

ORDINANCE NO. 3500

AN ORDINANCE AMENDING TITLE 22 OF THE SAN LUIS OBISPO COUNTY CODE

The Board of Supervisors of the County of San Luis Obispo, State of California, does ordain as follows:

SECTION I: The purpose and intent of this Ordinance is to amend four sections of Title 22 of the San Luis Obispo County Code, including the Distilleries Ordinance, Guest Ranch Ordinance, Small Urban Wineries Ordinance, and Insertion of Arroyo Grande Fringe Area Map. The requested amendments include: 1) amendments of Title 22 to Table 2-2, Allowable Land Uses and Permit Requirements, Section 22.30, Standards for Specific Land Uses, Section 22.94, Section 22.18, Parking, and Section 22.80, Definitions. Any interpretation of this Ordinance shall be consistent with that purpose and intent.

SECTION II DISTILLERIES ORDINANCE: That Sections 22.30.070, 22.18.050, and 22.80.030 of Title 22 of the San Luis Obispo County Code be amended as follows:

22.30.070 Agricultural Processing Uses.

Agricultural processing activities, including but not limited to wineries, packing and processing plants, fertilizer plants, commercial composting, and olive oil production without the use of solvents, are allowable subject to the following standards.

A. Permit requirements.

1. Minor Use Permit approval is required for agricultural processing activities, including, but not limited to, wineries, distilleries, packing and processing plants, fertilizer plants, commercial composting, and industrial hemp processing, unless Section 22.08.030 (Project-Based Permit Requirements) or Subsection D. would otherwise require Conditional Use Permit approval.
2. **Olive oil production.** In the Agriculture and Rural Lands land use categories the permit shall be determined by Section 22.06.030, Table 2-3 for olive oil production as allowed by this Section where ~~the~~ 100 percent of the raw materials being processed are grown on the site of the processing facility or on adjacent parcels. Olive oil production facilities as allowed by this Section where any of the raw materials being processed are not grown on the site of the processing facility or on adjacent parcels shall be subject to Minor Use Permit approval.

B. Application content.

1. Public notice.

a. Prior to application submittal. The applicant shall submit evidence that the neighboring property owners and the applicable advisory group were notified of the request prior to the submission of the land use permit to the county. This notice shall be provided by the applicant sending a letter using the form provided by the Department of Planning and Building. The letter shall be mailed or delivered at least 10 days prior to application submittal to the applicable advisory group and to all owners of real property as shown on the latest equalized assessment roll within 1,000 feet of the subject site.

b. Public hearing notice. Public notice shall be provided to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed agricultural processing site and to all property owners fronting any local roads that serve the facility back to an arterial or collector, instead of in the manner normally required for public hearings by Section 22.70.060. Public notice may be required to be provided to properties greater than 1,000 feet away for certain applications at the discretion of the Director of Planning and Building.

2. Description of use. Applications for agricultural processing uses are to include a description of all processes and equipment proposed for use on the site, and a description of measures proposed to minimize the off-site effects of dust, odor or noise generated by the proposed operation. Such information is to be provided in addition to that specified in Article 6 (Land Use and Development Permit Procedures), in order to evaluate the conformity of a proposed use with the standards of Article 3 (Site Planning and General Project Design Standards).

C. Minimum site area. No minimum required unless Subsection D. would otherwise require a minimum site area.

D. Standards for specific uses.

1. Fertilizer plants. The following are minimum requirements to enable consideration of a specific proposal. Greater separation between fertilizer plants and other uses may be required through land use permit approval.

a. Location: No closer than one-half mile from any residential category located within an urban or village reserve line; and no closer than 400 feet to any residence outside the ownership of the applicant.

b. Setbacks: 200 feet from each property line.

2. Wineries and Distilleries.

For the purposes of this section, a winery is defined as an agricultural processing facility used for the processing (fermentation when combined with any of the following: crushing, barrel aging, blending, and bottling) of juices into wine or the

refermenting of still wine into sparkling wine. This definition does not include the storage of case goods in the absence of processing (included under Warehousing).

For the purposes of this section, a distillery is defined as an agricultural processing facility used for the processing (fermentation when combined with any of the following: crushing, mashing, barrel aging, blending, and bottling) of fermentable raw materials into distilled spirits. This definition does not include the storage of case goods in the absence of processing (included under Warehousing).

