



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director
Dianne Black, Assistant Director

NOTICE OF PREPARATION

DATE: July 12, 2017

TO: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

FROM: County of Santa Barbara
Planning and Development Department
Long Range Planning Division
123 E. Anapamu Street
Santa Barbara, CA 93101-2058
(805) 568-2048

SUBJECT: Notice of Preparation and Scoping of an Environmental Impact Report (EIR)

PROJECT NAME: Cannabis Land Use Ordinance and Licensing Program EIR

PROJECT CASE NO.: 17ORD-00000-00004

PROJECT LOCATION: The Cannabis Land Use Ordinance and Licensing Program (collectively, "Project") involves the unincorporated (coastal and inland) areas of Santa Barbara County.

LEAD AGENCY: The County of Santa Barbara is the lead agency preparing the EIR with the purpose of informing decision-makers and the public regarding the potential environmental effects related to the Project in compliance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.).

PROJECT DESCRIPTION: The Project would amend the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance to allow certain types of cannabis activities by zone district. The Project also involves other amendments to the County Code, in order to establish a County licensing program for cannabis-related activities.

The project description, location, and potential environmental effects are included in the attached *Environmental Scoping Document for the Cannabis Land Use Ordinance* and may be downloaded from the Planning and Development Department, Long Range Planning Division webpage at: <http://longrange.sbcountyplanning.org/programs/Cannabis/cannabis.php>

PUBLIC ENVIRONMENTAL SCOPING MEETINGS: The Planning and Development Department will hold two environmental scoping meetings:

Santa Barbara
Wednesday, July 26, 2017, at 5:30 p.m.
Board Hearing Room
Fourth Floor
105 East Anapamu Street

and

Santa Maria
Thursday, July 27, 2017, at 5:30 p.m.
Betteravia Government Center
511 East Lakeside Parkway

The purpose of the meetings is to receive comments on the scope and content of the environmental issues to be addressed in the EIR.

PUBLIC AND AGENCY COMMENTS: We need to know the views of you or your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

Your response must be received no later than 5:00 p.m. on Friday, August 11, 2017. Please send your comments and the name of a contact person in your agency to Jessica Metzger, Project Manager, at the address listed above.

Date: July 12, 2017
Planner: Jessica Metzger
Division: Long Range Planning
Telephone: (805) 568-3532
Email: jmetzger@countyofsb.org

cc: Clerk of the Board
Encl: Scoping Document



COUNTY OF SANTA BARBARA

Planning and Development

www.sbcountyplanning.org



Environmental Scoping Document for the Cannabis Land Use Ordinance and Licensing Program

Project Website:

<http://longrange.sbcountyplanning.org/programs/Cannabis/cannabis.php>

Contact:

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1.0 Purpose

This environmental scoping document describes the Cannabis Land Use (CLU) Ordinance and licensing program (collectively, “Project”) and provides a preliminary review of the Project’s potential environmental impacts in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). This scoping document, along with comments received in response to the Notice of Preparation (NOP) of the Environmental Impact Report (EIR) for the Project, will assist the County of Santa Barbara, as the lead agency for the preparation of the EIR for the Project, in identifying environmental impacts that must be evaluated in the EIR.

2.0 Background

CEQA requires the preparation of an EIR to inform the public and decision-makers of the potential environmental effects of the proposed regulations. According to CEQA Guidelines Section 15151, an EIR should include a sufficient degree of analysis, or scope, to provide decision-makers with information that enables them to make a decision which intelligently takes account of environmental consequences.

The EIR for the Project will evaluate the environmental impacts of anticipated activities resulting from the implementing ordinance language for land use entitlements and licenses, which constitute the Project. The environmental analysis will be based on the Project Description and draft ordinance; although, changes to the language may be required based on results of the environmental review and decision-making phases of the Project.

3.0 Project Description

This section describes the proposed Project including the applicant/lead agency, Project location, existing environmental setting, regulatory setting, summary of the Project, and Project adoption and implementation actions.

3.1 Project Applicant/Lead Agency

The County of Santa Barbara is both the project applicant and the lead agency for the proposed Project.

3.2 Project Location

The Project involves amendments to the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance. These ordinance amendments (hereafter referred to as a single ordinance) will regulate medical and nonmedical cannabis activities in the unincorporated areas of Santa Barbara County, including the coastal zone (Figure 1), excluding land under the jurisdiction of incorporated cities, the federal government (Los Padres National Forest and Vandenberg Air Force Base), and the University of California Santa Barbara (UCSB).

