



## CHAPTER 13.10 ZONING REGULATIONS

### PART VI. REGULATIONS FOR SPECIAL USES

#### ARTICLE I. ACCESSORY, TEMPORARY, AND SECONDARY STRUCTURES AND USES

Changes to SCCC 13.10.611 – 616 include amended regulations and permit requirements for accessory structures in residential zones. Conflicts with and referrals to accessory dwelling unit standards are clarified. Standards for residential accessory structures have been moved to this section from SCCC 13.10.323. Regulations for setbacks between structures have been removed, as this is regulated in the building code. Cottage industries are defined as used in state codes and allowed as home occupations. New regulations have been added regarding community events and weddings in specified residential and agricultural districts, as well as a limited exemption for special events in commercial districts.

- 13.10.611 Accessory Structures in Residential Zone Districts
- 13.10.612 Cargo and Shipping Containers Used as Accessory Structures [no change]
- 13.10.613 Home Occupations as Secondary Uses
- 13.10.614 Community Events and Fundraisers on Private Residential or Agricultural Property
- 13.10.615 Secondary Commercial Weddings in the RA, RR, CA and A Zone Districts
- 13.10.616 Temporary Permits, Uses, and Structures

#### 13.10.611 Accessory structures in residential zone districts.

- (A) Purpose. It is the purpose of this section to provide for the orderly regulation of accessory structures to ensure that accessory structures are subordinate and incidental to the main structure or main use of the land and to provide notice to future and current property owners that illegal conversion of any accessory structure is subject to civil penalties. This section does not address accessory dwelling units (ADUs), nor is an accessory structure in a residential zone district considered an ADU.
- (B) Application Requirements.
  - (1) The proposed use of the structure shall be specified.
  - (2) Applications for habitable accessory structures and non-habitable accessory structures shall



be processed as specified in Tables 13.10.611-1 and 13.10.611-2.

- (3) The regulations of this section are intended to complement and be implemented consistent with the allowed uses in residential zone districts listed in SCCC 13.10.322(BA) and regulations for accessory structures found in SCCC 13.10.323(E)(6).

(C) Restriction on Accessory Structures.

- (1) Any accessory structure shall be clearly appurtenant, subordinate, and incidental to the main structure or main use of the land as specified in the purposes of the appropriate zone district.
- (2) Regulations on amenities for accessory structures on parcels with a main residence are as indicated in Table 13.10.611-1:

<b>Table 13.10.611-1: Amenities Regulations for Accessory Structures in Residential Zone Districts</b>		
<i>Note: In the Coastal Zone, a Coastal Development Permit may be required per SCCC Chapter 13.20-SCCC. For regulations governing tiny homes, see SCCC 13.10.680 and for ADUs, see SCCC 13.10.681.</i>		
Amenity	Non-habitable	Habitable
Utility sink: outdoor non-enclosed shower	Allowed	Allowed
Toilet, lavatory sink <sup>1</sup>	Allowed <sup>1</sup>	Allowed <sup>1</sup>
Shower and/or bathtub	Pool cabanas: Shower allowed <sup>1</sup> All other uses: Not allowed	Allowed <sup>1</sup>
Washer/dryer and water heater	Allowed	Allowed
Insulation/sheet rock or other finished wall covering	Both allowed	Both required
Built-in heating/cooling	Not allowed	Heating: Required Cooling: Allowed
Kitchen facilities, excluding sink, as defined in SCCC 13.10.700-K	Not allowed	Not allowed, unless approved as an ADU under SCCC 13.10.681.
Electrical service maximum	100A/220V/single phase maximum unless an <u>Level IV administrative use approval permit</u> is obtained	100A/220V/single phase maximum unless an <u>Level IV administrative use approval permit</u> is obtained.
Separate electric meter	Not allowed unless an <u>Level IV administrative use approval permit</u> is obtained	Not allowed unless an <u>Level IV administrative use approval permit</u> is obtained.
Use for sleeping purposes	Not allowed	Allowed
Rent, let or lease as an independent ADU	Not allowed	Not allowed, unless approved as an ADU under SCCC 13.10.681 with standard kitchen.

<sup>1</sup>1. On parcels less than 10 acres, a maximum of one habitable or nonhabitable accessory structure with any combination of toilet, lavatory sink, shower and/or bathtub is permitted if consistent with Tables 13.10.611-1 and 13.10.611-2. On



parcels 10 acres or larger, a maximum of two accessory structures with any combination of toilet, lavatory sink, shower and/or bathtub are permitted if consistent with Tables 13.10.611-1 and 13.10.611-2. When two or more habitable accessory structures exist on a parcel, the second habitable accessory structure and any additional habitable accessory structures shall be considered bedrooms for the purpose of calculating fees and determining parking requirements.