For existing permitted wineries, the incorporation of distilling into the existing wine making activities may be deemed consistent with the approved winery land use approvals in accordance with Section 22.64.050.B (Changes to an Approved Project).

a. Access location. The principal access driveway to a winery or distillery with public tours, tasting, retail sales or special events held in compliance with Subsection D.2.i. is to be located on or within one mile of an arterial or collector. Location of wineries and distilleries must be in compliance with access and Dead-end road requirements set in CCR title 14 and San Luis Obispo County Title 16.

b. Solid waste disposal. Pomace may be used as fertilizer or soil amendment, provided that such use or other disposal shall occur in accordance with applicable Health Department standards.

c. Liquid waste disposal. Standards will be set, where applicable, through Regional Water Quality Control Board discharge requirements developed in compliance with Section 22.10.180 (Water Quality).

d. Setbacks.

(1) Rural areas. All winery or distillery structures and outdoor use areas shall be a minimum of 100 feet from each property line and no closer than 200 feet to any existing residence outside of the ownership of the applicant. Where a winery or distillery has public tours, tasting, retail sales, or special events (in compliance with Subsection D.2.i.), the setback shall be increased to 200 feet from each property line and no closer than 400 feet to any existing residence outside the ownership of the applicant. These setbacks can be modified through Minor Use Permit approval when a Conditional Use Permit is not otherwise required by Subsection A. Approval may be granted only after the Review Authority first determines that the request satisfies any of the following findings: (1) there is no feasible way to meet the required setbacks without creating environmental impacts or impacting prime agricultural land (SCS Class I, II and III); (2) the property fronts an arterial or collector street; (3) the setbacks

are not practical or feasible due to existing topographic conditions or existing on-site vegetation or (4) is a legally constructed existing structure that was built prior to 1980 and it can be clearly demonstrated that the structure was intended for a legitimate agricultural or residential use.

(2) Urban and village areas. As required by Section 22.10.140 et seq.

e. Signing. As provided by Chapter 22.20 (Signs) of this title [and San Luis Obispo County Title 16.](#)

f. Parking. Parking shall be provided in compliance with Chapter 22.18 (Parking and Loading Standards). Parking lot construction standards shall be provided in compliance with Section 22.18.060. The parking shall be located and/or landscaped so it is screened from public roads where topography or existing on-site vegetation (including vineyards) does not provide for adequate screening. No parking shall be allowed within any adjoining road right-of-way.

g. Design standards.

(1) Exterior. In the Agriculture, Rural Lands or Residential Rural land use categories, all structures associated with the winery [or distillery](#) (including production facilities) shall have an exterior design style that is agricultural or residential in nature using non-reflective siding and roofing materials. Structures shall not use an exterior design style typically associated with large industrial facilities unless the facility is proposed in the Commercial Service or Industrial land use categories.

(2) Screening. Any portion of the winery structures that are visible from public roads shall be screened where necessary to ensure the rural character of the area is unchanged unless screening is not practical, feasible or necessary due to existing topographic conditions or existing on-site vegetation (including vineyards). The screening may include such measures as landscape or existing vegetative screening, existing topography, and/or arrangement of the structures on the site to minimize bulky appearance. Any tank located outside of structures shall be screened 100 percent from public roads.

(3) Height. The maximum height of any structure associated with a winery [or distillery](#) facility shall be 35 feet. The height may be increase to 45 feet where a pitched roof of greater than 4 in 12 is proposed and at least 50 percent of the structure is at 35 feet in height or less.

(4) Lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed operated in a manner that would throw light, either reflected or directly, in an upward direction.

h. Tasting rooms. Tasting rooms shall be clearly incidental, related and subordinate to the primary operation of the winery or distillery as a production facility.

(1) Permit requirement. Minor Use Permit approval. Tasting rooms shall also meet all the standards for wineries and distilleries set forth in Subsection D.2., in addition to the specific standards of this Subsection.

(2) Location. The tasting room shall be located within or no more than 200 feet from the winery or distillery facilities. This standard may be waived where site constraints, on-site access, visual concerns, grading or other environmental issues can be better addressed through an increased distance. A Minor Use Permit application may be used to modify this standard where an existing structure built prior to 1980 is being used as the tasting facility.

