




# **A Request to Advertise Changes to the ULDC Regarding Criteria for Special Exceptions**

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# Background

The Unified Land Development Code (ULDC) provides criteria for approval of special exceptions (Section 402.113). These broad-based criteria are used for approval of any special exception and include factors such as consistency with the Plan, impacts to public health, safety and welfare as well as potential site-specific impacts such as noise, odor, glare, ingress and egress, buffers, utilities and parking. In addition, there are specific approval criteria for certain types of special exceptions found in the ULDC such as farmworker housing, kennels and recreational camps.




# Background

The Board has requested that staff investigate whether additional approval criteria can be developed to aid the Board during the special exception approval process. These approval criteria should assist the Board in considering certain types of special exception applications beyond the general standards found in ULDC Section 402.113.




# Staff Analysis and Proposal

Staff analyzed the various types and numbers of special exception applications. While there are more than 43 different special exception requests that can be made, the actual number of applications heard by the Board is very small (usually 1-2 annually) and centered around 2-3 types (outdoor recreation, lawn services and public utilities). Staff is therefore proposing to develop broad criteria around a number of 'types' found in the ULDC rather than focusing on lengthy criteria for specific uses that may rarely or never be heard by the Board.



# Staff Analysis and Proposal


The resulting ULDC language that has been added to the general criteria already found in Section 402.113 will hopefully aid the Board in the special exception approval process. These broad categories include agriculture, transportation and entertainment and recreation. The specific language can be found in the staff report accompanying this item and is also located in Section 402.113.



# Staff Analysis and Proposal

An example of the proposed language would be for industrial uses:

(6) For Industrial uses including but not limited to Heavy Machinery Sales and Repair, Asphalt Plant, Waste Services and Storage of Hazardous Waste, the Board shall consider environmental justice issues related to the location of the facility within the county, proximity to transportation facilities to serve the proposed use and potential long-term impacts related to closure of the facility.



# Staff Recommendation

Staff recommends that the BoCC direct staff to proceed with advertising the proposed ULDC amendments to the criteria for approval of special exceptions and hold a public hearing to adopt the changes (tentatively scheduled for March 25, 2025)