- (3) Regulations for permit requirements, size, height, stories, total number of and locational restrictions for accessory structures in residential zone districts are as indicated in Table 13.10.611-2:

<b>Table 13.10.611-2: Permit Requirements, Size, Height, Stories, Total Number of And Locational Regulations for Accessory Structures in Residential Zone Districts</b>		
<i>Note: In the Coastal Zone, a Coastal Development Permit may be required per <del>Chapter</del> <u>SCCC 13.20-SCCC</u>. For regulations governing <u>tiny homes</u>, see <u>SCCC 13.10.680</u> and for ADUs, see <u>SCCC 13.10.681</u>.</i>		
	Nonhabitable	Habitable
Height limit	<p>Within the urban and rural services lines (USL/RSL):  <u>Detached garages: 16 feet</u>                      All other accessory structures: 13 feet<sup>1</sup>  <u>Attached garages: see zone district height limit</u></p> <p><u>Outside the USL/RSL: see zone district height limit</u></p>	<p>Within the USL/RSL: 13 feet</p> <p>Outside the USL/RSL: see zone district height limit</p> <p>In any area: <u>tiny homes subject to SCCC 13.10.680</u> and ADUs subject to <u>SCCC 13.10.681</u></p>
Size limit	<p>Within the USL/RSL: 640 square feet                      Outside the USL/RSL: 1,000 square feet</p>	<p>Within the USL/RSL: 640 square feet                      Outside the USL/RSL: 1,000 square feet</p>
Permit required	<p>Within the <del>urban and rural services lines</del> (USL/RSL): building permit only for up to 640-square-foot size, not to exceed 13 feet in height (as defined by the Zoning Ordinance) and in compliance with standards for detached ADUs in <u>SCCC 13.10.681(D)(7)(b)</u> structures meeting height and size limits<sup>1</sup></p> <p>Outside the USL/RSL: building permit only for up to 1,000-square-foot size, in compliance with zone district site development standards<sup>1</sup></p>	<p>Within the USL/RSL: building permit for up to 640-square-foot size, one-story and 13-foot height (as defined by the Zoning Ordinance), or in compliance with the zone district site development standards, whichever is more restrictive, only for structures meeting height and size limits<sup>1</sup></p> <p>Outside the USL/RSL: building permit only for up to 1,000-square-foot size, in compliance with zone district site development standards<sup>1</sup></p> <p>In any area: <u>tiny homes subject to SCCC 13.10.680</u> and ADUs subject to <u>SCCC 13.10.681</u> ADUs subject to ADU regulations</p>
Permit required if exceeds size restrictions/limits	<p>Outside the USL/RSL: Level IV administrative site development permit</p> <p>Inside the USL/RSL: Level V administrative <del>conditional</del> site development permit</p>	<p>Level V administrative site development permit</p>
Permit required if exceeds maximum height or story limits	<p>Variance (Level V process—public hearing required)</p>	<p>Variance (Level V process—public hearing required)</p>



<b>Table 13.10.611-2: Permit Requirements, Size, Height, Stories, Total Number of And Locational Regulations for Accessory Structures in Residential Zone Districts</b>		
<i>Note: In the Coastal Zone, a Coastal Development Permit may be required per <del>Chapter SCCC 13.20-5CCC</del>. For regulations governing <u>tiny homes</u>, see <u>SCCC 13.10.680</u> and for ADUs, see <u>SCCC 13.10.681</u>.</i>		
	Nonhabitable	Habitable
Number of accessory structures allowed	No limit, if in compliance with the site regulations of the zone district; however, limits based on parcel size if accessory structure contains plumbing fixtures <sup>2</sup>	One with building permit only; two with <del>Level IV</del> conditional use and site development permit; more than two with <del>Level VI</del> Planning Commission public hearing and approval, with limits on plumbing fixtures <sup>2</sup>
Locational restrictions related to the distance from the main residence and access to accessory structures	None, if in compliance with the site regulations of the zone district	In addition to the site regulations of the zone district, shall be no more than 100 feet from the main residence, shall not be accessed by a separate driveway or right-of-way, nor constructed on a slope greater than 30 percent, unless an <del>an Level IV</del> administrative site development permit is obtained, or as otherwise permitted by County Code/Public Works Director

<sup>1</sup>1. Non-habitable structures that do not exceed 120 square feet in size and a height of 10 feet above grade (as defined by the Zoning Ordinance) do not require a building permit. However, ~~a building permit is required for all accessory structures of any size that contain~~ an plumbing or electrical permit is required for any plumbing fixtures and electricity, and a zoning permit may be required pursuant to Tables 13.10.611-1 and 13.10.611-2.

<sup>2</sup>2. On parcels less than 10 acres, a maximum of one habitable or nonhabitable accessory structure with any combination of toilet, lavatory sink, shower and/or bathtub may be permitted consistent with Tables 13.10.611-1 and 13.10.611-2. On parcels 10 acres or larger, a maximum of two accessory structures with any combination of toilet, lavatory sink, shower and/or bathtub may be permitted consistent with Tables 13.10.611-1 and 13.10.611-2. When two or more habitable accessory structures exist on a parcel, the second habitable accessory structure and any additional habitable accessory structures shall be considered bedrooms for the purpose of calculating fees and determining parking requirements. ADUs are regulated by SCCC 13.10.681.