(3) Number of tasting rooms allowed. ~~One tasting room is allowed for each winery. A site that includes both winery and distillery production facilities is allowed a total of two tasting rooms, one for each production facility. If more than one winery share production facilities or more than one is located on a site, only one tasting room is allowed. A site that includes only a winery production facility or only a distillery production facility is allowed one tasting room. If more than one winery or distillery facility share a production facility or are located on the same site, the wineries or distilleries~~ may share a tasting room, subject to the limits above.

i. Special events. For the purposes of this section special events are defined as any of the following events when there is the possibility that 50 people or more individuals will attend: concerts (with or without amplified sound), weddings, advertised events (including fund raising, but not including industry-wide events), and advertised winemaker / distiller dinners open to the general public. Does not include normal patronage of the tasting room or non-advertised events.

- (1) Permit requirement.** Minor Use Permit approval where six or less special events for no more than 80 individuals are proposed, unless a higher level of permit is required by this ordinance for the proposed facility. Conditional Use Permit approval for six or more special events or where there is the possibility that more than 80 individuals may attend.
- (2) Minimum site area.** 20 acres. A Minor Use Permit application may be used to waive this standard where the character of the area, access, and the types of special event proposed make a 20 acre minimum site area unnecessary, unless a higher level of permit is required by this ordinance for the proposed facility.
- (3) Limitation on use.** Special events are limited to 40 days a year. Any special event proposing outdoor amplified music shall only be allowed from 10:00 a.m. to 5:00 p.m. No outside amplified sound shall occur before 10:00 a.m. or after 5:00 p.m. The standard relating to amplified music may only be waived or modified where a finding can be made by the Review Authority that the noise at the property line will not exceed 65dB.
- (4) Design and operational standards:** All special events shall also meet all the applicable standards set forth in Subsection D.2. and the standards set forth in Subsection 22.30.610.D.1 - 4 and E, in addition to the specific standards of this Subsection.
- (5) Setbacks.** All special events shall conform to the setback standards of Subsection D.2.d.
- (6) Effect on existing Special Events.** All unpermitted existing special events in existence on the effective date of this section (November 21, 2001) shall be subject to the standards specified in this Subsection. Required land use permits shall be requested from the county within 120 days of the effective date specified above. If the required land use permit, has not been requested within the time frames set forth in this section, the penalties of Chapter 22.74 (Enforcement) of this Title shall apply.

3. Commercial composting. These standards apply to the establishment of a commercial composting operation in addition to any applicable standards or permits that may be required from the California Integrated Waste Management Board or the County Environmental Health Department.

a. Minimum site area: Five acres.

b. Parking requirement. None, provided that sufficient usable area is available to permanently accommodate all employee and user parking

needs entirely on-site. Parking areas shall be located no closer than 100 feet from each property line.

c. Setbacks. Outdoor use areas and structures shall be 200 feet from each property line, and no closer than 500 feet to any residence outside of the ownership of the applicant.

4. Olive oil production. For the purposes of this section the production of olive oil is the making of edible oil obtained solely from the fruit of the olive tree (*Olea europea* L.) and specifically excludes the manufacture of edible oils obtained using solvents or re-esterification processes and any oils resulting from a mixture with other oils except in the making of flavored olive oil. Olive oil processed using solvents is included under "Food and Beverage Products."

a. Solid waste disposal. Pomace may be used as fertilizer or soil amendment, provided that such use or other disposal shall occur in accordance with applicable Health Department standards.

b. Liquid waste disposal. Standards shall be set, where applicable, through Regional Water Quality Control Board discharge requirements developed in compliance with Section 22.10.180 (Water Quality).

c. Setbacks.

(1) Rural areas. All structures and outdoor use areas shall be a minimum of 200 feet from each property line and no closer than 500 feet to any existing residence outside of the ownership of the applicant.

