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Th18b

LCP-3-SCO-25-0022-1-PART B (CANNABIS UPDATES AND PRODUCE STANDS)

JULY 10, 2025 HEARING

EXHIBITS

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Exhibit 1: Proposed LCP Amendment Text

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
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	CUP	13.10.312

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
exceeding 10 percent of the total timber area on the parcel		
<p>Commercial Cannabis Cultivation, Manufacturing, and Distribution</p> <p><i>All uses subject to SCCC 13.10.650 (non-retail commercial cannabis) and with a license pursuant to Chapter 7.128 SCCC.</i></p>		
Indoor cultivation (including greenhouses): outside the coastal zone and 1-mile buffer	AUP/ CUP	<p>AUP for Class CG licensed cultivation activities. CUP for other indoor cultivation.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.</p>
Outdoor cultivation (or new or existing hoop houses): outside the coastal zone and 1-mile buffer	AUP/ CUP	<p>AUP for Class CG licensed cultivation activities <500 sf. CUP for other outdoor cultivation.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>Commercial cannabis cultivation not permitted in the Coastal Zone and 1-mile buffer.</p>
Water tank	MUP ^A	Pre-existing legal commercial use must exist on site.
Manufacturing, Class 1 or 2 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	<p>MUP if manufacturing involves cannabis cultivated on site. Otherwise, CUP required.</p> <p>Pre-existing legal commercial use must exist on site.</p> <p>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.</p>
Distribution, Class 1 (outside the Coastal Zone and 1-mile buffer)	MUP/ CUP	CUP for cannabis distribution in new structures, MUP for existing structures.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
		<p>Pre-existing legal commercial use must exist on site.</p> <p>Class 1 distribution not permitted in the Coastal Zone and 1-mile buffer. Class 2 manufacturing not permitted anywhere in the TP district.</p>
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. 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	<p>CUP for 1—2 dwelling units. CUP-PC for >2 dwelling units.</p> <p>See SCCC 13.10.373 for density requirements.</p>

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
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
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.

Table 13.10.372-1: Timber Production TP Uses Chart

Use	Permit Required ¹	References and Notes
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].

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:

- (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.

(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.

(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.

(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].

SECTION I

Section 13.10.650(C)(2) of the Santa Cruz County Code is hereby amended to make the following changes:

13.10.650 Non-retail commercial cannabis uses.

(C) Commercial Cannabis Cultivation.

(1) Zoning. Subject to the limitations set forth in subsections (C)(2), (3) and (4) of this section, commercial cannabis cultivation uses may be permitted in the following zones: CA (Commercial Agriculture), A (Agriculture), RA (Residential Agriculture), C-4 (Commercial Services), M (Industrial), TP (Timber Production), and SU (Special Use) where the General Plan designation of the parcel is "R-R" (Rural Residential), "R-M" (Mountain Residential), "AG" (Agriculture) or "I" (Heavy Industry).

(2) Minimum Parcel Size.

(a) The minimum parcel size for commercial cannabis cultivation in the CA zone is one acre.

(b) The minimum parcel size for commercial cannabis cultivation in the A zone is 2.5 acres (Class CG license only) or 10 acres (Class A license).

(c) The minimum parcel size for commercial cannabis cultivation in the RA zone is 2.5 acres (Class CG license only) or five acres (Class RA license).

(d) The minimum parcel size for commercial cannabis cultivation in the TP zone is 2.5 acres (Class CG license only) or five acres (Class TP license).

(e) The minimum parcel size for commercial cannabis cultivation in the SU zone is 2.5 acres (Class CG license only) or 10 acres (Class SU license) for parcels with a General Plan designation of R-M, R-R or AG; there is no minimum parcel size for parcels in the SU zone with a General Plan designation of I.

(3) Restrictions.

(a) Commercial cannabis cultivation shall not be permitted inside the Coastal Zone or within one mile beyond the Coastal Zone, except in the CA, A, C-4 and M zones.

(b) Commercial cannabis cultivation shall not be permitted within the Urban Services Line or the Rural Services Line, except in C-4 and M zones and in CA and A zones located inside the Coastal Zone and within one mile beyond the Coastal Zone.

(c) Inside the Coastal Zone, and within one mile beyond the Coastal Zone, commercial cannabis cultivation may only be permitted: 1) in CA and A zones outdoors; or 2) in structures existing on the effective date of the ordinance adopting this section. No new structures, including hoop houses (defined as agricultural shade structures exempt from building permits under SCCC [12.10.315](#)), shall be allowed.

(d) No outdoor (including hoop house) commercial cannabis cultivation shall be permitted in zones C-4 and M.

(i) Exception: In the M-3 zoning district, where quarry operations have ceased, outdoor cultivation (including hoop house cultivation) may be permitted in conjunction with the adoption or amendment of a reclamation plan.

