	S	—	S	—	35.57

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (35) Use is subject to the standards of the PU Zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	RR CZ	R-1/E-1	R-1/E-1 CZ	EX-1	EX-1 CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	—	CUP	—	CUP	
Desalination facility, less than 15 connections	—	MCUP	—	MCUP	—	MCUP	
Desalination facility - 15 to less than 200 connections	—	CUP	—	CUP	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P ⁽³⁵⁾	P	P ⁽³⁵⁾	P	P ⁽³⁵⁾	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P ⁽³⁵⁾	MCUP	P ⁽³⁵⁾	MCUP	P ⁽³⁵⁾	MCUP	
Reservoir, less than 20,000 sf total development	P	P	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	P	MCUP	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	—	—	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Wastewater treatment system, individual	E	P ⁽⁶⁾	E	P ⁽⁶⁾	E	P ⁽⁶⁾	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	—	CUP	
Water diversion project	P	MCUP	P	MCUP	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	—	—	
Water or sewer system pump or lift station ⁽⁵⁷⁾	—	P	—	P	—	P	
Water system with 1 connection	E	P ⁽⁶⁾	E	P ⁽⁶⁾	E	P ⁽⁶⁾	
Water system with 2 to less than 5 connections	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Water system with 5 or more connections ⁽⁶⁸⁾	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Water trucking facility, commercial	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Water well, agricultural	E	P	E	P	E	P	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (35) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>						
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required <u>(4)</u>						
	CUP	Conditional Use Permit required <u>(4)</u>						
	<u>ZC</u>	<u>Zoning Clearance</u>						
	S	Permit determined by Specific Use Regulations						
—	Use Not Allowed							
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	<u>MR-O</u>	PRD	PRD CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES								
Agricultural accessory structure	P	P	P	P	==	P	—	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	<u>S</u>	S	S	35.42.060
Aquaculture	—	—	—	—	==	—	—	
Cultivated agriculture, orchard, vineyard	E	EP	E	EP	==	E	—	
Greenhouse, 300 sf or less	P	P	P	P	==	—	—	35.42.140
Greenhouse, greater than 300 sf to 800 sf	MCUP	MCUP	—	—	==	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	—	==	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	==	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (35)	P	P (35)	P	==	P (35)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	==	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	==	—	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Community center	P	P	P	P	==	—	—	
Conference center	CUP	CUP	CUP	CUP	==	CUP	CUP	
Country club	CUP	CUP	CUP	CUP	==	CUP	CUP	
Equestrian facilities	CUP	CUP	CUP	CUP	==	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	==	CUP	CUP	
Golf course	CUP	CUP	P	P	==	CUP	CUP	
Golf driving range	CUP	CUP	CUP	CUP	==	CUP	CUP	
Library	CUP	CUP	CUP	CUP	==	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	==	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	==	CUP	CUP	
Meeting room accessory to organizational house	—	—	—	—	==	—	—	
Museum	CUP	CUP	CUP	CUP	==	CUP	CUP	
Park, playground - Commercial	—	—	—	—	==	CUP	CUP	35.23.100.G
Park, playground - Private	—	—	—	—	==	P	P	
Park, playground - Public	P	P	P	P	==	—	—	
Private residential recreation facility	—	—	P	P	<u>ZC</u>	P	P	
School	CUP	CUP	CUP	CUP	==	CUP	CUP	
School - Business, professional or trade	CUP	CUP	CUP	CUP	==	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	==	CUP	CUP	35.23.100.G

Key to Zone Symbols			
R-2	Two-Family Residential	PRD	Planned Residential Development
DR	Design Residential	CZ	Coastal Zone
<u>MR-O</u>	Multi-Family Residential - Orcutt		

- Notes:
- (1) See Article 35.11 (Glossary) for land use definitions.
 - (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
 - (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
 - (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>						
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>						
	PP	<u>Principal Permitted Use, Coastal Permit required (3)</u>						
	MCUP	Minor Conditional Use Permit required <u>(4)</u>						
	CUP	Conditional Use Permit required <u>(4)</u>						
	ZC	<u>Zoning Clearance</u>						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

RESIDENTIAL USES

Dwelling, one-family	P (35)	PP	P (35)	PP	=	P (35)	PP	
Dwelling, two-family	P	PP	P	PP	=	P	PP	
Dwelling, multiple	—	—	P	PP	ZC	P	PP	
Emergency shelter	—	—	—	—	=	—	—	
Guesthouse or artist studio	—	—	—	—	=	—	—	
Home occupation	P	P (7)	P	P (7)	P	P	P (7)	35.42.190
Mobile home park	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Monastery	CUP	—	CUP	—	=	CUP	—	
Organizational house (sorority, monastery, etc.)	—	—	CUP (46)	CUP (46)	=	—	—	
Residential accessory use or structure	P	P (7)	P	P (7)	ZC	P	P (7)	35.42.020
Residential project convenience facilities	—	—	P	PP	ZC	P	PP	35.42.220
Residential second unit	—	—	—	—	=	—	—	
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (35) 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.
- (46) Limited to student housing facilities located in an area where such facilities are to be used by students of a permitted educational facility.
- (7) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP); see Section 35.23.030.E. and Section 35.42.020 for additional limitations.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	ZC	Zoning Clearance					
	S	Permit determined by Specific Use Regulations					
—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	=	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	=	CUP	CUP	
Large family day care home	P	P	P	P	=	P	P	35.42.090
Small family day care home	E	E	E	E	E	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	=	MCUP	MCUP	35.42.090
Child care center, Non-residential accessory	—	—	P	P	ZC	P	P	35.42.090
Child care center, residential	MCUP	MCUP	MCUP	MCUP	=	MCUP	MCUP	35.42.090
Drive-through facility, accessory to permitted use	CUP	CUP	CUP	CUP	=	CUP	CUP	35.42.130
Lodging - Hostel	CUP	—	CUP	—	=	CUP	—	
Lodging - Hotel or motel	—	—	—	—	=	—	CUP	35.23.100.H
Mausoleum	CUP	CUP	CUP	CUP	=	CUP	CUP	
Medical services - Clinic	CUP	CUP	CUP	CUP	=	CUP	CUP	
Medical services - Extended care	CUP	CUP	CUP	CUP	=	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	=	CUP	CUP	
Mortuary	—	CUP	—	CUP	=	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	=	CUP	CUP	35.42.120
Music recording studio	CUP	—	CUP	—	=	CUP	—	
Personal services	—	—	—	—	=	CUP	CUP	35.23.100.G
Resort visitor-serving	—	—	—	—	=	—	P(35)	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (35) Where allowed by the Coastal Land Use Plan.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	ZC	Zoning Clearance						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	—	==	CUP	—	
Airstrip, private and temporary	CUP	—	CUP	—	==	CUP	—	
Airstrip, temporary	—	CUP	—	CUP	==	—	CUP	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (35)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	==	—	—	
Electrical transmission line (46) (57)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (57)	P	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	==	CUP	CUP	
Parking facility, commercial, for residential use	—	—	—	—	==	—	—	
Pipeline - Oil and gas	P	—	P	—	==	P	—	35.5
Public utility facility	CUP	—	CUP	—	CUP	CUP	—	
Public works or private service facility	MCUP	—	MCUP	—	MCUP	MCUP	—	
Road, street, less than 20,000 sf total area	P	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area	P	MCUP	P	MCUP	P	P	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	==	—	CUP	
Telecommunications facility	S	S	S	S	S	S	S	35.44
Utility service line with less than 5 connections (46)	—	P(9)	—	P(9)	==	—	P(9)	
Utility service line with 5 or more connections (46)	—	MCUP	—	MCUP	==	—	MCUP	
Wind turbines and wind energy systems	S	—	S	—	==	S	—	35.57

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Use is subject to the standards of the PU zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>						
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>						
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>						
	MCUP	Minor Conditional Use Permit required <u>(4)</u>						
	CUP	Conditional Use Permit required <u>(4)</u>						
	ZC	Zoning Clearance						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	R-2	R-2 CZ	DR	DR CZ	MR-O	PRD	PRD CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	—	CUP	=	—	CUP	
Desalination facility, less than 15 connections	—	MCUP	—	MCUP	=	—	MCUP	
Desalination facility, 15 to less than 200 connections	—	CUP	—	CUP	=	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P (35)	P	P (35)	P	P (5)	P (35)	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P (35)	MCUP	P (35)	MCUP	P (5)	P (35)	MCUP	
Reservoir, less than 20,000 sf total development	P	P	P	P	=	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	P	MCUP	=	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	=	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	=	MCUP	MCUP	
Wastewater treatment system, individual	E	P <u>(6)</u>	E	P <u>(6)</u>	=	E	P <u>(6)</u>	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	=	CUP	CUP	
Water diversion project	P	MCUP	P	MCUP	=	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	=	CUP	CUP	
Water or sewer system pump or lift station <u>(57)</u>	—	P	—	P	=	—	P	
Water system with 1 connection	E	P <u>(6)</u>	E	P <u>(6)</u>	=	E	P <u>(6)</u>	
Water system with 2 to less than 5 connections	MCUP	MCUP	P	MCUP	=	P	MCUP	
Water system with 5 or more connections <u>(68)</u>	MCUP	MCUP	MCUP	MCUP	=	MCUP	MCUP	
Water trucking facility, commercial	MCUP	MCUP	MCUP	MCUP	=	MCUP	MCUP	
Water well, agricultural	E	P	E	—	=	E	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

Table 2-9 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
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	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P	P	—	—	—	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	—	EP	EP	—	—	—	
Greenhouse, 300 sf or less	—	P	P	—	—	—	35.42.140
Greenhouse, 300 sf to 800 sf	—	MCUP	MCUP	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(35)	P	P	P(35)	P	P(35)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	—	—	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Community center	—	P	P	—	—	—	
Conference center	CUP	CUP	CUP	CUP	CUP	CUP	
Country club	CUP	CUP	CUP	CUP	CUP	CUP	
Equestrian facilities	CUP	CUP	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	CUP	
Golf course	CUP	CUP	CUP	CUP	CUP	CUP	
Golf driving range	CUP	CUP	CUP	CUP	CUP	CUP	
Library	CUP	CUP	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	CUP	CUP	
Meeting room accessory to organizational house	CUP	MCUP	MCUP	—	—	—	
Museum	CUP	CUP	CUP	CUP	CUP	CUP	
Park, playground - Commercial	—	—	—	—	—	—	
Park, playground - Private	P	P	P	P	P	P	
Park, playground - Public	—	P	P	—	—	—	
Private residential recreation facility	P	P	P	P	P	P	
School	CUP	CUP	CUP	CUP	CUP	CUP	
School - Business, professional or trade	CUP	CUP	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	CUP	CUP	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
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	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

RESIDENTIAL USES

Dwelling, one-family	P (35)	PP	PP	—	—	—	
Dwelling, two-family	—	PP	PP	—	—	—	
Dwelling, multiple	—	PP	PP	—	—	—	
Emergency shelter	—	—	P	—	—	—	
Guesthouse or artist studio	—	—	—	—	—	—	
Home occupation	P	P (8)	P (8)	—	—	P	35.42.190
Mobile home park	CUP	CUP	CUP	P (46)	PP (46)	CUP	
Mobile home	—	—	—	P	PP	P (57)	
Modular home	—	—	—	—	—	P	
Monastery	CUP	—	—	CUP	—	CUP	
Organizational house (sorority, monastery, etc.)	—	—	PP	—	—	—	
Residential accessory use or structure	P	P (8)	P (8)	P	P (8)	P	35.42.020
Residential project convenience facilities	—	—	—	P	P (8)	—	35.42.220
Residential second unit	—	—	—	—	—	—	
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit 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.
- (46) See Section 35.23.080 (Mobile Home Park zone standards).
- (57) Mobile home must be on a permanent foundation, see Section 35.42.205.
- (8) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP); see Section 35.23.030.E. and Section 35.42.020 for additional limitations.

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
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	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

SERVICES

Cemetery	CUP	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	CUP	
Large family day care home	P	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	P	P	P	—	—	—	35.42.090
Child care center, Residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Drive-through facility, accessory to permitted use	—	—	—	—	—	—	
Kennel, animal boarding, commercial	—	—	—	—	—	—	
Kennel, private	—	—	—	—	—	—	
Lodging - Hostel	CUP	—	—	CUP	—	CUP	
Lodging - Hotel or motel	—	—	—	—	—	—	
Lodging - Hotel or motel, where Coastal Land Use Plan requires visitor-serving uses	—	—	—	—	—	—	
Mausoleum	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Clinic	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Extended care	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	CUP	CUP	
Mortuary	—	CUP	CUP	—	CUP	—	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	—	CUP	—	CUP	
Personal services	—	—	—	—	—	—	

Key to Zone Symbols

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

- Notes:
- (1) See Article 35.11 (Glossary) for land use definitions.
 - (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
 - (4) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	—	CUP	—	CUP	
Airstrip, private and temporary	CUP	—	—	CUP	—	CUP	
Airstrip, temporary	—	CUP	CUP	—	CUP	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor <u>(35)</u>	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	—	—	
Electrical transmission line <u>(46)</u> <u>(57)</u>	CUP	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area <u>(68)</u>	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area <u>(68)</u>	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	
Parking facility, commercial, for residential use	—	MCUP	MCUP	—	—	—	
Pipeline - Oil and gas	P	—	—	P	—	P	35.5
Public utility facility	CUP	—	—	CUP	—	CUP	
Public works or private service facility	MCUP	—	—	MCUP	—	MCUP	
Road, street, less than 20,000 sf total area <u>(68)</u>	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area <u>(68)</u>	P	MCUP	MCUP	P	MCUP	P	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	CUP	—	CUP	—	
Telecommunications facility	S	S	S	S	S	S	35.44
Utility service line with less than 5 connections <u>(46)</u>	—	P ⁽⁹⁾	P ⁽⁹⁾	—	P ⁽⁹⁾	—	
Utility service line with 5 or more connections <u>(46)</u>	—	MCUP	MCUP	—	MCUP	—	
Wind turbines and wind energy systems	S	—	—	S	—	S	35.57

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (35) Use is subject to the standards of the PU Zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-9 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>					
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>					
	PP	Principal Permitted Use, Coastal Permit required <u>(3)</u>					
	MCUP	Minor Conditional Use Permit required <u>(4)</u>					
	CUP	Conditional Use Permit required <u>(4)</u>					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	SLP	SR-M CZ	SR-H CZ	MHP	MHP CZ	MHS	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	CUP	—	CUP	—	
Desalination facility, less than 15 connections	—	MCUP	MCUP	—	MCUP	—	
Desalination facility, 15 to less than connections	—	CUP	—	—	CUP	—	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P (35)	P	P	P (35)	P	P (35)	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or greater	P (35)	MCUP	MCUP	P (35)	MCUP	P (35)	
Reservoir, less than 20,000 sf of total development	P	P	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	MCUP	P	MCUP	P	
Reservoir, 50,000 sf or more of total development	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	P <u>(6)</u>	P <u>(6)</u>	E	P <u>(6)</u>	E	
Wastewater treatment facility, less than connections	CUP	CUP	CUP	CUP	CUP	CUP	
Water diversion project	P	MCUP	MCUP	P	MCUP	P	
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station <u>(57)</u>	—	P	P	—	P	—	
Water system with 1 connection	E	P <u>(6)</u>	P <u>(6)</u>	E	P <u>(6)</u>	E	
Water system with 2 to less than 5 connections	P	MCUP	MCUP	P	MCUP	P	
Water system with 5 or more connections <u>(68)</u>	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Water trucking facility, commercial	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	—	P	P	—	P	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.23.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

35.24.030 - Commercial Zones Allowable Land Uses

Table 2-14 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) <u>(2)</u>				
	P	Permitted use, Land Use or Coastal Permit required <u>(23)</u>				
	<u>PP</u>	<u>Principal Permitted Use, Coastal Permit required (3)</u>				
	MCUP	Minor Conditional Use Permit required <u>(4)</u>				
	CUP	Conditional Use Permit required <u>(4)</u>				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	—	—	
Agricultural processing	—	—	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	35.42.060
Cultivated agriculture, orchard, vineyard	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(<u>35</u>)	P(<u>35</u>)	P	P(<u>35</u>)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	S	—	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground	—	—	—	—	—	
Commercial entertainment - Indoor	—	—	—	P	PP	
Commercial entertainment - Outdoor	—	—	—	CUP	CUP	
Community center	—	MCUP	MCUP	—	—	
Conference center	CUP	CUP	CUP	CUP	CUP	
Country club	CUP	CUP	CUP	CUP	CUP	
Equestrian facility - Public or commercial	CUP	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	
Fitness/health club or facility	—	P	PP	P	PP	
Golf course	CUP	CUP	CUP	P(35)	P(35)	
Golf driving range	CUP	CUP	CUP	P	P	
Library	CUP	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	CUP	
Museum	CUP	CUP	CUP	CUP	CUP	
Park, playground - Public	—	—	—	—	—	
Recreational vehicle (RV) park	—	—	—	—	—	
School	CUP	CUP	CUP	CUP	CUP	
School - Business, Professional, or Trade	CUP	CUP	CUP	P	PP	
Sports and outdoor recreation facility	CUP	CUP	CUP	CUP	CUP	
Sports or entertainment assembly facility	—	—	—	—	—	
Studio - Art, dance, martial arts, music, etc.	—	—	—	—	—	
Theater - Indoor	—	—	—	P	PP	
Theater - Outdoor	—	—	—	CUP	CUP	
Trail for hiking or riding	—	—	—	—	—	