(2) Urban and village areas. As required by Section 22.10.140 et seq.

d. Parking. None, provided that sufficient usable area is available to permanently accommodate all employee and visitor parking needs entirely on-site.

e. Design standards. In the Agriculture, Rural Lands or Residential Rural land use categories, all structures associated with olive oil production shall have an exterior design style that is agricultural or residential in nature. Structures shall not use an exterior design style typically associated with large industrial facilities unless the facility is proposed in the Commercial Service or Industrial land use category.

f. Lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector or interior surface is visible from any location off the project site. All lighting poles, fixtures, and hoods shall be dark colored. No exterior lighting shall be installed or operated in a manner that would emit light, either reflected or directly, in an upward direction.

g. Tasting rooms and retail sales. Tasting rooms and retail sales shall be clearly incidental, related and subordinate to the primary operation of olive oil production facility. On-site tasting rooms and retail sales of olive oil are subject to Section 22.30. 075 (Agricultural Retail Sales - Farm Stands).

h. Effect on existing olive oil production facilities. All existing unpermitted olive oil processing facilities in existence on the effective date of this section (January 17, 2013) shall be subject to the standards specified in this Subsection. Required land use permits shall be requested from the County within 18 months of the effective date specified above. If the required land use permit, has not been requested within the time frames set forth in this section, the penalties of Chapter 22.74 (Enforcement) of this Title may apply.

5. Industrial Hemp Processing. For the purposes of this section the processing of industrial hemp is limited solely to drying, curing, trimming, packaging and preparing for further processing within a permanent building (not a hoop house or similar non-permanent structure). The harvesting of industrial hemp grown onsite that is performed in the field with mobile equipment not involving permanent buildings, hoop houses, or trailers is included under crop production and grazing and subject to the standards set forth under 22.30.244. Industrial hemp processing does not include cannabinoid extraction and infusion and manufacturing of finished products. Extraction of cannabinoids from industrial hemp is considered chemical manufacturing. Manufacturing of finished hemp products are classified under existing industry, manufacturing, and processing uses according to their end product and scale of operations. For example, and not limitation, manufacturing of CBD infused chemical products would be considered chemical manufacturing, hemp cloth manufacturing would be classified as textile products and manufacturing of CBD infused food and beverage products, once allowed under state law, would be included under food and beverage products.

a. Location. Industrial hemp processing is only allowed in the Agriculture (AG), Rural Lands (RL), Commercial Service (CS), Residential Rural (RR), and Industrial (IND) land use categories.

b. Nuisance Odors. All industrial hemp processing facilities shall be sited and/or operated in a manner that prevents hemp nuisance odors from being detected offsite. An odor management plan shall be submitted with the use permit application that demonstrates how nuisance odor will be controlled to be undetectable offsite.

c. Design Standards. In the agriculture and rural lands land use categories, all new structures associated with onsite industrial hemp processing shall have an exterior design style that is agricultural or residential in nature.

Structures shall not use an exterior design style typically associated with large industrial facilities.

22.18.050 Required Number of Parking Spaces.

C. Parking requirements by land use.

- 1. Agricultural uses.** Except for the specific uses listed in this Subsection, improved off-street parking and loading spaces are not required for an agricultural use, as long as sufficient usable area is provided to meet the parking needs of all employees, visitors and loading activities entirely on the site of the use.

USE	PARKING REQUIRED SPACES	PARKING LOT TURNOVER	LOADING BAY INTENSITY
Ag Processing: Packing and Processing	1 per 1,000 sf. of use area.	Low	High
Wineries / <u>Distilleries</u>	1 per 2,000 sf. of active use area, and 1 per 5,000 sf. of storage, and	Low	High
	1 per 200 sf. of tasting room	Medium	
Animal Husbandry, Farm Equipment and Supplies, Nursery Specialties	1 per 500 sf. of floor area, and 1 per 1,000 sf. of outdoor use area.	Low	Low

22.80.030 Definitions of Land Uses, and Specialized Terms and Phrases.

As used in this Title, the following terms and phrases shall have the meaning ascribed to them in this Section, unless the context in which they are used clearly requires otherwise.