- (4) Absent an established residential use, accessory structures are prohibited.
- (5) No habitable accessory structure shall be mechanically heated, cooled, humidified or dehumidified unless the structure or the conditioned portion thereof meets the energy conservation standards of the California Energy Code, Title 24, as adopted by SCCC Chapter 12.10 SCCC.
- (6) No nonhabitable accessory structure (other than a pool cabana) shall have a shower or bathtub installed, and no pool cabana shall have a bathtub installed. The Planning Director may grant an exception to allow a bathtub in a pool cabana as a reasonable accommodation pursuant to the Americans with Disabilities Act.



Subsection (D) includes existing standards for residential accessory structures moved to this section from SCCC 13.10.323(E)(6). Amendments to existing text shown in underline/strikethrough.

Height of detached garages within the USL is an existing regulation in the Residential Site and Structural Dimensions in SCCC 13.10.323(B) that has been moved to this code section.

(D) Required Development Standards for Residential Accessory Structures. Accessory structures shall be required to meet the same development standards as primary dwellings, with the following exceptions.

(a1) Water Tanks and Propane Tanks. Water tanks ~~which~~ that are required for fire protection and/or domestic use may be erected to within three feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal, appropriate fire agency or Environmental Health Services. Propane/LP gas tanks may be erected to within five feet of any property line; provided, that the proposed location is a written requirement from the County Fire Marshal or appropriate fire agency. A landscaped screen shall be provided for any tank located within the required front yard.

~~(b) Side and Rear Yards.~~

~~(i) An accessory structure which is attached to the main building shall be considered a part thereof, and shall be required to have the same setbacks as the main structure, except that Accessory Dwelling Units must be allowed interior side and rear setbacks of four feet and accessory structures that are demolished/rebuilt as ADUs must be allowed the same setback as the demolished structure, subject to compliance with SCCC Title 16.~~

~~(ii) Detached sheds. A detached accessory structure which is located entirely within the required rear yard and which that is smaller than 120 square feet in size and 10 feet or less in height may be constructed to within three feet of the side and rear property lines.~~

~~(iii) Garden trellises, garden statuary, birdbaths, freestanding barbeques, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems, if not exceeding six feet in height, are not required to maintain side and rear yard setbacks and are excluded from the calculation of allowable lot coverage.~~

~~(i4) Eaves, chimneys, cantilevered, uncovered, unenclosed balconies, porches, decks and uncovered, unenclosed stairways and landings may encroach three feet into the required 10-foot separation setbacks.~~

(5) ADUs. See SCCC 13.10.681 for development standards governing ADUs. Buildings with first story garages and second story ADUs may apply ADU development standards.



(f7f6) Garages Located in Rear or Side Yards.

(ia) On residentially zoned parcels smaller than 10,000 square feet, an attached or detached garage (“garage” as defined under SCCC 13.10.700-G (but excluding carports)) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines; provided, that:

(A*i*) There shall be no windows, doors, or other openings on garage walls that are less than five feet from the side or rear property lines.

(B*ii*) The garage shall have a minimum front setback of 40 feet, or, for parcels less than 80 feet deep, the minimum front setback to the garage shall be 50 percent of the parcel's depth.

(C*iii*) Eaves or other projections on garages with reduced setbacks shall extend no more than two additional feet closer to the rear and side yard property lines, and no closer than allowed by the California Residential Code (CRC).

(D*iv*) The garage shall have a maximum depth of 30 feet.

(i**ii**b) On residentially zoned parcels less smaller than 10,000 square feet, an attached or detached garage as defined under SCCC 13.10.700-G (but excluding carports) may be located up to zero feet from the rear or interior side property line if an administrative site development permit (Level IV approval) is obtained pursuant to the provisions of SCCC 18.10-SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air, or privacy of adjacent residences.

(i**ii**c) On residentially zoned parcels 10,000 square feet or larger in size, an attached or detached garage as defined under SCCC 13.10.700-G (but excluding carports) may be located within side and rear setback areas with up to a 50 percent reduction of the required setback distances to the rear and interior side property lines, subject to subsections ~~(E)(6)(f)(i)(A) through (D)~~ (7)(a)(i) through (iv) of this section; and provided, that a minor exception is obtained in accordance with SCCC 13.10.235.

(i**ii**d) A garage located within a required rear or side setback area shall not exceed 17-13 feet in height or one story, unless an administrative site development permit (Level IV approval) a variance is obtained pursuant to Table 13.10.611-2 and the provisions of SCCC 18.10-SCCC, and it is found that the garage will not be detrimental or injurious to property or improvements in the neighborhood, and will not unreasonably infringe on adequate light, air or privacy of adjacent residences.

(e7) Separation. The minimum distance separation between any two detached structures shall be 10 feet an accessory structure and any other structure on a parcel, including





encroachments included in subsection (a) above, shall be no less than three feet, or as provided by the California Building Code, whichever is greater, with the following exceptions:

(~~ii~~) No separation is required between water tanks located on the same parcel.