RESIDENTIAL USES

Caretaker/Manager dwelling	—	—	—	—	—	
Dwelling, one-family	—	P (46)	P (46)	—	—	
Emergency shelter	—	—	—	MCUP	MCUP	
Mixed use project residential component	MCUP	P	P	MCUP	MCUP	35.42.200
Monastery	CUP	CUP	—	CUP	—	
Residential accessory use or structure	MCUP	P	P	MCUP	MCUP	35.42.020
Residential use existing as of July 19, 1982	—	—	—	—	P	
Single room occupancy facility (SRO)	—	—	—	P	MCUP	
Special care home, 6 or fewer clients	MCUP	P (46)	P (46)	MCUP	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Includes miniature golf and practice/putting range.
- (46) Allowed only on a lot with no commercial use, and subject to all development standards of the R-1/E-1 zone except minimum lot size

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

RETAIL TRADE

Auto and vehicle sales and rental	—	—	—	P	PP	
Bar, tavern	—	—	—	P(35)	PP(35)	
Building and landscape materials sales - Indoor	—	—	—	MCUP	MCUP	
Building and landscape materials sales - Outdoor	—	—	—	MCUP	MCUP	
Convenience store, less than 3,000 sf or less net floor area	P(46)	P(57)	PP	P	PP	
Convenience store, 3,000 sf or more net floor area	P(46)	P(57)	PP	P	PP	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	—	—	
Fuel dealer	—	—	—	—	—	
General retail	P(46)	P(57)	PP	P	PP	
Grocery/food store, 3,000 sf or less	P(46)	P(57)	PP	P	PP	
Grocery/food store, 5,000 sf or less	—	P(57)	PP	P	PP	
Grocery/food store, more than 5,000 sf	—	P(57)	PP	P	PP	
Mobile home, boat, and RV sales and repair	—	—	—	MCUP	MCUP	
Office supporting retail	P(46)	P(57)	PP	P	PP	
Plant nursery	—	P	PP	P	PP	
Restaurant, café, coffee shop - Indoor and outdoor	—	P	PP	P(35)	PP(35)	
Restaurant, café, coffee shop,- Within an office building	—	—	—	—	—	
Service station	MCUP	MCUP	MCUP	P	PP	
Shopping center - Community	—	—	—	—	—	
Shopping center - Convenience	—	—	—	—	—	
Swap meet	—	—	—	CUP	CUP	
Truck stop	—	—	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	MCUP	MCUP	
Visitor-serving commercial	—	—	PP	P	PP	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Includes microbreweries that are accessory and secondary to a bar or restaurant.
- (46) Limited to establishments that supply commodities to meet the day-to-day needs of residents in the neighborhood.
- (57) Limited to establishments that supply commodities to the residences in the neighborhood.

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	—	P	PP	P	PP	
Bank, financial services - Complete facility	—	—	—	P	PP	
Business support service	—	—	—	P	PP	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	—	CUP	CUP	MCUP	MCUP	35.42.250
Medical services - Clinic	CUP	CUP	CUP	CUP	CUP	
Medical services - Doctor office	—	P	PP	P	PP	
Medical services - Extended care	CUP	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	CUP	
Office - Business/service	—	P	PP	P	PP	
Office - Professional/administrative	—	—	—	P	PP	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	
Large family day care home	P	P	P	P	P	35.42.090
Small family day care home	E	E	E	E	E	35.42.090
Child care center, Non-residential	P	P	PP	P	PP	35.42.090
Child care center, Non-residential, accessory	—	—	—	—	—	
Child care center, Residential	MCUP	P	PP	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	P	PP	MCUP	MCUP	
Lodging - Guest ranch	—	—	—	—	—	
Lodging - Hostel	CUP	CUP	PP	CUP	—	
Lodging - Hotel or motel	—	CUP	CUP	P	PP	
Lodging - Resort	—	—	—	—	—	
Mortuary	—	—	CUP	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	CUP	—	CUP	—	
Personal services	P	P	PP	P	PP	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	P	PP	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	P	PP	
Repair service - Farm implements and equipment	—	—	—	—	—	
Repair service - Small appliances	P	P	PP	P	PP	
Vehicle services - Carwash, mechanical	—	—	—	MCUP	MCUP	35.42.270
Vehicle services - Major repair, bodywork	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	MCUP	—	—	P	PP	
Vehicle services - With outdoor work areas	—	—	—	MCUP	MCUP	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	CUP	—	CUP	—	
Airstrip, private and temporary	CUP	CUP	—	CUP	—	
Airstrip, temporary	—	—	CUP	—	CUP	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (35)	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (46) (57)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (68)	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	
Parking facility, public or private	—	—	—	P	P	
Pier, dock	—	—	—	—	—	
Pipeline - Oil and gas	P	P	—	P	—	35.5
<u>Public safety facility</u>	<u>—</u>	<u>—</u>	<u>P</u>	<u>—</u>	<u>P</u>	
Public utility facility	CUP	CUP	—	CUP	—	
Public works or private service facility	MCUP	MCUP	—	MCUP	—	
Road, street, less than 20,000 sf total area (68)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	CUP	—	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	CUP	CUP	
Utility service line with less than 5 connections (46)	—	—	P(9)	—	P(9)	
Utility service line with 5 or more connections (46)	—	—	MCUP	—	MCUP	
Vehicle dispatch facility	—	—	—	—	—	
Vehicle storage	—	—	—	MCUP	MCUP	
Wind turbines and wind energy systems	S	S	—	S	—	35.57

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Use is subject to the standards of the PU zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	CN	C-1	C-1 CZ	C-2	C-2 CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	CUP	—	CUP	
Desalination facility, less than 15 connections	—	—	MCUP	—	MCUP	
Desalination facility - 15 to less than 200 connections	—	—	CUP	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(35)	P(35)	P	P(35)	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(35)	P(35)	MCUP	P(35)	MCUP	
Reservoir, less than 20,000 sf of total development	P	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	P	MCUP	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	E	P (6)	E	P (6)	
Wastewater treatment facility, up to 199 connections	CUP	CUP	CUP	CUP	CUP	
Water diversion project	P	P	MCUP	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station (57)	—	—	P	—	P	
Water system with 1 connection	E	E	P (6)	E	P (6)	
Water system with 2 to less than connections	P	P	MCUP	P	MCUP	
Water system with 5 or more connections(68)	MCUP	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	—	—	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

Table 2-15 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CH CZ	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	—	—	P	P	35.42.020
Agricultural processing	P	P	P(35)	P(35)	35.42.040
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
Cultivated agriculture, orchard, vineyard	—	—	—	—	
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(46)	P(46)	P(46)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	CUP	—	—	—	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	P	P	—	—	
Furniture/fixtures manufacturing, cabinet shops	P	P	—	—	
Handcraft industry, small scale manufacturing	MCUP	MCUP	—	—	35.42.160
Laundry, dry cleaning plant	P	P	—	—	
Media production	—	—	—	—	
Metal products fabrication, machine and welding shops	P	P	—	—	
Printing and publishing	P	P	—	—	
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	—	—	
Sign painting shop	P	P	—	—	
Storage - Contractor equipment storage yard	P	P	—	—	
Storage - Personal storage facility (mini storage)	P	P	—	—	
Storage - Warehouse, not used for wholesaling or distribution	P	P	—	—	
Wholesaling and distribution	P	P	—	—	
Wholesaling and distribution - Essential to agriculture, except	P	P	CUP	CUP	

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Restricted to the processing of on-premise products.
- (46) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CH CZ	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground	—	—	—	—	
Commercial entertainment - Indoor	P	—	—	—	
Commercial entertainment - Outdoor	CUP	—	—	CUP	
Community center	—	—	—	—	
Conference center	CUP	CUP	CUP	CUP	
Country club	CUP	CUP	CUP	CUP	
Equestrian facility - Public or commercial	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	
Fitness/health club or facility	P	—	—	—	
Golf course	P(35)	CUP	MCUP	MCUP	
Golf driving range	P	CUP	MCUP	MCUP	
Library	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	
Museum	CUP	CUP	CUP	CUP	
Park, playground	—	—	—	—	
Recreational vehicle (RV) park	—	—	CUP	CUP	
School	CUP	CUP	CUP	CUP	
School - Business, Professional, or Trade	P	CUP	CUP	CUP	
Sports and outdoor recreation facility	CUP	CUP	CUP	CUP	
Sports or entertainment assembly facility	—	—	CUP	CUP	
Studio - Art, dance, martial arts, music, etc.	—	—	—	—	
Theater - Indoor	P	—	—	—	
Theater - Outdoor	CUP	—	CUP	CUP	
Trail for hiking or riding	—	—	—	—	

RESIDENTIAL USES

Caretaker/Manager dwelling	—	MCUP	P	P	35.42.080
Dwelling, one-family	—	—	—	—	
Emergency shelter	P	P	—	—	
Mixed use project residential component	MCUP	—	—	MCUP	35.42.200
Monastery	CUP	CUP	CUP	—	
Residential accessory use or structure	MCUP	MCUP	P	P	35.42.020
Residential use existing as of July 19, 1982	—	—	—	—	
Single room occupancy facility (SRO)	P	—	P	—	
Special care home, 6 or fewer clients	MCUP	MCUP	MCUP	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	35.42.090

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Includes miniature golf and practice/putting range.

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CH CZ	

RETAIL TRADE

Auto and vehicle sales and rental	P	—	—	—	
Bar, tavern	P(35)	—	—	—	
Building and landscape materials - Indoor	P	P	—	—	
Building and landscape materials - Outdoor	P	P	—	—	
Convenience store, 3,000 sf or less net floor area	P	—	P(46)	PP	
Convenience store, 3,000 sf or more net floor area	P	—	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	P	P	—	—	
Fuel dealer	P(57)	P	—	—	
General retail	P	—	—	—	
Grocery/food store, 3,000 sf or less	P	—	CUP(46)	CUP	
Grocery/food store, 5,000 sf or less	P	—	CUP(46)	CUP	
Grocery/food store, more than 5,000 sf	P	—	—	—	
Mobile home, boat, and RV sales and repair	—	—	—	—	
Office supporting retail	P	—	—	—	
Plant nursery	P	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	P(46)	—	P(46)	PP	
Restaurant, café, coffee shop - Within an office building	—	—	—	—	
Service station	P	—	P	PP	
Shopping center - Community	—	—	—	—	
Shopping center - Convenience	—	—	—	—	
Swap meet	CUP	—	—	—	
Truck stop	—	—	MCUP	MCUP	
Truck, trailer, construction, farm, heavy equipment sales/rental	P	—	—	—	
Visitor-serving commercial	P	—	P(46)	PP	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	P	—	—	—	
Bank, financial services - Complete facility	P	—	—	—	
Business support service	P	P	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	P	P	—	—	35.42.250
Medical services - Clinic	CUP	CUP	CUP	CUP	
Medical services - Doctor office	P	—	—	—	
Medical services - Extended care	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	
Office - Business/service	P	—	—	—	
Office - Professional/administrative	P	—	—	—	

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Includes microbreweries that are accessory and secondary to a bar or restaurant.
- (46) No off-premise alcoholic beverage sales allowed; no alcoholic beverage sales in restaurant except when food also served.
- (57) Limited to the sale of fuel for agricultural equipment.

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CH CZ	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	
Large family day care home	P	—	P	P	35.42.090
Small family day care home	E	—	E	E	35.42.090
Child care center, Non-residential	P	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	—	P	P	P(5)	35.42.090
Child care center, Residential	MCUP	—	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	MCUP	—	—	—	
Lodging - Guest ranch	—	—	—	—	
Lodging - Hostel	CUP	CUP	CUP	—	
Lodging - Hotel or motel	P	—	P	PP	
Lodging - Resort	—	—	—	—	
Mortuary	—	—	—	—	
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	CUP	CUP	—	
Personal services	P	—	—	—	
Repair service - Equipment, appliances, etc. - Indoor	P	P	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	P	P	—	—	
Repair service - Farm implements and equipment	P	P	—	—	
Vehicle services - Carwash, mechanical	MCUP	—	MCUP(36)	MCUP(36)	35.42.270
Vehicle services - Major repair, bodywork	P	—	—	—	
Vehicle services - Minor maintenance/repair	P	P	P	PP	
Vehicle services - With outdoor work areas	—	—	—	—	

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP), nonresidential, accessory child care center may also be considered a Principal Permitted Use (PP).
- (6) Use not allowed on a lot abutting a residential zone; see Section 35.42.270 (Vehicle Services).

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CH CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	CUP	CUP	—	
Airstrip, private and temporary	CUP	CUP	CUP	—	
Airstrip, temporary	—	—	—	CUP	
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 (35)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (46) (57)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (68)	P	P	P	P	
Flood control project, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	
Parking facility, public or private	P	—	—	—	
Pier, dock	—	—	—	—	
Pipeline - Oil and gas	P	P	P	—	35.5
Public safety facility	—	—	—	P	
Public utility facility	CUP	CUP	CUP	—	
Public works or private service facility	MCUP	MCUP	MCUP	—	
Road, street, less than 20,000 sf total area (68)	P	P	P	P	
Road, street, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	CUP	
Telecommunications facility	S	S	S	S	35.44
Transit station or terminal	P	—	P	PP	
Utility service line with less than 5 connections (46)	—	—	—	P(9)	
Utility service line with 5 or more connections (46)	—	—	—	MCUP	
Vehicle dispatch facility	MCUP	—	—	—	
Vehicle storage	—	—	—	—	
Wind turbines and wind energy systems	S	S	S	—	35.57

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Use is subject to the standards of the PU zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-15 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	MCUP	Minor Conditional Use Permit required (4)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CH CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	CUP	
Desalination facility, less than 15 connections	—	—	—	MCUP	
Desalination facility, 15 to less than 200 connections	—	—	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(35)	P(35)	P(35)	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(35)	P(35)	P(35)	MCUP	
Reservoir, less than 20,000 sf of total development	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	P	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	E	E	P (6)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	
Water diversion project	P	P	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station (57)	—	—	—	P	
Water system with 1 connection	E	E	E	P (6)	
Water system with 2 to less than 5 connections	P	P	P	MCUP	
Water system with 5 or more connections (68)	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	—	—	E	P	

Key to Zone symbols

C-3	General Commercial	CH	Highway Commercial
C-S	Service Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

Table 2-16 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	—	—	
Agricultural processing	—	—	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	35.42.060
Cultivated agriculture, orchard, vineyard	—	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP —	CUP	CUP	CUP —	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(35)	P —	P(35)	P(35)	P —	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP —	CUP	CUP	CUP —	35.82.160
Oil and gas uses	—	—	—	—	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
PP	Principal Permitted Use, Coastal Permit required (3)					
MCUP	Minor Conditional Use Permit required (4)					
CUP	Conditional Use Permit required (4)					
S	Permit determined by Specific Use Regulations					
—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground		CUP PP	—	—	CUP	
Commercial entertainment - Indoor	—	—	CUP	—	—	
Commercial entertainment - Outdoor	—	—	—	—	—	
Community center	—	—	—	P	PP	
Conference center	P(35)	P(6)	CUP	CUP	CUP	
Country club	P(35)	P —	CUP	P	P	
Equestrian facility - Public or commercial	CUP	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	
Fitness/health club or facility	—	—	CUP	P	P	
Golf course	P	P(6)	CUP	P	P	
Golf driving range	CUP	CUP	CUP	CUP	CUP	
Library	CUP	CUP	CUP	P	PP	
Meeting facility, public or private	CUP	CUP —	CUP	P	PP	
Meeting facility, religious	CUP	— (7)	CUP	CUP	CUP	
Museum	CUP	CUP	CUP	P	PP	
Park, playground	P	PP	—	—	—	
Recreational vehicle (RV) park	CUP	CUP	—	—	—	
School	CUP	CUP —	CUP	P	PP	
School - Business, Professional, or Trade	CUP	CUP —	CUP	P(48)	PP(48)	
Sports and outdoor recreation facility	P	P	CUP	CUP	CUP	
Sports or entertainment assembly facility	—	—	—	—	—	
Studio - Art, dance, martial arts, music, etc.	—	—	—	P	P	
Theater - Indoor	—	—	—	—	—	
Theater - Outdoor	—	—	—	—	—	
Trail for hiking or riding	P	PP	—	—	P	

RESIDENTIAL USES

Caretaker/Manager dwelling	MCUP	—	—	—	—	35.42.080
Dwelling, one-family	—	—	—	—	—	
Emergency shelter	—	—	—	—	—	
Mixed use project residential component	—	MCUP(9)	—	MCUP	MCUP(9)	35.42.200
Monastery	CUP	—	CUP	CUP	—	
Residential accessory use or structure	MCUP	MCUP(10)	—	MCUP	MCUP(10)	
Residential use existing as of July 19, 1982	—	—	—	—	—	
Single room occupancy facility (SRO)	—	—	—	—	—	
Special care home	MCUP	MCUP —	MCUP	MCUP	MCUP —	35.42.090

Key to Zone Symbols

C-V	Visitor Serving Commercial	PI	Public and Institutional	SC	Shopping Center	CZ	Coastal Zone
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Notes: (1) See Article 35.11 (Glossary) for land use definitions.

