



CHAPTER 13.20 COASTAL ZONE REGULATIONS

Updates to Chapter 13.20 include consolidating language in SCCC sections 13.20.120-122 regarding what types of land uses are “coastal zone principally permitted,” meaning that approval or denial of a permit for these land uses in the coastal zone cannot be appealed to the Coastal Commission. Provisions for coastal zone principally permitted uses are in the existing code preceding the use chart of each zone district code section (residential, commercial, etc). Moving these provisions to Chapter 13.20 is appropriate and reduces confusion as to how “coastal zone principally permitted uses” are related to “P” uses in the uses charts (uses that are permitted by right in various zone districts). For instance, some CZP uses may still require a minor or administrative use permit.

SCCC 13.20.150 is being updated only to update a reference to a table in the General Plan. Other portions of Chapter 13.20 are not changing, and for brevity, content of those chapters is not provided in this document.

- 13.20.010 Purpose. [no change]
- 13.20.020 Scope. [no change]
- 13.20.030 Amendment of chapter. [no change]
- 13.20.040 Definitions. [no change]
- 13.20.050 Projects requiring coastal development permit approval. [no change]
- 13.20.051 De minimis waiver of CDP. [no change]
- 13.20.060 Coastal development permit exemptions. [no change]
- 13.20.061 Improvements to existing single-family residences exemption. [no change]
- 13.20.062 Improvements to existing structures (other than single-family residences and public works facilities) exemption. [no change]
- 13.20.063 Replacement after disaster exemption. [no change]
- 13.20.064 Public roads, parks, utilities and industrial facilities exemption. [no change]
- 13.20.066 Temporary event exemption. [no change]
- 13.20.070 Coastal development permit exclusions. [no change]
- 13.20.071 Residential exclusions. [no change]



- 13.20.072 Commercial exclusions. [no change]
- 13.20.073 Agricultural exclusions. [no change]
- 13.20.074 Tree removal exclusion. [no change]
- 13.20.075 Land clearing exclusions. [no change]
- 13.20.076 Lot line adjustments exclusion. [no change]
- 13.20.077 Grading exclusion. [no change]
- 13.20.078 Well exclusion. [no change]
- 13.20.080 Determination of applicable notice and hearing procedures. [no change]
- 13.20.090 Emergency development. [no change]
- 13.20.100 Coastal development permit application processing. [no change]
- 13.20.107 Coastal development permit review of accessory dwelling units (nonappealable). [no change]
- 13.20.108 Coastal development permit review of accessory dwelling units (appealable). [no change]
- 13.20.110 Coastal development permit findings. [no change]
- 13.20.111 Final local action notice (FLAN). [no change]
- 13.20.120 Coastal Commission Appeals.
- 13.20.121 ~~Local appeals~~Principal permitted uses.
- ~~13.20.122 Coastal Commission appeals.~~
- 13.20.130 Design criteria for Coastal Zone developments. [no change]
- 13.20.140 Special areas design criteria. [no change]
- 13.20.141 Bonny Doon special scenic area design criteria. [no change]
- 13.20.142 Swanton Road special scenic area design criteria. [no change]
- 13.20.143 Davenport special community design criteria. [no change]
- 13.20.144 Harbor area special community design criteria. [no change]
- 13.20.145 East Cliff Village tourist area special community design criteria. [no change]
- 13.20.146 Seacliff Beach area special community design criteria. [no change]
- 13.20.147 Rio Del Mar Esplanade special community design criteria. [no change]



13.20.148 **Pleasure Point Community residential design criteria. [no change]**

13.20.149 **Seascape Beach Estates residential design criteria. [no change]**

13.20.150 **Special use standards and conditions.**

13.20.160 **Timber harvest standards and conditions. [no change]**

13.20.170 **Violations of Coastal Zone regulations. [no change]**

13.20.120 **Coastal Commission Appeals.**

~~Issuance of an approved coastal development permit shall be stayed until all applicable appeal periods expire or, if appealed, until all appeals, including any appeals to the Coastal Commission, have been exhausted.~~

