



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, PLANNING DIRECTOR

February 9, 2006

AGENDA DATE: March 28, 2006

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, CA 95060

SUBJECT: Application # 06-0020 - General Plan Amendment and Rezoning for APN 071-061-01

Members of the Board:

As you may recall, on April 19, 2005, at the request of Supervisor Stone, your Board directed Planning staff to process a General Plan amendment and rezoning for Assessor Parcel Number (APN) 071-061-01 (see Attachment 7). This 9,192 square foot parcel, located at 7354 Highway 9 in Felton (roughly across from San Lorenzo Valley High School), contains one single-family dwelling. It previously had a Suburban Residential (R-S) General Plan designation, but in 2003 (as part of the Highway 9 Corridor Rezoning Study) it was changed to Neighborhood Commercial (C-N). The proposed action would return APN 071-061-01 to its previous residential General Plan designation and rezone the parcel from Neighborhood Commercial (C-1) to Single-Family Residential (R-1-15). This action was considered by the Planning Commission on February 8, 2006, and they unanimously voted to recommend its approval by your Board.

BACKGROUND

Prior to 2003, APN 071-061-01 had a Suburban Residential (R-S) General Plan designation but was zoned Neighborhood Commercial (C-1) due to a previous commercial use in a portion of the house on the property. The structure on the property has been used solely as a single-family dwelling since at least 1988.

In late 2003, your Board approved a number of rezonings and General Plan amendments for properties located along Highway 9 in San Lorenzo Valley. This action resolved a number of inconsistencies between the General Plan and County zoning maps. As part of that effort, it had been planning staffs intention that APN 071-061-01 should retain its R-S General Plan designation and be rezoned from C-1 to R-1-15 (Single-Family Residential, 15,000 sq. ft. minimum lot size). However, at the request of the then-property owner, APN 071-061-01 instead retained its C-1 zoning and was given a Neighborhood Commercial (C-N) General Plan designation. That action caused the existing house on the property to be considered a significantly non-conforming use as defined in the zoning ordinance which, in turn, has resulted in substantial problems for the current owner, as significantly non-conforming residential uses

may not be repaired, remodeled, expanded or reconstructed. Moreover, the property is inappropriate for a commercial use because it does not have direct access to Highway 9, as the driveway enters onto Lazy Woods Road.

REQUIRED FINDINGS

Pursuant to County Code Section 13.10.215, on February 8, 2006 the Planning Commission determined that your Board can make the required rezoning findings. Attachment 3 lists these findings and provides the Commission's rationale for the making of each of them by your Board.

ENVIRONMENTAL REVIEW

This proposed action has undergone environmental review and has been found to not have an environmental impact. Staff has prepared a CEQA Initial Study, which has undergone its 28-day review period. The Planning Commission has recommended certification of the attached CEQA Negative Declaration by your Board.

PLANNING COMMISSION ACTION

On February 8, 2006 the Planning Commission held a public hearing to consider this matter and, based on the findings listed in Attachment 3, adopted a Resolution (Attachment 4) recommending that your Board: (1) adopt a resolution approving the proposed General Plan land use designation amendment of APN 071-061-01 from commercial to residential; (2) adopt the proposed ordinance rezoning this parcel from C-1 to R-1-15, and (3) certify the proposed CEQA Negative Declaration for this action (Attachment 5).

RECOMMENDATION

Because APN 071-061-01 does not have appropriate access off of Highway 9 to serve a commercial use and has been used solely for residential purposes since at least 1988, staff and the Planning Commission believe that the General Plan designation for APN 071-061-01 was inappropriately changed in 2003 to Neighborhood Commercial (C-N). Staff and the Planning Commission believe that instead the previous Suburban Residential (R-S) General Plan designation should have been retained, and that the zoning should be changed to single-family residential (R-1-15) to reflect the current and best use for the property. On February 8, 2006, the Planning Commission unanimously voted to recommend approval this action by your Board.

It is therefore **RECOMMENDED**, based on the rezoning findings (Attachment 3) and recommending resolution (Attachment 4), that your Board take the following actions:

1. Conduct a public hearing.
2. Adopt the attached Resolution (Attachment 1) approving the proposed General Plan amendment changing the land use designation of APN 071-061-01 from Neighborhood Commercial (C-N) to Suburban Residential (R-S).

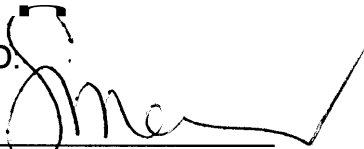
3. Approve the attached Ordinance (Attachment 2) amending Chapter 13.10 of the County Code and rezoning APN 071-061-01 from Neighborhood Commercial (C-1) to the Single Family Residential (R-1-15) zone district.
4. Certify the attached CEQA Negative Declaration (Attachment 5).

Sincerely,



Tom Burns
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Attachments:

1. Resolution Approving Proposed General Plan Amendment
2. Rezoning Ordinance
3. Planning Commission's Required Rezoning Findings
4. Planning Commission Resolution
5. CEQA Initial Study and Negative Declaration
6. Planning Commission Meeting Minutes of February 8, 2006
7. Letter of April 12, 2005 from Supervisor Stone to the Board of Supervisors
8. Location Maps
9. Planning Commission Staff Report

cc: Victor Quiroz

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA**

RESOLUTION NO. _____

On the motion of Supervisor:
Duly seconded by Supervisor:
The following Resolution is adopted:

**RESOLUTION ADOPTING A GENERAL PLAN LAND USE DESIGNATION
AMENDMENT, CHANGING ASSESSORS PARCEL NUMBER 071-061-01
FROM COMMERCIAL TO RESIDENTIAL USE**

WHEREAS, Assessor Parcel Number (APN) 071-061-01, located on Highway 9 in San Lorenzo Valley, previously had a Suburban Residential (R-S) General Plan land use designation, but in 2003, at the behest of the then-landowner, was changed to Neighborhood Commercial (C-N); and

WHEREAS, because APN 071-061-01 does not have appropriate access off of Highway 9 to serve a commercial use and has been used solely for residential purposes since at least 1988, staff believes that the General Plan land use designation change to Neighborhood Commercial (C-N) was erroneous; and

WHEREAS, the General Plan designation of the parcel as "Neighborhood Commercial" has caused the existing house on the property to be considered a non-conforming use in the zoning code which, in turn, has resulted in significant problems for the current owner; and

WHEREAS, on April 19, 2005, at the request of Supervisor Stone, the Board of Supervisors directed Planning staff to process a Board-initiated General Plan amendment and rezoning for Assessor Parcel Number (APN) 071-061-01; and

WHEREAS, the proposed General Plan amendment and rezoning has undergone environmental review and has been found to not have an environmental impact, and a CEQA Negative Declaration has been prepared; and

WHEREAS, on February 8, 2006 the Planning Commission, pursuant to a duly noticed public hearing, and based upon their determination that the attached rezoning findings required by County Code Section 13.10.215 (Exhibit 1-A) can be made by the Board of Supervisors, voted to adopt a Resolution recommending that the Board of Supervisors rezone and amend the General

Plan land use designation of APN 071-061-01 from commercial to residential;
and

WHEREAS, the Board of Supervisors has held a public hearing on this matter and has considered all testimony and evidence received.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors hereby amends the General Plan land use designation of APN 071-061-01, changing it from "Neighborhood Commercial" to "Suburban Residential"(see Exhibit 1-A), as a part of the first round of 2006 General Plan Amendments and certifies the proposed CEQA Negative Declaration for this action.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 28th day of March, 2006 by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:

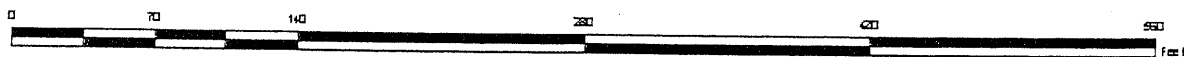
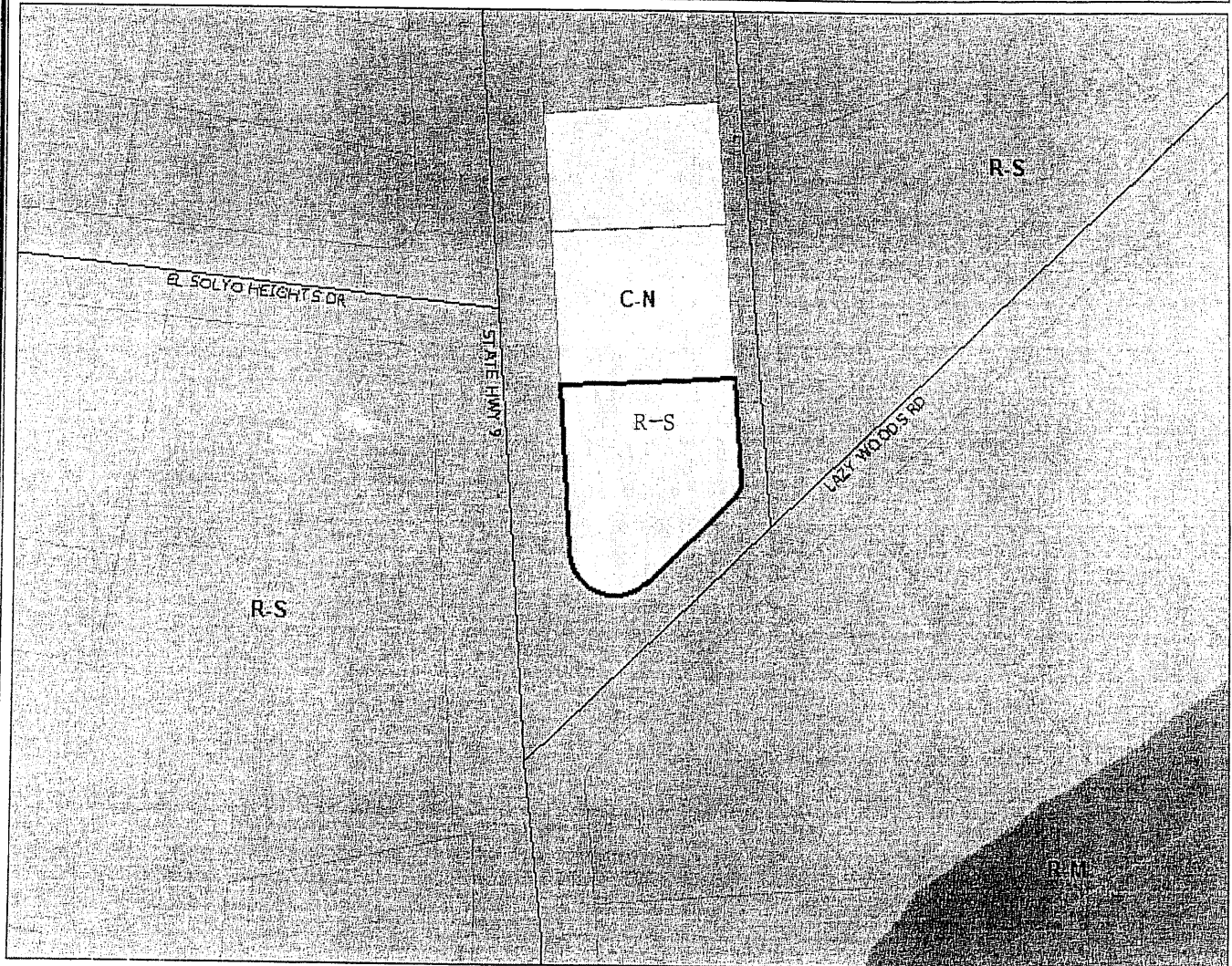