(e) Commercial cannabis cultivation may be permitted in SU zones only if the General Plan designation of the parcel is "R-R" (Rural Residential), "R-M" (Mountain Residential), "AG" (Agriculture) or "I" (Heavy Industry), subject to the restrictions of SCCC [13.10.382](#). In the SU zone district, on parcels with a General Plan designation of R-R, R-M or AG, permits authorizing non-retail commercial cannabis activities may be granted only on parcels of at least 20 acres, except for those applicants who cultivate on parcels of at least 10 acres where sufficient evidence exists that cannabis was being cultivated as of January 2013, and the use permit is granted no later than December 31, 2020.

(f) Commercial cannabis cultivation with a Class CG license may be permitted within the CA, A, RA, TP zoning districts and in the SU zoning district on parcels with a General Plan designation of R-R, R-M or AG on parcels of at least 2.5 acres in size where all requirements under ~~SCCC Chapter 7.128~~ [SCCC](#) applicable to a Class CG license are met.

(g) Indoor cultivation of immature plants (starts and seedlings) may only take place within legal structures existing as of the effective date of the ordinance adopting this section, or it shall be accommodated in a new permitted structure without requiring the addition of any square or cubic footage (such as by vertical stacking or shelving).

(h) Total cannabis cultivation area on any parcel shall not exceed the limit applicable under the currently valid license for cultivation on the parcel, subject to approval of the Licensing Official, as follows:

Zone/Class	Single Licensee	Co-Located (with approval of Licensing Official)
CA/Class CA*	<p>For single licensees on a single parcel, up to 2.5 percent of the size of the parcel may be utilized for canopy, immature plant growth areas and/or nursery operations, not to exceed 22,000 square feet. An additional 1.25 percent of the size of the parcel may be utilized for nursery operations or immature plant growth areas or some combination of both, not to exceed 11,000 square feet. Cultivation area shall not exceed 22,000 square feet, for outdoor cultivation, within the coastal zone.</p>	<p>For co-location on parcels smaller than 20 acres, up to five percent of the size of the parcel may be dedicated to canopy, immature plant growth areas and/or nursery operations, not to exceed one acre total among all licensees. An additional 2.5 percent of the size of the parcel may be utilized for nursery operations or immature plant growth areas or some combination of both, not to exceed 22,000 square feet. Cultivation area shall not exceed one acre, for outdoor cultivation, within the coastal zone.</p> <p>For co-location on parcels 20 acres or larger where cultivation is conducted outdoors or requires new structural development, up to five percent of the size of the parcel may be utilized for canopy, immature plant growth areas and/or nursery operations, not to exceed two acres total among all licensees. An additional 2.5 percent of the size of the parcel may be utilized for nursery operations or immature plant growth areas or some combination of both, not to exceed one acre. Cultivation area shall not exceed two acres, for outdoor cultivation, within the coastal zone.</p>

Zone/Class	Single Licensee	Co-Located (with approval of Licensing Official)
		For co-location on parcels 10 acres or larger where cultivation takes place solely within structures existing as of November 2016, cannabis cultivation area limits will be set by the Licensing Official.
A/Class A	For single licensees on a single parcel, up to 1.5 percent of the size of the parcel, not to exceed 10,000 square feet.	For co-location on parcels smaller than 20 acres, up to three percent of the size of the parcel, not to exceed 10,000 square feet total among all licensees. For co-location on parcels 20 acres or larger, up to 1.5 percent of the size of the parcel, not to exceed 22,000 square feet among all licensees.
RA/Class RA	Up to 1.25 percent of the size of the parcel, not to exceed 5,100 square feet on parcels between five and 10 acres in size. Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet on parcels larger than 10 acres.	For co-location on parcels between five and 10 acres in size, up to 1.25 percent of the size of the parcel, not to exceed 5,100 square feet. For co-location on parcels larger than 10 acres, up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet.
C-4/Class C-4 M/Class M	Canopy may not to exceed 22,000 square feet. Immature plant growth area may not exceed 11,000 square feet. Inside the Coastal Zone cultivation area shall not exceed 22,000 square feet.	Canopy may not to exceed 22,000 square feet. Immature plant growth area may not exceed 11,000 square feet. Inside the Coastal Zone cultivation area shall not exceed 22,000 square feet.
TP/Class TP**	Up to 1.25 percent of the size of the parcel, not to exceed 5,100 square feet on parcels between five and 10 acres in size.	For co-location on parcels between five and 10 acres in size, up to 1.25 percent of the size of the parcel, not to exceed 5,100 square feet.