~~13.20.121 — **Local appeals.**~~

~~All local appeals of actions taken pursuant to the provisions of this chapter shall be made in conformance with the procedures in Chapter SCCC 18.10-SCCG. Issuance of an approved coastal development permit shall be stayed until all applicable appeal periods expire or, if appealed, until all appeals, including any appeals to the Coastal Commission, have been exhausted.~~

~~13.20.122 — **Coastal Commission appeals.**~~

~~(A) County actions on coastal development permit applications may be appealed to the Coastal Commission as specified below:.~~

~~(B)(A) Only the following County actions may be appealed:~~

- ~~(1) Approval of a coastal development permit for development that is located between the sea and the first through public road paralleling the sea, or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.~~
- ~~(2) Approval of a coastal development permit for development that is not included in subsection (A)(1) of this section, but that is located on tidelands, submerged lands, public trust lands, or within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.~~
- ~~(3) Approval of a coastal development permit for development which is not designated as a Coastal Zone Principal Permitted Use (CZP) for the purpose of this chapter in the zone district that applies to the development site. CZPs Principal-permitted uses are listed for each zone district in SCCC 13.20.121 the following sections of the zoning regulations (Chapter 13.10-SCCC):.~~



District Type	SCCC
Agricultural	13.10.312
Residential	13.10.322
Commercial	13.10.332
Industrial	13.10.342
Parks, Recreation, Open Space	13.10.352
Public and Community Facilities	13.10.362
Timberland Preserve	13.10.372
Special Use	13.10.382

(4) Approval of a coastal development permit for development that is not included in subsection (AB)(1) of this section or subsection (AB)(2) of this section but is located in a sensitive coastal resource area as defined in SCCC 13.20.040.

(5) Approval or denial of a coastal development permit involving development which constitutes a major public works project (including a publicly financed recreational facility and/or a special district development) or a major energy facility.

(6) Denial of a coastal development permit involving development which constitutes a major public works project (including a publicly financed recreational facility and/or a special district development) or a major energy facility.

(BC) An appeal pursuant to this section may be filed only by: (1) the applicant for the coastal development permit in question, (2) any aggrieved person, or (3) any two members of the Coastal Commission. An applicant or aggrieved person shall be deemed to have exhausted all avenues of local appeal if any of the following occur: (a) they pursued their appeals through all of the available appellate bodies (i.e., from the Zoning Administrator to the Planning Commission to the Board of Supervisors); (b) they were denied the right of local appeal by local ordinance which restricts the class of persons who may appeal a local decision; (c) they were denied the right of local appeal because notice and hearing procedures did not comply with the provisions of this chapter and ~~Chapter SCCC18.10 SCCC~~; or (ed) Santa Cruz County charges an appeal fee for the filing or processing of CDP appeals. The appeal must be filed with the Coastal Commission and be received in the Commission’s Central Coast District Office on or before 5:00 p.m. on the tenth working day after the Central Coast District Office receives a nondeficient FLAN.

(ED) The grounds for appeal of a County approval of a coastal development permit shall be limited to an allegation that the development does not conform to the standards set forth in the certified LCP and/or the public access policies of the California Coastal Act.



(DE) The grounds for appeal of a County denial of a coastal development permit pursuant to subsection (AB)(56) of this section shall be limited to an allegation that the development conforms to the standards set forth in the certified LCP and the public access policies of the California Coastal Act.

(EE) When an appeal of a County action on a coastal development permit is filed with the Coastal Commission, the County's action shall be stayed and County permits and/or approvals, including other types of permits, shall not be issued by the County until the appeal has been resolved at the Coastal Commission level. The possible outcomes of an appeal to the Coastal Commission are as follows:

- (1) If the applicant withdraws the coastal development permit application prior to final Coastal Commission action on the appeal, then the application, the County's action and the appeal to the Coastal Commission shall all be considered vacated. The applicant may reapply, subject to SCCC Chapter 18.10-~~SCCC~~.
- (2) If all appellants withdraw their appeals prior to Coastal Commission action regarding whether to take jurisdiction over the coastal development permit application (also known as a substantial issue determination), then the appeals shall be considered vacated and the County's action shall become final.
- (3) If the Coastal Commission declines to take jurisdiction over the coastal development permit application (also known as a finding of no substantial issue), then the County's action shall become final.
- (4) If the Coastal Commission takes jurisdiction over the coastal development permit application (also known as a finding of substantial issue), then the County's coastal development permit action shall be considered vacated. In such a case, the Coastal Commission shall either:
 - (a) Approve the proposed development (with or without conditions); or
 - (b) Deny the proposed development.