~~(iii)~~ No separation is required between garden trellises, garden statuary, birdbaths, freestanding barbecues, play equipment, swimming pool equipment, freestanding air conditioners, heat pumps and similar HVAC equipment and ground-mounted solar systems and other structures located on the same parcel.

~~(iv)~~ The minimum separation between an accessory dwelling unit and any other structure on a parcel, including encroachments included in subsection (i) above, shall be no less than three feet.

~~(d8)~~ On Reversed-Corner Lots. On a reversed-corner lots, accessory structures shall be located not closer to the rear property line than the required side yard setback on the adjoining-key lot, and not closer to the side property line adjoining the street than the required front yard setback of the adjoining-key lot.

~~(e9)~~ Distance from Alleys. Detached accessory structures including garages shall not be located within three feet of any alley.

~~(g)~~ Detached New Construction ADUs Inside the Urban Services Boundary With Design Review. Building heights up to five feet in excess of the zoning standard, but in no case exceeding 28 feet, may be allowed without increased yards or variance approval, subject to design review and to the coastal view protection standards of Chapter 13.20 SCCC (if located in the Coastal Zone), and subject to approval by the Zoning Administrator following a public hearing. Appeals from this decision shall be processed pursuant to Chapter 18.10 SCCC.

(E4) Any building or development permit issued for the construction or renovation of a non-habitable accessory structure shall include a restriction or condition requiring an agreement not to convert the structure into a dwelling unit, ADU, or into any structure for human habitation in violation of this code. Any building or development permit issued for the construction, conversion to or renovation of a habitable accessory structure, other than an attached or detached ADU, permitted as such, shall include a condition requiring an agreement not to convert the structure or space into a dwelling unit or into any other independent habitable structure in violation of this code. Each agreement required by this subsection shall provide for the recovery by the County of reasonable attorney's fees and costs in bringing any legal action to enforce the agreement together with recovery of any rents collected for the illegal structure or, in the alternative, for the recovery of the reasonable rental value of an illegally converted structure from the date of conversion. The amount of any recovery of rents or of the reasonable rental value of an illegally converted structure shall be deposited into a fund designated by the Board of Supervisors to be used by the County for



code compliance and abatement activities. The agreement shall provide for periodic condition compliance inspections by Planning Department staff. Nothing in this section or the agreement shall be deemed to be a waiver of any property owner's rights to due process or to avoid unreasonable searches. The agreement shall be written to bind future owners of the property and include a reference to the deed under which the property was acquired by the present owner, and the agreement shall be filed with the County Recorder. Proof that the agreement has been recorded shall be furnished to the County prior to the granting of any building permit permitting construction on the property.

(F2) The Planning Director may charge a fee, as stated in the uniform fee schedule, for the cost of periodic condition compliance inspections.

### **13.10.613 Home occupations as secondary uses.**

(A) Purposes. The purposes of regulations for home occupations are:

- (1) To allow persons to carry on income-producing activities on their property where they reside, secondary to a residential use: and
- (2) To protect nearby residential properties from potential adverse effects of the allowed activity by not allowing home occupations that would create excessive noise, traffic, public expense or any nuisance.

(B) Restrictions on Home Occupations.

- (1) The home occupation shall be carried on entirely within the dwelling, or in an accessory structure normally allowed in the zone district in which the site is located, unless a ~~Level V~~ conditional home occupation use permit is obtained to authorize outdoor unenclosed activities.
- (2) There shall be no visible or external evidence of the home occupation other than one unlighted sign not exceeding one square foot in area, which shall be affixed to the dwelling or building in which the home occupation is conducted. If both the dwelling and the building are set back more than 40 feet from the front property line, the sign may be affixed to the mailbox. No larger sign, and no outdoor storage, operations or activity is allowed unless a ~~Level V~~ conditional home occupation use permit is obtained, in which case the allowed outdoor use shall be reasonably screened from the street and adjoining properties.
- (3) The home occupation shall be carried out primarily by one or more full-time inhabitants of the dwelling, with one or two employees who are not inhabitants also allowed to work at the home occupation site. A maximum of five additional regular employees may also work at the home occupation site if a ~~Level V~~ conditional home occupation use permit is obtained.





