

Small Urban Wineries Ordinance PUBLIC REVIEW DRAFT

22.06.030 Allowable Land Uses and Permit Requirements.

Table 2-2 identifies the uses of land allowed by this Title in each land use category, and the land use permit required to establish each use, in compliance with Section 22.04.030 (General Requirements for Development and New Land Uses).

A. Permit requirements. Table 2-2 provides for land uses that are:

1. Allowed subject to the approval of the land use permit required by Section 22.08.030 (Project-Based Permit Requirements). These are shown as "A1" uses in the table;
2. Allowed subject to the approval of the land use permit required for the particular use by Article 4 (Standards for Specific Land Uses). These are shown as "A2" uses in the table;
3. Permitted subject to the approval of a Zoning Clearance (Section 22.62.030). These are shown as "P" uses in the table;
4. Permitted subject to the Site Plan Review approval (Section 22.62.040). These are shown as "SP" uses in the table;
5. Allowed subject to the approval of a Minor Use Permit (Section 22.62.050). These are shown as "MUP" uses in the table; and
6. Allowed subject to the approval of a Conditional Use Permit (Section 22.62.060). These are shown as "CUP" uses in the table.

Note: where the last column ("Specific Use Regulations") in Table 2-2 includes a section number, the regulations in the referenced section apply to the specific use; however, the provisions of Article 3 (Site Planning and General Development Standards) shall also apply.

B. Multiple uses on a single site. Where a proposed project includes multiple land uses, and Table 2-2 requires different land use permits for some of the uses, the permit process shall be subject to Section 22.60.030 (Consolidated Processing).

C. Uses not listed. A land use that is not listed in Table 2-2 or is not shown in a particular land use category is not allowed, except follows, or as otherwise provided by Section 22.06.040 (Exemptions from Land Use Permit Requirements).

1. Where a proposed land use is not specifically listed in Table 2-2, the Director will review the proposed use when requested to do so by letter and, based upon the characteristics of the use, determine whether any of the listed uses is equivalent to that proposed.

2. Upon a written determination by the Director that a proposed unlisted use is equivalent in its nature and intensity to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what standards affect its establishment.
3. Determinations that specific unlisted uses are equivalent to listed uses will be recorded by the Department, and will be considered for incorporation into the this Title through amendment as soon as is practical.
4. At the discretion of the Director, allowable use interpretation requests may be forwarded to the Commission for determination. Determinations by the Director may be appealed to the Commission in compliance with Section 22.70.050.
5. If a proposed use is found by the review authority to not be equivalent to any listed use, the proposed use shall be deemed not allowed.

[22.01.041.d]

TABLE 2-2 - ALLOWABLE LAND USES AND PERMIT REQUIREMENTS

LAND USE (1)(2)(10)	PERMIT REQUIREMENT BY L.U.C. (3)						Specific Use Standards
	AG(8)	RL	RR	RS	RSF	RMF	
AGRICULTURE, RESOURCE, AND OPEN SPACE USES							
Ag Processing	A2	A2	CUP				22.30.070
Agricultural Accessory Structures	P	P	P	P			22.30.030, 060
Animal Facilities - Specialized, except as follows	CUP	CUP	CUP	CUP			22.30.100
Animal hospitals & veterinary medical facilities	MUP	MUP	CUP				22.30.100
Beef and dairy feedlots	CUP	CUP					22.30.100
Fowl and poultry ranches	MUP	MUP	MUP	MUP			22.30.100
Hog ranches	CUP	CUP					22.30.100
Horse ranches and other equestrian	MUP	MUP	MUP	MUP	CUP		22.30.100

facilities							
Kennels (6)	A1	A1	A1	A1	A1(7)		22.30.100
Zoos - Private, no display open to public	MUP	MUP	MUP				22.30.100
Zoos - Open to public							22.30.100
Animal Keeping	A2	A2	A2	A2	A2	A2	22.32.090
Cannabis Activities (4)	A2	A2	A2	A2(11)	A2(11)		22.4022.40
Crop Production and Grazing	A2	A2	A2	A2	A2	A2	22.30.200, 22.30. 204, 22.30. 244
Energy-generating facilities (9)	A2	A2	A2	A2	A2	A2	22.32
Fisheries and Game Preserves	A1	A1	A1				
Forestry	A1	A1	A1	A1			
Industrial Hemp Cultivation	A2	A2	A2				22.30.244
Mines and quarries	A2	A2	A2				22.36
Nursery Specialties	A2	A2	A2	A2			22.30.204, 22.30. 310
Petroleum Extraction	A2	A2	A2	A2			22.34