(FG) In the case of a Coastal Commission approval of a coastal development permit as described in subsection (AB) of this section, the Planning Director shall review the Commission's approval to determine whether any terms and/or conditions imposed by the Coastal Commission are a substantial variation from the terms and/or conditions of any noncoastal development permit approvals granted by the County for the project. The County approving body shall re-review any non-coastal development permit approvals and will as necessary approve, modify, or deny any noncoastal development permit applications associated with the project as approved by the Coastal Commission to ensure consistency with the coastal development permit.



13.20.121 Principal Permitted Uses.

(A) Coastal Development Permits Appealable to the Coastal Commission. The Coastal Zone Principal Permitted Use (CZP) is the use category that is fully consistent with and implements the purpose of the zone district, and in addition includes only those uses which are approved administratively and do not require a Conditional Use Permit for the use. In the Coastal Zone, the approval of a Coastal Development Permit for development associated with a CZP is not appealable to the Coastal Commission, unless the use is otherwise appealable due its location as identified in SCCC 13.20.120. The approval of a Coastal Development Permit associated with a use that is not in the CZP category for the zone district is appealable to the Coastal Commission pursuant to SCCC 13.20.120.

(B) Agricultural zone districts. The following is a description of uses in the CZP category for agricultural zone districts.

(1) Commercial Agriculture (CA) Zone District: commercial agriculture and limited appurtenant uses that do not require a CUP.

(a) The following uses are included in- the CA CZP category: cultivation of plant crops; commercial raising of animals, including grazing and livestock production; apiculture; greenhouses and hoop houses; EHA farmworker housing; indoor/outdoor storage of agricultural equipment with a development area less than 12,000 sf; cannabis cultivation outdoors or in an existing legal greenhouse or hoop house; cannabis cultivation or class 1-3 cannabis manufacturing in an existing legal structure less than 2,000 sf; Class 1 or 2 cannabis distribution in an existing legal structure; and cannabis transport.

(b) The following uses are not included in the CA CZP category: agricultural support uses such as agricultural processing facilities and agricultural service establishments; community and public facility uses such as reservoirs and energy facilities; residential uses such as single-family dwellings and ADUs; visitor accommodations; and any use for which a conditional use permit is required.

(2) Agricultural (A) Zone District: agricultural pursuits

(a) The following uses are included in the A CZP category: noncommercial or commercial cultivation of plant crops or raising of animals; apiculture; greenhouses and hoop houses; EHA farmworker housing; indoor/ outdoor storage of agricultural equipment with a development area less than 12,000 sf; class CG licensed cannabis cultivation in an existing legal structure, in an existing legal greenhouse less than 20,000 sf ft, outdoors, or in an existing hoop house; Class 1 or 2 cannabis manufacturing in an existing legal structure less than 2,000 sf.; Class 1 cannabis



transport; one single-family dwelling and residential accessory uses and structures including ADUs.

(b) The following uses are not included in the A CZP category: uses requiring a CUP; agricultural support uses such as agricultural processing facilities and agricultural service establishments; community and public facility uses such as reservoirs and energy facilities; residential uses and structures other than single family residential and accessory uses and structures, including bed and breakfasts and residential dwelling groups; visitor accommodations.

(C) Residential zone districts. The following is a description of uses in the CZP category for residential zone districts:

(1) Residential Agricultural (RA) Zone District and Rural Residential (RR) Zone District: single-family residential including accessory uses and structures; uses accessory to the residential use including home occupations, child-care homes, animal keeping and family gardening; small scale commercial agriculture.

(2) Single-Family Residential (R-1) Zone District and Single-Family Ocean Beach Residential (RB) Zone District: single-family residential including accessory uses and structures; uses accessory to the residential use including home occupations, child care homes, animal keeping and family gardening.