COUNTY COUNSEL

Exhibits: I-A. General Plan Amendment Map

DISTRIBUTION: County Counsel
Planning Dept.
Assessors Office
County GIS

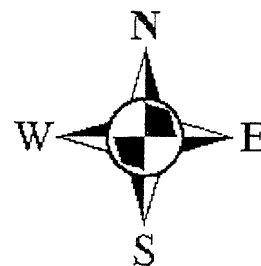
General Plan Designation Map

0000368



Legend

- APN 071-061-01
- Assessors Parcels
- State Highways
- Streets
- Commercial-Neighborhood (C-N)
- Residential-Suburban (R-S)
- Residential-Mountain (R-M)



Map Created by
County of Santa Cruz
Planning Department
November 2005

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13.10
OF THE SANTA CRUZ COUNTY CODE
CHANGING THE ZONING DESIGNATION OF APN 071-061-01 FROM
NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT TO SINGLE-FAMILY
RESIDENTIAL (R-1-15) DISTRICT**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan regarding the property located on the northeast corner of the intersection of State Highway 9 and Lazy Woods Road in Felton (APN 071-061-01); finds that the zoning established herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that all environmental regulations specified in the California Environmental Quality Act, the State and County Environmental Guidelines, and Chapter 16 of the County Code have been complied with by the preparation and approval of a Negative Declaration for the project.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Zoning Plan Amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
3. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district.

SECTION III

Chapter 13.10, Zoning Regulations of the Santa Cruz County Code is hereby amended by amending the County Zoning Plan to change the following properties from the existing zone district to the new zone district as depicted in Exhibit A and as follows:

Assessor's Parcel Number

Existing Zone District

New Zone District

071-061-01

C-1

R-1-15

SECTION IV

This ordinance shall take effect on the 3^{1st} day after the date of final passage.


PASSED AND ADOPTED THIS _____ day of _____ 2006, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM:

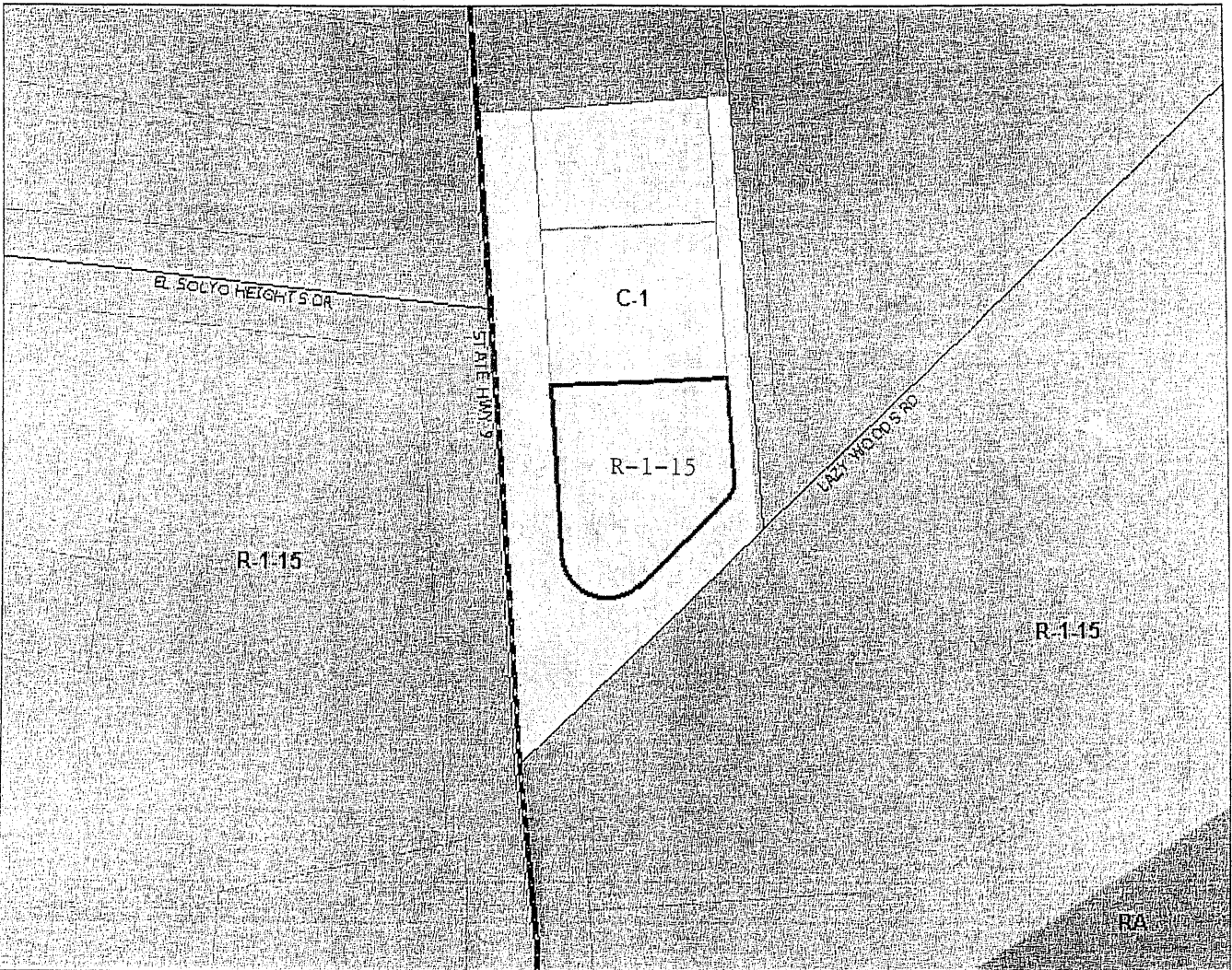


Assistant County Counsel







Exhibit A: Zoning Map with Proposed New Zoning Designation

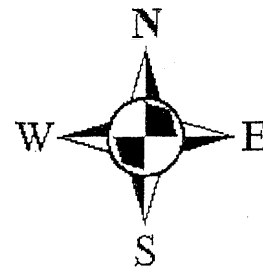
DISTRIBUTION: County Counsel
Planning Dept.
Assessors Office
County GIS

Zoning Map



Legend

-  APN 071-081-01
-  Assessors Parcels
-  Streets
-  State Highways
-  COMMERCIAL-NEIGHBORHOOD (C-1)
-  RESIDENTIAL-SINGLEFAMILY (A-1)
-  AGRICULTURE RESIDENTIAL(RA)



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County of Santa Cruz
Planning Department
November 2005

ATTACHMENT 3**Rezoning Findings**

as

Required Under County Code Section 13.10.215

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land-use designations of the adopted General Plan; and

This finding can be made because the General Plan land use designation of the subject parcel (APN 071-061-01) is being changed from Neighborhood Commercial (C-N) to Suburban Residential (R-S) to reflect the existing and best use of the parcel, thus the proposed rezoning from Neighborhood Commercial (C-I) to Single-family Residential (R-1-15) will be consistent with the new General Plan land use designation.

2. The proposed zone district is appropriate of the level of utilities and community service available to the land; and

This finding can be made because the level of utilities and community service available to the subject parcel is appropriate for the existing residential use, is a lower level than that required of a commercial use, and thus it is appropriate to rezone it from C-1 to R-1-15.

3. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district.

This finding can be made because since at least 1988 the house on the subject parcel has been used solely for residential purposes. Prior to that, part of the dwelling had been used for a commercial enterprise, despite the fact that the parcel does not have adequate access from Highway 9, thus making it inappropriate for commercial use.

**BEFORE THE PLANNING COMMISSION OF THE
COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA**

RESOLUTION NO. 01-06

On the motion of Commissioner: **Shepherd**

Duly seconded by Commissioner: **Durkee**

The following Resolution is adopted:

**RESOLUTION RECOMMENDING BOARD OF SUPERVISORS ADOPTION OF
A GENERAL PLAN LAND USE DESIGNATION AMENDMENT, CHANGING
ASSESSORS PARCEL NUMBER 071-061-01 FROM NEIGHBORHOOD
COMMERCIAL TO SUBURBAN RESIDENTIAL USE, AND ASSOCIATED
REZONING FROM COMMERCIAL (C-1) TO RESIDENTIAL (R-1-15)**

WHEREAS, Assessor Parcel Number (APN) 071-061-01, located on Highway 9 in San Lorenzo Valley and depicted in Attachments 1 and 2, previously had a Suburban Residential (R-S) General Plan land use designation, but in 2003, at the behest of the then-landowner, was changed to Neighborhood Commercial (C-N); and

WHEREAS, because APN 071-061-01 does not have appropriate access off of Highway 9 to serve a commercial use and has been used solely for residential purposes since at least 1988, that the General Plan land use designation change to Neighborhood Commercial (C-N) was inappropriate; and

WHEREAS, the General Plan designation of the parcel as "Neighborhood Commercial" has caused the existing house on the property to be considered a significantly non-conforming use which has restricted the ability of the property owner to repair, remodel, expand or reconstruct the house; and

WHEREAS, on April 19, 2005, at the request of Supervisor Stone, the Board of Supervisors directed Planning staff to process a Board-initiated General Plan amendment and rezoning for Assessor Parcel Number (APN) 071-061-01; and


WHEREAS, the proposed General Plan amendment and rezoning has undergone environmental review and has been found to not have an environmental impact, and a CEQA Negative Declaration has been prepared.