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
A1	Allowable use, subject to the land use permit required by 22.06.030, Table 2-3	22.08.030
A2	Allowable use, subject to the land use permit required by the specific use standards.	22.30, 22.32, 22.34,

		22.36, 22.40
P	Permitted use, Zoning Clearance required. (4)	22.62.030
SP	Permitted use, Site Plan Review required. (4)	22.62.040
MUP	Conditional use - Minor Use Permit required. (4)	22.62.050
CUP	Conditional use - Conditional Use Permit required. (4)	22.62.060
	Use not allowed. (See 22.06.030.C regarding uses not listed.)	22.06.030.C

See *NOTES* on next page.

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TABLE 2-2 - ALLOWABLE LAND USES AND PERMIT REQUIREMENTS

LAND (1)(2)(10)	USE	PERMIT REQUIREMENT BY L.U.C. (3)						Specific Use Standards	
		OP	CR	CS	IND	OS	REC		PF
AGRICULTURE, RESOURCE, AND OPEN SPACE USES									
Ag Processing			A2(12)	A2	A1				22.30.070
Agricultural Accessory Structures				P	P	SP(5)	P	P	22.30.030, 060
Animal Facilities - Specialized, except as follows	CUP	CUP	CUP	CUP			CUP	CUP	22.30.100
Animal hospitals & veterinary medical facilities	A1	A1	A1	A1			MUP	A1	22.30.100
Beef and dairy feedlots					CUP				22.30.100
Fowl and poultry ranches	MUP				MUP			MUP	22.30.100
Hog ranches	MUP				MUP				22.30.100
Horse ranches and other equestrian facilities	MUP	MUP	MUP	MUP			MUP	MUP	22.30.100
Kennels (6)	A1	A1	A1	A1			A1(7)	A1	22.30.100
Zoos - Private, no display open to public	MUP	MUP	MUP	MUP			MUP	MUP	22.30.100
Zoos - Open to public							CUP	CUP	22.30.100
Animal Keeping		A2	A2	A2	A2	A2	A2	A2	22.32.090
Cannabis Activities (4)	A2(11)	A2(11)	A2	A2					22.40
Crop Production and Grazing	A2	A2	A2	A2	A2	A2	A2	A2	22.30.200, 22.30.204, 22.30.244
Energy- generating facilities (9)	A2	A2	A2	A2	A2	A2	A2	A2	22.32
Fisheries and Game Preserves						SP(5)	A1		
Forestry						SP(5)	A1		
Mines and quarries						SP(5)	A2	A2	22.36

Nursery Specialties		A2	A2	A2				22.30.204, 22.30.310
Petroleum Extraction			A2	A2	SP(5)	A2	A2	22.34

NOTES (The following notes apply only to these two facing pages)

- (1) See Article 8 for definitions of the listed land uses.
- (2) See Article 9 for any restrictions or special permit requirements for a listed use in a specific community or area.
- (3) L.U.C. means "land use category." See Section 22.04.020, Table 2-1, for a key to the land use category abbreviations.
- (4) Business License Clearance may also be required; see Section 22.62.020.
- (5) Use allowed on private land with Site Plan Review only when authorized by a recorded open space easement executed by the property owner and the County. Use allowed on public land subject to Conditional Use Permit approval.
- (6) Licensing of all kennels by the County Tax Collector is required by Section 9.04.120 of this code.
- (7) Use limited to non-commercial kennels as defined by Section 9.04.110(t) of this code.
- (8) Land uses on property under Williamson Act Contracts must adhere to the County's Rules of Procedure to Implement The California Land Conservation Act of 1965 (Table 2), individual Contracts, the provisions of the Williamson Act itself and any changes that may be made to it.
- (9) This use may not be allowable in every land use category. Refer to the standards in Chapter 22.32
- (10) Tree removal in an Oak Woodland may require a land use permit pursuant to Chapter 22.58.
- (11) Limited to Cannabis Transport Facilities only.
- (12) Allowable uses limited to wineries, distilleries, and olive oil processing facilities where the majority of the production is for on-site retail.