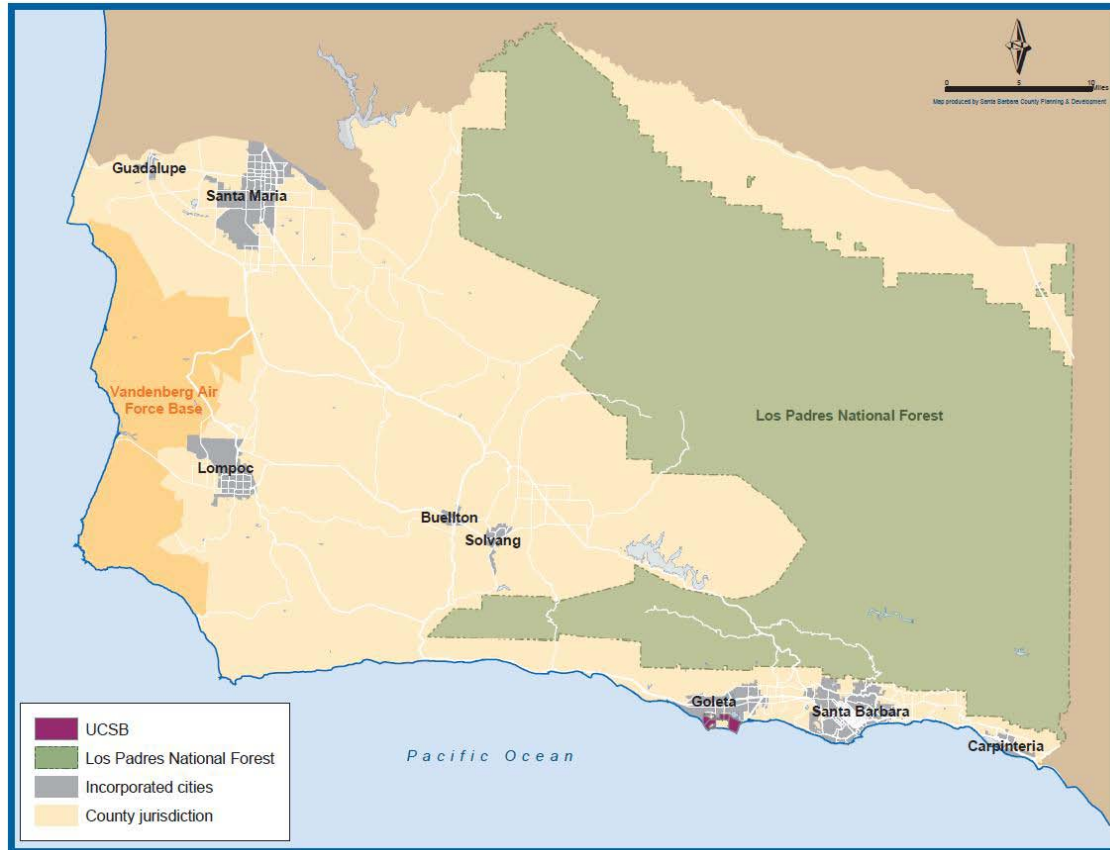


Figure 1. Santa Barbara County Jurisdictional Map

3.3 Regulatory Context

In 1996, California voters passed Proposition 215, the Compassionate Use Act of 1996 (CUA). The purpose of the CUA was to “ensure that seriously ill Californians have the right to obtain and use cannabis for medical purposes where that medical use is deemed appropriate and has been recommended by a physician” (Health & Safety Code section 11362.5(b)(1)(A)). In addition, patients and primary caregivers would not be subject to criminal prosecution or sanction (Ibid section 11362.5(b)(1)(B)). Two additional medical cannabis laws were enacted by the State. In 2003, the State adopted the Medical Cannabis Program Act and in 2016, the State adopted the Medical Cannabis Regulation and Safety Act (MRCSA). In response, the County adopted ordinances banning both medical cannabis dispensaries and medical cannabis cultivation, with limited exceptions, in the unincorporated areas of the County.

On November 8, 2016, the voters of the State of California approved Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (also known as the Adult Use of Marijuana Act, or AUMA). The AUMA establishes a comprehensive system to legalize, control, and regulate the cultivation, processing, manufacturing, distribution, testing, and sale of nonmedical cannabis, including cannabis products, for use by adults 21 years and older, and to tax the growth and retail sale of cannabis. It also sets forth provisions for the cultivation of industrial hemp. The AUMA

requires a state license to engage in commercial nonmedical cannabis activity and requires the State to start issuing licenses by January 1, 2018. Nonmedical cannabis operators will have to conform to all state regulations and the issuance of these licenses will also require the local jurisdiction's approval if the County adopts regulations in accordance with Business & Professions Code section 26200.

On June 27, 2017, Governor Jerry Brown signed SB-94, which combines the medical and recreational cannabis laws into one regulatory system known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). Among other things, the new law outlines the State-Local licensure process, clarifies law enforcement requirements, and establishes taxation plans.

None of the above regulations limit the authority of a local governing body to adopt and enforce local ordinances regulating or completely prohibiting state-licensed cannabis operations. Moreover, local jurisdictions may regulate or ban all outdoor cultivation and may impose reasonable regulations on personal cultivation (Health and Safety Code section 11362.2(3)(b)). The CLU Ordinance draft language is provided in Attachment A.

3.4 Summary of Proposed Ordinance and Licensing Program

The draft CLU Ordinance to be analyzed in the EIR would allow certain types of cannabis activities by zone district as described below:

- Allow cultivation of cannabis in Agricultural I (AG-I), Agricultural II (AG-II), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts.¹
- Allow manufacturing of non-volatile extraction in Agricultural I (AG-I), Agricultural II (AG-II), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts.
- Allow manufacturing of volatile extraction in Agricultural II (AG-II), Light Industry (M-1), and General Industry (M-2) zone districts.
- Allow post-processing and packaging in Agricultural I (AG-I), Agricultural II (AG-II), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2).
- Allow testing in General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), and Professional and Institutional (PI).

¹ Personal cultivation and consumption of cannabis would be allowed in all zones that allow a residential use (e.g., single-family dwelling in a residential zone, or caretaker's residence in an industrial zone).

- Allow commercial retail sales in Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Service Commercial (SC), Mixed Use (MU), and Light Industry (M-1) zone districts.
- Allow wholesale commercial sales in General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2).
- Prohibit cannabis activities in all other zone districts including all Residential,² Mountainous Areas, Highway Commercial (CH), Resort/Visitor Serving Commercial (C-V), Coastal Dependent Industry (M-CD), Coastal Related Industry (M-CR), Public Works Utilities and Private Service Facilities (PU), Recreation District (REC), Resource Management (RES), and Transportation Corridor (TC) zone districts.

3.5 Adoption and Implementation

The Montecito and County Planning Commissions will consider and advise the Board of Supervisors (BOS) regarding the adoption of the CLU Ordinance. In addition to the CLU Ordinance, the BOS will consider amendments to the County Code to establish a local licensing program for cannabis activities. The BOS will need to take the following actions in order to implement the Project:

1. Adoption of environmental findings, certification of the EIR, and, if needed, adoption of a Statement of Overriding Considerations for any unavoidable, significant environmental impacts that will result from the Project;
2. Adoption of amendments to the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance, to establish the land use regulations that will pertain to cannabis activities;
3. Adoption of amendments to the Santa Barbara County Code to establish a local licensing program for cannabis activities; and
4. Possibly, the adoption of amendments to the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones.

In addition to the actions set forth above, the Coastal Commission must certify any amendments to the Local Coastal Program (LCP)—including the Article II Coastal Zoning Ordinance, as the implementing ordinance of the LCP.