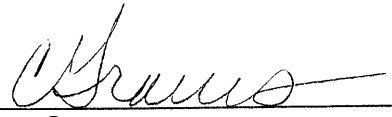
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based upon the attached rezoning findings required by County Code Section 13.10.215, recommends that the Board of Supervisors: (1) amend the General Plan land use designation of APN 071-061-01 changing it from "Neighborhood Commercial" to "Suburban Residential"; (2) adopt the proposed Ordinance

rezoning the subject parcel from C-1 to R-1-15; and (3) certify the CEQA Negative Declaration for these actions.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 8th day of ~~February~~, 2006 by the following vote:

AYES: COMMISSIONERS Durkee, Holbert, Osmer, Shepherd
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS Bremner
ABSTAIN: COMMISSIONERS


Chairperson

ATTEST: 
Secretary

APPROVED AS TO FORM:


COUNTY COUNSEL

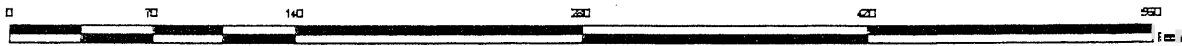
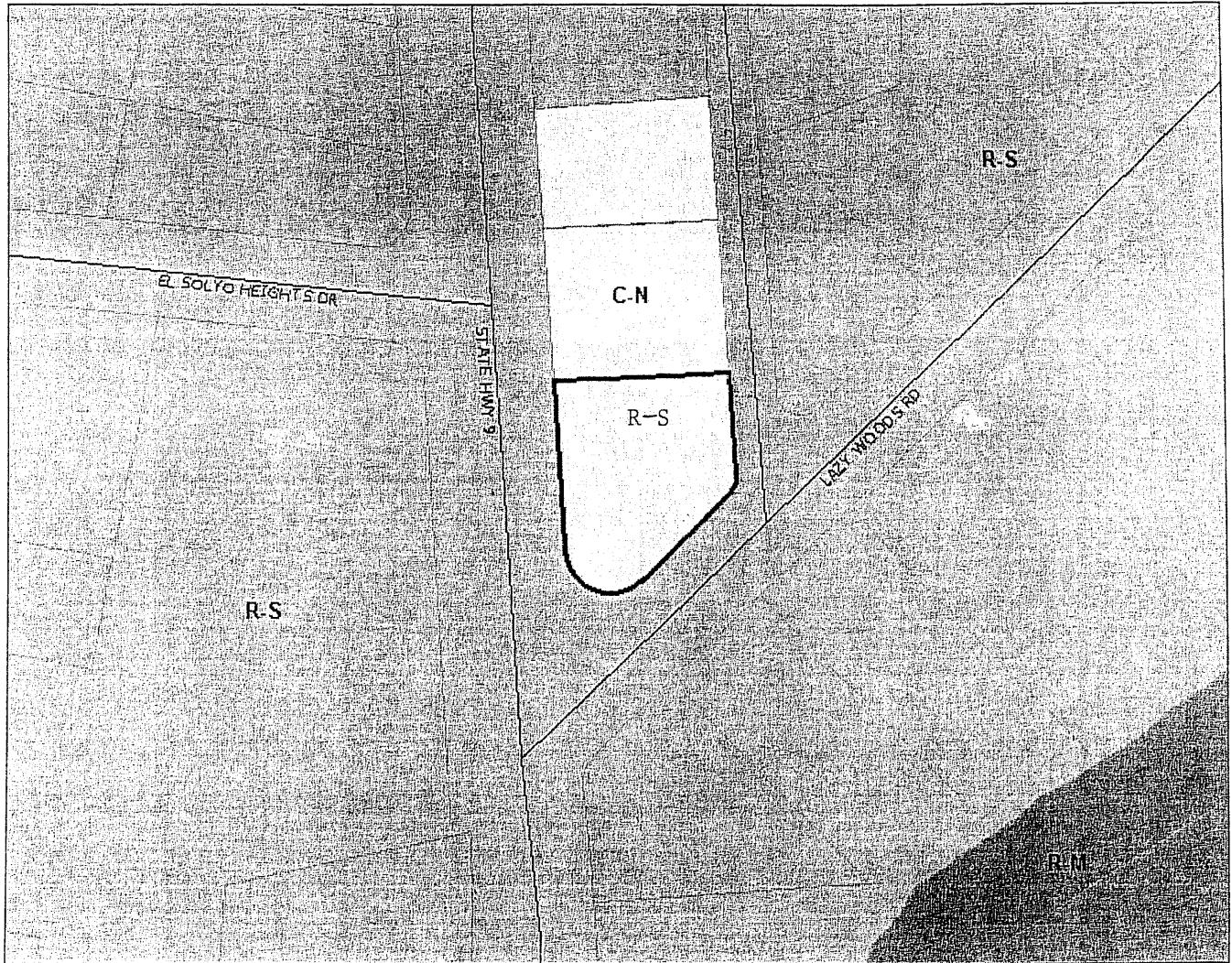
Attachments:

1. General Plan Map with Proposed New Land Use Designation
2. Zoning Map with Proposed New Zoning Designation

DISTRIBUTION: County Counsel
Planning Dept.

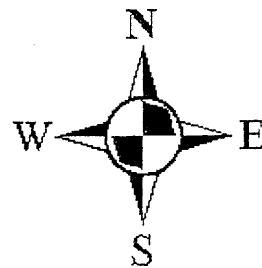


General Plan Designation Map



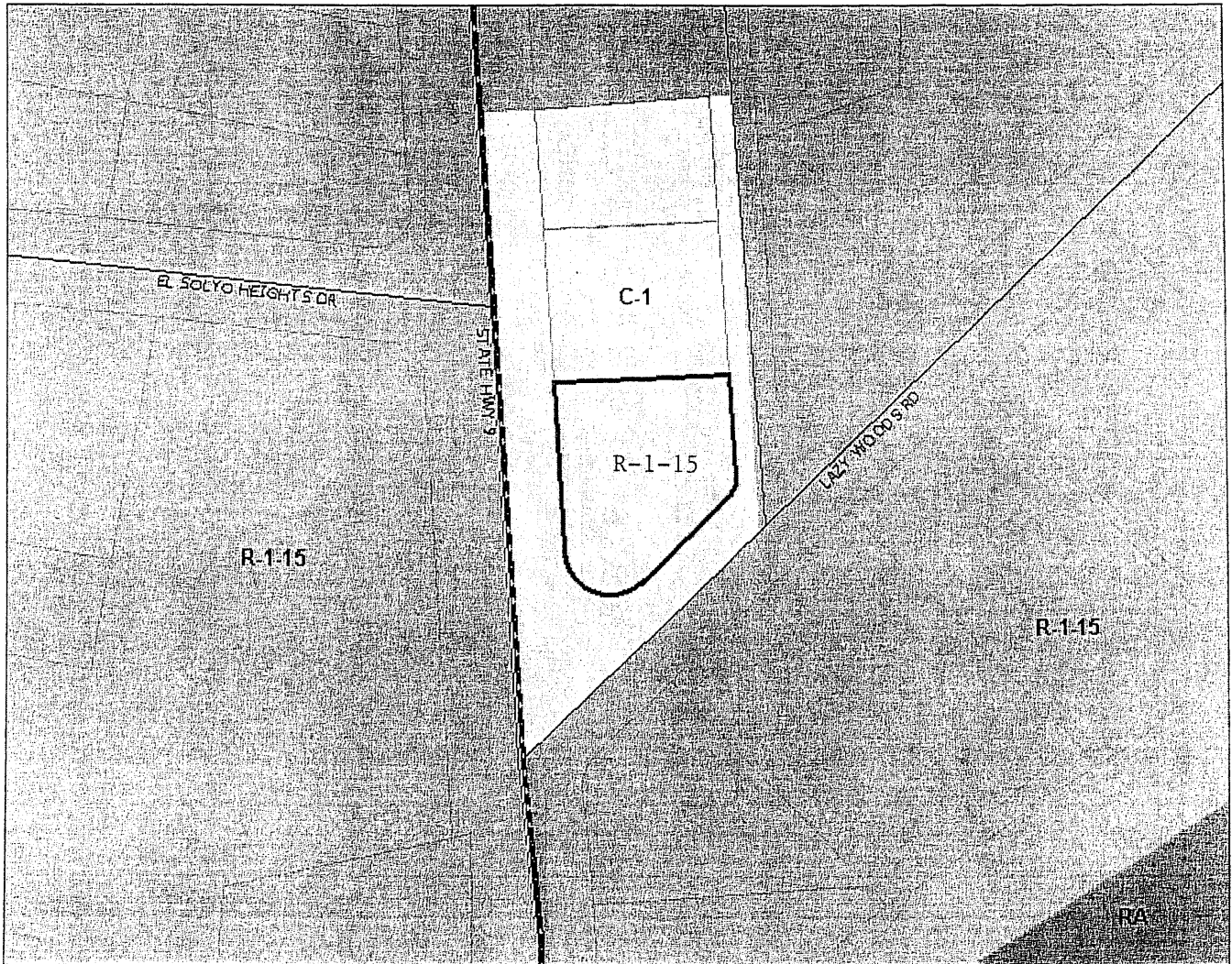
Legend

- APN 071-061-01
- Assessors Parcels
- State Highways
- Streets
- Commercial-Neighborhood (C-N)
- Residential-Suburban (R-S)
- Residential-Mountain (R-M)










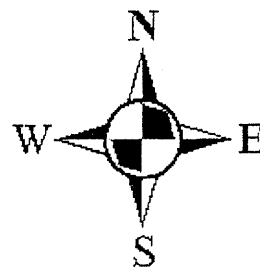
Map Created by
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November 2005

Zoning Map



Legend

-  APN 071-061-01
-  Assessors Parcels
-  Streets
-  State Highways
-  COMMERCIAL-NEIGHBORHOOD (C-1)
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  AGRICULTURE RESIDENTIAL (RA)



Map Created by
County of Santa Cruz
Planning Department
November 2005



COUNTY OF SANTACRUZ 0000377

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
 (831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
 TOM BURNS, PLANNING DIRECTOR

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: Victor M. Quiroz

APPLICATION NO.: NIA (Quiroz Property Rezoning)

APN: 071-061-01

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration
 (Your project will not have a significant impact on the environment.)

_____ Mitigations will be attached to the Negative Declaration.

XX No mitigations will be attached.