Zone/Class	Single Licensee	Co-located (with approval of Licensing Official)
	Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet on parcels larger than 10 acres.	For co-location on parcels larger than 10 acres, up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet.
SU-AG, SU-R-R, SU-R-M/Class SU	Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet.	Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet.
SU-I/Class SU	22,000 square feet.	22,000 square feet.
CG (CA, A, RA, TP and SU-R-R, R-M or AG)/Class CG	500 square feet.	Not eligible for co-location.
<u>Zone/Class</u>	<u>Total Applicable Cultivation Area Description</u>	
<u>CA/Class CA *</u>	<p><u>On parcels where cultivation is conducted outdoors or requires new structural development, up to 5 percent of the size of the parcel may be utilized for canopy, immature plant growth areas and/or nursery operations. An additional 2.5 percent of the size of the parcel may be utilized for nursery operations or immature plant growth areas or some combination of both.</u></p> <p><u>After two years of continuous operations, canopy limits may be expanded up to 15 percent of the size of the parcel at the discretion of the Licensing Official. An additional 10 percent of the size of the parcel may be utilized for nursery operations or immature plant growth areas or some combination of both.</u></p> <p><u>On parcels where cultivation takes place solely within structures existing as of November 2016, cannabis cultivation area limits will be set by the Licensing Official.</u></p>	
<u>A/Class A</u>	<p><u>On parcels smaller than 20 acres, up to 3 percent of the size of the parcel, not to exceed 10,000 square feet total among all licensees.</u></p> <p><u>On parcels 20 acres or larger, up to 1.5 percent of the size of the parcel, not to exceed 22,000 square feet among all licensees.</u></p>	

Zone/Class	Single Licensee	Co-Located (with approval of Licensing Official)
<u>RA/Class RA</u>	<p><u>On parcels between five and 10 acres in size, up to 1.25 percent of the size of the parcel, not to exceed 5,100 square feet.</u></p> <p><u>On parcels larger than 10 acres, up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet.</u></p>	
<u>C-4/Class C-4</u> <u>M/Class M</u>	<p><u>Canopy may not to exceed 22,000 square feet. Immature plant growth area may not exceed 11,000 square feet. Inside the Coastal Zone, cultivation area shall not exceed 22,000 square feet.</u></p>	
<u>TP/Class TP**</u>	<p><u>Up to 1.25 percent of the size of the parcel not to exceed 10,000 square feet.</u></p> <p><u>After two years of continuous operations canopy limits may be expanded up to 10 percent of the size of the parcel at the discretion of the Licensing Official.</u></p>	
<u>SU-AG, SU-R-R, SU-R-M/Class SU</u>	<p><u>Up to 1.25 percent of the size of the parcel, not to exceed 10,000 square feet.</u></p> <p><u>After two years of continuous operations, canopy limits may be expanded up to 10 percent of the size of the parcel at the discretion of the Licensing Official.</u></p>	
<u>SU-I/Class SU</u>	<p><u>Up to 1.25 percent of the size of the parcel, not to exceed 22,000 square feet.</u></p> <p><u>After two years of continuous operations, canopy limits may be expanded up to 10 percent of the size of the parcel at the discretion of the Licensing Official.</u></p>	
<u>CG (CA, A, RA, TP and SU- R-R, R-M or AG)/Class CG</u>	<p><u>500 square feet.</u></p>	

* The Cannabis Licensing Official may set a larger cannabis cultivation area in CA zone districts, subject to the following criteria (see also [SCCC Chapter 7.128-SCCG](#)):

- (i) Cultivation occurs on a single parcel, indoors, not inside the Coastal Zone or within one mile beyond the Coastal Zone.
- (ii) Development, including all site disturbance necessary to construct, reconstruct or remodel the building(s) and infrastructure to serve the buildings, including but not limited to parking, access, turn around, water supply, equipment, and storage, occurs only where the ground is covered with existing impermeable

Zone/Class	Single Licensee	Co-Located (with approval of Licensing Official)
<p>surface. The impermeable area where development will occur must have been duly permitted or be legally non-conforming pursuant to SCCC 13.10.260, 13.10.261, and 13.10.262, and must have existed prior to April 18, 2019.</p>		
<p>(iii) Development of an indoor cultivation structure on a CA parcel will include additional conditions of approval to ensure protection of agricultural resources.</p>		
<p>** With a TP license, canopy may only be expanded on eligible sites to the maximum size identified in (i) and (ii) above upon specific application to expand, and only in conjunction with the additional restrictions set forth in subsection (B)(9)(b) of this section.</p>		

(4) Setbacks.

(a) Commercial cannabis cultivation shall not be allowed within 600 feet of (i) a municipal boundary; (ii) a school, a day care center, or youth center; (iii) a library; (iv) an alcohol or drug treatment facility; or (v) any park other than a State park located within the urban area defined by the Urban Services Line.