(2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

(23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.

(34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

(5) Destination-type facility required; see Section 35.24.060 (C-V Zone Additional Standards).

(6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

(7) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for such a permit.

(48) Not including trade schools using heavy equipment.

(9) Occupancy restricted to employees, and members of the employee's family, of the commercial uses on the site.

(10) Limited to garages, landscaping, pools, spas and hot tubs, and storage sheds.

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

RETAIL TRADE

Auto and vehicle sales and rental	—	—	—	—	—	
Bar, tavern	—	—	—	—	—	
Building and landscape materials - Indoor	—	—	—	—	—	
Building and landscape materials - Outdoor	—	—	—	—	—	
Convenience store, less than 3,000 sf net floor area	—	—	—	—	—	
Convenience store, 3,000 sf or more net floor area	—	—	—	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	—	—	
Fuel dealer	—	—	—	—	—	
General retail	—	—	—	—	—	
Grocery/food store, 3,000 sf or less	—	—	—	—	—	
Grocery/food store, 5,000 sf or less	—	—	—	—	—	
Grocery/food store, more than 5,000 sf	—	—	—	—	—	
Mobile home, boat, and RV sales and repair	—	—	—	—	—	
Office supporting retail	—	—	—	P	P	
Plant nursery	—	—	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	P(5)	—	—	—	
Restaurant, café, coffee shop - Within an office building	—	—	—	CUP	CUP	
Service station	—	CUP(36)	—	—	—	
Shopping center - Community	—	—	S	—	—	
Shopping center - Convenience	—	—	S	—	—	
Swap meet	—	—	—	—	—	
Truck stop	—	—	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	—	—	
Visitor-serving commercial	P(5)	PP(4)	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (6) May be approved only in an area designated rural on the Coastal Land Use Plan maps, and where no other gasoline retail sales exists within 10 miles of site perimeter.
- (4) ~~Use only allowed accessory and incidental to an approved resort/visitor serving facility.~~

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL						
Bank, financial services - Branch facility	—	—	—	P	PP	
Bank, financial services - Complete facility	—	—	—	P	PP	
Business support service	—	—	—	P	PP	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	—	—	P	CUP	CUP	35.42.250
Medical services - Clinic	CUP	CUP	CUP	P	PP	
Medical services - Doctor office	—	—	—	P	PP	
Medical services - Extended care	CUP	CUP	CUP	P	PP	
Medical services - Hospital	CUP	CUP	CUP	P	PP	
Office - Business/service	—	—	S(35)	P	PP	
Office - Professional/administrative	—	—	S(35)	P	PP	

SERVICES - GENERAL						
Cemetery, mausoleum	CUP	CUP	CUP	P	PP	
Charitable or philanthropic organization	CUP	MCUP	CUP	P	P	
Large family day care home	P	P	—	P	P	35.42.090
Small family day care home	E	E	—	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	P	P(6)	P	P	P(6)	35.42.090
Child care center, Residential	MCUP	MCUP	—	MCUP	MCUP	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	35.42.130
Lodging - Bed and breakfast inn	—	PP	—	—	—	
Lodging - Guest ranch	P	PP	—	—	—	
Lodging - Hostel	CUP	PP	CUP	CUP	—	
Lodging - Hotel or motel	P	PP	—	—	—	
Lodging - Resort	P	PP	—	—	—	
Mortuary	—	CUP	—	—	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	CUP	CUP	—	
Personal services	—	—	—	P	P	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	—	—	
Repair service - Farm implements and equipment	—	—	—	—	—	
Vehicle services - Carwash, mechanical	—	—	—	—	—	
Vehicle services - Major repair, bodywork	—	—	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	—	—	—	
Vehicle services - With outdoor work areas	—	—	—	—	—	

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

- Notes:
- (1) See Article 35.11 (Glossary) for land use definitions.
 - (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
 - (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
 - (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
 - (5) See Section 35.24.070 (SC Zone Additional Standards).
 - (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	CUP	—	
Airstrip, private and temporary	CUP	—	CUP	CUP	—	
Airstrip, temporary	—	CUP	—	—	CUP	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (35)	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (46) (57)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (68)	P	P	P	—	—	
Flood control project, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	—	—	
Heliport	CUP	CUP	CUP	CUP	CUP	
Parking facility, public or private	—	—	—	—	—	
Pier, dock	P	P	—	—	—	
Pipeline - Oil and gas	P	—	P	P	—	35.5
<u>Public safety facility</u>	—	—	—	—	P	
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 (68)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	—	CUP	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	—	
Utility service line with less than 5 connections (46)	—	P(9)	—	—	P(9)	
Utility service line with 5 or more connections (46)	—	MCUP	—	—	MCUP	
Vehicle dispatch facility	—	—	—	—	—	
Vehicle storage	—	—	—	—	—	
Wind turbines and wind energy systems	S	—	S	S	—	35.57

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Use is subject to the standards of the PU zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-16 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	MCUP	Minor Conditional Use Permit required (4)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	C-V	C-V CZ	SC	PI	PI CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	—	—	CUP	
Desalination facility, less than 15 connections	—	MCUP	—	—	MCUP	
Desalination facility, 15 to less than 200 connections	—	CUP	—	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(35)	P	P(35)	P(35)	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(35)	MCUP	P(35)	P(35)	MCUP	
Reservoir, less than 20,000 sf total development	P	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	P	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	P(6)	E	E	P(6)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	CUP	
Water diversion project	P	MCUP	P	P	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station (57)	—	P	—	—	P	
Water system with 1 connection	E	P(6)	E	E	P(6)	
Water system with 2 to less than 5 connections	P	MCUP	P	P	MCUP	
Water system with 5 or more connections (68)	MCUP	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	—	—	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift.
- (68) In the Coastal Zone, limited to less than 200 connections.

35.25.030 - Industrial Zones Allowable Land Uses

Table 2-20 Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ(5)	M-CD CZ (6)	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	P	P	P	P	P	35.42.020
Agricultural processing	—	—	P	P	P(37)	P(3)	P(3)	
Agricultural processing - Extensive	—	—	P	P	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	P	P	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	S	S	S	35.42.060
Aquaculture	P	P	P	—	P	PP	PP	35.42.070
Cultivated agriculture, orchard, vineyard	—	—	E	E	E	E	E	
Grazing	—	—	—	—	E	E	E	
Greenhouse	—	—	—	—	P	P	P	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	CUP(6)	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(48)	P	P(48)	P(48)	P(48)	P	P(6)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	CUP(6)	35.82.160
Oil and gas uses	S	S	S	S	S	S	S(5)	35.5
Winery	—	—	P(69)	P(69)	S(710)	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030.DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that requires a site on or adjacent to the sea to be able to function at all.
- (7) Restricted to products produced on-premise and in compliance with Section 35.42.040 (Agricultural Processing Facilities)
- (48) 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.
- (69) Does not include tasting rooms or onsite retail sales.
- (710) Subject to the regulations of Section 35.42.280 (Wineries).

Table 2-20 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ (5)	M-CD CZ (6)	

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	PP	P	P	—	—	—	
Ceramic product manufacturing	P	PP	P	P	—	—	—	
Chemical product manufacturing	—	—	—	CUP	—	—	—	
Concrete, gypsum and plaster products	—	—	P	CUP	—	—	—	
Cosmetic and pharmaceutical manufacturing	P	PP	P	P	—	—	—	
Electronics assembly	P	PP	P	P	—	—	—	
Electronics equipment manufacturing	P	PP	P	P	—	—	—	
Explosives, fireworks, and ordinance manufacturing	—	—	—	CUP	—	—	—	
Fertilizer plant	—	—	—	CUP	—	—	—	
Fish cannery	—	—	—	CUP	—	—	—	
Food and beverage product manufacturing	—	—	P	P	—	—	—	
Foundry	—	—	P(37)	P	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	P	P	—	—	—	
Handcraft industry, small scale manufacturing	P	PP	P	P	—	—	—	
Laboratory - Medical, analytical, research and development	P	PP	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(48)	P	—	—	—	
Motor vehicle and transportation equipment manufacturing	—	—	P(59)	P	—	—	—	
Music recording studio	CUP	—	CUP	CUP	CUP	—	CUP	
Additional INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING uses are listed on the following page.								

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030-DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (7) Limited to the casting of lightweight non-ferrous metal not causing noxious fumes or odors.
- (48) Does not include drop hammers.
- (59) Limited to automobiles.

Table 2-20 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ (5)	M-CD CZ (6)	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING - CONTINUED

Oil refining	—	—	—	CUP	—	—	—	
Paving and roofing material manufacturing	—	—	P	CUP	—	—	—	
Petroleum product storage and distribution	—	—	P	P	—	—	—	
Precision machine shop	P	PP	P	P	—	—	—	
Primary metal industries	—	—	—	CUP	—	—	—	
Printing and publishing	P	PP	P	P	—	—	—	
Recycling - Community recycling facility	—	—	P	—	—	—	—	
Recycling - Processing facility	—	—	—	P	—	—	—	
Recycling - Scrap or dismantling yard	—	—	—	P	—	—	—	
Recycling - Small collection center, non-profit	—	—	P	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	P	—	—	—	
Research and development	P	PP	P	P	—	—	—	
Sign fabrication and painting shop	—	—	P	P	—	—	—	
Slaughterhouse, stockyard, rendering plant	—	—	—	CUP	—	—	—	
Stone and cut stone products	—	—	P	CUP	—	—	—	
Storage - Contractor equipment storage yard	—	—	P	—	—	—	—	
Storage - Equipment storage yard	—	—	P	P	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	P	—	—	—	—	
Storage - Warehouse	P	PP	P	P	—	—	—	
Tannery	—	—	—	CUP	—	—	—	
Wholesaling and distribution	P	PP	P	P	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030-DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.

Table 2-20 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ (5)	M-CD CZ (6)	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Conference center	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Country club	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Equestrian facility - Public or commercial	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Fitness/health club or facility	CUP	—	—	—	—	—	—	
Fitness/health club or facility, accessory	P	P	P	—	—	—	—	
Golf course	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Golf driving range, practice/putting range	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Library, museum	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
School	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
School - Business, professional, or trade	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facility, accessory	P	P	P	—	—	—	—	

RESIDENTIAL USES

Emergency shelter	P	P	P	—	—	—	—	
Employee residence (37)	—	—	—	—	CUP	CUP	CUP	
Monastery	CUP	—	CUP	CUP	CUP	—	—	
Special care home, no client restrictions	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	

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	—	—	—	—	
Drive-through facility, accessory	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	P	—	—	—	—	
Office-supporting retail	P	PP	P	—	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	—	—	—	
Service station	—	—	—	—	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030-DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (37) Dwellings may be 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.

Table 2-20 - Continued	E	Allowed use, no permit required (Exempt) (2)
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Allowed Land Uses and Permit Requirements for Industrial Zones	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ (5)	M-CD CZ (6)	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	—	—	—	—	—	—	—	
Bank, financial services - Complete facility	—	—	—	—	—	—	—	
Business support services	P	PP	P	—	—	—	—	
Drive-through facility, accessory	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.42.130
Medical services - Animal hospital, small animals	—	—	P	—	—	—	—	
Medical services - Clinic	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Extended care	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Office - Accessory	P	PP	P	P	P	P(7)	P(7)	
Office - Executive headquarters	P	PP	P	—	—	—	—	

SERVICES - GENERAL

Cemetery	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Large family day care home	—	—	—	—	P	P	P	35.42.090
Small family day care home	—	—	—	—	E	E	E	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	P	P	P	—	—	—	—	35.42.090
Child care center, Residential	—	—	—	—	MCUP	MCUP	MCUP	35.42.090
Drive through facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	35.42.130
Lodging - Hostel	CUP	—	CUP	CUP	CUP	—	CUP	
Lodging - Hotel or motel	—	—	P	—	—	—	—	
Mausoleum	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Mortuary	—	CUP	—	—	—	CUP	—	
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Music recording studio	CUP	—	CUP	CUP	CUP	—	CUP	
Personal services, employees only	P	P	P	—	—	—	—	
Public safety facility	—	—	P	—	—	—	—	
Repair service - Equipment, large appliances, etc. - Indoor	—	—	P	P	—	—CUP	—CUP	
Repair service - Equipment, large appliances, etc. - Outdoor	—	—	P	P	—	—CUP	—CUP	
Repair service - Small appliances	—	—	P	P	—	—	—	
Vehicle services - Major repair, bodywork	—	—	P(38)	P	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	P(38)	P	—	—	—	

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030-DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (7) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (8) Limited to automobiles.

Table 2-20 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
	MCUP	Minor Conditional Use Permit required (4)						
	CUP	Conditional Use Permit required (4)						
	S	Permit determined by Specific Use Regulations						
	—	Use Not Allowed						
LAND USE (1)	PERMIT REQUIRED BY ZONE							Specific Use Regulations
	M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ (5)	M-CD CZ (6)	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	CUP	CUP	CUP	—	CUP	
Airstrip, private and temporary	CUP	—	CUP	CUP	CUP	—	CUP	
Airstrip, temporary	—	CUP	—	CUP	—	CUP	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (37)	MCUP	MCUP	P	P	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	P	P	—	—	—	
Electrical transmission line (48) (59)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (69)	P	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (69)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Marine terminal, onshore facility for petroleum transport	—	—	—	—	—	P	P	
Pier, dock	—	—	—	—	—	—	P	
Pipeline - Oil and gas	P	—	P	P	P	—	P	35.5
Public utility facility	CUP	—	CUP	CUP	CUP	—	CUP	
Public works or private service facility	MCUP	—	MCUP	MCUP	MCUP	—	MCUP	
Road, street, less than 20,000 sf total area (610)	P	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area (610)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	—	—	CUP	CUP	
Telecommunications facility	S	S	S	S	S	S	S	35.44
Truck or freight terminal	—	—	P	P	—	—	—	
Utility service line with less than 5 connections(48)	—	P(11)	—	—	—	P(11)	P(11)	
Utility service line with 5 or more connections (48)	—	MCUP	—	—	—	MCUP	MCUP	
Vehicle dispatch facility	—	—	MCUP	MCUP	—	—	—	
Vehicle storage	—	—	P	P	—	—	—	
Wind energy systems	S	—	S	S	S	—	—	35.57

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030-DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (7) Use is subject to the standards of the PU Zone.
- (48) Does not include lines outside the jurisdiction of the County.
- (59) Not allowed in the VC overlay.
- (610) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (11) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-20 - Continued Allowed Land Uses and Permit Requirements for Industrial Zones	E	Allowed use, no permit required (Exempt) (2)						
	P	Permitted use, Land Use or Coastal Permit required (23)						
	PP	Principal Permitted Use, Coastal Permit required (3)						
MCUP	Minor Conditional Use Permit required (4)							
CUP	Conditional Use Permit required (4)							
S	Permit determined by Specific Use Regulations							
—	Use Not Allowed							
PERMIT REQUIRED BY ZONE								Specific Use Regulations
M-RP	M-RP CZ	M-1	M-2	M-CR	M-CR CZ (5)	M-CD CZ (6)		

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP	—	—	—	CUP	CUP	
Desalination facility, less than 15 connections	—	MCUP	—	—	—	MCUP	MCUP	
Desalination facility, 15 to less than 200 connections	—	CUP	—	—	—	CUP	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(37)	P	P(37)	P(37)	P(3)	P	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(37)	MCUP	P(37)	P(37)	P(3)	MCUP	P	
Reservoir, less than 20,000 sf of total development	P	P	P	P	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	P	P	P	MCUP	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	P (8)	E	E	E	P (8)	P (8)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Water diversion project	P	MCUP	P	P	P	MCUP	MCUP	
Water extraction, commercial	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station (59)	—	P	—	—	—	P	P	
Water system with 1 connection	E	P (8)	E	E	E	P (8)	P (8)	
Water system with 2 to less than 5 connections	P	MCUP	P	P	P	MCUP	MCUP	
Water system with 5 or more connections (610)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	E	P	E	E	E	P	P	

Key to Zone Symbols

M-RP	Industrial Research Park	M-CR	Coastal-Related Industry
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Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.25.030-DC (Industrial Zone Allowable Land Uses). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses limited to those that support uses that require a site on or adjacent to the sea to be able to function at all.
- (6) Uses limited to those that require a site on or adjacent to the sea to be able to function at all.
- (37) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (8) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (59) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (610) In the Coastal Zone, limited to less than 200 connections.

