

13.10.640 Temporary produce sales areas, produce stands, and produce markets.

(A) The purpose of these regulations is to provide for and regulate the sale of farm commodities produced on-site, and also to allow the sale of related goods that promote agricultural products originating in Santa Cruz County and neighboring counties.

(B) Definitions.

(1) "Retail food law" for purposes of this chapter, means any chapter of any California Code regulating health and sanitation standards for retail food facilities. Retail food law shall be administered and enforced by County of Santa Cruz Environmental Health Services, unless another agency is specifically identified by law.

(C) General Standards. The following general standards shall apply to all produce sales areas, stands, and markets regulated by this chapter:

(1) One temporary produce sales area, one produce stand, or one produce market per site is allowed, subject to approval as set forth in SCCC [13.10.312](#)(D), Agricultural Uses Chart, and Chapter [13.11](#) SCCC.

(2) A temporary produce sales area or produce stand shall be allowed only if:

(a) It is located in the A (Agriculture), ~~or~~ CA (Commercial Agriculture) ~~Zoning District, TP (Timber Production), or SU (Special Use) Zoning District;~~

(b) It is accessory to agricultural production on the same parcel;

(c) At least 75 percent of the gross site area, that can be utilized for agricultural production, is devoted to agricultural production;

(d) The entirety of any subject parcel is owned or leased by the produce area/stand proprietor; and

(e) The floor area, excluding storage, shall not exceed 800 square feet. A larger floor area up to 1,600 square feet may be considered with an MUP or may be allowed if the building has a pre-existing commercial use which allowed for direct consumer services, including, but not limited to, wine tasting rooms, prepared food service, sales.

(3) A produce market shall be allowed only if:

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- (a) It is located in the A Zoning District;
 - (b) It is accessory to agricultural production on the same site;
 - (c) At least 75 percent of the gross site area is devoted to agricultural production;
 - (d) The entirety of any subject parcel is owned or leased by the produce market proprietor;
and
 - (e) The floor area, excluding storage, does not exceed 1,800 square feet. A floor area of up to 3,600 square feet may be considered with approval of a CUP, where it can be demonstrated that a need for a market larger than 1,800 square feet exists, such as may be required for a larger agricultural operation.
- (4) The produce stand, produce market, and associated parking and circulation areas shall remove as little land as possible from agricultural production or potential production. To minimize disturbance to agricultural soils, all associated improvements shall be located off, or on the perimeter of, Type 1—3 soils to the maximum extent feasible. Stands and markets should be located at the front of the parcel in conjunction with roadway access, or clustered with the existing development on the site.
- (5) Safe ingress and egress from the site shall be provided.
- (6) Produce stands and produce markets may have a maximum of one double-faced free-standing sign and one sign attached to the structure, not including small, pedestrian-oriented price signs up to one-half square feet each placed with produce. No sign or face shall exceed 10 square feet. No illuminated signs or off-site signs shall be allowed. All signs shall be located outside the public right-of-way and shall not obstruct ingress, egress, or vehicular site distance.
- (7) The point of origin of each commodity sold at the produce stand or produce market, including the name of the farm and county where it was grown, shall be prominently displayed indoors, using legible lettering, preferably with produce price signs.
- (8) Produce stands and produce markets shall be subject to the laws and regulations administered by other County of Santa Cruz departments, as well as the requirements of other jurisdictional agencies such as the California Department of Food and Agriculture and California Department of Transportation.

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(D) Temporary Produce Sales Area. Temporary produce sales areas are subject to the following standards and requirements:

(1) Three parking spaces shall be provided. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter, of good agricultural soils and shall not encroach upon any public rights-of-way or create a traffic hazard. Parking is not required to be paved unless specified by permit.

(2) A temporary produce sales area may sell only raw, unprocessed fruits, vegetables, nuts, cut flowers, and other agricultural produce in its raw or natural state produced on land that the produce stand's proprietor controls. No other commodities may be sold from a temporary produce sales area.

(3) A temporary produce sales area may only be open for up to 90 consecutive days per year to coincide with the harvest of the commodity. The applicant must obtain an administrative use permit to operate a produce stand if the produce sales area will be open for longer than 90 consecutive days in a year or if produce sales will be staggered (non-consecutive) due to differing harvest times.

(4) During the time when the temporary produce sales area is closed, all signage pertaining to the produce sales area, the temporary structure, and all for-sale products shall be removed from view.

(E) Produce Stands. Produce stands are permitted subject to the following standards and requirements along with any other requirements deemed necessary due to the size, configuration, and location of the site.

(1) One off-street parking space shall be provided for each 400 square feet of gross floor area or a minimum of three parking spaces, whichever is greater. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter, of Type 1—3 agricultural soils, and shall not encroach upon any public rights-of-way or create a traffic hazard. Parking is not required to be paved unless specified by discretionary permit as appropriate to control dust or mud, or to prevent erosion and sedimentation.

(2) A produce stand shall be used to sell primarily raw, unprocessed fruits, vegetables, eggs, honey, cut flowers, and other agricultural produce in its raw or natural state produced on land that the produce stand's proprietor controls.

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(3) Up to 15 percent of the area of the produce stand may be used for the sales of processed, pre-packaged, non-potentially hazardous foods, produced by the stand proprietor and other agricultural products, including, but not limited to, dried fruit, jams, jellies, ~~and~~ fruit pies, soaps, essential oils, topical products and other items produced by the stand proprietor within the County.

All processed agricultural products~~foods~~ are subject to County use permit requirements for agricultural processing and any applicable retail food law.

(4) Produce stands not in use for a period of three consecutive years shall be removed from the premises at the landowner's expense.

(5) Cold storage shall not be included as part of the allowable produce stand size and may require a separate approval, pursuant to SCCC [13.10.312](#) and Chapter [13.11](#) SCCC.

(6) A produce stand may be open to the public up to seven days a week as long as the farm is producing agricultural products to be sold at a produce stand.

(F) Produce Markets. Produce markets are subject to the following standards and requirements along with any other requirements deemed necessary due to the size, configuration, and location of the site.

(1) One off-street parking space shall be provided for each 400 square feet of gross floor area with a minimum of three parking spaces. Each parking space shall be at least eight and one-half feet by 18 feet in size, shall be located off, or on the perimeter of, Type 1—3 agricultural soils and shall not encroach upon any public rights-of-way or create a traffic hazard. Surfacing materials for the parking spaces shall be specified by discretionary permit.

(2) A produce market shall be used to sell primarily raw, unprocessed fruits, vegetables, eggs, honey, cut flowers, nursery plants or flowers, nuts, and other agricultural produce in its raw or natural state that have been grown in the County of Santa Cruz.

(3) Up to 25 percent of the area of the produce market may be used for the display of processed, pre-packaged, non-potentially hazardous foods including, but not limited to, dried fruit, jams, jellies, and fruit pies. All processed foods are subject to any applicable retail food law and must be obtained from approved sources. Products may also be obtained from cottage food operations within the County of Santa Cruz.

(4) Up to five percent of the display area may be used for sales of taxable items that advance the sale of agricultural products or educate the public about the agricultural industry.

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(5) Except as provided in subsection (F)(4) of this section, no taxable items may be sold at produce markets and the sale of petroleum products, alcoholic beverages, tobacco, or magazines is specifically prohibited.

(6) Cold storage accessory to a produce market shall be located within or attached to the main structure and shall be used to store raw produce products and bottled water only for on-site sale. Cold storage facilities for wholesale agricultural commodities may require a separate site development permit pursuant to Chapter [13.11](#) SCCC.

(7) A produce market may operate up to 365 days a year. [Ord. 5423 § 24, 2022].