

18. Adopt "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" (Approved in concept March 25, 2025) ()



## **County of Santa Cruz Board of Supervisors**

### **Agenda Item Submittal**

**From:** Clerk of the Board

**Subject:** Ordinance Amending Section 7.130.030 and 7.130.110 of the Santa Cruz County Code

**Meeting Date:** April 8, 2025

**Formal Title:** Adopt " 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" (Approved in concept March 25, 2025)

### **Recommended Actions**

Adopt " 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" as approved in concept on March 25, 2025.

### **Executive Summary**

n/a

### **Discussion**

On March 25, 2025, the Board of Supervisors approved the ordinance in concept and scheduled it for second reading/final adoption on April 8, 2025.

### **Financial Impact**

There is no financial impact associated with the recommended actions.

### **Strategic Initiatives**

N/A

### **Submitted By:**

Juliette Rezzato, Chief Deputy Clerk of the Board

### **Recommended By:**

Carlos J. Palacios, County Administrative Officer

### **Artificial Intelligence Acknowledgment:**

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

**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.

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

<sup>A</sup> 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 <sup>1</sup>	References and Notes
<b>Timber Production</b>		
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 <sup>A</sup>	<a href="#">13.10.312</a> <a href="#">16.22.060</a>
Watershed management; habitat management, fish, and wildlife; in addition to timber harvesting	P	
<b>Agriculture</b>		
Agricultural uses allowed by right in the CA Zone District (except as noted below):	P	<a href="#">13.10.312</a> and <a href="#">13.10.640</a> (for restrictions related to produce sales area and produce stands)
Agricultural research and development facility	CUP	<a href="#">13.10.644</a>
Agricultural employee housing, up to 12 units or 36 beds; caretaker unit	MUP	<a href="#">13.10.631</a>
Greenhouses 500 sf or larger	MUP	<a href="#">13.10.636</a>

**Table 13.10.372-1: Timber Production TP Uses Chart**

Use	Permit Required <sup>1</sup>	References and Notes
Commercial stable or riding academy	CUP	<a href="#">13.10.644</a>
Agricultural uses allowed with a use permit in the CA Zone District	CUP	<a href="#">13.10.312</a>
Conversion of timberland to agricultural uses not exceeding 10 percent of the total timber area on the parcel	CUP	<a href="#">13.10.312</a>
<b>Commercial Cannabis Cultivation, Manufacturing, and Distribution</b> <i>All uses subject to SCCC <a href="#">13.10.650</a> (non-retail commercial cannabis) and with a license pursuant to Chapter <a href="#">7.128</a> 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 <sup>A</sup>	Pre-existing legal commercial use must exist on site.

**Table 13.10.372-1: Timber Production TP Uses Chart**

Use	Permit Required <sup>1</sup>	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.
<b>Other Commercial, Infrastructure and Utility Uses</b>		
Energy cogeneration	CUP	<a href="#">13.10.700-C</a>
Mining; mineral production and quarry operations	MP	Chapter <a href="#">16.54</a>
Research facilities for wildlife observation and research	CUP	
Septic tank sludge disposal sites that are approved by the Health Officer	AUP	Chapter <a href="#">7.42</a>
Utility facility	CUP	Includes private and public utilities and microgrids.

**Table 13.10.372-1: Timber Production TP Uses Chart**

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



**Table 13.10.372-1: Timber Production TP Uses Chart**

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

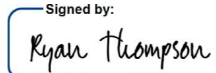
ABSENT: SUPERVISORS

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	Status: Completed
Subject: REVISED Complete with Docusign: Exhibit 4 - 13.10.372 clean.pdf	
Source Envelope:	
Document Pages: 9	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
EnvelopeId Stamping: Enabled	Sam LoForti
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	701 Ocean Street
	Santa Cruz, CA 95060
	Sam.LoForti@santacruzcountyca.gov
	IP Address: 63.194.190.100

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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		

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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.

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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:

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- 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.