35.26.030 - Special Purpose Zones Allowable Land Uses

Table 2-22 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	MU	OT-R	OT-R/LC	OT-R/GC	PU	PU CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	—	—	P	P	35.42.020
Agricultural processing - On-premise products	—	—	—	—	P	P	
Animal keeping (except equestrian facilities- see RECREATION)	S	S	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	E	E	—	—	E	E	
Grazing	—	—	—	—	E	E	
Greenhouse, 300 sf or less	P	P	—	—	P	P	35.42.140
Greenhouse, more than 300 sf	—	—	—	—	P	P	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(35)	P(35)	P(35)	P(35)	P(35)	P	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	CUP	CUP	35.82.160
Oil & gas uses	S	—	—	—	—	—	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	P	—	—	—	—	—	
Business machine manufacturing and assembly	P	—	—	—	—	—	
Ceramic product manufacturing	P	—	—	—	—	—	
Cosmetic and pharmaceutical manufacturing	P	—	—	—	—	—	
Electronics assembly	P	—	—	—	—	—	
Electronics, equipment, and appliance manufacturing	P	—	—	—	—	—	
Food and beverage product manufacturing	P	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	P	—	—	—	—	—	
Handcraft industry, small scale manufacturing	P	—	—	—	—	—	
Laboratory - Medical, analytical, research and development	P	—	—	—	—	—	
Media production	—	—	—	—	—	—	
Merchandise manufacturing	P	—	—	—	—	—	
Precision machine shop	P	—	—	—	—	—	
Printing and publishing	P	—	—	—	—	—	
Recycling - Community recycling facility	—	—	—	—	—	—	
Recycling - Small collection center	—	—	—	—	—	—	
Recycling - Small collection center, non-profit	P	—	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	—	—	
Research and development	P	—	—	—	—	—	
Storage - Warehouse	P	—	—	—	—	—	
Wholesaling and distribution	P	—	—	—	—	—	

Key to Zone Symbols

MU	Mixed Use	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential	PU	Public Works Utilities
OT-R/LC	Old Town - Residential/Light Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	MU	OT-R	OT-R/LC	OT-R/GC	PU	PU CZ	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Boat club	—	—	—	—	—	—	
Campground	—	—	—	—	—	—	
Commercial entertainment - Indoor	P	—	—	—	—	—	
Community center	P	P	—	—	—	—	
Conference center	CUP	CUP	CUP	CUP	CUP	CUP —	
Country club, swimming and tennis	P	CUP	CUP	CUP	CUP	CUP —	
Equestrian facility - Public or commercial	CUP	CUP	CUP	CUP	CUP	CUP —	
Fairgrounds	CUP	CUP	CUP	CUP	CUP	CUP —	
Fitness/health club or facility	P(35)	—	—	P	—	—	
Fitness/health club or facility, accessory	P	—	—	—	—	—	
Golf course	P	CUP	CUP	CUP	CUP	CUP —	
Historical park	—	—	—	—	—	—	
Library, museum	P	CUP	CUP	CUP	CUP	CUP —	
Meeting facility, public or private	P	CUP	CUP	CUP	CUP	CUP —	
Meeting facility, religious	CUP	CUP	CUP	CUP	CUP	CUP —	
Park, playground - Public	P	P	—	—	—	—	
Park, playground - Private	P	—	—	—	—	—	
Private residential recreation facility	P	P	P	P	—	—	
Recreational vehicle (RV) park	—	—	—	—	—	—	
School	P	CUP	CUP	CUP	CUP	CUP —	
School - Business, professional, trade	P	CUP	CUP	P	CUP	CUP —	
Shooting range	—	—	—	—	—	—	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	CUP	CUP —	
Sports and outdoor recreation facilities, accessory	P	—	—	—	—	—	
Studio - Art, dance, martial arts, music, etc	P	—	—	—	—	—	
Theater - Indoor	P	—	—	—	—	—	
Trail for bicycles, hiking, or riding	P	—	—	—	—	—	
Trout farm	—	—	—	—	—	—	
Zoo	—	—	—	—	—	—	

Key to Zone Symbols

MU	Mixed Use	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential	PU	Public Works Utilities
OT-R/LC	Old Town - Residential/Light Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Must be conducted within a completely enclosed building.

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	MU	OT-R	OT-R/LC	OT-R/GC	PU	PU CZ	

RESIDENTIAL USES

Caretaker/manager dwelling	—	—	—	—	—	—	
Dwelling, one-family	P	P(35)	P(35)(46)	P(35)-46	—	—	
Dwelling, two-family	P	P	P(46)	P(46)	—	—	
Dwelling, multiple	P	P	P(46)	P(46)	—	—	
Emergency shelter	P	—	—	—	—	—	
Home occupation	P	P	P(46)	P(46)	—	—	
Mobile home park	—	CUP	—	—	—	—	
Monastery	CUP	CUP	CUP	CUP	CUP	CUP	
Residential accessory use or structure	P	P	P(46)	P(46)	—	—	
Residential project convenience facility	P	P(46)	—	—	—	—	35.42.220
Residential second unit	—	P(57)	P(46)(57)	P(45)(57)	—	—	35.42.230
Single room occupancy facility (SRO)	P	—	P	P	—	—	
Special care home	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

Agricultural product sales, on-site production only	MCUP	MCUP	—	—	MCUP	MCUP	35.42.050
Auto and vehicle sales and rental	—	—	—	P	—	—	
Bar, tavern	P	—	—	P(68)	—	—	
Building and landscape materials sales - Outdoor	—	—	—	—	—	—	
Clothing store	—	—	P	P	—	—	
Convenience store	P	—	—	P	—	—	
Convenience store, in mixed use project	CUP	—	—	—	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	CUP	35.42.130
General retail	P	—	—	P	—	—	
Grocery/food store	P	—	—	P	—	—	
Office supporting retail	P	—	—	P	—	—	
Plant nursery	P(79)	—	—	P	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	P(79)	—	—	P(68)	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	—	—	—	—	—	—	
Service station	P	—	—	P	—	—	
Visitor-serving commercial	P(79)	—	—	P	—	—	

Key to Zone Symbols

MU	Mixed Use	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential	PU	Public Works Utilities
OT-R/LC	Old Town - Residential/Light Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) 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.
- (46) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-G/LC.
- (57) Second unit restricted to lots where the primary use is a one-family dwelling.
- (68) Includes microbreweries that are accessory and secondary to a bar or restaurant.
- (79) Must be conducted within a completely enclosed building.

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	MU	OT-R	OT-R/LC	OT-R/GC	PU	PU CZ	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	P	—	P	P	—	—	
Bank, financial services - Complete facility	P	—	—	P	—	—	
Business support services	P	—	—	P	—	—	
Drive-through facility	CUP	CUP	CUP	CUP	CUP	CUP —	35.42.130
Medical services - Clinic	P	CUP	CUP	CUP	CUP	CUP —	
Medical services - Doctor office	P	—	P	P	—	—	
Medical services - Extended care	P	CUP	CUP	CUP	CUP	CUP —	
Medical services - Hospital	P	CUP	CUP	CUP	CUP	CUP —	
Office - Accessory	P	—	P	P	P	P(5)	
Office - Business/service	P	—	P	P	—	—	
Office - Executive headquarters	P	—	—	—	—	—	
Office - Professional/administrative	P	—	P	P	—	—	

SERVICES - GENERAL

Cemetery, mausoleum	P	CUP	CUP	CUP	CUP	CUP —	
Charitable or philanthropic organization	P	CUP	CUP	CUP	CUP	CUP —	
Large family day care home	P	P	P(36)	P(36)	—	—	35.42.090
Small family day care home	E	E	E	E	—	—	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP —	35.42.090
Child care center, Non-residential, accessory	P	—	—	—	—	—	35.42.090
Child care center, Residential	MCUP	MCUP	MCUP	MCUP	—	—	35.42.090
Drive-through facility	CUP	CUP	CUP	CUP	CUP	MCUP —	35.42.130
Lodging - Hostel	CUP	CUP	CUP	CUP	CUP	—	
Lodging - Hotel or motel	P	—	—	P	—	—	
Mortuary	—	—	—	—	—	CUP —	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	CUP	CUP	CUP —	35.42.120
Music recording studio	CUP	CUP	CUP	CUP	CUP	—	
Personal services	P	—	P(47)	P	—	—	
Personal services, employees only	P	—	—	—	—	—	
Personal services in mixed use project	CUP	—	—	—	—	—	
Repair service - Equipment, appliances, etc. - Indoor	P	—	—	P	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	P	—	—	
Repair service - Small appliances	P	—	—	P	—	—	
Vehicle services - Minor maintenance/repair	P	—	—	P	—	—	

Key to Zone Symbols

MU	Mixed Use	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential	PU	Public Works Utilities
OT-R/LC	Old Town - Residential/Light Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (6) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-G/LC.
- (47) Limited to barber and beauty shops, and shoe sales and/or repair stores.

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	MU	OT-R	OT-R/LC	OT-R/GC	PU	PU CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airstrip, public	CUP	CUP	CUP	CUP	CUP	—	
Airstrip, private and temporary	CUP	CUP	CUP	CUP	CUP	—	
Airstrip, temporary	—	—	—	—	—	CUP	
Boat launching facility accessory to approved recreation use	—	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	PP	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (35)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	P	P	
Electrical transmission line (46) (57)	CUP	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (68)	P	P	P	P	P	PP	
Flood control project, 20,000 sf or more total area (68)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Freeways and related facilities	—	—	—	—	—	—	
Heliport	CUP	CUP	CUP	CUP	CUP	CUP	
Parking facility, conjunctive use	CUP	—	—	—	—	—	35.36.120
Parking facility, public or private	P	P	—	P	—	—	
Pier, dock	—	—	—	—	—	—	
Pipeline - Oil and gas	P	P	P	P	P	—	35.5
Public utility facility	CUP	CUP	CUP	CUP	P	P	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	MCUP	—MC UP	
Railroad	—	—	—	—	—	—	
Road, street, less than 20,000 sf total area (68)	P	P	P	P	P	PP	
Road, street, 20,000 sf or more total area (68)	P	P	P	P	P	MCUP	
Roadside rest area operated by a governmental agency	—	—	—	—	—	—	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	—	CUP	
Telecommunications facility	S	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	—	—	
Truck and freight terminal - Temporary	—	—	—	—	—	—	
Truck and freight terminal - Permanent	—	—	—	—	—	—	
Underground gas storage	—	—	—	—	P	P(79)	
Utility service line with less than 5 connections (46)	—	—	—	—	—	PP	
Utility service line with 5 or more connections (46)	—	—	—	—	—	PP	
Vehicle inspection station, permanent, governmental	—	—	—	—	—	—	
Wind turbines and wind energy systems	S	S	S	S	S	—	35.57

Key to Zone Symbols

MU	Mixed Use	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential	PU	Public Works Utilities
OT-R/LC	Old Town - Residential/Light Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Use is subject to the standards of the PU zone.
- (46) Does not include lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (79) In the Coastal Zone, use limited to the La Goleta gas storage reservoir site (APN 071-210-001), see Subsection 35.26.070.G (Underground Gas Storage in the Coastal Zone).

Table 2-22 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)					
	P	Permitted use, Land Use or Coastal Permit required (23)					
	PP	Principal Permitted Use, Coastal Permit required (3)					
	MCUP	Minor Conditional Use Permit required (4)					
	CUP	Conditional Use Permit required (4)					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	MU	OT-R	OT-R/LC	OT-R/GC	PU	PU CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	—	—	—	—	CUP	
Desalination facility, serving less than 15 connections	—	—	—	—	—	MCUP	
Desalination facility, 15 to less than 200 connections	—	—	—	—	—	CUP	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(35)	P(35)	P(35)	P(35)	P(35)	PP	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(35)	P(35)	P(35)	P(35)	P(35)	MCUP	
Reservoir, less than 20,000 sf total development	P	P	P	P	P	PP	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	P	P	P	P	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Sewage treatment facilities - Central plant	—	—	—	—	P	P	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	E	E	E	E	P (6)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	CUP	CUP	
Water diversion project	P	P	P	P	P	MCUP	
Water extraction - Commercial	CUP	CUP	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station (57)	—	—	—	—	—	PP	
Water supply, treatment, storage facilities - Central plant	—	—	—	—	P	P	
Water system with 1 connection	E	E	E	E	E	P (6)	
Water system with 2 to less than 5 connections	P	P	P	P	P	MCUP	
Water system with 5 or more connections (68)	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	
Water well, agricultural	E	—	—	—	E	P	

Key to Zone Symbols

MU	Mixed Use	OT-R/GC	Old Town - Residential/General Commercial
OT-R	Old Town - Residential	PU	Public Works Utilities
OT-R/LC	Old Town - Residential/Light Commercial	CZ	Coastal Zone

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (57) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (68) In the Coastal Zone, limited to less than 200 connections.

Table 2-23 Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)		
	P	Permitted use, Land Use or Coastal Permit required (23)		
	PP	Principal Permitted Use, Coastal Permit required (3)		
	MCUP	Minor Conditional Use Permit required (4)		
	CUP	Conditional Use Permit required (4)		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	REC	REC CZ	TC CZ(35)	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	—	—	MCUP—	35.42.020
Agricultural processing - On-premise products	—	—	MCUP—	
Animal keeping (except equestrian facilities - see RECREATION below)	S	S	S	35.42.060
Aquaculture	—	—	CUP—	35.42.070
Cultivated agriculture, orchard, vineyard	—	—	MCUP—	
Grazing	—	—	—	
Greenhouse, less than 300 sf	—	—	CUP—	35.42.140
Greenhouse, 300 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(46)	P—	P—	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	—	—	—	
Business machine manufacturing and assembly	—	—	—	
Ceramic product manufacturing	—	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	—	
Food and beverage product manufacturing	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	
Handcraft industry, small scale manufacturing	—	—	—	
Laboratory - Medical, analytical, research and development	—	—	—	
Media production	—	—	—	
Merchandise manufacturing	—	—	—	
Precision machine shop	—	—	—	
Printing and publishing	—	—	—	
Recycling - Community recycling facility	—	—	CUP	
Recycling - Small collection center	—	—	CUP	
Recycling - Small collection center, non-profit	—	—	CUP	
Recycling - Specialized materials collection center	—	—	CUP	
Research and development	—	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	—	
Wholesaling and distribution	—	—	—	

Key to Zone symbols

REC	Recreation	CZ	Coastal Zone
TC	Transportation Corridor		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (46) 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 2-23 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)		
	P	Permitted use, Land Use or Coastal Permit required (23)		
	<u>PP</u>	<u>Principal Permitted Use, Coastal Permit required (3)</u>		
	MCUP	Minor Conditional Use Permit required (4)		
	CUP	Conditional Use Permit required (4)		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	REC	REC CZ	TC CZ(35)	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Boat club	CUP	—	—	
Campground	P	<u>PP</u>	—	
Commercial entertainment - Indoor	—	—	—	
Community center	—	—	—	
Conference center	CUP	CUP	<u>CUP</u> —	
Country club, swimming and tennis club	CUP	CUP	<u>CUP</u> —	
Equestrian facility - Public or commercial	CUP	CUP	<u>CUP</u> —	
Fairgrounds	CUP	CUP	<u>CUP</u> —	
Fitness/health club or facility	—	—	—	
Fitness/health club or facility, accessory	—	—	—	
Golf course	P	<u>PP</u>	<u>CUP</u> —	
Historical park	CUP	—	—	35.42.180
Library, museum	CUP	CUP	<u>CUP</u> —	
Meeting facility, public or private	CUP	CUP	<u>CUP</u> —	
Meeting facility, religious	CUP	<u>CUP</u> —(6)	<u>CUP</u> —	
Park, playground - Public	P	<u>PP</u>	—	
Park, playground - Private	—	—	—	
Private residential recreation facility	—	—	—	
Recreational vehicle (RV) park	P	<u>PP</u>	—	
School	CUP	CUP	<u>CUP</u> —	
School - Business, professional, or trade	CUP	CUP	<u>CUP</u> —	
Shooting range	CUP	—	—	
Sports and outdoor recreation facilities	CUP	CUP	<u>CUP</u> —	
Sports and outdoor recreation facilities, accessory	—	—	—	
Studio - Art, dance, martial arts, music, etc.	—	—	—	
Theater - Indoor	—	—	—	
Trail for bicycles, hiking, or riding	P	<u>PP</u>	<u>PP</u>	
Trout farm	CUP	—	—	
Zoo	CUP	CUP	—	

Key to Zone symbols

REC	Recreation	CZ	Coastal Zone
TC	Transportation Corridor		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (6) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for such a permit.

