

ORDINANCE NO. ____

**AN ORDINANCE AMENDING SECTION 13.10.372 OF THE
SANTA CRUZ COUNTY CODE REGARDING ALLOWANCE OF
TEMPORARY PRODUCE SALES AREAS AND PRODUCE
STANDS IN THE TIMBER PRODUCTION ZONE DISTRICT**

The Board of Supervisors of the County of Santa Cruz (the “Board”) hereby finds and declares the following:

WHEREAS, on June 4, 2024, the Board of Supervisors for the County of Santa Cruz (“Board”) directed the Santa Cruz County Cannabis Licensing Office (“CLO”) to prepare and propose revisions to the County’s Cannabis Program, specifically to Santa Cruz County Code (“SCCC”) Chapter 13.10, to allow retail sales at farm stands and temporary produce stands; and

WHEREAS, the Board also directed the Planning Commission to hold a public hearing on the proposed changes to the farm stand and temporary produce stand regulations; and

WHEREAS, the Planning Commission finds that the proposed amendments to SCCC sections 13.10.372 are consistent and compatible with the Santa Cruz County General Plan and all components of the Local Coastal Program implementing ordinances; and

WHEREAS, on November 15, 2022, the Board certified an Environmental Impact Report (EIR) for the County of Santa Cruz Sustainability Policy and Regulatory Update (Sustainability Update), consisting of amendments to the County’s General Plan/Local Coastal Program (LCP), including four updated General Plan elements, amendments to sections of the SCCC, adoption of County Design Guidelines, and General Plan land use map and/or zoning map amendments (State Clearinghouse No. 2020079005); and

WHEREAS, Sections 15162 and 15164 of the California Environmental Quality Act (“CEQA”) Guidelines require an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred; and

WHEREAS, the County has prepared an Addendum to the Santa Cruz County Sustainability Update EIR pursuant to Section 15164 of the CEQA Guidelines, and has determined that the revisions to Chapter 13.10 of the SCCC to allow retail sales at farm stands and temporary produce stands are consistent with the environmental impacts evaluated in the Sustainability Update EIR and subsequent addenda as documented by the review contained in the Addendum,, and none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred..

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz hereby ordains as follows:

SECTION I

Section 13.10.372 of the Santa Cruz County Code is hereby amended to read as follows:

13.10.372 Uses in the Timber Production TP District.

(A) Allowed Uses. The uses allowed in the Timber Production District shall be as provided in the Timber Production Uses Chart below. Certain disallowed uses that were legally established and are preexisting on a parcel may be considered legal nonconforming uses. See SCCC [13.10.260](#) and [13.10.261](#) for regulations regarding legal nonconforming uses. For amendments to a use with a valid discretionary permit, see SCCC [18.10.134](#).

(B) Use Permits. A discretionary permit for an allowed use is known as a “use permit.” Certain allowed uses are permitted by right and other allowed uses require a use permit as indicated in the Timber Production uses chart. The processing procedures for use permits are detailed in Chapter [18.10](#) SCCC, Discretionary Permit Approval Procedures.

(C) Other Discretionary Permits. Physical site development may require a site development permit pursuant to SCCC [13.11.035](#), a coastal development permit pursuant to SCCC [13.20.050](#), or other discretionary review.

(D) Timber Production Uses Chart. Allowed uses and permit requirements in the TP Zone District are identified in the following chart. Uses that are not specifically identified in the chart but are determined by the Planning Director to be of the same general character as an identified use, may be permitted subject to the same permit requirements as the identified use.

All discretionary nontimber uses in the TP Zone District shall be compatible with the growing and harvesting of timber as supported by a compatibility analysis, pursuant to SCCC [13.10.375](#)(A).

KEY:

P Permitted by right: Use is allowed without a use permit.

ZC Zoning Clearance: Ministerial review for conformance with Zoning Ordinance, no use permit required.

MUP Minor Use Permit: Discretionary permit, no public notice.

AUP Administrative Use Permit: Discretionary permit with public notice.

CUP Conditional Use Permit: Discretionary permit with public notice and a public hearing. Hearing is before the Zoning Administrator except where the Planning Commission (PC) is specified.

MP Mining permit issued in accordance with Chapter [16.54](#) SCCC, Mining Regulations.