- (4) The home occupation shall not involve the use of floor area exceeding 35 percent of the total floor area of the dwelling, unless a ~~Level V~~ conditional home occupation use permit is obtained.
- (5) A home occupation involving personal services (i.e.g., hairdresser, barber shop, personal fitness trainer) or training (i.e.g., swimming lessons, musical instrument lessons, yoga classes, cooking classes, art lessons) may involve no more than two persons at a time, unless a ~~Level V~~ conditional home occupation use permit is obtained.
- (6) Sales of goods are allowed only if the goods to be sold are produced or assembled entirely on the premises, or if sales are by mail order, unless a ~~Level V~~ conditional home occupation use permit is obtained.
- (7) Only one vehicle, which is no larger than a three-quarter-ton pickup truck, in addition to other vehicles equal to the standard number of required parking spaces for the subject home, may be used for the home occupation unless a ~~Level V~~ conditional home occupation use permit is obtained. An off-street parking space shall be provided for any three-quarter-ton pickup truck vehicle used for the home occupation. Additional off-street parking may be required for employees or customers in excess of standard levels through approval of a ~~Level V~~ conditional home occupation use permit.
- (8) The home occupation shall not generate unacceptable levels of noise, as defined by the General Plan Noise Element, SCCC Chapter 8.30 ~~SCCC~~, Noise, and SCCC Chapter 13.15 ~~SCCC~~, Noise Planning.
- (9) Home occupations involving the handling of hazardous materials, as defined by SCCC 7.100.020, or of any amount of an acutely hazardous substance, as defined by State or Federal law, shall require a ~~Level V~~ conditional home occupation use permit and approval of other applicable permits such as those issued by the County's Environmental Health Services Division. "Hazardous materials" refer to materials defined in SCCC Chapter 7.100 ~~SCCC~~.
- (10) Cottage industries, including cCottage food businesses, are allowed as home occupations if consistent with State law governing such operations and compliant with applicable requirements of the County's Environmental Health Division.
- (11) Commercial weddings and similar celebrations, community events, and fundraisers are not eligible to be permitted as home occupations.
- (12) A commercial firewood operation, where wood is cut, processed, and/or stored for sale to the public, is prohibited as a home occupation.



**13.10.614 Community events and fundraisers on private residential or agricultural property.**

(A) Purpose. Recognizing that not-for profit community events of a civic, political, public, or educational nature, such as community dinners, festivals and other public gatherings, enrich public life, and that fundraisers provide support to schools and local organizations that contribute to community well-being, this section establishes permit requirements and standards to allow for the use of private parcels in the residential and agricultural zone districts for community events and fundraisers where secondary to the primary use of the parcel, while ensuring that the size, frequency, location, and operation of such events are compatible with the primary use on the parcel and with adjacent land uses, and that the health, safety, convenience, and general welfare of participants and neighboring uses are protected.

(B) Applicability. Community events and fundraisers are allowed on private property in residential and agricultural zone districts countywide (CA, A, RA, RR, R-1, RB, RM, and RF) subject to the approval procedures and standards provided in subsections (C) and (D) below. In the CA and A zone districts, the agricultural zoning district use chart and use permit provisions for agri-tourism activities may govern in lieu of this section ~~SCCC~~ 13.10.614.

(C) Approval Procedures.

- (1) One event without amplified music on a property may be allowed subject to a Zoning Clearance review in accordance with SCCC 18.10.015, to verify compliance with required standards provided in subsection (E)(1) below.
- (2) The use of a property for two community events or fundraisers in a year, or one or two events with amplified music, requires approval of a **Minor Conditional** Use Permit in accordance with SCCC Chapter 18.10, and subject to conditions to ensure compliance with standards provided in subsections (E)(1) and (E)(2). The **Minor Conditional** Use Permit shall expire five years after the date of initial issuance and may be renewed as provided in subsection (D) below.

(D) Permit renewal. A **Minor Conditional** Use Permit for Community Events or Fundraisers may be renewed subject to required findings as provided in SCCC 18.10, and a determination that events were held in substantial compliance with conditions of approval associated with the earlier permit, which would support a presumption that an application for renewal of the use permit will be approved. No public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit, pursuant to SCCC 18.10.116, Public Notice Requirements for Administrative Permits and Projects. Each use permit that is renewed shall expire five years after issuance and may again be renewed in accordance with this section.

(E) Standards.



(1) Standards for all community events and fundraisers.

(a) Neighborhood Notice. For each event, a notice is required to be mailed to all property owners and occupants within 500 feet of the subject property at least 10 days in advance of the event. In the event that there are fewer than 10 separate parcels within 500 feet of the exterior boundaries of the subject property, the 500-foot distance shall be extended in increments of 50 feet until owners of at least 10 properties have been notified by mail. The notice shall include the date, location, and hours for the event, and contact information for the designated contact person.

(b) Contact person. The Zoning Clearance or Use Permit shall designate a contact person who shall remain on site during events to respond to county or public questions or concerns. The name, address, and telephone number(s) of the local contact person shall be submitted to the Planning Department and mailed to the property owners and occupants of properties located within a 500-foot radius of the boundaries of the parcel on which the use is located. In the event that there are fewer than 10 separate parcels within 500 feet of the exterior boundaries of the subject property, the 500-foot distance shall be extended in increments of 50 feet until owners of at least 10 properties have been notified by mail.

(c) Noise. Activities and events are subject to the Noise Element of the General Plan/LCP, SCCC 8.30—, Noise, and SCCC 13.15—, Noise Planning, except as otherwise exempted in those chapters.

(d) Hours. All amplified music shall be limited to the hours of 11:00 a.m. —to 9:00 p.m. and may be further limited by the use permit. Activities and events for which no discretionary permit is required shall end no later than 10 p.m. Hours of operation for activities and events requiring a use permit shall be established by the permit, based on venue, site, and neighborhood attributes.