Table 2-23 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)		
	P	Permitted use, Land Use or Coastal Permit required (23)		
	PP	Principal Permitted Use, Coastal Permit required (3)		
	MCUP	Minor Conditional Use Permit required (4)		
	CUP	Conditional Use Permit required (4)		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	REC	REC CZ	TC CZ(35)	

RESIDENTIAL USES

Caretaker/manager dwelling	MCUP	MCUP	—	
Dwelling, one-family	—	—	—	
Dwelling, two-family	—	—	—	
Dwelling, multiple	—	—	—	
Emergency shelter	—	—	—	
Home occupation	—	—	—	
Mobile home park	—	—	—	
Monastery	CUP	CUP—	CUP—	
Residential accessory use or structure	—	—MCUP	—	
Residential second unit	—	—	—	
Single room occupancy facility (SRO)	—	—	—	
Special care home	MCUP	MCUP—	MCUP—	35.42.090

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	—	—	CUP—	
Clothing store	—	—	—	
Convenience store	—	—	—	
Convenience store, in mixed use project	—	—	—	
Drive-through facility	CUP	CUP	CUP—	35.42.130
General retail	—	—	—	
Grocery/food store	—	—	—	
Office supporting retail	—	—	—	
Plant nursery	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	CUP	CUP(46)	—	
Service station	—	—	—	
Visitor-serving commercial	—	—	—	

Key to Zone symbols

REC	Recreation	CZ	Coastal Zone
TC	Transportation Corridor		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (46) Allowed only in an urban area designated by the Coastal Land Use Plan.

Table 2-23 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)		
	P	Permitted use, Land Use or Coastal Permit required (23)		
	PP	Principal Permitted Use, Coastal Permit required (3)		
	MCUP	Minor Conditional Use Permit required (4)		
	CUP	Conditional Use Permit required (4)		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	REC	REC CZ	TC CZ(35)	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services - Branch facility	—	—	—	
Bank, financial services - Complete facility	—	—	—	
Business support service	—	—	—	
Drive-through facility	CUP	CUP	CUP	35.42.130
Medical services - Clinic	CUP	CUP	CUP	
Medical services - Doctor office	—	—	—	
Medical services - Extended care	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	
Office - Accessory	—	—	—	
Office - Business/service	—	—	—	
Office - Executive headquarters	—	—	—	
Office - Professional/administrative	—	—	—	

SERVICES - GENERAL

Cemetery, mausoleum	CUP	CUP	CUP	
Charitable or philanthropic organization	CUP	CUP	CUP	
Large family day care home	P	P	—	35.42.090
Small family day care home	E	E	—	35.42.090
Child care center, Non-residential	MCUP	MCUP	MCUP	35.42.090
Child care center, Non-residential, accessory	—	—	—	
Child care center, Residential	MCUP	MCUP	—	35.42.090
Drive-through facility	CUP	CUP	CUP	35.42.130
Lodging - Hostel	CUP	—	CUP	
Lodging - Hotel or motel	—	—	—	
Mortuary	—	CUP	CUP	35.42.120
Mortuary, accessory to cemetery	CUP	CUP	CUP	35.42.120
Music recording studio	CUP	—	—	
Personal services	—	—	—	
Personal services, employees only	—	—	—	
Personal services in mixed use project	—	—	—	
Repair service - Equipment, appliances, etc. - Indoor	—	—	—	
Repair service - Equipment, appliances, etc. - Outdoor	—	—	—	
Repair service - Small appliances	—	—	—	
Vehicle services - Minor maintenance/repair	—	—	—	

Key to Zone symbols

REC	Recreation	CZ	Coastal Zone
TC	Transportation Corridor		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.

Table 2-23 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)		
	P	Permitted use, Land Use or Coastal Permit required (23)		
	PP	Principal Permitted Use, Coastal Permit required (3)		
	MCUP	Minor Conditional Use Permit required (4)		
	CUP	Conditional Use Permit required (4)		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	REC	REC CZ	TC CZ(35)	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Airport, public	CUP	—	—	
Airstrip, private and temporary	CUP	—	—	
Airstrip, temporary	—	CUP	CUP	
Boat launching facility accessory to approved recreation use	P	PP	—	
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 (46)	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	
Electrical transmission line (57) (68)	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (79)	P	P	P	
Flood control project, 20,000 sf or more total area (79)	MCUP	MCUP	MCUP	
Freeways and related facilities	—	—	P	
Heliport	CUP	CUP	CUP	
Parking facility, conjunctive use	—	—	—	
Parking facility, public or private	—	—	PP (810)	
Pier, dock	P	P	—	
Pipeline - Oil and gas	P	—	—	35.5
Public utility facility	CUP	—	—	
Public works or private service facility	MCUP	—	—	
Railroad	—	—	P	
Road, street, less than 20,000 sf total area (79)	P	P	PP	
Road, street, 20,000 sf or more total area (79)	P	MCUP	MCUP	
Roadside rest area operated by a governmental agency	—	—	P	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	CUP	
Telecommunications facility	S	S	S	35.44
Transit station or terminal	—	—	P	
Truck and freight terminal - Temporary	—	—	MCUP	
Truck and freight terminal - Permanent	—	—	PP	
Underground gas storage	—	—	—	
Utility service lines with less than 5 connections (57)	—	P (11)	P (11)	
Utility service lines with 5 or more connections (57)	—	MCUP	MCUP	
Vehicle inspection station, permanent, governmental	—	—	P	
Wind turbines and wind energy systems	S	—	—	35.57

Key to Zone symbols

REC	Recreation	CZ	Coastal Zone
TC	Transportation Corridor		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (46) Subject to standards of the PU zone.
- (57) Does not include lines outside the jurisdiction of the County.
- (68) Not allowed in the VC overlay.
- (79) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (810) May include park and ride facilities.
- (11) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

Table 2-23 - Continued Allowed Land Uses and Permit Requirements for the Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)	
	P	Permitted use, Land Use or Coastal Permit required (23)	
	PP	Principal Permitted Use, Coastal Permit required (3)	
	MCUP	Minor Conditional Use Permit required (4)	
	CUP	Conditional Use Permit required (4)	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	REC	REC CZ	

WATER SUPPLY & WASTEWATER FACILITIES

Bulk water importation facilities	—	CUP—	CUP—	
Desalination facility, less than 15 connections	—	MCUP—	MCUP—	
Desalination facility, 15 to less than 200 connections	—	CUP—	CUP—	
Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	P(46)	P	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	P(46)	MCUP	MCUP	
Reservoir, less than 20,000 sf total development	P	P	P	
Reservoir, 20,000 sf to less than 50,000 sf total development	P	MCUP	MCUP	
Reservoir, 50,000 sf or more total development	MCUP	MCUP	MCUP	
Wastewater treatment system, individual, alternative	MCUP	MCUP	MCUP	
Wastewater treatment system, individual	E	P (7)	P (7)	
Sewage treatment facilities - Central plant	—	—	—	
Wastewater treatment facility, less than 200 connections	CUP	CUP—	CUP—	
Water diversion project	P	MCUP	MCUP	
Water extraction, commercial	CUP	CUP—	CUP—	
Water or sewer system pump or lift station (58)	—	P	P	
Water supply, treatment, storage facilities - Central plant	—	—	—	
Water system with 1 connection	E	P (7)	P (7)	
Water system with 2 to less than 5 connections	P	MCUP	MCUP	
Water system with 5 or more connections (69)	MCUP	MCUP	MCUP	
Water well, agricultural	—	—	P	

Key to Zone symbols

REC	Recreation	CZ	Coastal Zone
TC	Transportation Corridor		

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see Section 35.26.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (34) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (5) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (46) Limited to wastewater pipelines; see Article 35.5 for development standards.
- (7) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (58) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.
- (69) In the Coastal Zone, limited to less than 200 connections.

Table 4-1		E	Allowed use, no permit required (Exempt) (1)	
Animal Keeping in Agricultural Zones:		P	Permitted Use, Land Use or Coastal Permit Required	
AG-I, AG-I CZ, AG-II, AG-II CZ		<u>PP</u>	<u>Principal Permitted Use, Coastal Permit required</u>	
		MCUP	Minor Conditional Use Permit (2)	
		CUP	Conditional Use Permit required (2)	
		S	Permit requirement set by Specific Use Regulations	
		—	Use not allowed	
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)		Maximum Number of Animals per Lot (24)	Additional Regulations
Cattle, not involving a commercial livestock feed or sales yard, or dairy; horses and mules; llamas and alpacas; ostriches (35)	AG-I	E	1 animal per 20,000 sf if lot is less than 20 acres	
	AG-I CZ	<u>EPP</u>	One animal per 20,000 sf	
	AG-II	<u>E</u>	None	
	AG-II CZ	<u>PP</u>		
Commercial boarding and raising of animals for members of the public	AG-I	CUP	None	
	AG-II	E		
	AG-II CZ	<u>P</u>		
Commercial livestock feed or sales yard	AG-I	—	None	
	AG-II	CUP		
	AG-II CZ	—		
Dairy	AG-I	CUP	None	
	AG-II	E		
	AG-II CZ	<u>PP</u>		
Dogs (35)	AG-I	E	3	
	AG-II	E		
Goats and sheep (35)	AG-I	E	1 animal per 20,000 sf if lot is less than 20 acres; maximum 5 per lot	
	AG-I CZ	<u>EPP</u>	3 animals per 20,000 sf	
	AG-II	E	None	
	AG-II CZ	<u>PP</u>		
Hogs and swine (35)	AG-I	E	1 animal per 20,000 sf if lot is less than 20 acres	
	AG-I CZ	<u>EPP</u>	3 animals per 20,000 sf; maximum 3 per lot	
	AG-II	E	<u>None</u>	
	AG-II CZ	<u>PP</u>		
Hog ranch (35)	AG-I	CUP	None	
	AG-II	E		
	AG-II CZ	<u>PP</u>		
Household pets	AG-I	E	None	35.42.060.F.1
	AG-II	E		
Kennel, commercial	AG-I	MCUP	None	
	AG-II	E		
	AG-II CZ	<u>P</u>		
Kennel, non commercial (35)	AG-I	E	None	
	AG-I CZ	<u>P</u>		
	AG-II	E		
	AG-II CZ	<u>P</u>		
Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits (35)	AG-I	E (46)	None	
	AG-I CZ	<u>PP</u>		
	AG-II	E		
Wildlife species rehabilitation	AG-I	E	None	35.42.060.F.4
	AG-II	E		

Notes:

- (1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).
- (24) See Subsection 35.42.060.G (Multiple animal types) above.
- (35) Does not include commercial boarding or raising of animals where such services are offered to members of the public.
- (46) Exempt “E” only if limited to reasonable family use on a non-commercial basis. MCUP required if constitutes a commercial operation.

Table 4-2		E	Allowed use, no permit required (Exempt) (1)	
Animal Keeping in Resource Management		P	Permitted Use, Land Use or Coastal Permit Required	
Zones:		PP	Principal Permitted Use, Coastal Permit required	
MT-GOL, MT-TORO, MT-TORO CZ, RMZ, RMZ CZ		MCUP	Minor Conditional Use Permit (2)	
		CUP	Conditional Use Permit required (2)	
		S	Permit requirement set by Specific Use Regulations	
		—	Use not allowed	
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)	Maximum Number of Animals per Lot (24)	Additional Regulations	
Cattle, not involving a commercial livestock feed or sales yard, or dairy; horses and mules; llamas and alpacas; ostriches (35)	MT-GOL	E	None	35.42.060.F.3
	MT-TORO	E		
	MT-TORO CZ	P		
	RMZ	E		
	RMZ CZ	P		
Commercial boarding and raising of animals for members of the public	MT-GOL	—		
	MT-TORO	—		
	RMZ	—		
Dogs (35)	MT-GOL	E	3	
	MT-TORO	E		
	RMZ	E		
Goats and sheep(35)	MT-GOL	E	None	35.42.060.F.3
	MT-TORO	E		
	MT-TORO CZ	P		
	RMZ	E		
	RMZ CZ	P		
Hogs and swine(35)	MT-GOL	E	None	35.42.060.F.3
	MT-TORO	E		
	MT-TORO CZ	P		
	RMZ	MCUP		
Hog ranch	MT-GOL	E	None	35.42.060.F.3
	MT-TORO	E		
	MT-TORO CZ	—		
	RMZ	E		
	RMZ CZ	—		
Household pets	MT-GOL	E	None	35.42.060.F.1
	MT-TORO	E		
	RMZ	E		
Kennel, commercial	MT-GOL	—	None	
	MT-TORO	—		
	RMZ	—		
Kennel, non-commercial (35)	MT-GOL	E	None	35.42.060.F.3
	MT-TORO	E		
	MT-TORO CZ	PP		
	RMZ	E		
	RMZ CZ	PP		
Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits (35)	MT-GOL	E	None	35.42.060.F.3
	MT-TORO (46)	E		
	RMZ (46)	E		
Wildlife species rehabilitation	MT-GOL	E	None	35.42.060.F.4
	MT-TORO	E		
	RMZ	E		

Notes:

- (1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).
- (24) See Subsection 35.42.060.G (Multiple animal types) above.
- (35) Does not include commercial boarding or raising of animals where such services are offered to members of the public.
- (46) Exempt “E” only if limited to reasonable family use on a non-commercial basis.

Table 4-3		E	Allowed use, no permit required (Exempt) (1)
Animal Keeping in Residential Zones:		P	Permitted Use, Land Use or Coastal Permit Required
RR, RR CZ, R-1/E-1, R-1/E-1 CZ, EX-1, EX-1 CZ		PP	Principal Permitted Use, Coastal Permit required
		MCUP	Minor Conditional Use Permit (2)
		CUP	Conditional Use Permit required (2)
		S	Permit requirement set by Specific Use Regulations
		—	Use not allowed
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)	Maximum Number of Animals per Lot (24)	Additional Regulations
Animal Husbandry project	RR	E	As provided below for different animal types
	<u>RR CZ</u>	<u>PP</u>	
	R-1/E-1	E	
	<u>R-1/E-1 CZ</u>	<u>PP</u>	
	EX-1	E	
Cattle, not involving a commercial livestock feed or sales yard, or dairy; horses and mules; llamas and alpacas; ostriches (35)	<u>EX-1 CZ</u>	<u>PP</u>	1 large hoofed animal per 20,000 sf, with a maximum of 3 swine or 5 other animals per lot; 1 small hoofed animal (not including cattle or horses) if lot is a minimum of 10,000 sf
	RR	E	1 animal per 20,000 sf if lot is less than 20 acres
	RR CZ	PP (6)	1 animal per 20,000 sf
	R-1/E-1	E	1 animal per 20,000 sf with a maximum of 5 animals per lot
	<u>R-1/E-1 CZ</u>	<u>P</u> (6)	
EX-1	E		
Commercial boarding and raising of animals for members of the public	<u>EX-1 CZ</u>	<u>P</u> (6)	
	RR	MCUP	None
	R-1/E-1	—	35.42.060.F.2
EX-1	—		
Dogs (35)	RR	E	3
	R-1/E-1	E	
	EX-1	E	
Goats and sheep (35)	RR	E	1 animal per 20,000 sf if lot is less than 20 acres
	RR CZ	PP	3 animals per 20,000 sf
	R-1/E-1	E	1 animal per 20,000 sf; maximum 3 animals per lot
	<u>R-1/E-1 CZ</u>	<u>P</u>	
	EX-1	E	
EX-1 CZ	P		
Hogs and swine (35)	RR	E	1 animal per 20,000 sf if lot is less than 20 acres; maximum 5 animals per lot
	RR CZ	PP	3 animals per 20,000 sf; maximum 3 animals per lot
	R-1/E-1	E	1 animal per 20,000 sf; maximum 3 animals per lot
	<u>R-1/E-1 CZ</u>	<u>P</u>	
	EX-1	E	
EX-1 CZ	P		
Household pets	RR	E	35.42.060.F.1
	R-1/E-1	E	
	EX-1	E	
Kennel, commercial	RR	CUP	None
	R-1/E-1	CUP	
	EX-1	—	
Kennel, non-commercial (35)	RR	MCUP	None
	R-1/E-1	MCUP	
	EX-1	MCUP	
Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits (35)	RR	E	None
	<u>RR CZ</u>	<u>P</u>	
	R-1/E-1	E	
	<u>R-1/E-1 CZ</u>	<u>P</u>	
	EX-1	E	
EX-1 CZ	P		
Wildlife species rehabilitation	RR	E	None
	R-1/E-1	E	
	EX-1	E	

Notes:

(1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

(2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

(43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).

(24) See Subsection 35.42.060.G (Multiple animal types) above.

(35) Does not include commercial boarding or raising of animals where such services are offered to members of the public.