4.0 Scope of the Environmental Review

4.1 Overview

CEQA requires the preparation of an EIR to inform the public and decision-makers of the potential environmental effects of the Project. This includes any potential environmental effects resulting from the regulation of the cultivation, processing, manufacturing, distribution, testing, sale of cannabis (including cannabis products), retail sale of cannabis, and the cultivation of

² See footnote 1, above—cannabis cultivation and consumption for personal use, under certain conditions, is exempt from local and State licensing and permitting requirements.

industrial hemp as described in the CLU Ordinance draft language. According to CEQA Guidelines Section 15151, “[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences.”

4.2 Environmental Topics to be Analyzed in the EIR

CEQA Guidelines Section 15060(d) states that an initial study is not required in cases where preparation of an EIR is determined to be clearly required by the lead agency. Accordingly, an Initial Study for the Project is not provided herein. However, the preliminary review of the Project identified the following issue areas for evaluation in the EIR. Additional environmental topics beyond what is set forth below might be added to the EIR, based on comments received in response to the NOP for the EIR and Draft EIR that will be prepared for the Project.

4.2.1 Aesthetics and Visual Resources

The EIR will assess the Project’s potential impacts to visual and scenic resources and identify mitigation measures as necessary. This includes characterization of the existing physical setting; identification of potential impacts upon the character of scenic areas, gateways, relevant aspects of the built environment, public open spaces, and recognized landmarks; evaluation of consistency with routes in the County designated for protection under California’s Scenic Highway Program, and cumulative effects to public vistas and scenic routes.

4.2.2 Agricultural Resources

The EIR will describe the existing agricultural operations in the County, including cultivated agriculture, grazing and equestrian operations, crop types and acreages, and general locations based on available data from existing sources; assess whether the proposed Project is consistent with existing agricultural preservation policies and programs or has the potential to result in potentially significant adverse effects to prime soils, state designated important farmlands (Prime, Statewide, Local, or Unique), or grazing lands. The EIR will also assess whether the Project will cause potential impacts to agricultural resources, including potential conversion of agricultural land, including Williamson Act lands, to non-agricultural uses or result in land use conflicts that impact nearby agricultural operations. The Project EIR will identify mitigations for potentially significant impacts, where feasible.

4.2.3 Air Quality and Greenhouse Gas (GHG) Emissions

Describe existing conditions within the South Central Coast Air Basin and in the Project vicinity, including attainment status for criteria pollutants, climatic conditions, and local emissions sources and sensitive receptors, such as schools, elder care facilities, park visitors and adjacent neighborhoods; provide a brief description of the current regulatory setting regarding Air Quality and GHGs, including APCD rules related to odors; and assess the potential air quality impacts from the processing and manufacturing of cannabis, as well as potential impacts to air quality and GHG emissions from project-related vehicle trips. The Project’s potential to create objectionable odors will also be analyzed in this section of the EIR. The EIR will identify the need for mitigation of significant impacts. It will also assess consistency with the policies and measures in the County’s Energy and Climate Action Plan (ECAP).

4.2.4 Biological Resources

The Project could result in impacts to sensitive species and their habitats. The EIR will discuss the special status plant and wildlife species and habitat found within the Project area and analyze the potential for significant project-specific and cumulative effects to biological resources. It will also identify feasible mitigation measures necessary to reduce or avoid significant impacts to these resources.

4.2.5 Cultural

The EIR will identify the general geology and paleontology of the County; provide a brief overview of the County's history, including the Native American, Spanish/Mexican and American periods; describe existing known cultural resources, including general description of known pre-historic sites and the locations of known historic structures; address consultation with the Native American individuals and organizations that may be knowledgeable about the County; assess the potential for archaeological and historical resource impacts from the Project including cumulative impacts; and identify mitigation measures as necessary.

The EIR will summarize the County's Assembly Bill (AB) 52 tribal consultation as well as Senate Bill (SB) 18 consultation prior to amending or adopting any general plan amendment, if needed.

4.2.6 Geology and Soils

The EIR will describe the existing geologic setting, including a general characterization of County terrain, soils, seismicity, and other geologic features, such as groundwater basins and faults; describe the existing regulatory setting, including the County's Seismic Safety and Safety Element, Grading Ordinance, existing community plans and Land Use Element policies, the Alquist-Priolo Act, Uniform Building Code, etc.; assess direct, indirect, and cumulative geologic hazards and impacts posed by new cannabis cultivation and related operations, including grading for terracing and access roads; and identify recommended mitigation measures as needed to address geologic impacts, building from the California Building Code and the County Code.

4.2.7 Hazards and Public Safety

The EIR will describe the hazards and hazardous materials setting for the County based on existing reports and maps; assess hazards and hazardous materials impacts from cultivation and manufacturing sites by considering storage, handling, and application practices of hazardous materials; and identify mitigation measures necessary to address hazards and hazardous material concerns, including consideration of existing regulation and best management practices (BMPs) or development standards to address how and where hazardous materials would occur on cultivation sites. The EIR will further assess the Project for consistency with requirements in federal, state, and county regulations of hazardous materials.

4.2.8 Hydrology and Water Resources

Construction of new cultivation sites could impact in-stream water quality and hydrology through increased grading, vegetation clearing, erosion, and sedimentation or be impacted by flood flows from nearby rivers and creeks. The EIR will describe the existing hydrologic setting,

provide an estimate of current water use, describe the existing regulatory setting for management of ground and surface waters within the County, and analyze potential impacts to water supply, including supplies from groundwater. The EIR will also review the potential for significant impacts related to water quality and/or drainage/flooding, and will identify mitigation measures where necessary.

4.2.9 Land Use and Planning

The CLU ordinance would apply to the unincorporated County—specifically, certain agricultural, commercial, mixed use, and industrial zoned properties—and would regulate the cultivation, manufacturing, distribution, and sale of cannabis. The EIR analysis will examine the Project and identify potential land use conflicts and quality of life impacts.

In addition, the Project will involve regulations that will apply to cannabis activities in the Coastal Zone. The EIR will include an analysis of the consistency of the Project with coastal land uses and any potential significant adverse impacts on coastal resources resulting from the Project.