Ag Processing (land use). Establishments performing a variety of operations on crops after harvest, to prepare them for market on-site or further processing and packaging at a distance from the agricultural area including but not limited to: alfalfa cubing; hay baling and cubing; corn shelling; drying of corn, rice, hay, fruits and vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed and grain; sorting, grading and packing of fruits and vegetables, tree nut hulling and shelling; cotton ginning; wineries, distilleries, production of olive oil without the use of solvents, alcohol fuel production; and receiving and processing of green material, other than that produced on-site (commercial composting). Green material is any wastes which are derived from plant material, including but not limited

to, leaves, grass clippings, weeds, tree trimmings or shrubbery cuttings. Note: any of the above activities performed in the field with mobile equipment not involving permanent buildings (with the exception of the receiving and processing of green material other than that produced on-site) are included under "Crop Production and Grazing." Olive oil produced with the use of solvents is included under "Food and Beverage Products." (SIC: 0723, 0724)

Food and Beverage Products (land use). Manufacturing establishments producing or processing foods and beverages for human consumption and certain related products. Includes:

- bakery, sugar, and confectionery products

- beverages and liquors (except wineries, and distilleries; see "Ag Processing")

- bottled water production

- canned and preserve fruit and vegetables and related processing

- dairy products processing

- fats and oil products, including rendering plants and olive oil produced with the use of solvents (Olive oil produced without the use of solvents is included under "Ag Processing") [Amended 2012, Ord. 3235]

- grain mill products and by-products

- ice plants

- meat, poultry and seafood slaughtering, and curing, and by-product processing

- miscellaneous food preparation from raw products

Operations on crops after harvest are included under "Ag Processing."

SECTION III GUEST RANCH ORDINANCE: That Section 22.30.520 of Title 22 of the San Luis Obispo County Code be amended as follows:

22.30.520 Rural Recreation and Camping.

A. Camping. Permanent organizational group camps sponsored by a church, youth group, corporation or other organization, or camping that is seasonal and incidental to agricultural use, are subject to the following provisions. (Commercial campgrounds as principal uses are subject to Section 22.30.300 (RV Parks); temporary camps are subject to Chapter 8.64 of the County Code (Temporary Camps)).

- 1. Limitation on use.** Organizational camps are allowed only in the Rural Lands, Recreation, and Public Facilities categories. Incidental camping is allowed in the Agriculture category as well as where organizational camps are allowed.
 - 2. Permit requirements.** A Health Department permit shall be required in compliance with Chapter 8.62 of the County Code, in addition to the land use permit required by Section 22.06.030.
 - 3. Minimum site area.** As specified in Chapter 22.22 (Subdivision Design).
 - 4. Density.** To be set by the Review Authority where Conditional Use Permit or Minor Use Permit approval is required, to a maximum of one unit per acre, which is also to be the maximum density for incidental camping of less than 10 units.
 - 5. Setbacks.** All camping facilities and activities shall occur no closer than 1,000 feet from any property line or public road.
 - 6. Parking.** No improved parking is required for incidental camping, provided that sufficient usable area is available to accommodate all user vehicles entirely on-site. The parking requirement for organizational camps shall be determined by the Conditional Use Permit approval.
 - 7. Access.** All-weather access shall be provided to the site.
 - 8. Allowed facilities.** Camps established in compliance with this Section may include the following facilities in addition to tent camping areas, based on the type of camp:
 - a. Organizational camps.** Cabins; meeting hall; swimming pool; permanent restroom facilities; accessory and storage buildings.
 - b. Incidental camping.** Water supply and portable restrooms only. Incidental camping uses may also include spaces for a maximum of 10 self-contained recreational vehicles, without utility hookup facilities.
 - 9. Sanitation.** Restroom facilities shall be provided as required by the Health Department.
 - 10. Required findings - incidental camping.** A land use permit for incidental camping shall be approved only where the Review Authority first finds that:
 - a. The proposed use will not affect the continuing use of the site as a productive agricultural unit providing food or fibre; and
 - b. The proposed use will result in no effect upon the continuance or establishment of agricultural uses on surrounding properties.
- B. Dude and guest ranches.** A dude and guest ranch is a commercial transient guest occupancy facility incidental to a working ranch-agricultural operation, which may include common eating and drinking and recreation facilities subject to the

provisions of this Subsection, provided that these facilities shall be used by lodging facility guests only, and not made available to the general public for day use.

1. Limitation on use. Dude and guest ranches are not to be established in a residential category.

2. Permit requirement. Conditional Use Permit approval.

3. Application content. To include a description of recreational facilities and activities to be offered, and an explanation of the relationship between the recreational use and continuing agricultural uses.

4. Minimum site area. 160 acres, except that where a proposed facility has obtained a recorded right of access and use of adjoining property for recreational purposes, the Commission may reduce the minimum site area as part of the Conditional Use Permit approval.