(3) Multifamily Residential (RM) Zone District and Residential Flexible (RF) Zone District: multiple-family residential uses including accessory uses and structures; uses accessory to the residential use including home occupations, child-care homes, and family gardening.

(4) The following uses are not included in the any category of CZP use in any residential zone district: recreation, education and public assembly uses; commercial and office uses; visitor accommodations; transportation, communication and utility uses; wineries except as home occupations; and weddings.

(D) Commercial zone districts. The following is a description of uses in the CZP category for commercial zone districts:

(1) Visitor Accommodation (VA) Zone District: Visitor accommodations and limited appurtenant accessory and temporary uses that do not require a CUP.

(a) Commercial uses that may be considered CZP in the VA district include visitor accommodations; entertainment, fitness and recreation; community services and facilities; eating and drinking uses; and neighborhood/community sales and services.



- (b) The following uses are not included in the VA CZP category: adult uses; industrial uses; recreation and entertainment establishments; residential uses including mixed use; and any use for which a CUP is required.
- (2) Tourist Commercial (CT) Zone District: Commercial visitor-serving uses that are approved administratively. Examples of tourist commercial uses in the CZP category and uses that are not in this category, are the same as those identified above for the Visitor Accommodation Zone District.
- (3) Professional-Administrative Office (PA) Zone District: Professional and administrative office uses that are non-retail and do not require a CUP.
- (a) Commercial uses that may be considered CZP in the PA district include offices and laboratories; and educational uses such as day care centers and instructional studios.
- (b) The following uses are not included in the PA CZP category: adult uses; automotive uses; community uses such as community centers, religious institutions and fire stations; dining establishments and specialty food shops; industrial uses; retail pharmacies; recreation and entertainment establishments; residential uses including mixed use; visitor accommodation; and any use for which a CUP is required.
- (4) Neighborhood Commercial (C-1) Zone District: Neighborhood-serving, small-scale shopping and services uses and associated accessory and temporary appurtenant uses that do not require a CUP.
- (a) Commercial uses that may be considered CZP in the C-1 district include neighborhood/community sales and services; eating and drinking uses; pet shops and grooming services; indoor fitness and instructional studios; day care centers and residential care homes.
- (b) The following uses are not included in the C-1 CZP category: adult uses; community uses such as community centers, religious institutions and fire stations; industrial uses; recreation and entertainment establishments; residential uses including mixed use; visitor accommodation; and any use for which a CUP is required.
- (5) Community Commercial (C-2) Zone District: commercial uses and associated accessory and temporary uses that accommodate the shopping and service needs of the community and that do not require a CUP.
- (a) Commercial uses that may be considered CZP in the C-2 district include automobile fuel and service stations; animal services; eating and drinking uses; fitness uses; instructional studios; neighborhood/community sales and services; community services and facilities; general commercial services; and residential care homes.



- (b) The following uses are not included in the C-2 CZP category: adult uses; industrial uses; recreation and entertainment establishments; residential uses including mixed use; visitor accommodation; and any use for which a CUP is required.
- (6) Workplace Flex (C-3) Zone District: Uses in the CZP category include light industrial, office and sales uses that do not require a CUP.
- (7) Commercial Services (C-4) Zone District: non-retail sales, community-level retail sales, and commercial recreational uses that do not require a CUP.

 - (a) Commercial uses that may be considered CZP in the C-4 district include automobile fuel and service stations; animal services; cannabis uses; sales and services requiring large sites, truck traffic, and vehicle storage; ATMs; general commercial services; light industrial uses; wineries and breweries; instructional studios; residential care homes; and infrastructure and utilities.
 - (b) The following uses are not included in the C-4 CZP category: adult uses; residential uses including mixed use; visitor accommodation; and any use for which a CUP is required where indicated in the Commercial Uses Chart or in other SCCC provisions applicable to the particular use.
- (E) Industrial Zone (M-1, M-2, M-3) Districts. Industrial uses may be appealable. Uses that are CZP in C-4 districts are also CZP in industrial zone districts if a CUP is not required.
- (F) Parks, Recreation and Open Space (OR) Zone District. Uses in the CZP category include open-space uses not involving permanent structures.
- (G) Public and Community Facility (PF) Zone District. Uses in the CZP category include community services and facilities and accessory uses that do not require a CUP.
- (H) Special Use (SU) District. Uses in the CZP category include a single-family dwelling and residential accessory structures, animal keeping, and small-scale commercial agriculture on an existing parcel of record, where the proposed use is consistent with the General Plan land use designation for the parcel.
- (I) Timber (TP) Zone District. Uses in the CZP category include the growing and harvesting of timber, watershed management, fish and wildlife habitat management, agriculture uses that do not require a CUP, and one single-family dwelling per parcel including accessory uses and structures.