Cultivation

Potential land use conflicts between agriculture and residences may result from normal agricultural practices, such as noise, dust, and lights, as well as potential land use conflicts that are unique to the cultivation of cannabis (e.g., odors) as compared to other agricultural products.

Manufacturing

Potential land use conflicts between existing manufacturing uses and this new proposed use may result from the additional security measures that cannabis manufacturers would install on the site, including additional lights and fencing.

Commercial Sales

Commercial sales are anticipated to occur in existing buildings. No additional impacts are foreseen besides indirect impacts associated with public safety and services, which will be analyzed separately in the EIR.

The EIR will identify potential mitigation measures as needed to address any adverse land use impacts, including adjustments in proposed geographic restrictions, cultivation limits, and setbacks.

4.2.10 Noise

The Project EIR will describe the existing noise setting, focusing on roadway corridor and agricultural operation-related noise particularly in relation to proximity with sensitive receptors, consider both short-term construction impacts and long-term operational impacts; analyze long-term impacts based on potential increased traffic along roadways associated with changes or intensification of cannabis-related operations; analyze noise caused by cannabis processing facilities and cultivation areas that may require electricity by a generator. Mitigation measures will be identified for locations where noise levels may exceed regulatory standards or cause a substantial increase in the ambient noise levels for adjoining areas.

4.2.11 Public Services

The Project may incrementally increase demand for public services, particularly fire and police protection. Incremental increases in demand for code enforcement along with other services (e.g., road maintenance) may also occur. The EIR will assess existing service capabilities of applicable public services such as schools, police protection, and fire protection; assess fire protection issues and potential increases in demand for other public services associated with cannabis cultivation and production sites while accounting for existing regulations and development standards; identify Project impacts to established service standards, including emergency response standards. Where feasible, mitigation measures will be proposed to reduce or eliminate significant impacts.

4.2.12 Transportation and Circulation

Traffic and circulation impacts may result from the distribution of cannabis, the establishment of cultivation sites, and from consumers traveling to and from commercial retail locations. The EIR will review existing County traffic volume data, project trip generation/distribution, level of service calculations, accident data, and safety issues; identify potential construction-related traffic impacts; assess the Project's long-term operational impacts associated with cannabis-related development; evaluate the Project's cumulative effects to traffic and transportation based on regional development trends; and identify feasible mitigation options to address significant impacts.

4.2.13 Public Utilities

The Project would increase demand for water and power to support cannabis activities and may generate wastewater requiring treatment and solid waste requiring landfill disposal. While many cultivation sites are anticipated to be rural and served by wells, indoor cultivation is likely to require municipal water sources and use of existing infrastructure. In accordance with CEQA Guidelines, Appendix F: Energy Conservation, the EIR would investigate the energy availability and demand associated with commercial-scale cannabis cultivation and manufacturing, including energy diversity and options for alternative energy sources; describe the capacity of existing systems that would serve cultivation sites, including water, wastewater, solid waste, and energy systems; identify impacts from cannabis cultivation sites upon the existing utility system and services and operation-related impacts from existing and new cultivation sites related to the increase in demand for utility services and increase in waste associated with cultivation; assess energy impacts consistent with Appendix F of the CEQA Guidelines; describe cumulative impacts associated with proposed projects in the vicinity; and identify potential mitigation measures as needed to address impacts.

4.2.14 Cumulative Impacts

Pursuant to CEQA Guidelines Section 15130, the EIR shall discuss the cumulative impacts of the Project when the Project's incremental contribution to a significant cumulative impact is considered to be "cumulatively considerable." A cumulative impact consists of an impact that is created as a result of the combination of the proposed Project together with other projects causing related impacts.

The EIR will assess the potential cumulative impacts in each environmental topical section. The EIR will describe buildout impacts of the Project's land uses considered along with development of reasonably foreseeable (proposed and approved, not yet built) projects in the area.

4.3 Alternatives Analysis

The EIR will describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, as required by CEQA Guidelines Section 15126.6. The alternatives discussion in the EIR will include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Project. The EIR will programmatically describe the major characteristics and significant environmental effects of each alternative. The EIR analysis will also include a brief discussion of each alternative considered, but rejected from further analysis in the EIR, if any, as suggested by CEQA Guidelines Section 15126.6.

4.4 Other CEQA Required Discussions

The EIR will include a section that addresses other issues for which CEQA Guidelines Section 15126 requires analysis beyond the environmental topical areas described above. In this section, the EIR will analyze the additional possible impacts of the proposed Project including growth inducement and significant irreversible environmental changes.

Attachments: Attachment A, Santa Barbara County Land Use & Development Code
Draft Cannabis Land Use Ordinance



COUNTY OF SANTA BARBARA

Planning and Development

**SANTA BARBARA COUNTY
LAND USE & DEVELOPMENT CODE
DRAFT CANNABIS LAND USE ORDINANCE
JULY 12, 2017**

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

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

ARTICLE 35.2 - ZONES AND ALLOWABLE LAND USES

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)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
	LAND USE (1)	PERMIT REQUIRED BY ZONE	
AG-I		AG-II	

AGRICULTURAL, MINING, & ENERGY FACILITIES

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Composting facility	MCUP	MCUP	35.42.100
Composting (small scale)	—	S (5)	35.21.060
Cannabis - Distribution, manufacturing, and testing	S	S	35.42.075
Fertilizer manufacturing	—	CUP (4)	
Firewood processing and sales	—	S (5)	35.21.060
Lumber processing, milling (small scale)	—	S (5)	35.21.060

Key to Zone symbols

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

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

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

RESIDENTIAL USES

Agricultural employee housing, 4 or fewer employees	P	P	35.42.030
Agricultural employee housing, 5 or more employees	CUP	CUP	35.42.030
Artist studio	P	P	35.42.150
Cannabis – Personal use	E	E	35.42.075
Dwelling, one-family (3)	P	P	
Farmworker dwelling unit	P	P	35.42.135
Farmworker housing complex	P	CUP	35.42.135
Guesthouse	P	P	35.42.150
Home occupation	P	P	35.42.190
Incentive dwelling unit	—	P (4)	35.42.210
Monastery	CUP	CUP	
Residential accessory uses and structures	P	P	35.42.020
Residential second unit - attached (5)	P	—	35.42.230
Residential second unit - detached (5)	P	—	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	35.42.090