_____ Environmental Impact Report
 (Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Paia Levine, Environmental Coordinator at (831) 454-3178, if you wish to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: **January 20, 2006**

Frank Barron
 Staff Planner

Phone: 454-2530

Date: December 14, 2005

ENVIRONMENTAL REVIEW
INITIAL STUDY

APPLICANT: Victor M. Quiroz
SUPERVISORAL DISTRICT: 5th
OWNER: Victor M. Quiroz
APPLICATION NO: N/A
LOCATION: 7354 Highway 9

APN: 071-061-01

EXISTING SITE CONDITIONS

Parcel Size: 9,192 sq. ft.
Existing Land Use: Non-conforming single family residence
Vegetation: Redwood forest
Slope: +/-5%
Nearby Watercourse: San Lorenzo River
Distance To: Approx. 300 ft.
Rock/Soil Type: Lompico-Felton Complex, 5-30% Slopes

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

| | |
|---|---|
| Groundwater Supply: None Mapped | Liquefaction: Negligible Potential |
| Water supply Watershed: Yes (San Lorenzo) | Fault Zone: None Mapped |
| Groundwater Recharge: Yes (portion) | Scenic Corridor: None Mapped |
| Timber or Mineral: None Mapped | Historic: None Mapped |
| Agricultural Resource: None Mapped | Archaeology: None Mapped |
| Biologically Sensitive Habitat: Yes (portion) | Noise Constraint: None Mapped |
| Fire Hazard: None Mapped | Electric Power Lines: None |
| Floodplain: No (FEMA Zone C) | 'Solar Access: Adequate |
| Erosion: Negligible Potential | Solar Orientation: Level |
| Landslide: None Mapped | Hazardous Materials: None |

SERVICES

Fire Protection: Felton Fire Dept.
School District: SLVUSD
Sewage Disposal: On septic system

Drainage District: Zone 8
Project Access: Lazy Woods Drive
Water Supply: SLVWD

PLANNING POLICIES

Zone District: C-1
General Plan: Neighborhood Commercial
Urban Services Line: Inside
Coastal Zone: Inside

Special Designation: No

| | |
|--------------|---------|
| <u> X </u> | Outside |
| <u> X </u> | Outside |

PROJECT SUMMARY DESCRIPTION:

Changing the General Plan land use designation and zoning of APN 071-061-01 from commercial to residential.

PROJECT SETTING AND BACKGROUND:

Setting: The project site is located in the northern portion of the San Lorenzo Valley town of Felton, across State Highway 9 from San Lorenzo Valley High School, at the NE intersection of Highway 9 and Lazy Woods Road, and across from the Highway 9 intersection with El Solvo Heights Drive. It is surrounded on the east by single family homes on similarly sized parcels zoned R-1-15 (Single-Family Residential? 15,000 s.f. minimum lot size) and with a R-S (Suburban Residential) General Plan land use designation. Adjacent to the north are two similarly sized parcels, also fronting on Highway 9, that are zoned C-1 (Neighborhood Commercial) and with a C-N (Neighborhood Commercial) General Plan designation.

Natural vegetation in the area is primarily redwood-dominant evergreen forest. The San Lorenzo River and its riparian corridor lie approximately 300-feet to the southeast of the site.

Background: The proposed project involves the change of the General Plan land use designation of the subject property from C-N (Neighborhood Commercial) to R-S (Suburban Residential) and a rezoning from C-1 (Neighborhood Commercial) to R-1-15 (Single-family Residential - 15,000 s.f. minimum lot size). This parcel is zoned commercial despite the fact that it has a (non-conforming) house built upon it and has been used solely as a residence continuously since at least 1988. As part of a 2003 Planning Department effort to rezone non-conforming parcels along Highway 9, this parcel was to be rezoned from C-1 to R-1-15. However, the owner at that time specifically requested that the C-1 zoning be retained, and the Planning Department honored that request.

DETAILED PROJECT DESCRIPTION:

This project consists of a General Plan Amendment for APN 071-061-01, located at 7354 Highway 9 in Felton (at the NE of intersection of Hwy. 9 and Lazy Woods Rd.), that would change the General Plan land use designation from Neighborhood Commercial (C-N) to Suburban Residential (R-S), and a rezoning of the parcel from Neighborhood Commercial (C-1) to Single Family Residential - 1,500 sq. ft. minimum lot size (R-1-15). This change is consistent with the current solely residential use of the property (i.e., a single family dwelling). The site is 9,192 s.f. in size and has no frontage access to Highway 9, making it an inappropriate site for a commercial use.

DISCUSSION:

The subject property is used as a residence despite its commercial-zoning designation. As such, the proposed rezoning and General Plan land use designation change to residential would not

result in any new environmental impacts. However, if the current commercial designation is retained, it is possible that a commercial use could occur on the site in the future. **Any** future use of the subject parcel that is consistent with the commercial designation would likely result in an intensification of the use, and perhaps of environmental impacts as well. For example, commercial uses generally generate a greater number of vehicle trips than residential uses, have higher water use rates, create more impervious surfaces that restrict groundwater recharge and increase runoff, and create greater loads on sanitary systems. Rezoning to **a** residential designation will, therefore, in general either be benign relative to potential environmental impacts, or create environmental benefit. Specific potential impacts are discussed in the body of the checklist.

Significant
Or
Potentially
Significant
ImpactLess than
Significant
with
Mitigation
IncorporationLess than
Significant
Impact

Not Applicable

ENVIRONMENTAL REVIEW CHECKLIST**A. Geology and Soils**

Does the project have the potential to:

1. Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving:

- a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or as identified by other substantial evidence?

_____ _____ _____ X

All of Santa Cruz County is subject to some hazard from earthquakes. However, the proposed project would not involve in any change to the existing use of the property and would limit the future use to residential rather than commercial. This will tend to lessen the exposure of people to geologic and/or geotechnic hazards.

- b. Seismic ground shaking?

_____ _____ _____ X

See comment A-1-a.

- c. Seismic-related ground failure, including liquefaction?

_____ _____ _____ X

See comment A-1-a.

- d. Landslides?

_____ _____ _____ X

See comment A-1-a.

2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?

_____ _____ _____ X

See comment A-1-a.

| Significant or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

3. Develop land with a slope exceeding 30%? _____ X

The proposed development will not be located in areas exceeding 30% slope.

4. Result in soil erosion or the substantial loss of topsoil? _____ X

Since the proposed project would not involve in any change to the existing use of the property or any additional ground disturbance, no additional erosion from the site shall be created.

5. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to property? _____ X

The project site's soil type (Lompico-Felton complex) is not considered an expansive soil type.

6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative wastewater disposal systems? _____ X

Since the proposed project would not involve in any change to the existing use of the property or the installation of any new septic systems, and residential uses create smaller septic loads than commercial uses, there will be no new septic system-related impacts created by the project.

7. Result in coastal cliff erosion? _____ X

Project site is not located adjacent to, or otherwise near, a coastal cliff.

B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

1. Place development within a 100-year flood hazard area? _____ X

Project site is not located within a floodway or the 100-year floodplain.

2. Place development within the floodway resulting in impedance or redirection of flood flows? _____ X

Environmental Review initial Study
Page 6

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

See comment B-1.

3. Be inundated by a seiche or tsunami? _____ X

The subject parcel is not located in a potential tsunami inundation zone.

4. Deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table? _____ X

The subject property is partially within a mapped ground-water recharge area. The area is served by the San Lorenzo Valley Water District (SLVWD). Since the proposed project would not involve in any change to the existing use of the property or any additional water use, and residential uses generally create less impermeable surface than commercial uses do, there should be no water supply or groundwater recharge impacts from the project.

5. Degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). _____ X

See comment B-4. No commercial or industrial activities are proposed that would generate a significant amount of contaminants to a public or private water supply.

6. Degrade septic system functioning? _____ X

See comment A-6. The proposed project will not include the installation of any additional septic systems at the proposed building site.

7. Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which could result in flooding, erosion, or siltation on or off-site? _____ X

The existing drainage pattern will not be altered by the proposed project. All runoff will be collected and discharged into the same drainage area that the project site has drained to prior to the proposed project. Further, the change in zoning makes new impervious surfaces less likely.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
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|---|---|------------------------------------|----------------|

8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See comment B-7.

9. Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See comment B-7.

10. Otherwise substantially degrade water supply or quality?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

C. Biological Resources

Does the project have the potential to:

1. Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The subject property is partially in a mapped biotic resource area (for Santa **Cruz** manzanita). However, since the proposed project would not involve in any change to the existing use or **area** of disturbance of the property, no biotic resource impacts shall be created by the project.

2. Have an adverse effect on a sensitive biotic community (riparian corridor, wetland, native grassland, special forests, inter-tidal zone, etc.)?

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

See comment C-1.

3. Interfere with the movement of any native resident or migratory fish or

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
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wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites?

The project does not propose any activity that will otherwise restrict or interfere with movement of migratory fish or wildlife species.

4. Produce nighttime lighting that will illuminate animal habitats?

_____ X

Exterior lighting on the proposed project will not result in a significant impact to any animal habitat.

5. Make a significant contribution to the reduction of the number of species of plants or animals?

_____ X

See comment C-1.

6. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6 inch diameters or greater)?

_____ X

See comment C-1. No trees are proposed to be removed as a part of this project.

7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

_____ X

There are no conservation plans or biotic conservation easements in effect or planned in the project vicinity.

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Not Applicable

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D. Energy and Natural Resources

Does the project have the potential to:

1. Affect or be affected by land designated as "Timber Resources" by the General Plan?

_____ _____ _____ X

The project site does not contain any designated timber resources, nor is it adjacent to timber resource land.

2. Affect or be affected by lands currently utilized for agriculture, or designated in the General Plan for agricultural use?

_____ _____ _____ X

The project site does not contain any designated agricultural resources, nor is it adjacent to agricultural resource land.

3. Encourage activities that result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?

_____ _____ _____ X

The project will not involve the use of large amounts of **fuel**, water, and energy, or the use of these resources in a wasteful manner.

4. Have a Substantial effect on the potential use, extraction, or depletion of a natural resource (Le., minerals or energy resources)?

_____ _____ _____ X

The project will not include or require the substantial extraction or consumption of minerals, energy resources, or other natural resources.

E. Visual Resources and Aesthetics

Does the project have the potential to:

1. Have an adverse effect on a scenic resource, including visual obstruction of that resource?

_____ _____ X _____

While the parcel fronts on Highway 9, a scenic highway, the project does not propose any activity that will obstruct or otherwise degrade the scenic corridor. In general, residential uses create less visual impact than commercial uses.

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2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings?

_____ X _____

See comment E-1.

3. Degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridge line?

_____ X _____

The proposed development will not create any change in topography or otherwise alter any significant natural features. See also E-1.

4. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

_____ X _____

The amount of light associated with the development will not be increased over existing conditions and will not degrade nighttime views. Residential development generally creates less light and glare than commercial development.

5. Destroy, cover, or modify any unique geologic or physical feature?

_____ X _____

There are no unique geological features on or adjacent to the site that would be destroyed, modified or covered by the project.

F. Cultural Resources

Does the project have the potential to:

1. Cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines 15064.5?

_____ X _____

No designated historical resources are present on the project site. Five Native American tribes were contacted regarding tribal consultation opportunities, as required by state law, and no request for consultation was received.

| | | | |
|---|---|------------------------------------|----------------|
| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
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2. Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

No archaeological resources have been identified on the project site.

3. Disturb any human remains, including those interred outside of formal cemeteries?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The presence of human remains has not been identified on the project site.

4. Directly or indirectly destroy a unique paleontological resource or site?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

No paleontological resources have been identified on the project site.

G. Hazards and Hazardous Materials

Does the project have the potential to:

1. Create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials, not including gasoline or other motor fuels?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The proposed project will not involve handling or storage of hazardous materials. It is **less** likely for significant quantities of hazamats to be associated with residential development than with commercial development.

2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would *it* create a significant hazard to the public or the environment?

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

The project site is not listed as a known hazardous materials site.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

3. Create a safety hazard for people residing or working in the project area as a result of dangers from aircraft using a public or private airport located within two miles of the project site? _____ X

The parcel and the project are not located within the Airport Clear Zones and safety hazards for people residing in the project area are low.

4. Expose people to electro-magnetic fields associated with electrical transmission lines? _____ X

There are no high-voltage transmission lines on the project site.

5. Create a potential fire hazard? _____ X

The proposed project would not involve any change to the existing use of the property. No new potential fire hazards would be created by the project.

6. Release bio-engineered organisms or chemicals into the air outside of project buildings? _____ X

The project will not involve processes which could result in the release of bio-engineered organisms or chemical agents.

H. Transportation/Traffic

Does the project have the potential to:

- I. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? _____ X

Because the proposed project would not involve any change to the existing use of the property, no additional traffic shall be generated by the project. Further, residential use generates less traffic than commercial uses.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

2. Cause an increase in parking demand which cannot be accommodated by existing parking facilities?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

Adequate parking exists on the project site. Because the proposed project would not involve in any change to the existing use of the property there will be no increase in parking demand. Further, commercial uses require greater amounts of parking areas than do residential uses.

3. Increase hazards to motorists, bicyclists, or pedestrians?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The proposed project will comply with current road design requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians.

4. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the county congestion management agency for designated intersections, roads or highways?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See comment H-1.

I. Noise

Does the project have the potential to:

1. Generate a permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

Because the proposed project would not involve any change to the existing use of the property, there will be no increase in noise levels. Further, residential uses generate less noise, in general, than do commercial uses.

2. Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

Noise levels at the project site are not anticipated to exceed established standards. See I-1.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

.See Comment I-1.

J. Air Quality

Does the project have the potential to:
(Where available, the significance criteria established by the MBUAPCD may be relied upon to make the following determinations).

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

Because the proposed project would not involve any change to the existing use of the property, there will be no detrimental impact on air quality due to the project. Further, residential uses tend to generate fewer pollutants than commercial development.

2. Conflict with or obstruct implementation of an adopted air quality plan?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See Comment J-1. The proposed project does not include activities that could conflict with or obstruct any adopted air quality plan.

3. Expose sensitive receptors to substantial pollutant concentrations?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See Comment J-1. The proposed project does not include activities that could generate a substantial concentration of pollutants.

4. Create objectionable odors affecting a substantial number of people?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See Comment J-1. The proposed project does not include activities that could emit potentially objectionable odors.

K. Public Services and Utilities

Does the project have the potential to:

1. Result in the need for new or physically altered public facilities, the

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Not Applicable

construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a. Fire protection?

X

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on fire protection services due to the project.

b. Police protection?

X

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on police protection services due to the project.

c. Schools?

x

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on area schools due to the project.

d. Parks or other recreational activities?

 Σ

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on parks or recreational services due to the project.

e. Other public facilities; including the maintenance of roads?

 Σ

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on other public facilities due to the project.

2. Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

3

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on the storm drainage system due to the project. The project will drain to existing drainage facilities, which are adequate to accommodate the volume of runoff generated. Further, residential uses tend to generate less runoff than do commercial uses.

| | | | |
|---|---|------------------------------------|----------------|
| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|

3. Result in the need for construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, and that existing use is served by a septic system, there will be no additional impact on wastewater treatment facilities due to the project.

4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board?

_____ X _____

See Comment K-3.

5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on water supplies due to the project. Further, residential water use tends to be less than commercial water use.

6. Result in inadequate access for fire protection?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no impact on fire protection access due to the project.

7. Make a significant contribution to a cumulative reduction of landfill capacity or ability to properly dispose of refuse?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on landfill capacity due to the project.

8. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?

_____ X _____

The project will not include any activity that would result in a breach of statutes or regulations related to solid waste management.

| | | | |
|---|---|------------------------------------|----------------|
| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|

L. Land Use, Population, and Housing

Does the project have the potential to:

1. Conflict with any policy of the County adopted for the purpose of avoiding or mitigating an environmental effect? _____ X _____

The proposed project does not conflict with any policies adopted for the purpose of avoiding or mitigating an environmental effect.

2. Conflict with any County Code regulation adopted for the purpose of avoiding or mitigating an environmental effect? _____ X _____

The proposed project does not conflict with any regulations adopted for the purpose of avoiding or mitigating an environmental effect.

3. Physically divide an established community? _____ X _____

The project will not include any element that will physically divide an established community.

4. Have a potentially significant growth inducing effect, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, and does not involve extensions of utilities, there will be no direct or indirect growth inducing effects caused by the project. Use of the property will likely be less intense with the change in zoning.

5. Displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, and does not entail a gain in housing units nor will involve demolition of any existing housing units, there will be no population of housing displacement due to the project.

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?

Yes _____ No X

N. Mandatory Findings of Significance

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory?

Yes _____ No X

2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts endure well into the future)

Yes _____ No X

3. Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage)?

Yes _____ No X

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes _____ No X

TECHNICAL REVIEW CHECKLIST

| | <u>REQUIRED</u> | <u>COMPLETED*</u> | <u>N/A</u> |
|---|------------------------|--------------------------|-------------------|
| Agricultural Policy Advisory Commission (APAC) Review | _____ | _____ | <u>X</u> |
| Archaeological Review | _____ | _____ | <u>X</u> |
| Biotic Report/Assessment | _____ | _____ | <u>X</u> |
| Geologic Hazards Assessment (GWA) | _____ | _____ | <u>X</u> |
| Geologic Report | _____ | _____ | <u>X</u> |
| Geotechnical (Soils) Report | _____ | _____ | <u>X</u> |
| Riparian Pre-Site | _____ | _____ | <u>X</u> |
| Septic Lot Check | _____ | _____ | <u>X</u> |
| Other: | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |

*Attach summary and recommendation from completed reviews

List any other technical reports or information sources used in preparation of this initial study:

ENVIRONMENTAL REVIEW ACTION

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

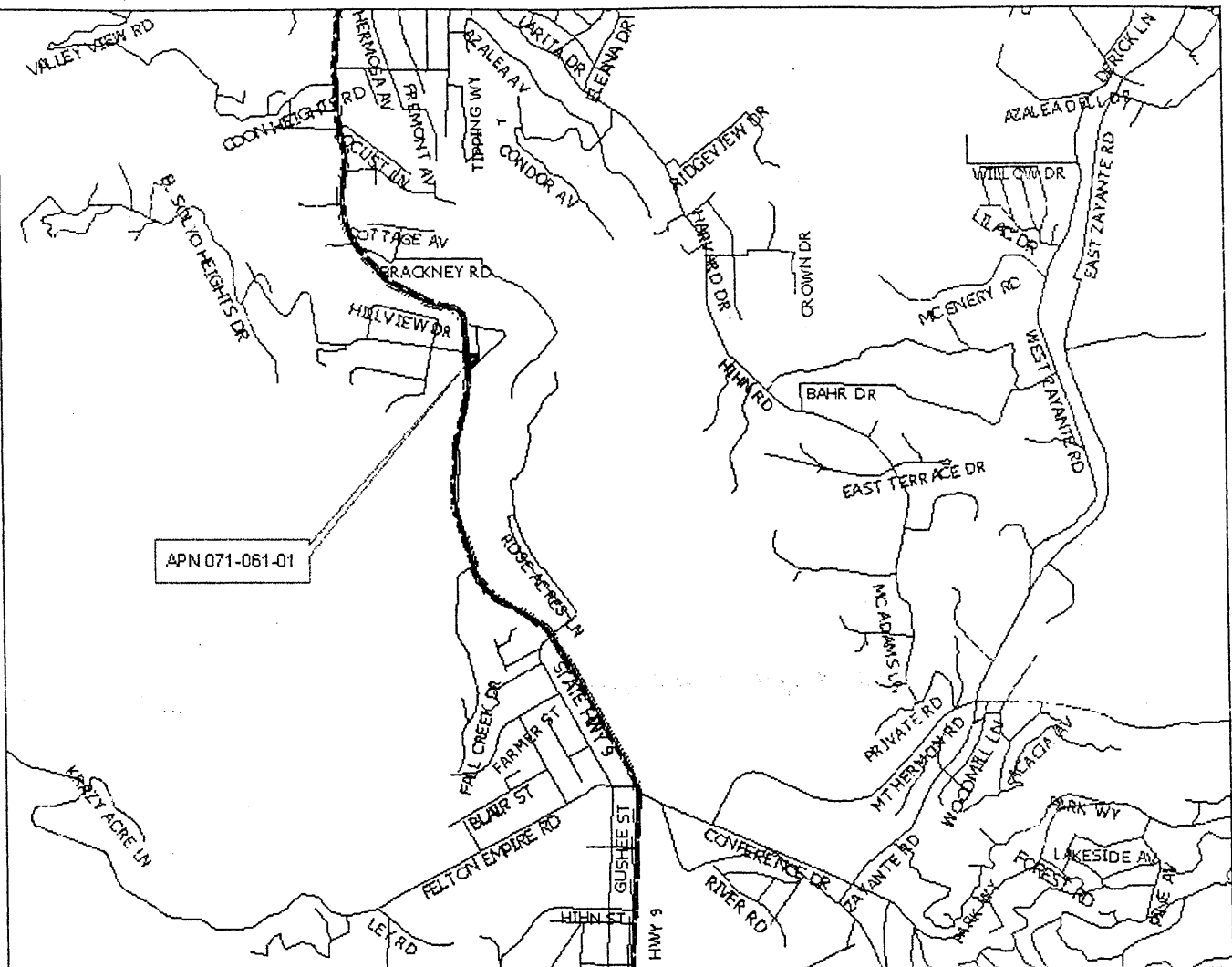
12/16/05
Date


Signature
Paula Levine
For: Ken Hart
Environmental Coordinator




Attachments:

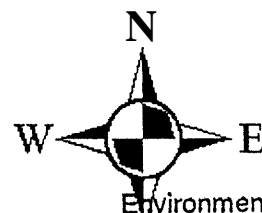
1. Vicinity Map
2. Assessor's Parcel Map
3. Map of Zoning Districts
4. Map of General Plan Designations

Location Map



Legend

-  APN 071-061-01
-  Streets
-  State Highways



Environmental Review initial Study
ATTACHMENT 1
APPLICATION WA (Guioz)
Property Rezoning

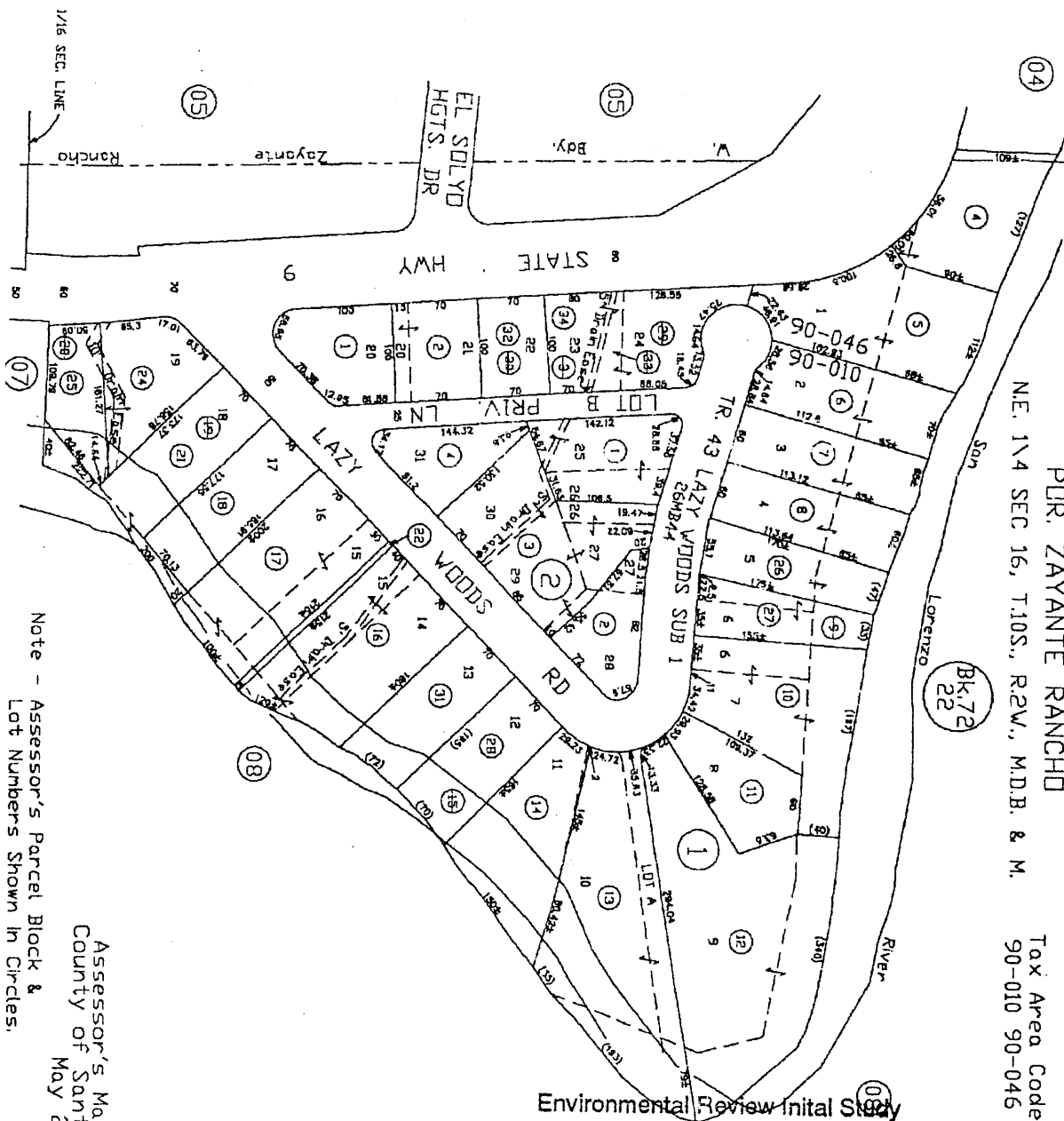
Map Created by
County of Santa Cruz
Planning Department
November 2005

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PER. ZAYANTE RANCHO

NE. 1/4 SEC 16, T.10S., R.2W., M.D.B. & M.

Tax Area Code
90-010 90-046

71-06

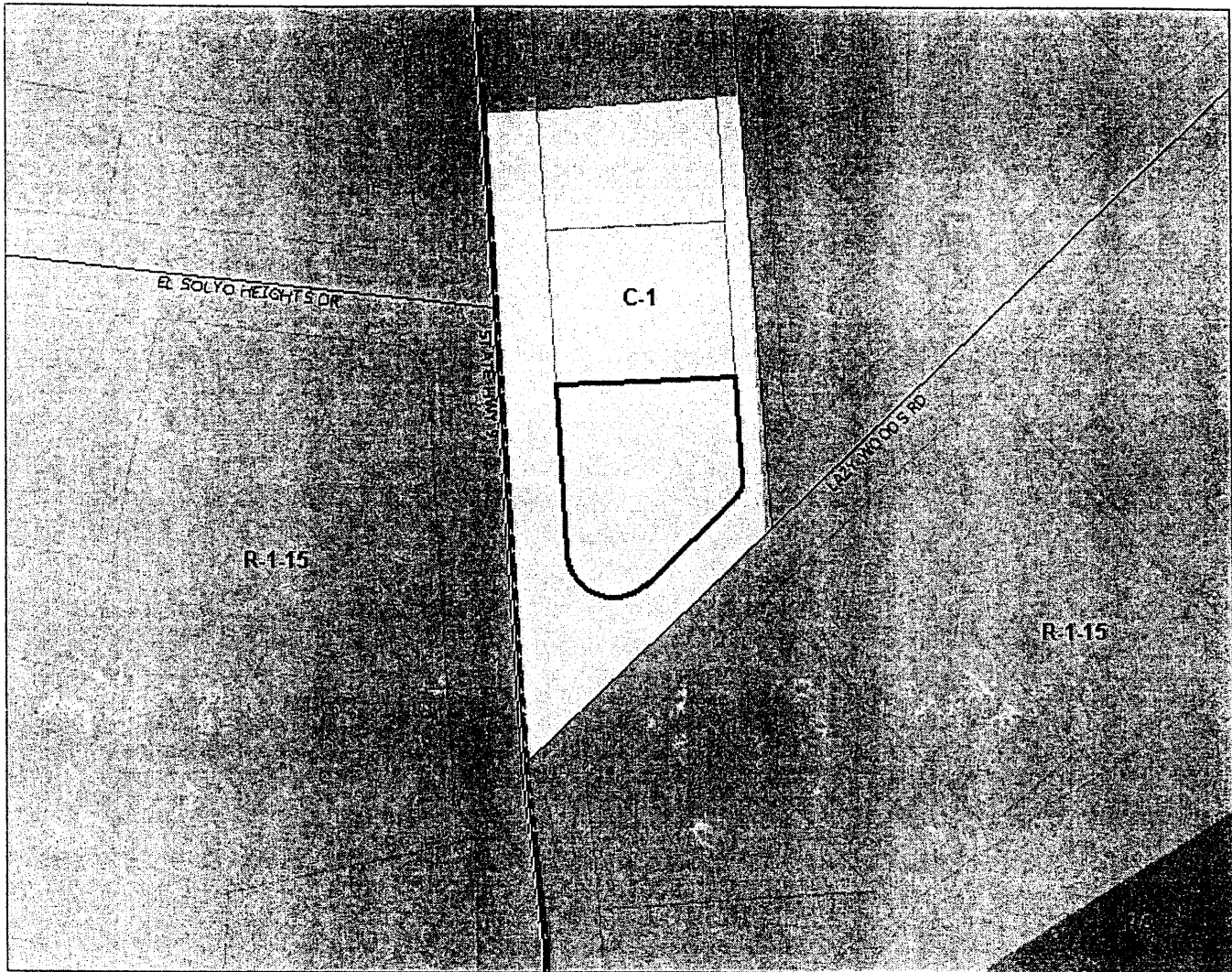
Environmental Review Initial Study

ATTACHMENT 2
APPLICATION *N/A (Quiraz Property Rezoning)*

Assessor's Map No. 71-06
County of Santa Cruz, Calif.
May 2000



Zoning Map



Legend

- APN 071-061-01
- Assessor.; Parcels
- Streets
- State Highways
- COMMERCIAL-NEIGHBORHOOD (C-1)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- AGRICULTURE RESIDENTIAL (RA)