A Use must be ancillary or complementary to another allowed use. A primary allowed use must first be in place or must be proposed concurrently on a site to allow an ancillary or complementary use.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Timber Production		
Timber: Growing, harvesting: the cutting and removal of timber and other forest products, and incidental work	P	
Accessory structures, non-habitable, when incidental to timber production or agricultural use	P ^A	13.10.312 16.22.060
Watershed management; habitat management, fish, and wildlife; in addition to timber harvesting	P	
Agriculture		
Agricultural uses allowed by right in the CA Zone District (except as noted below):	P	13.10.312 and 13.10.640 (for restrictions related to produce sales area and produce stands)
Agricultural research and development facility	CUP	13.10.644
Agricultural employee housing, up to 12 units or 36 beds; caretaker unit	MUP	13.10.631
Greenhouses 500 sf or larger	MUP	13.10.636

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Commercial stable or riding academy	CUP	13.10.644
Agricultural uses allowed with a use permit in the CA Zone District	CUP	13.10.312
Conversion of timberland to agricultural uses not exceeding 10 percent of the total timber area on the parcel	CUP	13.10.312
Commercial Cannabis Cultivation, Manufacturing, and Distribution <i>All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to Chapter 7.128 SCCC.</i>		
Indoor cultivation (including greenhouses): outside the coastal zone and 1-mile buffer	AUP/ CUP	AUP for Class CG licensed cultivation activities. CUP for other indoor cultivation. Pre-existing legal commercial use must exist on site. Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.
Outdoor cultivation (or new or existing hoop houses): outside the coastal zone and 1-mile buffer	AUP/ CUP	AUP for Class CG licensed cultivation activities <500 sf. CUP for other outdoor cultivation. Pre-existing legal commercial use must exist on site. Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.
Water tank	MUP ^A	Pre-existing legal commercial use must exist on site.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Manufacturing, Class 1 or 2 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	MUP if manufacturing involves cannabis cultivated on site. Otherwise, CUP required. Pre-existing legal commercial use must exist on site. Class 1 or 2 manufacturing not permitted in the Coastal Zone and 1-mile buffer. Class 3 manufacturing not permitted anywhere in the TP district.
Distribution, Class 1 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	CUP for cannabis distribution in new structures, MUP for existing structures. Pre-existing legal commercial use must exist on site. Class 1 distribution not permitted in the Coastal Zone and 1-mile buffer. Class 2 manufacturing not permitted anywhere in the TP district.
Distribution, transport only	P	Pre-existing legal commercial use must exist on site.
Other Commercial, Infrastructure and Utility Uses		
Energy cogeneration	CUP	13.10.700-C
Mining: mineral production and quarry operations	MP	Chapter 16.54
Research facilities for wildlife observation and research	CUP	
Septic tank sludge disposal sites that are approved by the Health Officer	AUP	Chapter 7.42
Utility facility	CUP	Includes private and public utilities and microgrids.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
		13.10.700-M
Wireless communication facilities	P/CUP	Subject to SCCC 13.10.660 through 13.10.664 , inclusive
Residential Units		
One single-family dwelling per existing parcel of record	P/MUP	P outside coastal zone; MUP inside coastal zone.
Dwelling groups of single-family dwellings	CUP/ CUP-PC	CUP for 1—2 dwelling units. CUP-PC for >2 dwelling units. See SCCC 13.10.373 for density requirements.
Accessory dwelling units (ADUs) or junior accessory dwelling units; (JADUs)	P ^A /MUP ^A	P outside coastal zone; MUP inside coastal zone. A compatibility analysis is required pursuant to SCCC 13.10.375(A) . 13.10.681
Accessory structures (habitable and non-habitable) incidental to a residential use	P ^A	13.10.611
Mobile home, temporary, for not more than five years for a caretaker or watchman in isolated areas on a minimum of 10 acres	MUP ^A	
Residential Units—Commercial Uses (ancillary to residential use)		
Family day care homes	P ^A	Serving up to 14 children (see SCCC 13.10.700-D). 13.10.613

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
Home occupations	P ^A /CUP ^A	See SCCC 13.10.613 to determine when a CUP is required.
Hosted rentals	ZC ^A	Hosted rental permit required per SCCC 13.10.690 .
Vacation rentals	AUP ^A / CUP ^A	AUP for new rentals with 3 or fewer bedrooms. AUP for renewals. CUP for new rentals with more than 3 bedrooms. Vacation rental permit required per SCCC 13.10.694 .
Recreation and Visitor Accommodation		
State parks	CUP	13.10.351 , et seq.
Organized camps and facilities for outdoor recreational, educational, religious activities	CUP	13.10.351 , et seq. 13.10.689 13.10.692
Bed and breakfast inns, limited to one inn per 40 acres	CUP	Access road must be approved by the responsible fire-protection agency. 13.10.689 13.10.691
Small-scale commercial visitor accommodation, in the Coastal Zone, upon conversion of existing structure	CUP	13.10.689 13.20

1. Table indicates use permits only. Other discretionary permits may be required.

(E) Use Conditions.

(1) Amplified Entertainment. A CUP is required for outdoor amplified entertainment.

(2) Hours of Operation. No business or service establishment shall be open between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP. Within 150 feet of any residentially zoned property, no non-emergency outdoor activity, including loading, sweeping, landscaping, or maintenance shall occur between the hours of 10:00 p.m. and 6:00 a.m. except pursuant to a CUP, and no business or service shall be open between the hours of 8:00 p.m. to 10:00 p.m. or between the hours of 6:00 a.m. and 8:00 a.m., except pursuant to an MUP.