5. Setbacks. All facilities shall be located no closer than 500 feet from any property line or public road.

6. Coverage. The aggregate area occupied by all structures and facilities established for the dude and guest ranch (including all roads, parking areas, lodging and support facilities dedicated to the dude ranch use) shall not exceed two percent of the total site area.

7. Lodging facilities.

a. Type of facilities allowed. Dude and guest ranch facilities may be authorized by the Commission to be attached, motel-type units or detached cabins, provided that they include no cooking or eating facilities.

b. Occupancy. Lodging facilities shall be rented only to guests which will also use other dude and guest ranch facilities. Dude and guest ranch lodgings are not to be used for RV park or motel-type overnights.

c. Density. The density of guest lodgings shall be established by the Commission, with the total number of units to be based upon the capability of the ranching activities to continue without interference from guest activities, provided that the maximum density of lodging facilities shall be no more than one guest unit for each five acres in the Agriculture category, and one guest unit per acre in other categories.

8. Parking requirement and Access requirements. Access will be required to be CCR title 14 (where applicable) including dead-end road standards and San Luis Obispo County Title 16. Parking To be set through Conditional Use Permit approval.

9. Required findings. A Conditional Use Permit for a dude and guest ranch in the Agriculture land use category shall be approved only where the Commission

makes the following findings in addition to those required by Section 22.62.060.C.4:

- a. The proposed use will not substantially affect the continuing use of the site as a productive agricultural unit providing food or fiber; and
- b. The proposed use will result in no substantially adverse effect upon the continuance or establishment of agricultural uses on surrounding properties.

Where located in other than in an Agriculture category, the only required findings are those in Section 22.62.060.C.4.

C. Health resorts and bathing. Commercial health resorts, outdoor hot springs, spas, or hot tub rental operations that are operated as a principal use, and transient lodging facilities accessory to such use, are subject to the following:

- 1. Limitation on use.** Health resorts and bathing facilities are not allowed in a Residential Suburban category, and are not allowed in the Agriculture land use category unless the facility is dependent upon a natural on-site resource such as a lake or hot springs.
- 2. Permit requirement.** Conditional Use Permit approval, in addition to a Health Department permit as required by Chapter 8.60 of the County Code.
- 3. Minimum site area.** 10 acres in the Agriculture and Rural Lands categories; five acres in other rural categories; one acre when located within an urban or village reserve line.
- 4. Parking.** Two spaces per hot tub or spa; and one space per 100 square feet of swimming pool area. Where lodging units are included, additional spaces shall be provided at a ratio of one space per lodging unit.
- 5. Sanitation and water disposal.** The provision of sanitary facilities and the disposal of wastewater from hot tubs or pools shall be in compliance with requirements established by the Health Department, and by the Regional Water Quality Control Board in compliance with Section 22.10.190 (Regional Water Quality Control Board Review).

D. Hunting and fishing clubs.

- 1. Limitation on use.** Hunting and fishing clubs shall be located only in the Agriculture, Rural Lands and Recreation categories.
- 2. Permit requirement.** Site Plan Review.
- 3. Location.** Hunting activities shall be limited to areas no closer than one-half mile from any residential category or residential use other than that of the applicant.

- 4. Setbacks.** Any membership hunting facilities and activities shall be located no closer than 1,000 feet from any property line or the public road. No limitation on the location of fishing activities other than required for structures by Section 22.10.140 (Setbacks) or other provisions of this Chapter.
 - 5. Camping and lodging.** Allowable only if authorized in compliance with Subsection A. (Camping), or Section 22.30.300 (Lodging - Recreational Vehicle Parks), including the permit requirements of those sections.
 - 6. Parking requirement.** No improved parking is required, provided that sufficient usable area is made available to accommodate all employee and user vehicles entirely on site, unless other requirements are set through Conditional Use Permit approval.
- F. Sport shooting facilities.** Establishments providing an outdoor shooting range for pistol or rifle target practice, skeet shooting, trap shooting, archery or similar facilities open to the public, members of a club, or public safety agency are subject to the following:
- 1. Limitation on use.** Outdoor sport shooting facilities are allowed only in the Agriculture, Rural Lands and Public Facility categories.
 - 2. Permit requirement.** Conditional Use Permit approval.
 - 3. Location.** Outdoor sport shooting facilities except for archery shall be located no closer than one mile to any urban or village reserve line or residential land use category; and no closer than one-half mile from any residential use on an adjoining lot.
 - 4. Minimum site area.** Five acres.
 - 5. Parking requirement.** To be set through Conditional Use Permit approval.
 - 6. Noise control.** The proposed use must satisfy the requirements of Section 22.10.120 (Exterior Noise Standards) for the Residential Suburban and Recreation categories, regardless of the land use category in which the range is located.