RETAIL TRADE

Agricultural product sales	P	P (6)	35.42.050
Cannabis - Retail	—	—	

Key to Zone Symbols

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

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

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) P Permitted use, Land Use Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed				
	PERMIT REQUIRED BY ZONE				Specific Use Regulations
LAND USE (1)	MT-GAV	MT-GOL	MT-TORO	RMZ	

AGRICULTURAL, MINING & ENERGY FACILITIES

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

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Agricultural employee housing, 4 or fewer employees	MCUP	MCUP	—	—	35.42.030
Artist studio	MCUP	MCUP	MCUP	MCUP	35.42.150
Cannabis – Personal use	E	E	E	E	35.42.080
Dwelling, one-family	P	P	P	P	
Farmworker dwelling unit	P	P	P	P	35.42.135
Farmworker housing complex	MCUP	MCUP	MCUP	CUP	35.42.135
Guesthouse	P	P	P	P	35.42.150
Home occupation	P	P	P	P	35.42.190
Monastery	—	CUP	CUP	—	
Residential accessory uses and structures	P	P	P	P	35.42.020
Special care home, 7 or more clients	—	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

Agricultural product sales	—	—	—	—	
Cannabis - Retail	—	—	—	—	

Key to Zone Symbols

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

Notes:

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

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) P Permitted use, Land Use or Coastal Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed			
	PERMIT REQUIRED BY ZONE			Specific Use Regulations
LAND USE (1)	RR	R-1/E-1	EX-1	

AGRICULTURAL, MINING & ENERGY FACILITIES

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

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Cannabis – Personal use	E	E	E	35.42.075
Dwelling, one-family	P(3)(4)	P(3)(4)	P(3)(4)	
Dwelling, two-family	—	—	—	
Dwelling, multiple	—	—	—	
Emergency shelter	—	—	—	
Farmworker dwelling unit	P	P	P	35.42.135
Farmworker housing complex	CUP	MCUP	MCUP	35.42.135
Guesthouse or artist studio	P	P	P	35.42.150
Home occupation	P	P	P	35.42.190
Mobile Home Park	CUP	CUP	CUP	
Monastery	CUP	CUP	CUP	
Organizational house (sorority, monastery, etc.)	—	—	—	
Residential accessory use or structure	P	P	P	35.42.020
Residential project convenience facilities	—	—	—	
Residential second unit	P	P	P	35.42.230
Special care home, 7 or more clients	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

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

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

AGRICULTURAL, MINING & ENERGY FACILITIES

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

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Cannabis - Personal use	E	E	E	E	35.42.075
Dwelling, one-family	P(3)	P(3)	—	P(3)	
Dwelling, two-family	P	P	—	P	
Dwelling, multiple	—	P	ZC	P	
Emergency shelter	—	—	—	—	
Farmworker dwelling unit	P	P	—	P	35.42.135
Farmworker housing complex	MCUP	P	—	—	35.42.135
Guesthouse or artist studio	—	—	—	—	
Home occupation	P	P	P	P	35.42.190
Mobile home park	CUP	CUP	CUP	CUP	
Monastery	CUP	CUP	—	CUP	
Organizational house (sorority, monastery, etc.)	—	CUP(4)	—	—	
Residential accessory use or structure	P	P	ZC	P	35.42.020
Residential project convenience facilities	—	P	ZC	P	35.42.220
Residential second unit	—	—	—	—	
Special care home, 7 or more clients	MCUP	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

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

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

AGRICULTURAL, MINING & ENERGY FACILITIES

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

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Cannabis – Personal use	S	S	S	35.42.075
Dwelling, one-family	P(3)	—	—	
Dwelling, two-family	—	—	—	
Dwelling, multiple	—	—	—	
Emergency shelter	—	—	—	
Farmworker dwelling unit	P	—	—	35.42.135
Farmworker housing complex	—	—	—	35.42.135
Guesthouse or artist studio	—	—	—	
Home occupation	P	—	P	35.42.190
Mobile home park	CUP	P(4)	CUP	
Mobile home	—	P	P(5)	
Modular home	—	—	P	
Monastery	CUP	CUP	CUP	
Organizational house (sorority, monastery, etc.)	—	—	—	
Residential accessory use or structure	P	P	P	35.42.020
Residential project convenience facilities	—	P	—	35.42.220
Residential second unit	—	—	—	
Special care home, 7 or more clients	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

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

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) P Permitted use, Land Use or Coastal Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed		
	PERMIT REQUIRED BY ZONE		
LAND USE (1)	CN	C-1	C-2

AGRICULTURAL, MINING & ENERGY FACILITIES

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Caretaker/Manager dwelling	—	—	—	
Cannabis – Personal use	E	E	E	35.42.075
Dwelling, one-family	—	P (4)	—	
Emergency shelter	—	—	MCUP	
Farmworker dwelling unit	MCUP	P	MCUP	35.42.135
Farmworker housing complex	—	—	—	35.42.135
Mixed use project residential component	MCUP	P	MCUP	35.42.200
Monastery	CUP	CUP	CUP	
Residential accessory use or structure	MCUP	P	MCUP	35.42.020
Residential use existing as of July 19, 1982	—	—	—	
Single room occupancy facility (SRO)	—	—	P	
Special care home, 6 or fewer clients	MCUP	P (4)	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Includes miniature golf and practice/putting range.
- (4) 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)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
	LAND USE (1)	PERMIT REQUIRED BY ZONE		
CN		C-1	C-2	

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

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

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

AGRICULTURAL, MINING, & ENERGY FACILITIES

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone symbols

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

Notes:

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

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

RESIDENTIAL USES

Cannabis – Personal use	E	E	E	E	35.42.075
Caretaker/Manager dwelling	—	MCUP	P	—	35.42.080
Dwelling, one-family	—	—	—	P	
Dwelling, two-family	—	—	—	P	
Dwelling, multiple	—	—	—	P	
Emergency shelter	P	P	—	MCUP	
Farmworker dwelling unit	MCUP	—	—	P	35.42.135
Farmworker housing complex	—	—	(4)	—	35.42.135
Mixed use project residential component	MCUP	—	—	P	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	P	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	CM-LA	Community Mixed Use - Los Alamos

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Includes miniature golf and practice/putting range.
- (4) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.