(6) Horses kept for private use, consistent with all other provisions of the LCP, may be permitted as a Principal Permitted Use (PP)

Table 4-4		E	Allowed use, no permit required (Exempt) (1)	
Animal Keeping in Residential Zones: R-2, R-2 CZ, DR, DR CZ, PRD, PRD CZ		P	Permitted Use, Land Use or Coastal Permit Required	
		PP	Principal Permitted Use, Coastal Permit required	
		MCUP	Minor Conditional Use Permit (2)	
		CUP	Conditional Use Permit required (2)	
		S	Permit requirement set by Specific Use Regulations	
		—	Use not allowed	
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)		Maximum Number of Animals per Lot (24)	Additional Regulations
Animal husbandry project	R-2	E	1 large hoofed animal per 20,000 sf, with a maximum of 3 swine or 5 other animals per lot; 1 small hoofed animal (not including cattle or horses) if lot is a minimum of	35.42.060.F.2
	<u>R-2 CZ</u>	<u>P</u>		
	DR	E		
	<u>DR CZ</u>	<u>P</u>		
	MR-O	—		
Cattle, not involving a commercial livestock feed or sales yard, or dairy; horses and mules; llamas and alpacas; ostriches (35)	R-2	E	1 animal per 20,000 sf; maximum 5 animals per lot	35.42.060.F.2
	<u>R-2 CZ</u>	<u>P</u>		
	DR	E		
	<u>DR CZ</u>	<u>P</u>		
	MR-O	—		
Commercial boarding and raising of animals for members of the public	R-2	—		
	DR	—		
	MR-O	—		
	PRD	—		
Commercial livestock feed or sales yard	R-2	—		
	DR	—		
	MR-O	—		
	PRD	—		
Dogs	R-2	E	3	
	DR	E		
	MR-O	—		
	PRD	—		
Goats and sheep (35)	R-2	E	1 animal per 20,000 sf; maximum 5 animals per lot	35.42.060.F.2
	<u>R-2 CZ</u>	<u>P</u>		
	DR	E		
	<u>DR CZ</u>	<u>P</u>		
	MR-O	—		
Hogs and swine (35)	R-2	E	1 animal per 20,000 sf; maximum 3 animals per lot	35.42.060.F.2
	<u>R-2 CZ</u>	<u>P</u>		
	DR	E		
	<u>DR CZ</u>	<u>P</u>		
	MR-O	—		
Household pets	R-2	E	None	35.42.060.F.1
	DR	E		
	MR-O	<u>E</u>		
	PRD	E		
Kennel, commercial	R-2	CUP	None	
	DR	CUP		
	MR-O	—		
	PRD	—		
Kennel, non-commercial (35)	R-2	MCUP	None	
	DR	MCUP		
	MR-O	—		
	PRD	—		
Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits (35)	R-2	E	None	35.42.060.F.2
	<u>R-2 CZ</u>	<u>P</u>		
	DR	E		
	<u>DR CZ</u>	<u>P</u>		
	MR-O	—		
Wildlife species rehabilitation	R-2	E	None	35.42.060.F.4
	DR	E		
	MR-O	—		

	PRD	E	
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Notes:

- (1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).
- (24) See Subsection 35.42.060.G (Multiple animal types) above.
- (35) Does not include commercial boarding or raising of animals where such services are offered to members of the public.

Table 4-5 Animal Keeping in Residential Zones: SLP, SR-M CZ, SR-H CZ, MHP, MHP CZ, MHS		E	Allowed use, no permit required (Exempt) (1)
		P	Permitted Use, Land Use or Coastal Permit Required
		PP	Principal Permitted Use, Coastal Permit required
		MCUP	Minor Conditional Use Permit (2)
		CUP	Conditional Use Permit required (2)
		S	Permit requirement set by Specific Use Regulations
		—	Use not allowed
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)	Maximum Number of Animals per Lot (24)	Additional Regulations
Animal husbandry project	SLP	—	
	SR-M CZ	—	
	SR-H CZ	—	
	MHP	—	
	MHS	—	
Household pets	SLP	—	
	SR-M CZ	—	
	SR-H CZ	—	
	MHP	—	
	MHS	—	
Kennel, non-commercial	SLP	—	
	SR-M CZ	—	
	SR-H CZ	—	
	MHP	—	
	MHS	—	
Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits	SLP	—	
	SR-M CZ	—	
	SR-H CZ	—	
	MHP	—	
	MHS	—	
Wildlife species rehabilitation	SLP	E	35.42.060.F.4
	SR-M CZ	E	
	SR-H CZ	E	
	MHP	E	
	MHS	E	

Notes:

- (1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).
- (24) See Subsection 35.42.060.G (Multiple animal types) above.

Table 4-6 Animal Keeping in Commercial Zones: CN, C-1, C-1 CZ, C-2, C-2 CZ, C-3, CS, CH, CH CZ, CV, CV CZ, SC, PI, PI CZ		E Allowed use, no permit required (Exempt) (1) P Permitted Use, Land Use or Coastal Permit Required PP <u>Principal Permitted Use, Coastal Permit required</u> MCUP Minor Conditional Use Permit (2) CUP Conditional Use Permit required (2) S Permit requirement set by Specific Use Regulations — Use not allowed		
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)		Maximum Number of Animals per Lot (24)	Additional Regulations
Wildlife species rehabilitation	CN	E		35.42.060.F.4
	C-1	E		
	C-2	E		
	C-3	E		
	CS	E		
	CH	E		
	CV	E		
	SC	E		
PI	E			

Notes:

- (1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).
- (24) See Subsection 35.42.060.G (Multiple animal types) above.

Table 4-7 Animal Keeping in Industrial Zones: M-RP, M-RP CZ, M-1, M-2, M-CR, M-CR CZ, M-CD		E Allowed use, no permit required (Exempt) (1) P Permitted Use, Land Use or Coastal Permit Required PP <u>Principal Permitted Use, Coastal Permit required</u> MCUP Minor Conditional Use Permit (2) CUP Conditional Use Permit required (2) S Permit requirement set by Specific Use Regulations — Use not allowed		
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)		Maximum Number of Animals per Lot (24)	Additional Regulations
Wildlife species rehabilitation	M-RP	E		35.42.060.F.4
	M-1	E		
	M-2	E		
	M-CR	E		
	M-CD	E		

Notes:

- (1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.
- (43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).
- (24) See Subsection 35.42.060.G (Multiple animal types) above.

Table 4-8 Animal Keeping in Special Purpose Zones: MU, OT-R, OT-R/LC, OT-R/GC, PU, PU CZ, REC, REC CZ, TC		E	Allowed use, no permit required (Exempt) (1)	
		P	Permitted Use, Land Use or Coastal Permit Required	
		PP	Principal Permitted Use, Coastal Permit required	
		MCUP	Minor Conditional Use Permit (2)	
		CUP	Conditional Use Permit required (2)	
		S	Permit requirement set by Specific Use Regulations	
		—	Use not allowed	
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)		Maximum Number of Animals per Lot (24)	Additional Regulations
Animal husbandry	MU	E	1 large hoofed animal per 20,000 sf, with a maximum of 3 swine or 5 other animals per lot; 1 small hoofed animal (not including cattle or horses) if lot is a minimum of 10,000 sf	35.42.060.F.2
	OT-R	E		
	OT-R/LC	—		
	OT-R/GC	—		
	PU	—		
	REC	—		
	TC	—		
Household pets	MU	E		35.42.060.F.1
	OT-R	E		35.42.060.F.1
	OT-R/LC	E		35.42.060.F.1
	OT-R/GC	E		35.42.060.F.1
	PU	—		
	REC	—		
Cattle, not involving a commercial livestock feed or sales yard, or dairy; horses and mules; llamas and alpacas; ostriches (35)	MU	E	1 animal per 20,000 sf with a maximum of 5 animals per lot	35.42.060.F.2
	OT-R	E		
	OT-R/LC	—		
	OT-R/GC	—		
	PU	—		
	REC	—		
Commercial raising and boarding of animals	MU	—		
	OT-R	—		
	OT-R/LC	—		
	OT-R/GC	—		
	PU	—		
	REC	—		
Dairy	MU	—		
	OT-R	—		
	OT-R/LC	—		
	OT-R/GC	—		
	PU	—		
	REC/REC CZ	—		
Goats and sheep (35)	MU	E	1 animal per 20,000 sf; maximum of 5 animals per lot	35.42.060.F.2
	OT-R	E		
	OT-R/LC	—		
	OT-R/GC	—		
	PU	—		
	REC	—		
TC	—			

Notes:

(1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

(2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

(43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).

(24) See Subsection 35.42.060.G (Multiple animal types) above.

(35) Does not include commercial boarding or raising of animals where such services are offered to members of the public.

Table 4-8 - Continued		E	Allowed use, no permit required (Exempt) (1)	
Animal Keeping in Special Purpose Zones:		P	Permitted Use, Land Use or Coastal Permit Required	
MU, OT-R, OT-R/LC, OT-R/GC, PU, PU		PP	Principal Permitted Use, Coastal Permit required	
CZ, REC, REC CZ, TC		MCUP	Minor Conditional Use Permit (2)	
		CUP	Conditional Use Permit required (2)	
		S	Permit requirement set by Specific Use Regulations	
		—	Use not allowed	
Type of Animal or Animal Keeping Activity	Permit Requirement by Zone (43)		Maximum Number of Animals per Lot (24)	Additional Regulations
Hogs and swine (35)	MU	E	1 animal per 20,000 sf; maximum 5 animals per lot	35.42.060.F.2
	OT-R	E		
	OT-R/LC	—	None	
	OT-R/GC	—		
	PU	E	None	
	PU CZ	—		
	REC	—		
TC	—			
Hog ranch	MU	—	None	
	OT-R	—		
	OT-R/LC	—	None	
	OT-R/GC	—		
	PU	E	None	
	PU CZ	—		
	REC	—		
TC	—			
Kennel, commercial	MU	—		
	OT-R	—		
	OT-R/LC	—		
	OT-R/GC	—		
	PU/PU CZ	—		
	REC/REC CZ	—		
TC	—			
Kennel, non-commercial (35)	MU	—	None	
	OT-R	—		
	OT-R/LC	—	None	
	OT-R/GC	—		
	PU/PU CZ	E	None	
	PU CZ	—		
	REC/REC CZ	—		
TC	—			
Small non-hoofed animals, including bees, birds, fowl and poultry, rabbits (35)	MU	E	35.42.070	35.42.060.F.2
	OT-R	E		
	OT-R/LC	—		
	OT-R/GC	—	None	
	PU/PU CZ	E		
	PU CZ	—		
	REC/REC CZ	—		
TC	—			
Wildlife species rehabilitation	MU	E	None	35.42.060.F.4
	OT-R	E		
	OT-R/LC	E	None	
	OT-R/GC	E		
	PU/PU CZ	E	None	
	REC/REC CZ	E		
	TC	E		

Notes:

(1) A use is exempt only when in compliance with Section 35.20.040 (Exemptions from Planning Permit Requirements).

(2) In the Coastal Zone, a CDP is required to be processed concurrently with CUPs and MCUPs.

(43) The zone type includes both the Coastal Zone and the Inland area unless listed separately (e.g., AG-I and AG-I CZ).

(24) See Subsection 35.42.060.G (Multiple animal types) above.

(35) Does not include commercial boarding or raising of animals where such services are offered to members of the public.

Table 5-1 - Allowed Uses and Permit/Plan Requirements for Oil and Gas Facilities in the Coastal Zone

USE	Permit Required by Zone								REQUIRED PLAN	DEVELOPMENT STANDARDS
	P = <u>Appealable Coastal Development Permit (91)</u> CUP = Conditional Use Permit (40 2) — = Use not allowed									
	AG-II	RES	RR	M-1	M-2	M-RP	M-CD	M-CR		
Onshore Exploratory Oil and Gas Drilling of Onshore Oil and Gas Reservoirs (35.51.050)	P (43)(24)	CUP	CUP	CUP	CUP	CUP	P (43)(24) (6)	P (43)(24)	Exploration Plan (35.53.040)	
Onshore Oil and Gas Production of Onshore Oil and Gas Reservoirs (35.51.060)	P (43)(24)	CUP	CUP	CUP	CUP	CUP	P (43)(24) (6)	P (43)(24)	Production Plan (35.53.040)	
Onshore Processing Facilities Related to Offshore Oil and Gas Development (35.51.070) (9)	—	—	—	—	—	—	P (24)(35) (46)	P (24)(35)	Development Plan (Final) (35.53.030) (35.72.050)	

Onshore Supply Base, Pier, and Staging Areas Related to Offshore Oil and Gas Development (35.51.080)

Supply bases, piers and staging areas (8)	—	—	—	—	—	—	P (24)(35) (46)	P (24) (35)	Development Plan (Final) (68) (35.53.030) (35.72.050)	35.51.080
Piers and staging areas	CUP	—	CUP	—	—	—	—	—		
Consolidated Pipeline Terminals	P	—	—	—	—	—	—	P	Development Plan (Final) (35.53.030) (35.72.050)	35.51.090
Oil and gas pipelines (35.51.100)	Allowed in all zones identified in Article 35.2 (Zones and Allowable Land Uses) P (43)								Development Plan (Final) (35.53.030) (35.72.050)	35.51.100

Onshore Exploration and/or Production of Offshore Oil and Gas Reservoirs (35.51.110)

Onshore exploration	CUP (43)(79)	—	—	—	—	—	—	P (43)(79)	Exploration Plan (35.53.040)	35.51.110
Onshore production	CUP (43)(79)	—	—	—	—	—	—	P (43)(79)	Production Plan (35.53.040)	
Marine Terminals (35.51.120) (10)							CUP (6) (10)	CUP (10)	Development Plan (Final) (35.53.030) (35.72.050)	35.51.120

Notes:

- (1) All Coastal Development Permits issued by a local government for any major energy facility (e.g., oil and gas facilities, pipelines) are appealable to the Coastal Commission pursuant to Coastal Act Section 30603(a) (5).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with other discretionary permits
- (43) A Conditional Use Permit shall be required if site is also within an Environmentally Sensitive Habitat Area (ESH) overlay zone.
- (24) A Conditional Use Permit shall be required if site is also within a View Corridor (VC) overlay zone.
- (35) Facilities shall not be allowed if site is also within an Environmentally Sensitive Habitat Area (ESH) overlay zone.
- (46) If the use requires a site on or adjacent to the sea to be able to function at all.
- (57) Facilities shall be allowed provided that the site is designated in the Coastal Land Use Plan as a consolidated pipeline terminal.
- (68) Supply bases shall also be subject to an approved Specific Plan in compliance with Chapter 35.88 (Specific Plans). See Subsection 35.53.030 (E) (Additional filing requirements for specific plan applications.).
- (79) Within the South Coast Consolidation Planning Area, onshore exploration and/or production of offshore oil and gas reservoirs shall be restricted to sites designated in the Coastal Plan as consolidated oil and gas processing sites.
- (810) Where the land to be used for the onshore portions of the marine terminal is also subject to the Environmentally Sensitive Habitat Area Overlay District (ESH), such facilities shall not be permitted. Major oil storage facilities shall be consolidated and shall support the most environmentally preferred oil transportation system. Minor storage facilities may be allowed at specific operating areas where clearly needed, where it can be shown that it is not feasible to provide such storage at the consolidated site(s), where it is located in the least environmentally damaging location and where the adverse environmental impacts are mitigated to the maximum extent feasible.