(e) Sanitation. Activities and events shall conform with Environmental Health Services (EHS) standards and permit requirements. EHS policy allows for approval of portable facilities for a limited number of events per year; sites exceeding the limit must provide adequately sized, permanent, onsite sanitation. Hand-washing facilities must also be available.

(f) Litter, debris and erosion. Sites shall provide adequate covered trash receptacles and collection and shall ~~and~~ meet County standards for controlling erosion and litter.

(g) Arrangements shall be made for ~~adequate sufficient~~ parking ~~to serve guests~~, either on site or at an offsite location served by shuttle, with consideration to the typical level ~~on~~ of on-street parking available and an objective of not creating parking impacts.

(2) Additional standards for community events and fundraisers requiring discretionary approval. The use of a property for two community events or fundraisers in a year, or for one or two



events with amplified music, requires a **Minor Conditional** Use Permit in accordance with subsection (C) above and shall be subject to the following additional standards. The use permit may include conditions as appropriate to ensure compliance with required standards. Where there is a separate use permit that authorizes other events on a property, such as a use permit authorizing a winery, the use permit application for community events and fundraisers will be evaluated considering the previous authorization to ensure that the cumulative impact of all events is taken into account.

- (a) Guests per event. The maximum number of guests per event shall be established by the use permit, based on use and site characteristics including parcel size, road access and circulation, proximity to adjacent land uses, sanitary capacity consistent with EHS policy, available parking, building capacity as applicable, potential noise impacts, and considering other permitted or allowed uses occurring on the parcel.
- (b) Number of events per year. The maximum number of events permitted per year shall not exceed two, and shall be established by the use permit, considering use and site characteristics, including proximity to adjacent land uses, other permitted or allowed uses occurring on the parcel, road access and circulation, traffic impacts, and potential noise impacts.
- (c) Parking. Parking shall be provided consistent with SCCC 13.16.050 requirements for entertainment venues. Parking may be met through any combination of on-site parking and documented off-site parking served by shuttle.
- (d) Noise. A noise analysis may be required to ensure compliance with General Plan and County Code noise standards, and compatibility with nearby land uses. Permit conditions may include but are not limited to the following: placement of structures; restrictions on the location of activities relative to adjacent property lines; vegetative buffers; spatial separation; and limitations on amplified music such as limited hours, volume, or allowing indoor music only.
- (e) Food service. Compliance with applicable local and state standards and permit requirements for food service is required, as enforced by EHS.
- (f) Emergency vehicle access. Fire agency review will be required for discretionary applications to ensure that the site provides adequate emergency vehicle access and complies with the Fire Code.

**13.10.615 Secondary Commercial Weddings in the RA, RR, CA, and A Zone Districts.**

**(A) Purpose.**

- (1) This section establishes permit requirements, standards, and limitations for the use of parcels in the Residential Agriculture (RA), Rural Residential (RR), Commercial Agriculture (CA), and Agriculture (A) zone districts located outside the urban and rural service lines for



commercial weddings or similar celebrations secondary to the primary use of the parcel, to ensure that the size, frequency, location, and operation of such activities are compatible with the primary use on the parcel and with adjacent land uses, and provide for the health, safety, convenience and general welfare of participants and neighboring uses.

(2) This section shall not affect the use of a permitted vacation rental for weddings or similar celebrations that do not exceed the maximum number of people allowed for celebrations and gatherings at the vacation rental, as provided by SCCC 13.10.694 (D)(1)(g) and 13.10.694 (D)(2)(d).

(B) Applicability. In the Residential Agriculture (RA) and Rural Residential (RR) zone districts on parcels located outside the urban and rural service lines, commercial weddings and similar events such as family reunions and Bat Mitzvahs, where the property owner receives payment for hosting the event, may be allowed where secondary to a residential use, winery or brewery, subject to approval procedures and standards provided in subsections (C) and (D) below. In the Commercial Agriculture (CA) and Agriculture (A) zone districts on parcels located outside the urban and rural service lines, commercial weddings may be allowed where secondary to a winery, brewery, or vineyard, subject to approval procedures as provided in subsections (C) and (D) below. A minimum parcel size of eight acres is required in all zone districts. Family events and celebrations such as family weddings or graduation parties that are not held for commercial purposes are considered a normal use of property and are not subject to this section.

(C) Permit and Approval Procedures. The use of a property for one or more commercial weddings or similar celebrations requires approval of a Conditional Use Permit and a pre-application neighborhood meeting, pursuant to SCCC 18.10. The Conditional Use Permit shall expire three years after the date of initial issuance and may be renewed as provided in subsection (D) below.

(D) Permit renewal. The Conditional Use Permit for secondary commercial weddings may be renewed subject to required findings as provided in SCCC 18.10.230, and a determination that weddings or celebrations were held in substantial compliance with conditions of approval, which would support a presumption that an application for renewal of the use permit will be approved. No public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit renewal, pursuant to SCCC 18.10.116. Each use permit that is renewed shall expire three years after issuance, and may again be renewed in accordance with this section.