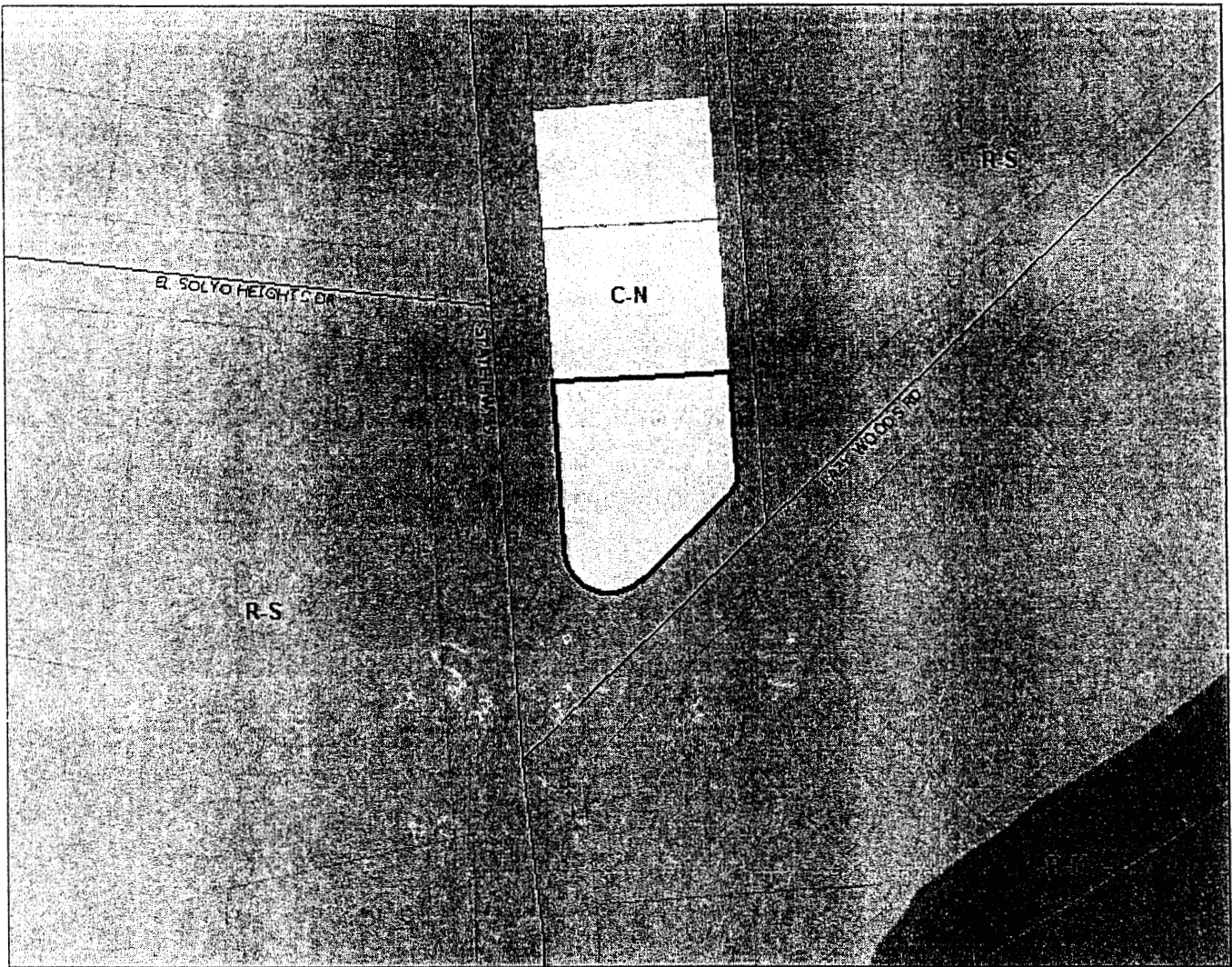


Environmental Review Initial Study
ATTACHMENT 3
APPLICATION *N/A (Quiroz Property Rezoning)*

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General Plan Designation Map



Legend

- APN 071-061-01
- Assessors Parcels
- State Highways
- Streets
- Commercial-Neighborhood (C-N)
- Residential-Suburban (R-S)
- Residential-Mountain (R-M)



Environmental Review Initial Study
ATTACHMENT 4
APPLICATION *U/A (Quiroz Property Rezoning)*

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November 2005

PLANNING COMMISSION MINUTES- 2/08/06

Proceedings of the Santa Cruz County
Planning Commission

Volume 2006, Number 3

February 8, 2006

LOCATION: Board of Supervisors, County Government Center,
701 Ocean Street, Room 525, Santa Cruz, CA 95060

ACTION SUMMARY MINUTES

VOTING KEY

Commissioners: Brenner, Durkee, Vice Chair Holbert, Chair Osmer, Shepherd

Alternate Commissioners: Messer, Hancock, Hummel, Gonzalez, Britton

Commissioners present were Durkee, Vice Chair Holbert, Chair Osmer, and Shepherd.

Commissioner Hancock sat in for Durkee on Item 9.

Commissioner Brenner was absent due to illness.

CONSENT ITEMS

6. APPROVAL OF MINUTES

To approve the minutes of the January 25, 2006 Planning Commission meeting as submitted by the Planning Department.

Approved minutes with the date amended to reflect the hearing occurred on January 25, 2006. Osmer made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

6.1 05-0406 45 CUTTER DR., WATSONVILLE APN(S): 051-701-13

Consider findings for denial on a proposal to construct a garage with a boathouse below, an attached bath, and recognize an existing sheetpile wall. Requires a Residential Development Permit to increase the maximum 1000 square foot size limitation for nonhabitable accessory structures and to maintain a bath within a detached accessory structure and Riparian Exception. Property located on the west side of a 20 foot right of way, about 200 feet north from Cutter Drive at 45 Cutter Drive in Watsonville.

APPELLANT: RICHARD YANDO, ETAL

APPLICANT: RON GORDON

OWNER: JOSEPH AND DOMITILA GUERRERO

SUPERVISORIAL DISTRICT: 4

PROJECT PLANNER: JOAN VAN DER HOEVEN, 454-5174

EMAIL: pln140@co.santa-cruz.ca.us

Continued to February 22, 2006 in order to have five Commissioners for the vote. Osmer made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

CONTINUED ITEMS

7. **04-0294 (**)** **3911 PORTOLA DRIVE, SANTA CRUZ** **APN(S): 032-051-36**
Proposal to remove two structures and to construct an approx. 25,500 square foot mixed-use building: containing one retail/office condominium on the lower level and one office condominium and 17 residential condominium units at the upper level with common area including parking and landscaping. Requires a Commercial Development Permit, a Coastal Development Permit, a Subdivision, a Master Occupancy Program, and a Variance to reduce the required 30 foot rear setback to the residential carports to approximately 5 feet. Property located on the north side of Portola Drive about 150 feet west of 41st Avenue, at 3911 Portola Drive.
OWNEWAPPLICANT: ABBAS HAGHSHENAS
SUPERVISORIAL DISTRICT: 1
PROJECT PLANNER: LARRY KASPAROWITZ, 454-2676
EMAIL: pln795@co.santa-cruz.ca.us

Approved application with amended conditions to include the addition that parking and circulation areas shall be surfaced as shown on the approved exhibit A (II.D.11). Holbert made the motion and Shepherd seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

8. **04-0176** **1815 CHANTICLEER AVENUE, SANTA CRUZ** **APN(S): 029-101-03**
Proposal to divide a parcel into four single-family lots, to construct a two-story single-family home on each new lot and a one-story, 17-foot high detached accessory structure (garage with habitable accessory structure) on proposed Lot 3, and to reduce the required right-of-way and road width from 56 feet and 36 feet to 41 feet and 32 feet respectively, to reduce the required corner radius from 20 feet to 12 feet on the northern corner of the new access road and Chanticleer Avenue, and to construct contiguous (not separated) sidewalks. Requires a Minor Land Division and a Roadway/Roadside Exception Permit. Property located in Live Oak on the west side of Chanticleer Avenue (1815 Chanticleer) at the intersection of Thomas Avenue.
OWNER: GARY & JUDY JONES, TRUSTEES
APPLICANT: STEPHEN GRAVES & ASSOC.
SUPERVISORIAL DISTRICT: 1
PROJECT PLANNER: CATHLEEN CARR, 454-3225
EMAIL: pln716@co.santa-cruz.ca.us

Approved application with amended condition IV.J to require that the applicant/owner shall maintain temporary fencing with dust suppression barrier during construction. Durkee made the motion and Holbert seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

SCHEDULED ITEMS

9. **05-0582** **105,106,118,128, and 142 MAR SERENO DR., APTOS**
APN(S): 039-061-10, -11, -12, -13, & -14
Proposal to modify the grading plans and architectural designs for Lots 2 through 6 of the Mar Sereno subdivision. Requires an amendment to Subdivision 99-0801 and a preliminary grading review. Property located on the northwest corner of Soquel Drive and Haas Drive with access to the subdivision off of Haas Drive.
OWNER: MAR SERENO ESTATES, LLC
APPLICANT: THATCHER THOMPSON, ARCHITECTS
SUPERVISORIAL DIST: 2
PROJECT PLANNER: LARRY KASPAROWITZ, 454-2676
EMAIL: pln795@co.santa-cruz.ca.us

Continued until February 22, 2006 to re-design the homes to be consistent with the original house sizes approved. Holbert made the motion and Shepherd seconded. Voice vote carried 4-0, with ayes from Hancock, Holbert, Osmer, and Shepherd.

10. **04-0472** **4575 DAWN LANE, SOQUEL** **APN(S): 102-221-53**
Proposal to remove 3 existing houses on one parcel and to divide the parcel into 7 new single-family lots of between 6,000 and 9,500 square feet, and seven two-story residences, and to grade about 900 cubic yards of earth. Requires a Subdivision Permit and Preliminary Grading Approval. Located at the end of Dawn Lane about 400 feet west of the intersection of Dawn Lane and Soquel-San Jose Road, at 4575 Dawn Lane, Soquel.
OWNER: LOLETA HEICHEL
APPLICANT: HAMILTON-SWIFT
SUPERVISORIAL DIST: 1
PROJECT PLANNER: CATHLEEN CARR, 454-3225
EMAIL: pln716@co.santa-cruz.ca.us

Continued until March 8, 2006 with the public hearing open. Durkee made the motion and Holbert seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

11. **06-0020** **7354 HWY 9, FELTON** **APN(S): 071-061-01**
Proposal to change the General Plan Designation from Neighborhood Commercial (C-N) to Suburban Residential (R-S) and to change the Zoning Designation from Neighborhood Commercial (C-1) to Single Family Residential (R-1-15) on a 9,192 square foot parcel located at 7354 Highway 9, Felton, which contains one single-family dwelling. Requires a General Plan Amendment and Rezoning.
Property located at the intersection of Highway 9 and Lazy Woods Road, Felton.
OWNER: VICTOR QUIROZ
APPLICANT: COUNTY OF SANTA CRUZ
SUPERVISORIAL DIST: 5
PROJECT PLANNER: FRANK BARRON, 454-2530
EMAIL: pln782@co.santa-cruz.ca.us

Adopted resolution recommending that the Board of Supervisors approve the General Plan amendment and the rezoning. Shepherd made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.