SECTION IV SMALL URBAN WINERIES ORDINANCE: That Section 22.06.030 and Table 2-2 of Title 22 of the San Luis Obispo County Code be amended as follows:

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.

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 facilities	MUP	MUP	MUP	MUP	CUP		22.30.100
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

TABLE 2-2 - ALLOWABLE LAND USES AND PERMIT REQUIREMENTS

LAND USE (1)(2)(10)	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	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	22.30.200, 22.30.204, 22.30.244
Energy-generating facilities (9)	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.

~~SECTION — V ARROYO GRANDE FRINGE MAP: That Section 22.98.054 of Title 22 of the San Luis Obispo County Code be amended as follows:~~

~~**22.98.054 Arroyo Grande Fringe Standards.**~~

~~The following standards apply within the area of the Arroyo Grande Fringe (within the San Luis Bay Sub-area and identified in the South County Planning Area maps Figure 98-11b) to the land use categories or specific areas listed, in addition to the San Luis Bay Sub-area standards.~~

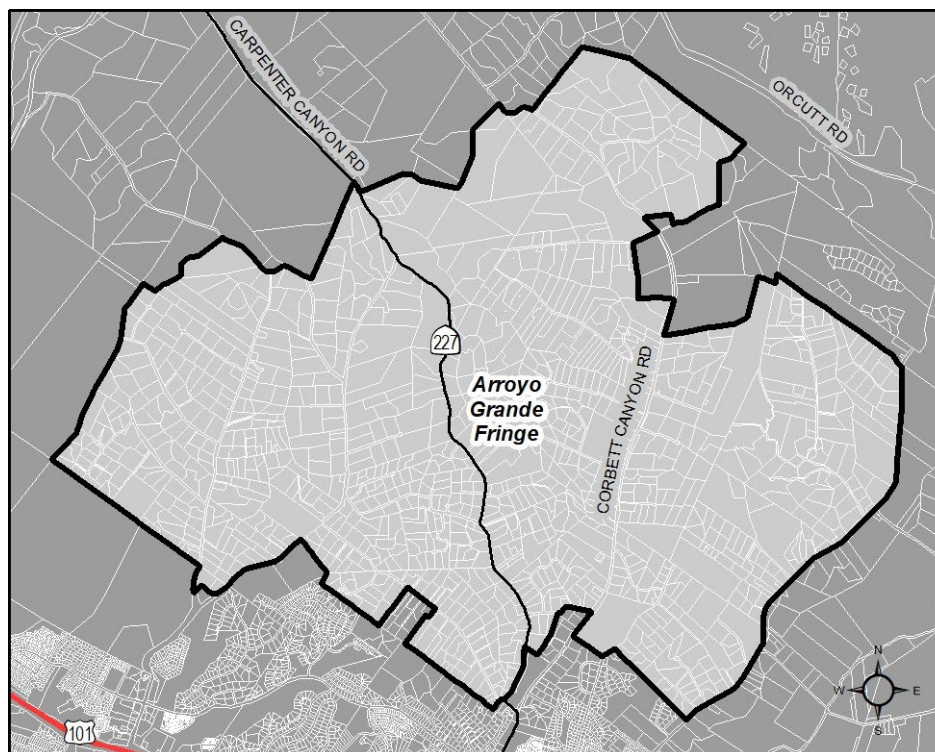


Figure 98-11b: Arroyo Grande Fringe Areas

The area standards respect and mitigate special site potentials and constraints, ensure new land divisions compatibility with present and potential adjacent land uses within the context of the area's suburban character and ensure that developments are designed to provide safe vehicular movement.