USE	Permit Required by Zone								REQUIRED PLAN	DEVELOPMENT STANDARDS
	P = <u>Appealable Coastal Development Permit (91)</u> CUP = Conditional Use Permit <u>(402)</u> — = Use not allowed									
	AG-II	RES	RR	M-1	M-2	M-RP	M-CD	M-CR		
Onshore Exploratory Oil and Gas Drilling of Onshore Oil and Gas Reservoirs (35.51.050)	P (43) (24)	CUP	CUP	CUP	CUP	CUP	P (43) (24) (6)	P (43) (24)	Exploration Plan (35.53.040)	
Onshore Oil and Gas Production of Onshore Oil and Gas Reservoirs (35.51.060)	P (43) (24)	CUP	CUP	CUP	CUP	CUP	P (43) (24) (6)	P (43) (24)	Production Plan (35.53.040)	
Onshore Processing Facilities Related to Offshore Oil and Gas Development (35.51.070) (79)	—	—	—	—	—	—	P (24) (35) (46)	P (24) (35)	Development Plan (Final) (35.53.030) (35.72.050)	

Onshore Supply Base, Pier, and Staging Areas Related to Offshore Oil and Gas Development (35.51.080)

Supply bases, piers and staging areas (68)	—	—	—	—	—	—	P (24) (35) (46)	P (24) (35)	Development Plan (Final) (68) (35.53.030) (35.72.050)	35.51.080
Piers and staging areas	CUP	—	CUP	—	—	—	—	—		
Consolidated Pipeline Terminals	P	—	—	—	—	—	—	P	Development Plan (Final) (35.53.030) (35.72.050)	35.51.090
Oil and gas pipelines (35.51.100)	Allowed in all zones identified in Article 35.2 (Zones and Allowable Land Uses) P (43)								Development Plan (Final) (35.53.030) (35.72.050)	35.51.100

Onshore Exploration and/or Production of Offshore Oil and Gas Reservoirs (35.51.110)

Onshore exploration	CUP (43) (79)	—	—	—	—	—	—	P (43) (79)	Exploration Plan (35.53.040)	35.51.110
Onshore production	CUP (43) (79)	—	—	—	—	—	—	P (43) (79)	Production Plan (35.53.040)	
Marine Terminals (35.51.120) (10)							CUP (6) (10)	CUP(10)	Development Plan (Final) (35.53.030) (35.72.050)	35.51.120

Notes:

- (1) All Coastal Development Permits issued by a local government for any major energy facility (e.g., oil and gas facilities, pipelines) are appealable to the Coastal Commission pursuant to Coastal Act Section 30603(a)(5).
- (2) In the Coastal Zone, a CDP is required to be processed concurrently with other discretionary permits.
- (43) A Conditional Use Permit shall be required if site is also within an Environmentally Sensitive Habitat Area (ESH) overlay zone.
- (24) A Conditional Use Permit shall be required if site is also within a View Corridor (VC) overlay zone.
- (35) Facilities shall not be allowed if site is also within an Environmentally Sensitive Habitat Area (ESH) overlay zone.
- (46) If the use requires a site on or adjacent to the sea to be able to function at all.
- (57) Facilities shall be allowed provided that the site is designated in the Coastal Land Use Plan as a consolidated pipeline terminal.
- (68) Supply bases shall also be subject to an approved Specific Plan in compliance with Chapter 35.88 (Specific Plans). See Subsection 35.53.030 (E) (Additional filing requirements for specific plan applications.).
- (79) Within the South Coast Consolidation Planning Area, onshore exploration and/or production of offshore oil and gas reservoirs shall be restricted to sites designated in the Coastal Plan as consolidated oil and gas processing sites.
- (810) Where the land to be used for the onshore portions of the marine terminal is also subject to the Environmentally Sensitive Habitat Area Overlay District (ESH), such facilities shall not be permitted. Major oil storage facilities shall be consolidated and shall support the most environmentally preferred oil transportation system. Minor storage facilities may be allowed at specific operating areas where clearly needed, where it can be shown that it is not feasible to provide such storage at the consolidated site(s), where it is located in the least environmentally damaging location and where the adverse environmental impacts are mitigated to the maximum extent feasible.

35.421.030 - Agricultural Zones Allowable Land Uses

Table 2-1 Allowed Land Uses and Permit Requirements for the Agricultural Zone	E	Allowed use, no permit required (Exempt) (2)
	P	Permitted use, Land Use or Coastal Permit required (23)
	PP	Principal Permitted Use, Coastal Permit required (3)
	CUP	Conditional Use Permit required (4)
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE (1)	PERMIT REQUIRED BY ZONE	
	AG-I	AG-I CZ
		Specific Use Regulations

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P (5)	35.442.020
Agricultural processing - on premise products	P	P (6)	
Agricultural processing - off premise products	CUP	CUP	35.421.060.C
Agricultural products shipping facility - On-premise products	P	P (6)	
Agricultural products shipping facility - Off-premise products	CUP	CUP	
Animal keeping (except for equestrian facilities - see RECREATION below)	S	S	35.442.040
Cultivated agriculture, orchard, vineyard	E	E PP	
Grazing	E	E PP	
Greenhouse	P	P (7)	35.442.110

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Equestrian facilities	CUP	CUP	
Meeting facility, religious	CUP	— (8)	
School	CUP	CUP (9)	
Sports facility, field sports	CUP	CUP —	

RESIDENTIAL USES

Agricultural employee housing, 4 or fewer employees	CUP	CUP	35.421.060.A
Artist Studio	P	P(12)	35.442.120
Dwelling, one-family (310)	P	P (11)	
Guesthouse	P	P(12)	35.442.120
Home occupation	P	P(12)	35.442.130
Residential accessory uses and structures	P	P(12)	35.442.020
Special care home, 7 or more clients	CUP	CUP	35.442.070

RETAIL TRADE

Agricultural product sales	P	P (13)	35.421.060.B
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SERVICES

Large family day care home	P	P	35.442.070
Small family day care home	E	E	35.442.070
Child care center, Non-residential	CUP	CUP	35.442.070
Child care center, Residential	CUP	CUP	35.442.070
Medical services - Animal hospital	CUP	CUP	

Key to Zone Symbols

AG-I	Agriculture I	CZ	Coastal Zone
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Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.421.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (5) Agricultural accessory uses and structures that are considered a component of an agricultural use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP).
- (6) Facilities that are not considered greenhouse-related development and are cumulatively less than 20,000 square feet in area may be permitted as a Principal Permitted Use (PP).
- (7) Greenhouses and greenhouse-related development that are cumulatively less than 20,000 square feet in area may be permitted as a Principal Permitted Use (PP).
- (8) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for such a permit.
- (9) Limited to the expansion or reconstruction of lawful, existing facilities, including the development of new facilities located on a lot that is both adjacent to and under the same ownership as the lot on which the lawful, existing facility is located. Lawful, existing school facilities are considered to be conforming development and are not subject to the restrictions of Chapter 35.101

(Nonconforming Uses, Structures, and Lots).

- (310) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.442.140.
- (11) A primary dwelling may be considered a component of the principal permitted agricultural use in compliance with Section 35.421.030.F.
- (12) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E, above, are also considered a Principal Permitted Use (PP); see Section 35.421.030.E. and Section 35.442.020 for additional limitations.
- (13) Agricultural product sales may be permitted as a Principal Permitted Use (PP) if the sales and storage area are no larger than 600 square feet and the agricultural products sold there from are restricted to those grown on the premises.

Table 2-1 - Continued Allowed Land Uses and Permit Requirements for the Agricultural Zone	E Allowed use, no permit required (Exempt) (2) P Permitted use, Land Use or Coastal Permit required (23) PP Principal Permitted Use, Coastal Permit required (3) CUP Conditional Use Permit required (4) S Permit determined by Specific Use Regulations — Use Not Allowed	
	LAND USE (1)	PERMIT REQUIRED BY ZONE
	AG-I	AG-I CZ
		Specific Use Regulations

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Drainage channel, watercourse, storm drain less than 20,000 sf	—	P	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	CUP	
Electrical substation - Minor (35)	CUP	CUP	
Electrical substation - Major (35)	CUP	—	
Electrical transmission line (46)	CUP	CUP (57)	
Flood control project less than 20,000 sf total area (68)	—	P	
Flood control project 20,000 sf or more total area (68)	—	CUP	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area	—	P	
Road, street 20,000 sf or more total area	—	CUP	
Sea wall, revetment, groin or other shoreline structure	—	CUP	
Telecommunications facility	S	S	35.444
Utility service line with 4 or fewer connections (68)	—	P (9)	
Utility service line with 5 or more connections (68)	—	CUP	

WATER SUPPLY & WASTEWATER FACILITIES

Pipeline - Water, reclaimed water, wastewater less than 20,000 sf	—	P	
Pipeline - Water, reclaimed water, wastewater 20,000 sf or more	—	CUP	
Reservoir, less than 20,000 sf of total development	CUP	P	
Reservoir, 20,000 sf or more of total development	CUP	CUP	
Wastewater treatment system, individual, alternative	CUP	CUP	
Wastewater treatment system, individual	E	P (10)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	
Water diversion project	—	CUP	
Water or sewer system pump or lift station	CUP	P	
Water system with 1 connection	E	P (10)	
Water system with 2 or more connections	CUP	CUP (711)	
Water well, agricultural	E	PP	

Key to Zone Symbols

AG-I	Agriculture I	CZ	Coastal Zone
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Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.421.030.C (~~Development Plan approval required~~). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) Shall comply with the requirements of the PU zone; see Table 2-15 and Section 35.425.050 (PU Zone Standards).
- (46) Does not include electrical transmission lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).
- (10) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (711) Limited to a maximum of 199 connections.

35.422.030 - Resource Protection Zones Allowable Land Uses

Table 2-4 Allowed Land Uses and Permit Requirements for Resource Protection Zone	E	Allowed use, no permit required (Exempt) (2)
	P	Permitted use, Land Use or Coastal Permit required (23)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE (1)	PERMIT REQUIRED BY ZONE	
	RMZ	Specific Use Regulations

AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping	S	35.442.040
Aquaculture	CUP	
Cultivated agriculture, orchard, vineyard, new	CUP	
Cultivated agriculture, orchard, vineyard, historic legal use	CUP	
Grazing	E	
Mining	CUP	35.472.140

RECREATION, EDUCATION & PUBLIC ASSEMBLY

Education or research facility, limited	CUP	
Meeting facility, religious	CUP	
Rural recreation	CUP	
School	CUP	
Spa	CUP	35.442.170

RESIDENTIAL

Guesthouse	P(4)	35.442.120
Home occupation	P(4)	35.442.130
Dwelling, one-family	P(5)	
Residential accessory uses and structures	P(4)	35.422.030.E
Special care home, 7 or more clients	CUP	35.442.070

SERVICES

Large family day care home	P	35.442.070
Small family day care home	E	35.442.070
Child care center, Non-residential	CUP	35.442.070
Child care center, Residential	CUP	35.442.070

Key to Zone Symbols

RMZ	Resource Management
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Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.422.030.C (Development Plan approval required).
- (4) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Section 35.422.030, are also considered a Principal Permitted Use (PP); see Section 35.422.030. for additional limitations.
- (5) A primary dwelling may be considered a component of the principal permitted use in compliance with 35.422.030.

Table 2-4 - Continued Allowed Land Uses and Permit Requirements for Resource Protection Zone	E	Allowed use, no permit required (Exempt) (2)
	P	Permitted use, Land Use or Coastal Permit required (23)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
LAND USE (1)	PERMIT REQUIRED BY ZONE	
	RMZ	Specific Use Regulations

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Electrical substation - Minor (34)	CUP	
Electrical substation - Major (34)	CUP	
Electrical transmission line (45)	CUP	
Private services and utilities	CUP	
Public works and utilities	CUP	
Telecommunications facility	S	35.444

WATER SUPPLY & WASTEWATER FACILITIES

Reservoir, less than 20,000 sf of total development	CUP	
Reservoir, 20,000 sf or more of total development	CUP	
Wastewater treatment system, individual, alternative	CUP	
Wastewater treatment system, individual	E	
Wastewater treatment facility, less than 200 connections	CUP	
Water or sewer system pump or lift station	CUP	
Water system with 1 connection	E	
Water system with 2 or more connections	CUP	
Water well, agricultural	E	

Key to Zone Symbols

RMZ	Resource Management
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Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.422.030.C (~~Development Plan approval required~~).
- (34) 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).
- (45) Does not include electrical transmission lines outside the jurisdiction of the County.

35.423.030 - Residential Zones Allowable Land Uses

Table 2-7 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	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-1/E-1 CZ	R-2	R-2 CZ	

AGRICULTURAL, MINING, & ENERGY FACILITIES

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

RECREATION, EDUCATION & PUBLIC ASSEMBLY

Community center	P	P	P	P	
Conference center	—	CUP	—	—	35.442.080
Country club, swim and tennis club	CUP	CUP	—	—	
Equestrian facilities	—	—	—	—	
Golf course	CUP	CUP	—	—	
Library	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	
Museum	CUP	CUP	CUP	CUP	
Park, playgrounds - Commercial	—	—	—	—	
Park, playgrounds - Private	—	—	—	—	
Park, playground - Public	P	P	P	P	
Private residential recreation facility	—	—	—	—	
School	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	

RESIDENTIAL

Artist studio	P	P(6)	—	—	35.442.120
Dwelling, one-family (35)	P	PP	P	PP	35.442.140
Dwelling, two-family	—	—	P	PP	
Dwelling, multiple	—	—	—	—	
Guesthouse	P	P(6)	—	—	35.442.120
Home occupation	P	P(6)	P	P(6)	35.442.130
Mobile home park	CUP	CUP	CUP	CUP	
Organizational house (fraternity, sorority, etc.)	—	—	—	—	
Residential accessory use or structure	P	P (6)	P	P (6)	35.442.020
Residential project convenience facilities	—	—	—	—	
Residential second unit	P	P	—	—	35.442.160
Special care home, 7 or more clients	CUP	CUP	CUP	CUP	35.442.070

Key to Zone Symbols

R-1/E-1	Single-Family Residential	CZ	Coastal Zone
R-2	Two-Family Residential		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.442.140 (Mobile Homes on Foundations).
- (6) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E., above, are also considered a Principal Permitted Use (PP); see Section 35.423.030.E. and Section 35.442.020 for additional limitations.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	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-1/E-1 CZ	R-2	R-2 CZ	

SERVICES

Cemetery	—	CUP	—	—	
Large family day care home	P	P	P	P	35.442.070
Small family day care home	E	E	E	E	35.442.070
Child care center, Non-residential	CUP	CUP	CUP	CUP	35.442.070
Child care center, Non-residential, accessory	—	—	—	—	35.442.070
Child care center, Residential	CUP	CUP	CUP	CUP	35.442.070
Mausoleum	—	CUP	—	—	
Medical services - Clinic	—	—	—	—	
Medical services - Extended care	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	
Mortuary	—	—	—	—	
Mortuary, accessory to cemetery	—	CUP	—	—	

Key to Zone Symbols

R-1/E-1	Single-Family Residential	CZ	Coastal Zone
R-2	Two-Family Residential		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.423.030.C (~~Development Plan approval required~~). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.

Table 2-7 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	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-1/E-1 CZ	R-2	R-2 CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Drainage channel, watercourse, storm drain less than 20,000 sf	—	P	—	P	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	CUP	—	CUP	
Electrical substation - Minor (35)	CUP	CUP	CUP	CUP	
Electrical substation - Major (35)	CUP	—	CUP	—	
Electrical transmission line (46)	CUP	CUP (57)	CUP	CUP (57)	
Flood control project less than 20,000 sf total area (68)	—	P	—	P	
Flood control project 20,000 sf or more total area (68)	—	CUP	—	CUP	
Public safety facility (79)	CUP	CUP	CUP	CUP	
Public works and utilities	CUP	CUP	CUP	CUP	
Road, street less than 20,000 sf total area (68)	—	P	—	P	
Road, street 20,000 sf or more total area (68)	—	CUP	—	CUP	
Sea wall, revetment, groin or other shoreline structure	—	CUP	—	CUP	
Telecommunications facility	S	S	S	S	35.444
Utility service line with 4 or fewer connections (68)	—	P (10)	—	P (10)	
Utility service line with 5 or more connections (68)	—	CUP	—	CUP	

WATER SUPPLY & WASTEWATER FACILITIES

Pipeline - Water, reclaimed water, wastewater less than 20,000 sf	—	P	—	P	
Pipeline - Water, reclaimed water, wastewater 20,000 sf or more	—	CUP	—	CUP	
Reservoir, less than 20,000 sf total development	CUP	P	CUP	P	
Reservoir, 20,000 sf or more of total development	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual, alternative	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual	E	P (11)	E	P (11)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station	CUP	P	CUP	P	
Water system with 1 connection	E	P (11)	E	P (11)	
Water system with 2 or more connections	CUP	CUP (§12)	CUP	CUP (§12)	
Water well, agricultural	E	P	E	P	

Key to Zone Symbols

R-1/E-1	Single-Family Residential	CZ	Coastal Zone
R-2	Two-Family Residential		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) 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).
- (46) Does not include electrical transmission lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (79) May include paramedic services associated with a fire station.
- (10) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).
- (11) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (§12) Limited to a maximum of 199 connections.