(3) Temporary/seasonal use: allowed pursuant to a temporary use permit (TUP), subject to SCCC [13.10.616](#).

(4) Additional conditions for specific uses are found in other sections of the County Code as referenced in the Timber Production Uses Chart. [Ord. 5439 § 7, 2023; Ord. 5423 § 16, 2022; Ord. 5402 § 7, 2022; Ord. 5382 § 4, 2021; Ord. 5365 § 4, 2021; Ord. 5345 § 4, 2020; Ord. 5336 § 6, 2020; Ord. 5334 § 6, 2020; Ord. 5326 § 17, 2020; Ord. 5325 § 17, 2020; Ord. 5272 § 6, 2018; Ord. 5266 § 5, 2018; Ord. 5229 § 4, 2016; Ord. 5092 § 4, 2011; Ord. 4873 § 6, 2007; Ord. 4836 §§ 92, 93, 2006; Ord. 4814 § 5, 2006; Ord. 4808 § 21, 2005; Ord. 4770 § 9, 2004; Ord. 4744 § 9, 2003; Ord. 4715 § 9, 2003; Ord. 4577 § 9, 1999; Ord. 4496-C § 33, 1998; Ord. 4099 § 5, 1990; Ord. 4036 § 6, 1989; Ord. 3893 § 2, 1988; Ord. 3842 § 2, 1987; Ord. 3747 § 1, 1986; Ord. 3632 § 11, 1985; Ord. 3593 § 11, 1984; Ord. 3432 § 1, 1983].

SECTION II

The adoption of this ordinance is subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15162 and 15164, which require an addendum to a previously certified EIR if changes are made that do not result in unaccounted for impacts. The proposed amendments to Santa Cruz County Code have been addressed in the Sustainability Plan Final EIR, and an Addendum to the EIR has been drafted.

SECTION III

The Board of Supervisors further finds and determines in its reasonable discretion on the basis of the entire record before it that the proposed amendments to Santa Cruz County Code Section 13.10.372 are consistent and compatible with and will not frustrate the objectives, policies, general land uses, and programs specified in the General Plan and Local Coastal Program.

SECTION IV

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION V

This ordinance shall take effect in areas outside the Coastal Zone on the 31st day after the date of final passage and shall take effect in areas within the Coastal Zone on the 31st day after the date of final passage, or upon certification by the Coastal Commission, whichever is later.

PASSED AND ADOPTED this ____ day of ____ 2025, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

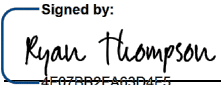
ABSENT: SUPERVISORS

ABSTAIN: SUPERVISORS

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

Signed by:


Office of the County Counsel

Certificate Of Completion

Envelope Id: 060F28E6-27C1-4E09-A424-282AE8ADE9D2
 Subject: REVISED Complete with Docusign: Exhibit 4 - 13.10.372 clean.pdf
 Source Envelope:
 Document Pages: 9
 Certificate Pages: 4
 AutoNav: Enabled
 EnvelopeId Stamping: Enabled
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed
 Envelope Originator:
 Sam LoForti
 701 Ocean Street
 Santa Cruz, CA 95060
 Sam.LoForti@santacruzcountyca.gov
 IP Address: 63.194.190.100

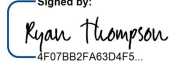
Record Tracking

Status: Original 2/28/2025 9:12:46 AM	Holder: Sam LoForti Sam.LoForti@santacruzcountyca.gov	Location: DocuSign
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: County of Santa Cruz	Location: DocuSign

Signer Events

Ryan Thompson
 Ryan.Thompson@santacruzcountyca.gov
 Security Level: Email, Account Authentication
 (None)

Signature

Signed by:

 4F07BB2FA63D4F5...
 Signature Adoption: Pre-selected Style
 Using IP Address: 174.160.144.187

Timestamp

Sent: 2/28/2025 9:13:22 AM
 Viewed: 2/28/2025 9:45:28 AM
 Signed: 2/28/2025 12:40:50 PM

Electronic Record and Signature Disclosure:
 Accepted: 2/28/2025 12:40:33 PM
 ID: 2394f446-7495-409a-b2da-b680e7deee28

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	2/28/2025 9:13:22 AM
Envelope Updated	Security Checked	2/28/2025 10:14:02 AM
Envelope Updated	Security Checked	2/28/2025 10:14:02 AM
Certified Delivered	Security Checked	2/28/2025 9:45:28 AM
Signing Complete	Security Checked	2/28/2025 12:40:50 PM
Completed	Security Checked	2/28/2025 12:40:50 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.