(E) Standards. Secondary commercial weddings and similar celebrations shall be subject to the following standards applicable to community events and fundraisers: SCCC 13.10.614(E)(1)(b) through 13.10.614(E)(1)(g), and 13.10.614(E)(2)(a) through 13.10.614(E)(2)(f), with the



exception that commercial weddings shall not be limited to two events per year. In addition, the following standards apply:

- (1) Residential sites with a commercial wedding use are subject to the Water Efficient Landscape Ordinance (SCCC 13.13) including existing landscapes over one acre in size pursuant to SCCC 13.13.090.
- (2) Road capacity. Use permits for weddings exceeding 50 guests will be reviewed by the County Department of Public Works as necessary to assess road capacity and infrastructure and address safety issues.
- (3) Signage. Signs associated with weddings occurring two to six times per year shall be subject to SCCC 13.10.583, Temporary Signs in All Districts, and those occurring seven or more times per year shall not be considered temporary signs and shall comply with regulations for permanent signage within SCCC 13.10.580-13.10.585 as applicable.
- (4) In addition to measures identified in SCCC 13.10.614(E)(2) to address noise impacts, more permanent strategies such as sound walls may be required for sites with seven or more events per year.

### **13.10.616 Temporary permits, uses, and structures.**

(A) Purpose. The purposes of this section are as follows:

- (1) To ensure that temporary uses and structures are developed in an orderly fashion consistent with the purpose of the applicable zone district;
- (2) To ensure that temporary uses and structures remain secondary to primary uses that exist, are allowed on the site, and are compatible with neighboring land uses; and to limit temporary uses and structures on vacant properties;
- (3) To promote and protect the public health, safety, peace, convenience, and general welfare;
- (4) To protect the character, visual and environmental resources, and quality of residential, commercial, industrial, agricultural, recreational, and open space areas of the County;
- (5) To allow and establish regulations for temporary uses and structures that are not otherwise subject to regulations pertaining to permanent accessory or ancillary uses and structures, such as those governing home occupations (SCCC 13.10.613);
- (6) To accommodate temporary uses, structures, and activities that contribute to the quality of life, economic vitality or public interest of Santa Cruz County; and
- (7) To allow for temporary uses and structures that may not be generally consistent with the purposes of the applicable zone district, but which may be allowed for a defined temporary period due to emergency or other urgent public needs in the interest of public health, safety, and welfare.





(B) Temporary Permits. A temporary permit is required for any temporary use or structure that is not otherwise exempt or considered and processed as a special event or other similar short-term use.

(1) Temporary permits shall be processed in accordance with procedures in ~~Chapter SCCC 18.10 SCCC~~ for ~~Level III administrative~~ minor use permits unless a Coastal Development Permit is required per ~~SCCC Chapter 13.20 SCCC~~. In the instance where a temporary use involves amplified music, a temporary permit shall be processed in accordance with procedures in ~~SCCC Chapter 18.10 SCCC~~ for noticed ~~Level IV administrative~~ permits, which may be elevated to a ~~Level V~~ conditional use permit process involving a noticed public hearing for proposals involving longer timeframes or multiple and repeated activities.

(2) Temporary permits are subject to the following provisions:

(a) Term. The term of a temporary permit shall be for a period of time determined by the Planning Director or designee not to exceed three years and shall be in accordance with subsections (C) and (E) of this section.

(b) Extension. A temporary permit may be extended for one additional term of up to three years, for a maximum of six total years, based upon findings of special circumstances related to public benefit and/or unusual economic conditions, as appropriate to site circumstances, and subject to conditions of approval.

(c) Conditions of Approval. A temporary permit may require conditions of approval to ensure public health and safety, including but not limited to:

(i) Standards from the Americans with Disabilities Act;

(ii) Site-specific evidence to support that the temporary use will not impact parking for other on-site uses, which may include letters of support for those uses;

(iii) Requirements for alternate parking arrangements and/or alternate modes of access by customers; and.

(iv) Documented compliance with any special event or permit requirements from other State or local agencies, such as: the County Department of Public Works; County Health Services Agency; County Department of Parks, Open Space and Cultural Services; Sheriff's Office; County Fire Districts; California Department of Alcoholic Beverage Control; or California Department of Motor Vehicles.

Permitted temporary uses and/or structures may be exempted from some or all permanent site improvement standards normally required for permanent uses and structures, such as site frontage improvements or parking lot landscaping standards.

(d) Expiration. Upon expiration of a temporary permit, all temporary uses shall cease and all associated temporary structures shall be removed from the parcel no more than 21



days following expiration, unless a site development and/or use permit allows for permanent use, subject to the provisions of the applicable zone district.