(b) Commercial cannabis cultivation shall not be allowed within one-quarter mile of a school if pesticides may be applied using aircraft, air blast sprayers, sprinklers, dust, powder, fumigants, or any other method which may cause the pesticide to travel outside of the property boundary.

(c) Commercial cannabis nursery operations, including both indoor and within an enclosed cultivation (such as an agricultural shade structure as defined by SCCC 12.10.315(A)(11)) within the CA zone district shall not be allowed within 50 feet of any habitable structure on a neighboring parcel. Indoor commercial cannabis cultivation shall not be allowed within 200 feet of any habitable structure on a neighboring parcel except in the CA zone district where indoor commercial cannabis cultivation shall not be allowed within 100 feet of any habitable structure on a neighboring parcel. Outdoor commercial cannabis cultivation shall not be allowed within 400 feet of any habitable structure on a neighboring parcel.

(d) Commercial cannabis cultivation shall not be allowed within 300 feet of a State park located within the urban area defined by the Urban Services Line.

(e) On parcels ranging in size from one to five acres, commercial cannabis cultivation shall not be allowed within 100 feet of a public right-of-way. This setback does not apply when the cultivation is entirely indoors.

(f) On parcels ranging in size from five to 10 acres, commercial cannabis cultivation shall not be allowed within 200 feet of a public right-of-way. This setback does not apply when the cultivation is entirely indoors.

(g) On parcels over 10 acres in size, commercial cannabis cultivation shall not be allowed within 300 feet of a public right-of-way. This setback does not apply when the cultivation is entirely indoors.

(h) Commercial cannabis cultivation shall not be allowed within 100 feet of a perennial stream.

(i) Commercial cannabis cultivation shall not be allowed within 50 feet of an intermittent stream or within the setbacks required by [SCCC 16.30](#) (Riparian Corridor and Wetlands Protection) or ~~SCCC Chapter 16.32~~ [SCCC](#) (sensitive habitats).

(j) Commercial cannabis cultivation shall not be allowed within 50 feet of an ephemeral stream or within the setbacks required by ~~SCCC Chapter 16.30~~ [SCCC](#) (Riparian Corridor and Wetlands Protection) or ~~SCCC Chapter 16.32~~ [SCCC](#) (sensitive habitats).

(k) Commercial cannabis cultivation shall not be allowed within 100 feet of the high-water mark of a lake, estuary, lagoon, or natural body of standing water.

(l) For purposes of this section, “school” means any licensed preschool or any public or private school providing instruction in kindergarten or grades one to 12, inclusive, but does not include any private school in which education is primarily conducted in private residences.

(m) For purposes of this section, “park” means any playground, hiking or riding trail, recreational area, beach, community center or building, historic structure or facility, conservation land, biological mitigation area, or open space owned, managed or controlled by any public entity or conservation entity such as a nonprofit land trust.

(n) The distance specified in this subsection for municipal boundaries, schools, day care centers, youth centers, libraries, and drug treatment facilities shall be the horizontal distance measured in a straight line from the municipal boundary, school, library, park, and drug

treatment facility to the closest property line of the parcel on which cannabis is being cultivated, without regard to intervening structures.

(o) The distance specified in this subsection for public rights-of-way, streams, and habitable structures shall be the horizontal distance measured in a straight line from the public right-of-way, streams and water areas, or habitable structure and the growing area on the cultivation site, without regard to intervening structures.

(p) Exceptions.

(i) Excluding setbacks required by ~~SCCC Chapter 16.30~~ or ~~16.32~~ ~~SCCC~~, exceptions to the setback rules set forth herein may be allowed subject to a Level 5 approval process with a finding, upon recommendation of the Licensing Official, that the exception is appropriate because physical conditions specific to the cultivation site (such as topography, intervening structures or vegetation, etc.) reduce the setback distance necessary to protect the subject public interest. Notwithstanding the foregoing, no exception shall be granted allowing a setback of less than 100 feet from a habitable structure on a neighboring parcel, except that in the M-1 and C-2 zone districts, the setback from a legal nonconforming habitable structure on a neighboring parcel may be reduced to below 100 feet or eliminated, subject to a Level 5 approval process under this subsection (C)(4)(p).

(ii) Exceptions to the setback rules set forth herein may be allowed for indoor cultivation operations in the C-4 and M-1 zone districts within the Rodeo Gulch Area Zoning Overlay subject to a recommendation of the Licensing Official that an exception is appropriate because physical conditions specific to the cultivation facility (such as topography, intervening vegetation or structures, etc.) reduce the setback distance necessary to protect the subject public interest.

(5) Height.

(a) New cannabis related structures in the A zoning district shall not exceed 28 feet in height.