13.20.150 Special use standards and conditions.

- (A) Applicability. These use standards and conditions shall apply to all Coastal Zone development specified below by jurisdiction or priority use designation.
- (B) State and Local Public Agencies.



- (1) General. Except as specifically and explicitly exempted from coastal development permit requirements of the Coastal Act and the LCP by State law, all development in the Coastal Zone that is proposed by State or local public agencies shall be subject to the same LCP requirements as any other proposed development.
 - (2) Requirements for Special Districts. Prior to or concurrent with any development application by a special district, unless specifically exempted from coastal development permit requirements of the Coastal Act and the LCP by State or ~~Federal~~federal law, the following materials shall be prepared and submitted for County review and approval:
 - (a) System master plan based on projected levels of development within the coastal zone as defined in ~~LCP Chapter 1 and Policies 2.1.6 and 2.1.7~~ of the LCP Land Use Plan. Development and expansion shall not exceed that needed to serve projected levels of LCP-consistent development within the Coastal Zone for a planning horizon of 20 to 30 years. In addition, the master plan shall either reserve capacity for priority uses or provide information sufficient to enable the County to reserve capacity for priority uses.
 - (b) Capital improvements program based on the system master plan. Each agency shall submit plans as updated.
 - (c) Demonstration of compliance with the LCP Land Use Plan policy requiring district boundary adjustment. Maps showing the district boundary and the County's adopted urban services line (USL) shall be included. District boundaries shall correspond with the USL, except where service by the district is necessary for water resource protection and enhancement or for existing development served by the district.
 - (3) Time Extensions for Special Districts. Where plans and programs required in subsection (B)(2) of this section have not been prepared by special districts, project applications may be accepted, processed, and approved if:
 - (a) The district agrees to submit the required material within 18 months of the application and the coastal development permit contains a condition to require such submittal; ~~and~~
 - (b) The approving body finds that the proposed project does not exceed the improvements necessary to serve the projected levels of LCP-consistent development of the LCP Land Use Plan, and either provides adequate reserve capacity for priority uses or is necessary to correct a public health hazard; ~~and~~ and
 - (c) The approving body finds the proposed project consistent with the provisions of the LCP.
- (C) Priority Use Sites Special Use Standards. Priority use sites as identified on the land use plan maps shall be subject to the special use standards and conditions listed in Appendix G Figure 2.5 of the LCP Land Use Plan.



(D) Primary Public Shoreline Access Areas. The following requirements apply to primary public shoreline access areas as identified in Objective AM-4.1 ~~Section 7.7~~ of the LCP Land Use Plan:

- (1) Improvements at Primary Public Shoreline Access Areas. The following improvements, at a minimum, shall be provided at primary public shoreline access areas: path improvements; recycling and garbage collection facilities; bicycle parking; automobile parking, or in an impacted neighborhood, an acceptable alternative such as a beach shuttle; or transit service stop; access provisions for persons with disabilities if feasible; restrooms; provision of and/or enhancement to scenic overlook areas, if appropriate; landscaping; safety signs if needed; and accessway identification signs. The level of development shall be as specified in an approved master plan for the destination, or in the absence of such a plan, at levels appropriate to the size, character and projected use of the destinations.
- (2) Maintenance and Management Program. Development of any primary public shoreline access area shall include a feasible program for maintenance and management of the access area.
- (3) Separation. Barriers designed to discourage public encroachment upon private property may be erected between private property and public shoreline access areas and/or high-use recreation areas. Access areas, however, shall not be blocked. All private encroachment into public property at the access area shall be removed, and the area returned to public use as part of any access area development, unless a revocable encroachment permit is approved.