(C) Temporary Uses. Unless exempted by subsection (D) of this section, temporary uses shall require a temporary permit and shall comply with the following standards:

- (1) A temporary use may be approved in any zone district, unless specifically prohibited in this section or elsewhere in the SCCC; a commercial, for-profit event, where fees or other forms of remuneration are collected, is not permitted as a temporary use in any residential zone district.
- (2) A temporary use and any associated structures may remain on a site for up to a total of 180 days. A temporary use and any associated structures may remain on a site for more than 180 days and up to three years with a permit, where appropriate for the use based upon findings for approval and subject to conditions of approval.
- (3) A temporary use on developed property shall be secondary to the primary use of the parcel.
- (4) Other than temporary storage uses associated with an active building permit, temporary uses are prohibited on vacant properties in residential zone districts, but they may be allowed on vacant properties in non-residential zone districts, subject to approval of a temporary permit.
- (5) No temporary use shall, for any length of time, displace more than 35 percent of the parking spaces required by SCCC ~~13.10.550 et seq.~~ 13.16, unless:
  - (a) A County-approved street closure prevents access to such required parking during the period that the closure is in effect;
  - (b) An applicant for a temporary use permit provides site-specific evidence to demonstrate that the average peak parking used on the site is less than 65 percent of the available parking during the same hours and in the same season of the year proposed for the temporary use; and the decisionmaker makes this finding in conjunction with approval;
  - (c) Alternate parking or shuttle arrangements are approved to meet parking space requirements in conjunction with issuance of a temporary permit; or
  - (d) By order of the County Health Officer, outdoor operations are encouraged and the limited number of parking spaces remaining as a result of outdoor operations is appropriate.
- (6) Signs for temporary uses shall comply with SCCC 13.10.583.
- (7) Premises of a temporary use site shall be kept clean, sanitary, and free of litter.



- (8) After the temporary use has ceased, all visible signs of the temporary use and temporary structures shall be removed, and the site shall be free of trash. Any damage to the site or existing structures caused by the temporary use shall be repaired.
  - (9) In addition to obtaining a temporary permit, temporary uses that extend onto the public right-of-way or other publicly owned property shall obtain an encroachment permit from the County Department of Public Works, as well as any special event approval, concession licenses, licensing agreements from the County Department of Parks, Open Space and Cultural Services, the State of California, or other entity as required.
- (D) Exemptions for Temporary Uses. The following temporary uses are exempt from subsection (B) of this section and shall not require a temporary permit:
- (1) Special events and uses.
    - (a) Special eEvents and uses conducted entirely within public property or public rights-of-way that are not associated with an adjacent or nearby private use on private property, where special event, concession licenses, licensing agreements, and/or encroachment permits or the like are obtained from the County Department of Public Works, Department of Parks, Open Space and Cultural Services, the State of California, or other entity as required.
    - (b) Special events associated with commercial uses with a valid use permit on a commercially zoned property limited to: one event per year, six hours or less per day during the hours of 8 a.m. to 5 p.m. over a consecutive two-day period, where approvals from Environmental Health Services and/or other agencies have been obtained as required.
  - (2) Temporary uses conducted entirely within a building, such as a temporary sales area, for which all necessary County permits have been obtained and which allow the particular use.
  - (3) Temporary uses for which a use permit has already been issued that allows the temporary use.
  - (4) Garage or yard sales not exceeding four weekends per year on the site of a legal residential use.
  - (5) Seasonal Sales. Seasonal sales of Halloween pumpkins, Christmas trees, and similar products in all zone districts except residential. Seasonal sales in the RA zone district may be permitted as small-scale commercial agriculture with a ~~Level III administrative~~ minor use permit. Seasonal sales shall comply with the following standards:
    - (a) A ~~Level II administrative~~ zoning clearance shall be obtained prior to the establishment of a seasonal sales use.



- (b) All activities associated with seasonal sales shall be conducted with a 10-foot setback from any property line with an existing residential use.
- (c) All activities associated with seasonal sales shall be conducted within the hours of 8:00 a.m. to 9:00 p.m., unless a temporary permit is approved to allow different hours of operation.
- (d) Sales that occur in areas designated for such seasonal sales as set forth in a previously issued development permit shall meet the conditions of that permit and do not require a separate Level I administrative zoning clearance.
- (e) Temporary structures associated with seasonal sales are allowed without a separate temporary permit if they meet setback requirements for the zone district and comply with any applicable building code standards pursuant to SCCC Chapter 12.10 SCCC. Temporary structures larger than 120 square feet and 10 feet in height, measured in accordance with the Zoning Ordinance, may require a building permit and inspections prior to use, unless otherwise exempted by SCCC Chapter 12.10 SCCC.
- (f) Recreational vehicles are allowed in conjunction with seasonal sales and must comply with setbacks equivalent to the structural setback requirements for the zone district. Recreational vehicles utilized in conjunction with seasonal sales shall be removed from the parcel within 15 days following October 31st for pumpkin sales or following December 25th for Christmas tree sales.
- (g) Site ingress and egress shall not create a traffic or pedestrian safety hazard.
- (h) Any temporary fencing shall be placed outside the corner sight clearance triangle provided by SCCC 13.10.525 13.16.093 and shall not exceed eight feet in height.
- (i) Signage shall comply with SCCC 13.10.583.
- (j) Vendor shall maintain on-site a multi-purpose certified fire extinguisher (Type A, B, and C, minimum five-pound size) appropriate for Class A (non-metallic solids), B (flammable gases), and C (electrical fires). Temporary membrane type structures shall be fire resistive and be NFPA-701 certified.