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

RETAIL TRADE

Auto and vehicle sales and rental	P	—	—	—	
Bar, tavern	P (3)	—	—	P	
Building and landscape materials - Indoor	P (4)	P (4)	—	—	
Building and landscape materials - Outdoor	P	P	—	—	
Cannabis - Retail	S	S	S	S	35.42.075
Convenience store, 3,000 sf or less net floor area	P	—	P (5)	P	
Convenience store, 3,000 sf or more net floor area	P	—	—	P	
Drive-through facility	CUP	CUP	CUP	—	35.42.130
Farm supply and feed store	P	P (4)	—	—	
Fuel dealer	P (6)	P (4)	—	—	
General retail	P	—	—	P	
Grocery/food store, 3,000 sf or less	P	—	CUP (5)	P	
Grocery/food store, 5,000 sf or less	P	—	CUP (5)	P	
Grocery/food store, more than 5,000 sf	P	—	—	P	
Mobile home, boat, and RV sales and repair	—	—	—	—	
Office supporting retail	P	—	—	P	
Plant nursery	P	—	—	P	
Restaurant, café, coffee shop - Indoor and outdoor	P (5)	—	P (5)	P	
Restaurant, café, coffee shop - Within an office building	—	—	—	—	
Service station	P	—	P	— (7)	
Shopping center - Community	—	—	—	—	
Shopping center - Convenience	—	—	—	—	
Swap meet	CUP	—	—	CUP	
Truck stop	—	—	MCUP	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	P	—	—	—	
Visitor-serving commercial	P	—	P (5)	P	

Key to Zone symbols

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

Notes:

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

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

AGRICULTURAL, MINING & ENERGY FACILITIES

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) 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) P Permitted use, Land Use or Coastal Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed			
	PERMIT REQUIRED BY ZONE			Specific Use Regulations
LAND USE (1)	C-V	SC	PI	

RESIDENTIAL USES

Cannabis – Retail Personal use	E	E	E	35.42.075
Caretaker/Manager dwelling	MCUP	—	—	35.42.080
Dwelling, one-family	—	—	—	
Emergency shelter	—	—	—	
Farmworker dwelling unit	MCUP	—	MCUP	35.42.135
Farmworker housing complex	—	—	—	35.42.135
Mixed use project residential component	—	—	MCUP	35.42.200
Monastery	CUP	CUP	CUP	
Residential accessory use or structure	MCUP	—	MCUP	
Residential use existing as of July 19, 1982	—	—	—	
Single room occupancy facility (SRO)	—	—	—	
Special care home, 6 or fewer clients	MCUP	MCUP	MCUP	35.42.090
Special care home, 7 or more clients	MCUP	MCUP	MCUP	35.42.090

Key to Zone Symbols

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

Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Destination-type facility required; see Section 35.24.060 (C-V Zone Additional Standards).
- (4) Not including trade schools using heavy equipment.

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

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

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

35.25.030 - Industrial Zones Allowable Land Uses

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

AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P	P	P	35.42.020
Agricultural processing	—	P	P	P(3)	
Agricultural processing - Extensive	—	P	P	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	P	P	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Aquaculture	P	P	—	P	35.42.070
Cannabis - Cultivation and microbusiness	S	S	S	—	35.42.075
Cultivated agriculture, orchard, vineyard	—	E	E	E	
Grazing	—	—	—	E	
Greenhouse	—	—	—	P	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(4)	P(4)	P(4)	P(4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	S	S	S	35.5
Winery	—	P(6)	P(6)	S(7)	

Key to Zone Symbols

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

Notes:

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

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

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

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Cannabis – Personal use	S	S	S	S	35.42.075
Emergency shelter	P	P	—	—	
Employee residence (3)	—	—	—	CUP	
Farmworker dwelling unit	—	—	—	—	35.42.135
Farmworker housing complex	P	P	(4)	P	35.42.135
Monastery	CUP	CUP	CUP	CUP	
Special care home	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	—	—	
Cannabis - Retail	S	S	S	—	35.42.075
Drive-through facility, accessory	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	P	—	—	
Office-supporting retail	P	P	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	
Service station	—	—	—	—	

Key to Zone Symbols

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

Notes:

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

35.26.030 – Special Purpose Zones Allowable Land Uses

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

AGRICULTURAL, MINING & ENERGY FACILITIES

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

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	—	
Business machine manufacturing and assembly	—	—	—	—	—	
Cannabis - Distribution, manufacturing, and testing	S	—	—	—	—	35.42.080
Ceramic product manufacturing	—	—	—	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	—	—	—	
Electronics assembly	—	—	—	—	—	
Electronics, equipment, and appliance manufacturing	—	—	—	—	—	
Food and beverage product manufacturing	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	—	—	
Handcraft industry, small scale manufacturing	P	—	—	—	—	
Laboratory - Medical, analytical, research and development	—	—	—	—	—	
Media production	P	—	—	—	—	
Merchandise manufacturing	P	—	—	—	—	
Precision machine shop	—	—	—	—	—	
Printing and publishing	P	—	—	—	—	
Recycling - Community recycling facility	—	—	—	—	—	
Recycling - Small collection center	—	—	—	—	—	
Recycling - Small collection center, non-profit	—	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	—	
Research and development	—	—	—	—	—	
Storage - Personal storage facility (mini-storage)	—	—	—	—	—	
Storage - Warehouse	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	

Key to Zone Symbols

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

Notes:

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

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

RESIDENTIAL USES

Agricultural employee housing, 4 or fewer employees	—	MCUP	—	—	—	35.42.030
Agricultural employee housing, 5 or more employees	—	CUP	—	—	—	35.42.030
Cannabis - Personal use	S	S	S	S	S	35.42.075
Caretaker/manager dwelling	P	—	—	—	—	
Dwelling, one-family	—	P (3)	P (3)	P (3)(4)	P (3)(4)	
Dwelling, two-family	—	—	P (4)	P (4)	P (4)	
Dwelling, multiple	P	—	P (4)	P (4)	P (4)	
Emergency shelter	—	—	—	—	—	
Farmworker dwelling unit	—	P	P	P	P	35.42.135
Farmworker housing complex	—	P	P	—	—	35.42.135
Guest house or artist studio	—	P	—	—	—	35.42.160
Home occupation	P	P	P (4)	P (4)	P (4)	35.42.190
Live/work unit	P	—	—	—	—	35.26.050
Mixed use development, residential component	P	—	—	—	—	35.26.050
Mobile home park	—	—	—	—	—	35.42.180
Monastery	—	—	CUP	CUP	CUP	
Residential accessory use or structure	P	P	P (4)	P (4)	P (4)	35.42.020
Residential project convenience facility	P	—	P (4)	—	—	35.42.220
Residential second unit	—	CUP (5)	P (6)	P (4)(6)	P (4)(6)	35.42.230
Single room occupancy facility (SRO)	—	—	—	P	P	
Special care home, 7 or more clients	MCUP	—	MCUP	MCUP	MCUP	35.42.090

RETAIL TRADE

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

Key to Zone Symbols

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

Notes:

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

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

AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	—	35.42.020
Agricultural processing - On-premise products	P	—	
Animal keeping (except equestrian facilities - see RECREATION below)	S	S	35.42.060
Aquaculture	—	—	35.42.070
Cannabis - Cultivation and microbusiness	—	—	
Cultivated agriculture, orchard, vineyard	E	—	
Grazing	E	—	
Greenhouse, less than 300 sf	P	—	35.42.140
Greenhouse, 300 sf or more	P	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (3)	P(4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	35.82.160
Oil and gas uses	—	S	35.5

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	
Business machine manufacturing and assembly	—	—	
Cannabis - Distribution, manufacturing, and testing	—	—	
Ceramic product manufacturing	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	
Food and beverage product manufacturing	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	
Handcraft industry, small scale manufacturing	—	—	
Laboratory - Medical, analytical, research and development	—	—	
Media production	—	—	
Merchandise manufacturing	—	—	
Precision machine shop	—	—	
Printing and publishing	—	—	
Recycling - Community recycling facility	—	—	
Recycling - Small collection center	—	—	
Recycling - Small collection center, non-profit	—	—	
Recycling - Specialized materials collection center	—	—	
Research and development	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	
Wholesaling and distribution	—	—	

Key to Zone symbols

PU	Public Works Facilities	TC	Transportation Corridor
REC	Recreation		

Notes:

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

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

RESIDENTIAL USES

Cannabis - Personal use	S	S	35.42.075
Caretaker/manager dwelling	—	MCUP	
Dwelling, one-family	—	—	
Dwelling, two-family	—	—	
Dwelling, multiple	—	—	
Emergency shelter	—	—	
Farmworker dwelling unit	—	—	35.42.135
Farmworker housing complex	—	—	35.42.135
Home occupation	—	—	
Mobile home park	—	—	
Monastery	—	—	
Residential accessory use or structure	—	—	
Residential project convenience facility	—	—	
Residential second unit	—	—	
Single room occupancy facility (SRO)	—	—	
Special care home, 7 or more clients	—	—	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	—	—	
Cannabis - Retail	—	—	
Clothing store	—	—	
Convenience store	—	—	
Convenience store, in mixed use project	—	—	
Drive-through facility	CUP	CUP	35.42.130
General retail	—	—	
Grocery/food store	—	—	
Office supporting retail	—	—	
Plant nursery	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	—	CUP	
Service station	—	—	
Visitor-serving commercial	—	—	

Key to Zone symbols

PU	Public Works Facilities	TC	Transportation Corridor
REC	Recreation		

Notes:

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

CHAPTER 35.42 - STANDARDS FOR SPECIFIC LAND USES

35.42.075 – Cannabis Regulations

A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls in compliance with state law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment by establishing minimum land use requirements for the medicinal and adult use of cannabis activities including the cultivation, distribution, transportation, storage, manufacturing, processing, and sales.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Section 35.110.020 (Definition of Specialized Terms and Phrases). Additionally,
 - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
 - b. Nothing in this Section is intended, nor shall it be construed, to allow persons to engage in conduct that endangers others or causes a public nuisance, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
 - c. Nothing in this Section is intended, nor shall it be construed, to exempt the cultivation of cannabis from compliance with all other applicable County zoning and land use regulations, as well as other applicable provisions of the County Code, state and local cannabis licensing requirements, or compliance with any applicable state laws.
 - d. All persons operating facilities and conducting cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

- B. Allowed uses and permit requirements.** Cannabis activities may only be in compliance with the approval of the applicable permit identified in the following Tables X-1 through X-6. The required permit shall be obtained and all applicable conditions of the permit shall be satisfied prior to the commencement of the cannabis activity.

Agricultural Zones Allowable Land Uses for Cannabis

Table X-1 Permit Requirements for Cannabis in Agricultural Zones	X Permit level to be determined prior to Draft EIR — Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	AG-I	AG-II	

CANNABIS CULTIVATION AND MICROBUSINESS

Cannabis Cultivation - Type 1, Type 1A, Type 1B, Type 1C	X	X	35.42.075
Cannabis Cultivation -Type 2, Type 2A, Type 2B	X	X	35.42.075
Cannabis Cultivation -Type 3, Type 3A	X	X	35.42.075
Cannabis Cultivation - Type 4	X	X	35.42.075
Microbusiness - Type 12	—	—	

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	
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Notes:

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

Resource Protection Zones Allowable Land Uses for Cannabis

Table X-2 Permit Requirements for Cannabis in Resource Protection Zones	X Permit level to be determined prior to Draft EIR — Use not allowed				
	PERMIT REQUIRED BY ZONE				Specific Use Regulations
LAND USE (1)	MT-GAV	MT-GOL	MT-TORO	RMZ	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	—	—	
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Notes:

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

Residential Zones Allowable Land Uses for Cannabis

Table X-3 Permit Requirements for Cannabis in Residential Zones	X Permit level to be determined prior to Draft EIR — Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	RR	R-1/E-1	EX-1	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	—	
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Notes:

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

Table X-3 - Continued Permit Requirements for Cannabis in Residential Zones	X Permit level to be determined prior to Draft EIR — Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	R-2	DR	MR-O	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	—	—	
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Notes:

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

Table X-3 - Continued Permit Requirements for Cannabis in Residential Zones	X Permit level to be determined prior to Draft EIR — Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	SLP	MHP	MHS	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	—	
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Notes:

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

Commercial Zones Allowable Land Uses for Cannabis

Table X-4 Permit Requirements for Cannabis in Commercial Zones	X Permit level to be determined prior to Draft EIR — Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	CN	C-1	C-2	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	X	X	35.42.075
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Notes:

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

Table X-4 - Continued Permit Requirements for Cannabis in Commercial Zones	X Permit level to be determined prior to Draft EIR — Use not allowed				
	PERMIT REQUIRED BY ZONE				Specific Use Regulations
LAND USE (1)	C-3	CS	CH	CM-LA	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	—	—	
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Notes:

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

Table X-4 - Continued Permit Requirements for Cannabis in Commercial Zones	X Permit level to be determined prior to Draft EIR — Use not allowed				
	PERMIT REQUIRED BY ZONE				Specific Use Regulations
LAND USE (1)	C-V	SC	PI		

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	X	—	35.42.075
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Notes:

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

Industrial Zones Allowable Land Uses for Cannabis

Table X-5 Permit Requirements for Cannabis in Industrial Zones	X Permit level to be determined prior to Draft EIR — Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	M-RP	M-1	M-2	M-CR	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	X	—	—	35.42.075
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Notes:

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

Special Purpose Zones Allowable Land Uses for Cannabis

Table X-6 Permit Requirements for Cannabis in Special Purpose Zones	X Permit level to be determined prior to Draft EIR — Use not allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	X	—	—	—	35.42.075
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Notes:

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

Table X-6 - Continued Permit Requirements for Cannabis in Special Purpose Zones	X Permit level to be determined prior to Draft EIR — Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	PU	REC	

CANNABIS CULTIVATION AND MICROBUSINESS

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

CANNABIS DISTRIUTION, MANUFACTURING AND TESTING

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

CANNABIS RETAIL

Retail - Type 10	—	—	
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Notes:

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

C. Commercial Permit Types.

1. Cultivation.

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

2. Manufacturing.

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

3. Testing.

- a. Type 8 - Testing.

4. Retailer.

- a. Type 10 - Retailer.

5. Distributor.

- a. Type 11 - Distributor.

6. Microbusiness.

- a. Type 12 - Microbusiness.

D. Development standards. All cannabis activities shall comply with the following development standards.

1. Cultivation.

- a. A cultivation operation permitted under this division shall not be located within a 600 foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the cannabis cultivator is to be located without regard to intervening structures.
- c. A cultivation operation permitted under this division as a Type 4 - Cultivation Nursery is limited to ___ square feet.

2. Manufacturing.

- a. All cannabis manufacturing operations shall ensure that cannabis is obtained from permitted and licensed cultivation sources and shall comply with State regulations to ensure that all manufactured cannabis products are properly stored, labeled, transported, and inspected prior to distribution at a legally permitted and licensed dispensary.
- b. The manufacturing facility shall comply with all of the requirements of the State and County for the cannabis manufacturing.
- c. A non-volatile manufacturing operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor including schools providing instruction in kindergarten or any grades 1 through 12, day care centers, or youth centers that are in existence at the time the license is issued.
- d. A volatile manufacturing operation permitted under this division shall not be located within a 1,200 foot radius of a sensitive receptor including schools providing instruction in kindergarten or any grades 1 through 12, day care centers, or youth centers that are in existence at the time the license is issued.
- e. The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the cannabis manufacturer is to be located.
- f. The permittee of a volatile manufacturing operation permitted under this division shall train the employees of the cannabis manufacturing facility on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.

3. Retailer.

- a. A retail operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor including schools providing instruction in kindergarten or any grades 1 through 12, day care centers, or youth centers that are in existence at the time the license is issued.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the sensitive receptor to the closest property line of the lot on which the cannabis cultivator is to be located.
- b. Retail operations shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products in compliance with Section 19334 of the California Business and Professions Code.

4. Testing

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

D. General Commercial Development Standards.

- 1. Fencing.** Approved fencing shall be permanent in nature. Materials not approved for use include (but are not limited to) tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.

- 2. Lighting.**

- a. Lighting shall be shielded to prevent light trespass into the night sky and/or glare onto lots other than the lots that constitute the project site, or rights-of-way.
- b. Greenhouses using artificial light shall be completely shielded between sunset and sunrise.

- 4. Noise**

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

- 3. Odor.**

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

- 3. Security.**

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

E. Personal Use. Personal use of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:

- a. Only adults 21 years or above may use and grow cannabis for personal use within a private residence.

- b. Personal growing of cannabis is limited to six plants per private residence.
- c. Any outdoor cultivation shall be completely screened from view of any public area.

CHAPTER 35.110 - DEFINITIONS

35.110.010 - Purpose

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

35.110.020 - Definitions of Specialized Terms and Phrases

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

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

licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.

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

b. Manufacturing.

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

c. Testing.

- 1) Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.

d. Retail.

- 1) Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public. A retailer may conduct sales exclusively by delivery.

e. Distributor.

- 1) Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.

f. Microbusiness

- 1) Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.

7. Mixed-light cultivation. The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.

8. Nursery. A licensee that produces only clones, immature plants, seeds, and other agricultural products used.

9. Sensitive receptor.

- 1) “Day care center” any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age child care centers.
- 2) “School” an institution providing instruction in kindergarten or any grades 1 through 12.
- 3) “Youth center” any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.