A. Residential Rural (RR). The following standards apply within the Residential Rural land-use category.

1. Limitation on use. Land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses in the RR land use category may be authorized in compliance with the land use permit requirements of that Section, except farm equipment and supplies; animal facilities; small-scale manufacturing; correctional institutions; and airfields and landing strips.

2. New land divisions.

- a. New divisions of parcels fronting Highway 227 shall be designed so that access to homesites is from a local internal street rather than directly to the state highway.
- b. Prior to acceptance of an application for land division as complete, the applicant shall provide information to demonstrate to the satisfaction of the Director, in consultation with, the Director of Environmental Health

~~and the Environmental Coordinator that: (1) adequate groundwater resources are available to serve the proposed land division and (2) each proposed parcel can accommodate an individual sewage disposal system. The results of this information shall be incorporated into the design and proposed density of the land division.~~

~~**B. Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.~~

~~**1. Limitation on use.** Land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the RS land use category may be authorized in compliance with the land use permit requirements of that Section, except nursing and personal care, and correctional institutions.~~

~~**2. Animal facilities.** Land use permit applications for animal facilities shall address and mitigate any identified impacts of erosion and downstream sedimentation that would be caused by the establishment of the facilities.~~

~~**3. New land divisions.** Prior to acceptance of any application for land division as complete, the applicant shall provide information to demonstrate to the satisfaction of the Director, in consultation with, the Director of Environmental Health that: (1) adequate groundwater resources are available to serve the proposed land division and (2) each proposed parcel can accommodate an individual sewage disposal system. The results of this information shall be incorporated into the design and proposed density of the land division.~~

SECTION VI: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION VII: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, a summary shall be published once in a newspaper of general circulation in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

SECTION VIII: The Board of Supervisors hereby finds that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that

the adoption of the ordinance is not a project that may have a significant effect on the environment. The proposed ordinance amendments qualify for a Common-Sense Exemption because it can be seen with certainty that they will not result in a direct or indirect physical effect to the environment. The distilleries ordinance simply allows distillery processing as an agricultural use similar to the currently existing wine processing use. The guest ranch ordinance likewise allows transient guest occupancy which are incidental to an agricultural operation which is similar to the currently existing dude ranch ordinance. Further, all future applications submitted for new land uses and development types under these proposed ordinances will be subject to discretionary permit approval and will receive site-specific environmental determinations under CEQA. Finally, the modifications to County Code Section 22.98.054 is simply the inclusion of the currently existing Arroyo Grande Fringe Map to the currently existing planning area standard. Therefore, the adoption of this ordinance and changes to the County's zoning code qualifies for the common-sense exemption under CEQA Guidelines Sections 15061 (b)(3) and no further environmental review is required.

SECTION IX: In accordance with Government Code Section 25131, after reading the title of this Ordinance, further reading of the Ordinance in full is waived.

PASSED and ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 28th day of November, 2023, by the following roll call vote, to wit:

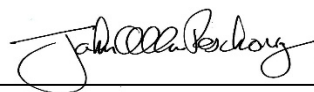
AYES: Supervisors Bruce Gibson, Jimmy Paulding, Dawn Ortiz-Legg and

Chairperson John Peschong

NOES: None

ABSENT: Supervisor Debbie Arnold

ABSTAINING: None



John Peschong
Chairperson of the Board of Supervisors
of the County of San Luis Obispo
State of California

ATTEST:

REBECCA CAMPBELL
Acting County Administrative Officer and
Ex-Officio Clerk of the Board of Supervisors

By: _____
Deputy Clerk

[SEAL]

The undersigned Deputy Clerk of the Board of Supervisors certifies that, pursuant to Section 25103 of the Government Code, delivery of this document has been made on December 4, 2023.

REBECCA CAMPBELL

Acting County Administrative Office and
Ex-Officio Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Approved as to Legal Form and Effect:
RITA L. NEAL
County Counsel

By: /s/ Benjamin Dore
Deputy County Counsel

Dated: November 3, 2023

STATE OF CALIFORNIA) ss.
COUNTY OF SAN LUIS OBISPO)

I, **JOHN NILON**, Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.

Witness, my hand and seal of said Board of Supervisors on December 4, 2023.

REBECCA CAMPBELL

Acting County Administrative Office and
Ex-Officio Clerk of the Board of Supervisors

By: _____
Deputy Clerk