Table 2-8 Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	DR	DR CZ	PRD	PRD CZ	

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	—	35.442.020
Animal keeping (except for equestrian facilities- see RECREATION below)	S	S	S	S	35.442.040
Cultivated agriculture, orchard, vineyard	—	—	—	—	
Greenhouse, commercial or noncommercial 300 sf or more less	P (35)	P (35)	—	—	35.442.110
Greenhouse, commercial or noncommercial greater than 300 sf to less than 800 sf	—	—	—	—	

RECREATION, EDUCATION & PUBLIC ASSEMBLY

Community center	P	P	—	—	
Conference center	—	—	—	—	
Country club, swim and tennis club	—	—	—	—	
Equestrian facilities	—	—	—	—	
Golf course	CUP	CUP	—	—	
Golf driving range	—	—	—	—	
Library	CUP	CUP	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	CUP	
Museum	CUP	CUP	CUP	CUP	
Parks, playgrounds - Commercial	—	—	—	—	
Parks, playgrounds - Private	—	—	—	—	
Parks, playground - Public	P	P	—	—	
Private residential recreation facility	P	P	P	P	
School	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facilities	CUP	CUP	CUP	CUP	

Key to Zone Symbols

DR	Design Residential	CZ	Coastal Zone
PRD	Planned Residential Development		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) Non-commercial only.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	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
	DR	DR CZ	PRD	PRD CZ	

RESIDENTIAL

Artist studio	—	—	—	—	
Dwelling, one-family	P	PP	P	PP	
Dwelling, two-family	P	PP	P	PP	
Dwelling, multiple	P	PP	P	PP	
Guesthouse	—	—	—	—	
Home occupation	P	P(6)	P	P(6)	35.442.130
Mobile home parks	CUP	CUP	CUP	CUP	
Organizational house (fraternity, sorority, etc.) (35)	CUP	CUP	—	—	
Residential accessory use or structure	P	P(6)	P	P(6)	35.442.020
Residential project convenience facilities	P	PP	P	PP	
Residential second unit	—	—	—	—	
Special care home, 7 or more clients	CUP	CUP	CUP	CUP	35.442.070

SERVICES

Cemetery	—	—	—	—	
Large family day care home	P	P	P	P	35.442.070
Small family day care home	E	E	E	E	35.442.070
Child care center, Non-residential	CUP	CUP	CUP	CUP	35.442.070
Child care center, Non-residential, accessory	P	P	P	P	35.442.070
Child care center, Residential	CUP	CUP	CUP	CUP	35.442.070
Mausoleum	—	—	—	—	
Medical services - Clinic	—	—	—	—	
Medical services - Extended care	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	
Mortuary	—	—	—	—	
Mortuary, accessory to cemetery	—	—	—	—	

Key to Zone Symbols

DR	Design Residential	CZ	Coastal Zone
PRD	Planned Residential Development		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) Limited to student housing facilities located in an area where such facilities are to be used by students of a permitted educational facility.
- (6) Residential accessory uses and structures that are considered a component of a residential use designated as a Principal Permitted Use (PP) in compliance with Subsection E., above, are also considered a Principal Permitted Use (PP); see Section 35.423.030.E. and Section 35.442.020 for additional limitations.

Table 2-8 - Continued Allowed Land Uses and Permit Requirements for Residential Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	DR	DR CZ	PRD	PRD CZ	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Drainage channel, watercourse, storm drain less than 20,000 sf	—	P	—	P	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	CUP	—	CUP	
Electrical substation - Minor (35)	CUP	CUP	CUP	CUP	
Electrical substation - Major (35)	CUP	—	CUP	—	
Electrical transmission line (46)	CUP	CUP (57)	CUP	CUP (57)	
Flood control project less than 20,000 sf total area (67)	—	P	—	P	
Flood control project 20,000 sf or more total area (67)	—	CUP	—	CUP	
Public safety facility (78)	CUP	CUP	CUP	CUP	
Public works and utilities	CUP	CUP	CUP	CUP	
Road, street less than 20,000 sf total area (68)	—	P	—	P	
Road, street 20,000 sf or more total area (68)	—	CUP	—	CUP	
Sea wall, revetment, groin or other shoreline structure	—	CUP	—	CUP	
Telecommunications facility	S	S	S	S	35.444
Utility service line with 4 or fewer connections (68)	—	P(9)	—	P(9)	
Utility service line with 5 or more connections (68)	—	CUP	—	CUP	

WATER SUPPLY & WASTEWATER FACILITIES

Pipeline - Water, reclaimed water, wastewater less than 20,000 sf	—	P	—	P	
Pipeline - Water, reclaimed water, wastewater 20,000 sf or more	—	CUP	—	CUP	
Reservoir, less than 20,00 sf total development	CUP	P	CUP	P	
Reservoir, 20,000 sf or more of total development	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual, alternative	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual	E	P (10)	E	P (10)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP	
Water or sewer system pump or lift station	CUP	P	CUP	P	
Water system with 1 connection	E	P (10)	E	P (10)	
Water system with 2 or more connections	CUP	CUP (811)	CUP	CUP (811)	
Water well, agricultural	—	—	—	—	

Key to Zone Symbols

DR	Design Residential	CZ	Coastal Zone
PRD	Planned Residential Development		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) 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).
- (46) Does not include electrical transmission lines outside the jurisdiction of the County.
- (57) Not allowed in the VC overlay.
- (68) ~~May include paramedic services associated with a fire station.~~ Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (78) ~~Not applicable to facilities constructed by the County outside of the Coastal Zone.~~ May include paramedic services associated with a fire station.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).
- (10) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (811) Limited to a maximum of 199 connections.

35.424.030 - Commercial Zones Allowable Land Uses

Table 2-12 Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CN	CN CZ	CV	CV CZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping	S	S	S	S	35.442.040
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RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground	—	—	—	CUP PP	
Conference center	—	—	—	P(5)	35.442.080
County club, swim and tennis club	—	—	—	P	
Equestrian facility	—	—	CUP	CUP	
Fairgrounds	—	—	—	—	
Golf course	—	—	P	P (5)	
Golf driving range	—	—	P	P CUP	
Library	P	P	CUP	CUP	
Meeting facility, public or private	CUP	CUP	CUP	CUP	
Meeting facility, religious	CUP	CUP	CUP	— (6)	
Museum	CUP	CUP	CUP	CUP	
Park, playground - Public	—	—	P	PP	
School	CUP	CUP	CUP	CUP	
Sports and outdoor recreation facility	CUP	CUP	CUP	CUP P	
Studio - Art, dance, martial arts, music, etc.	P	PP	—	—	
Theater - Performing arts, 100 person maximum capacity	CUP	CUP	—	—	
Trail	—	—	P	PP	

RESIDENTIAL USES

Caretaker/Manager dwelling	—	—	CUP	CUP (8)	35.442.060
Home occupation	P	P	P	P	35.442.130
Mixed use project residential component - market rate	CUP	CUP	—	CUP (8)	35.424.050
Mixed use project residential component - 1 unit (37)	P	P	P	P (8)	35.424.050
Mixed use project residential component 2 to 4 units (37)	CUP	CUP	CUP	CUP (8)	35.424.050
Special care home, 7 or more clients	CUP	CUP	CUP	CUP	35.442.070

Key to Zone Symbols

CN	Neighborhood Commercial	CZ	Coastal Zone
CV	Resort/Visitor Serving Commercial		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (5) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (6) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for such a permit.
- (37) 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.
- (8) Occupancy restricted to employees, and members of the employee’s family, of the commercial uses on the site.

Table 2-12 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CN	CN CZ	CV	CV CZ	

RETAIL TRADE

Drive-through facility	CUP	CUP	—	—	35.442.100
General retail	P	PP	—	—	
Grocery and specialty food stores	P	PP	—	—	
Health club, spa	P	PP	P (35)	P (35)(6)	
Restaurant, café, coffee shop	P	PP	P (35)	P (35)(6)	
Service station	P	P	—	—	35.442.050
Visitor serving commercial	—	—	P (35)	PP(3)	

SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Bank, financial services	P	PP	—	—	
Business support service	P	P	—	—	
Drive-through facility	CUP	CUP	—	—	35.442.100
Medical services - Clinic, urgent care	P	PP	—	—	
Medical services - Doctor office	P	PP	—	—	
Medical services - Extended care	CUP	CUP	CUP	CUP	
Medical services - Hospital	CUP	CUP	CUP	CUP	
Office - Business/service	P	PP	—	—	
Office - Professional/administrative	P	P	—	—	
Public safety facility	P	P	—	—	

SERVICES - GENERAL

Cemetery, mausoleum	—	—	—	—	
Charitable or philanthropic organization	—	—	—	—	
Large family day care home	P	P	P	P	35.442.070
Small family day care home	E	E	E	E	35.442.070
Child care center, Non-residential	CUP	CUP	CUP	CUP	35.442.070
Child care center, Non-residential, accessory	P	PP	P	P (6)	35.442.070
Child care center, Residential	CUP	CUP	CUP	CUP	35.442.070
Drive-through, facility	CUP	CUP	—	—	35.442.100
Furniture repair accessory to furniture store or interior decorator	CUP	CUP	—	—	
Lodging - Hostel	—	—	—	PP	
Lodging, Hotel or Motel	—	—	—	PP	
Lodging - Resort hotel, guest ranch	—	—	P	PP	35.424.060
Personal services	P	PP	P (35)	P (35)(6)	
Vehicle services - Minor maintenance/repair	P	PP	—	—	35.442.050

Key to Zone Symbols

CN	Neighborhood Commercial	CZ	Coastal Zone
CV	Resort/Visitor Serving Commercial		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) Use only allowed accessory and incidental to an approved resort or guest ranch.
- (6) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

Table 2-12 - Continued Allowed Land Uses and Permit Requirements for Commercial Zones	E	Allowed use, no permit required (Exempt) (2)			
	P	Permitted use, Land Use or Coastal Permit required (23)			
	PP	Principal Permitted Use, Coastal Permit required (3)			
	CUP	Conditional Use Permit required (4)			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	CN	CN CZ	CV	CV CZ	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Drainage channel, water course, storm drain less than 20,000 sf	—	P	—	P	
Drainage channel, water course, storm drain 20,000 sf or more	—	CUP	—	CUP	
Electrical substation - Minor (35)	CUP	CUP	CUP	CUP	
Electrical substation - Major (35)	CUP	—	CUP	—	
Electrical transmission line (46)	CUP	CUP (57)	CUP	CUP (57)	
Flood control project less than 20,000 sf total area (68)	—	P	—	P	
Flood control project 20,000 sf or more total area (68)	—	CUP	—	CUP	
Public works and utilities	CUP	CUP	CUP	CUP	
Road, street less than 20,000 sf total area (68)	—	P	—	P	
Road, street 20,000 sf or more total area (68)	—	CUP	—	CUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	
Telecommunications facility	S	S	S	S	
Utility service line with 4 or fewer connections (68)	—	P (9)	—	P (9)	
Utility service line with 5 or more connections (68)	—	CUP	—	CUP	

WATER SUPPLY & WASTEWATER FACILITIES

Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	CUP	
Reservoir, less than 20,000 sf of total development	CUP	P	CUP	P	
Reservoir, 20,000 sf or more of total development	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual, alternative	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual	E	P (10)	E	P (10)	
Wastewater treatment facility, less than 200 connections	CUP	CUP	CUP	CUP =	
Water or sewer system pump or lift station	CUP	CUP	CUP	P	
Water system with 1 connection	E	P (10)	E	P (10)	
Water system with 2 or more connections	CUP	CUP (711)	CUP	CUP (711)	

Key to Zone Symbols

CN	Neighborhood Commercial	CZ	Coastal Zone
CV	Resort/Visitor Serving Commercial		

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) 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).
- (46) Does not include electrical transmission lines outside the jurisdiction of the County.
- (57) Not allowed in VC overlay.
- (68) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (9) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).
- (10) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).
- (711) Limited to a maximum of 199 connections.

35.425.030 - Special Purpose Zones Allowable Land Uses

Table 2-14 Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	REC	REC CZ	PU	PU CZ	TC CZ (35)	

AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping (except equestrian facilities- see RECREATION below)	S	S	S	S	S	35.442.040
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RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Campground	—	PP	—	—	—	
Conference center	—	CUP	—	—	—	35.442.080
County club, swim and tennis club	CUP	CUP	—	—	—	
Equestrian facility	CUP	CUP	—	—	—	
Golf course	P	PP	—	—	—	
Library	CUP	CUP	CUP	CUP	—	
Meeting facility, public or private	CUP	CUP	CUP	CUP	—	
Meeting facility, religious	CUP	CUP (6)	CUP	CUP	—	
Museum	CUP	CUP	CUP	CUP	—	
Park, playground - Public	P	PP	—	—	—	
School	CUP	CUP	CUP	CUP	—	
Sports & outdoor recreation facilities	CUP	CUP	CUP	CUP	—	
Trail for bicycles, hiking, or riding	P	PP	—	—	PP	
Zoo	CUP	CUP	—	—	—	

RESIDENTIAL USES

Caretaker/Manager dwelling	CUP	CUP	—	—	—	35.442.060
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RETAIL TRADE

Restaurant, café, coffee shop, accessory to allowed recreation use	CUP	CUP (47)	—	—	—	
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SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL

Medical services - Extended care	CUP	CUP	CUP	CUP	—	
Medical services - Hospital	CUP	CUP	CUP	CUP	—	
Office - Accessory	P	P	P	P (8)	—	

SERVICES - GENERAL

Large family day care home	P	P	—	—	—	35.442.070
Small family day care home	E	E	—	—	—	35.442.070
Child care center, Non-residential	CUP	CUP	CUP	CUP	—	35.442.070
Child care center, Residential	CUP	CUP	—	—	—	35.442.070

Key to Zone Symbols

REC	Recreation	TC	Transportation Corridor
PU	Public Utilities	CZ	Coastal Zone

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).
- (23) Development Plan approval may also be required; see 35.425.030.C (~~Development Plan approval required~~). In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.
- (4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.
- (35) Uses allowed as a "P" in abutting zones and in compliance with any applicable specific use regulations.
- (6) If application of this prohibition would result in a violation of the federal Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc, the proposed use may be allowed pursuant an approved CUP if the proposal would otherwise satisfy the criteria for such a permit.
- (47) Allowed only in an urban area designated by the Coastal Land Use Plan.
- (8) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

Table 2-14 - Continued Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt) (2)				
	P	Permitted use, Land Use or Coastal Permit required (23)				
	PP	Principal Permitted Use, Coastal Permit required (3)				
	CUP	Conditional Use Permit required (4)				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	REC	REC CZ	PU	PU CZ	TC CZ (35)	

TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE

Boat launching facility accessory to approved recreation use	—	PP	—	—	—	
Drainage channel, water course, storm drain less than 20,000 sf	—	P	—	PP	P	
Drainage channel, water course, storm drain 20,000 sf or more	—	CUP	—	CUP	CUP	
Electrical substation - Minor (46)	CUP	CUP	P	P	CUP	
Electrical substation - Major (46)	CUP	—	P	P	—	
Electrical transmission line (57)	CUP	CUP (68)	CUP	CUP (68)	CUP	
Flood control project less than 20,000 sf total area (79)	—	P	—	PP	P	
Flood control project 20,000 sf or more total area (79)	—	CUP	—	CUP	CUP	
Freeways and related facilities	—	—	—	—	P	
Pier, dock	—	P	—	—	—	
Public works and utilities	CUP	CUP	CUP	CUP	CUP	
Railroad	—	—	—	—	P	
Road, street less than 20,000 sf total area (79)	—	P	—	PP	PP	
Road, street 20,000 sf or more total area (79)	—	CUP	—	CUP	CUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	CUP	
Telecommunications facility	S	S	S	S	S	35.444
Underground gas storage	—	—	P	P	—	
Utility service line with 4 or fewer connections (79)	—	P (10)	—	PP	P (10)	
Utility service line with 5 or more connections (79)	—	CUP	—	CUP	CUP	

WATER SUPPLY & WASTEWATER FACILITIES

Pipeline - Water, reclaimed water, wastewater, less than 20,000 sf	—	P	—	PP	P	
Pipeline - Water, reclaimed water, wastewater, 20,000 sf or more	—	CUP	—	CUP	CUP	
Reservoir, less than 20,000 sf of total development	CUP	P	CUP	PP	P	
Reservoir, 20,000 sf or more of total development	CUP	CUP	CUP	CUP	CUP	
Sewage treatment facility - Central plant	—	—	P	P	—	
Wastewater treatment system, individual, alternative	CUP	CUP	CUP	CUP	CUP	
Wastewater treatment system, individual	E	P (11)	E	P (11)	P (11)	
Wastewater treatment facility, less than 200 connections	—	—	—	—	—	
Water or sewer system pump or lift station (812)	CUP	P	CUP	PP	P	
Water supply, treatment, storage facilities - Central plant	—	—	P	P	—	
Water system with 1 connection	E	P (11)	E	P (11)	P (11)	
Water system with 2 or more connections	CUP	CUP	CUP	CUP	CUP	
Water well, agricultural	—	—	—	—	—	

Key to Zone Symbols

REC	Recreation	TC	Transportation Corridor
PU	Public Utilities	CZ	Coastal Zone

Notes: (1) See Division 35.10 (Glossary) for land use definitions.

(2) A development or use is exempt only when in compliance with Section 35.420.040 (Exemptions from Planning Permit Requirements).

(23) Development Plan approval may also be required; see 35.425.030.C. In the Coastal Zone, a CDP is required to be processed concurrently with a Development Plan.

(4) In the Coastal Zone, a CDP is required to be processed concurrently with a Conditional Use Permit.

(35) Uses allowed as a "P" in abutting zones and in compliance with any applicable specific use regulations.

(46) 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).

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

(68) Not allowed in the VC overlay.

(79) Not applicable to facilities constructed by the County outside of the Coastal Zone.

(10) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) a single utility line may also be considered a Principal Permitted Use (PP).

(11) When incidental, appropriate and subordinate to a use designated as a Principal Permitted Use (PP) are also considered a Principal Permitted Use (PP).

(812) In the Inland area, such facilities are allowed in compliance with the required planning permit to which the water or sewer pump or lift station is accessory.