12. **2005 ANNUAL GENERAL PLAN REPORT**
Public hearing to consider the County of Santa Cruz 2005 Annual General Plan Report.
OWNER/APPLICANT: COUNTY OF SANTA CRUZ
SUPERVISORIAL DISTRICT: COUNTY-WIDE
PROJECT PLANNER: GLENDA HILL, 454-3216
EMAIL: pln610@co.santa-cruz.ca.us

Approved staff recommendation to forward the report to the Board of Supervisors. Holbert made the motion and Durkee seconded. Voice vote carried 4-0, with ayes from Durkee, Holbert, Osmer, and Shepherd.



ATTACHMENT 7
County of Santa Cruz 0000405

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

ELLEN PIRIE
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

MARK W. STONE
FIFTH DISTRICT

AGENDA: 4/19/05

April 12, 2005

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Dear Members of the Board:

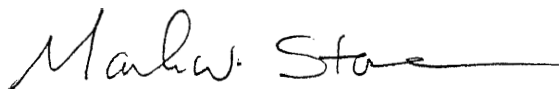
As you are aware, in late 2003, the Board completed a number of rezonings and General Plan amendments for properties along the Highway 9 corridor in the San Lorenzo Valley. That work resolved a number of long-standing problems with regard to General Plan, zoning, and land use consistencies in that area and was well received by the community. It has recently come to my attention, however, that there may be problems with regard to one of the affected properties, APN 071-061-01. As I understand it, this property had its zoning and General Plan designation changed from residential to commercial at the request of the then-property owner. That property has since been sold and it has become apparent that the land use changes are causing significant problems for the current owner as the uses on the property are solely residential in nature.

I have consulted with our Planning Director on how best to resolve this issue and he has suggested that, given the facts, it appears that this General Plan change and rezoning, in spite of it being requested by the property owner, should not have been honored given its inconsistency with the current land uses. He therefore believes that it was processed in error and should be corrected.

BOARD OF SUPERVISORS
April 12, 2005
Page 2

I am therefore requesting that the Board direct Planning staff to process a Board-initiated General Plan amendment and rezoning ~~for~~ this property to return it to its previous residential designation.

Sincerely,



MARK W. STONE, Supervisor
Fifth District

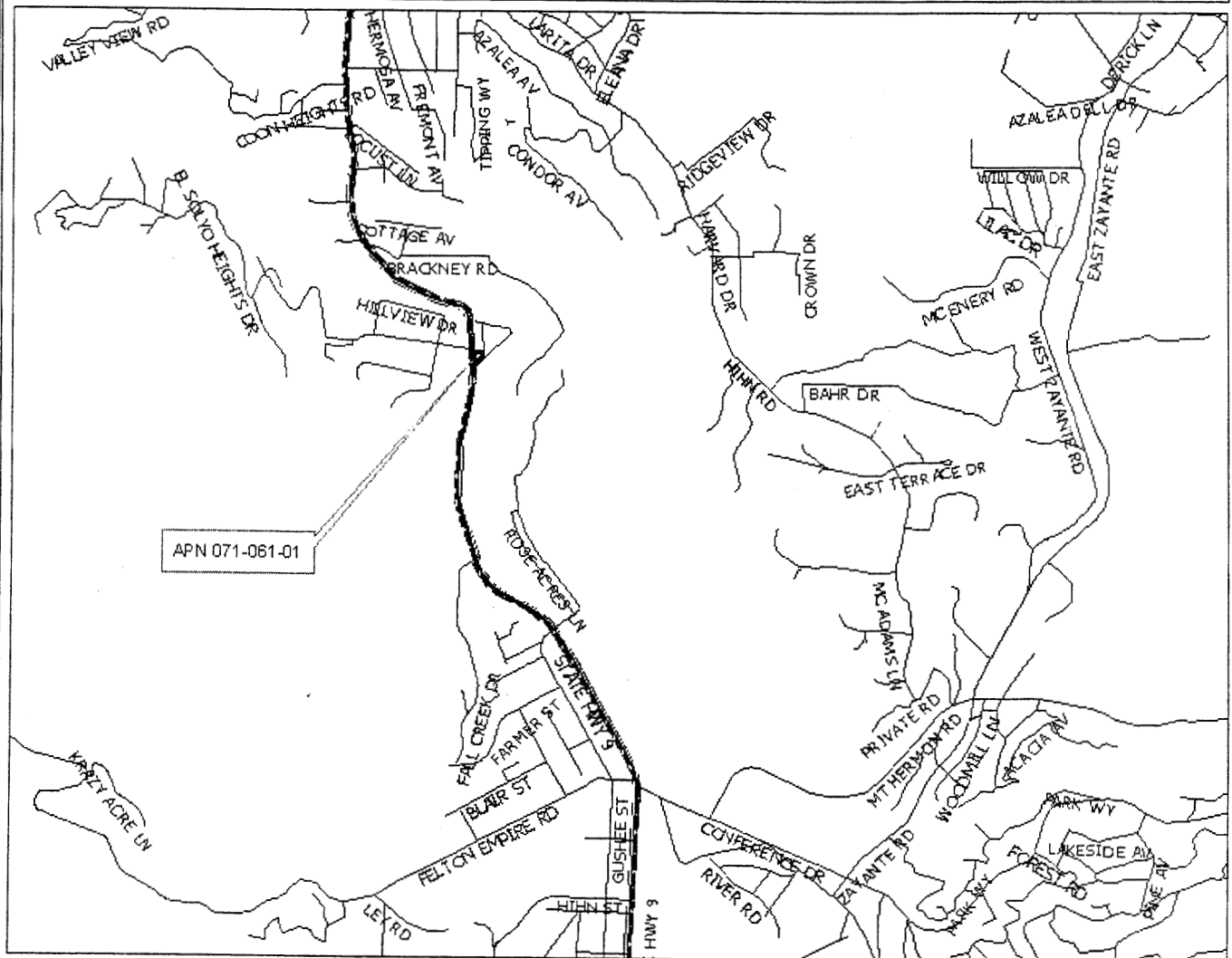
MWS :pmp

cc: Planning

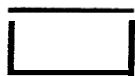


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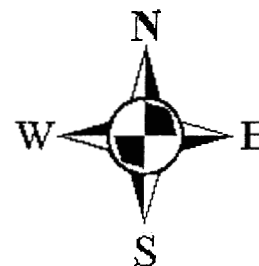


Location Map



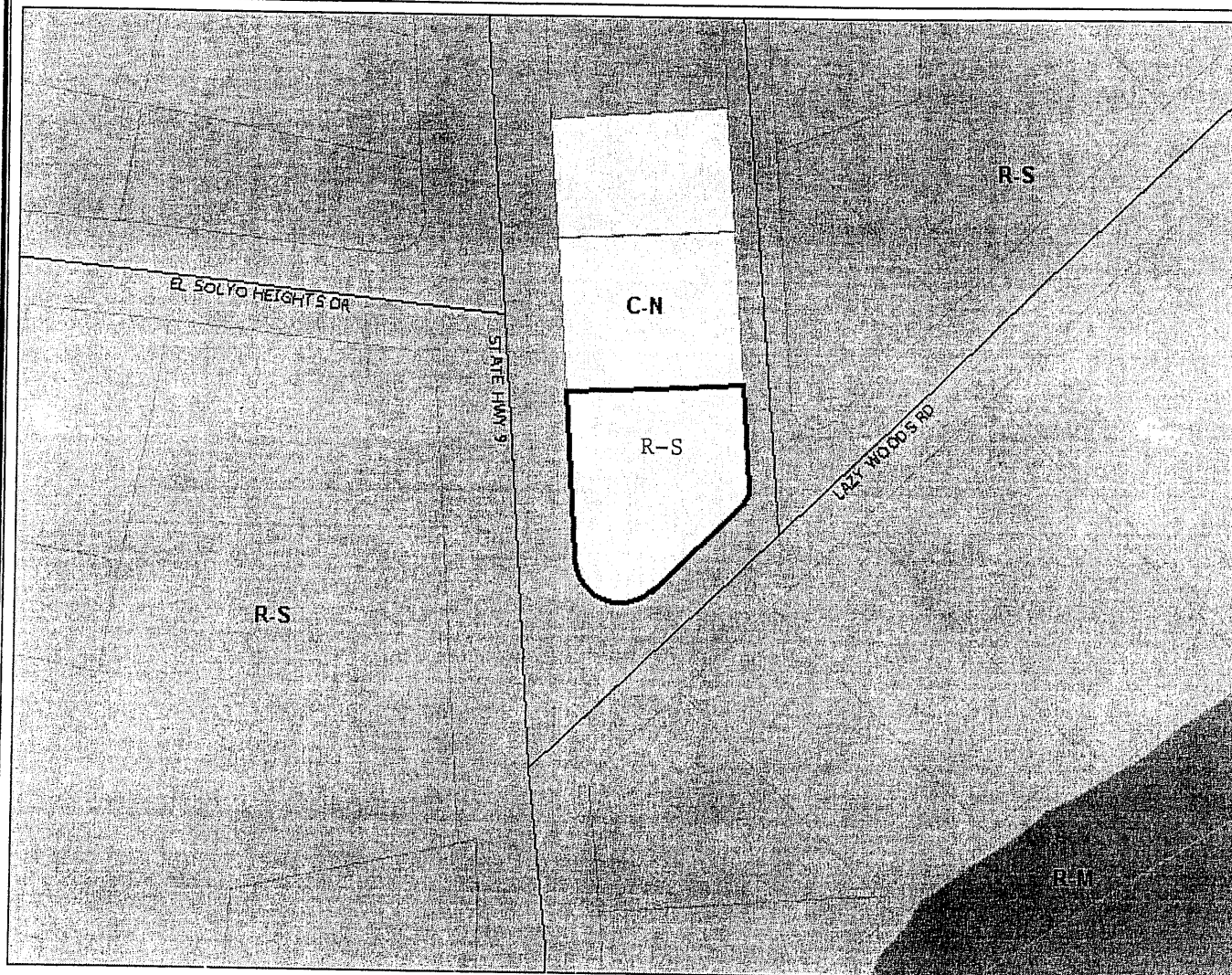
Legend

-  APN 071-061-01
-  Streets
-  State Highways



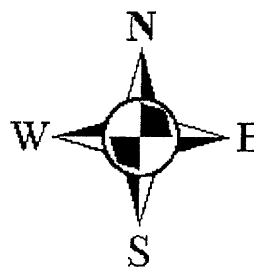
Map Created by
County of Santa Cruz
Planning Department
November 2005

General Plan Designation Map 0000498



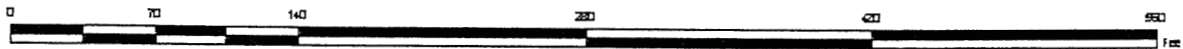
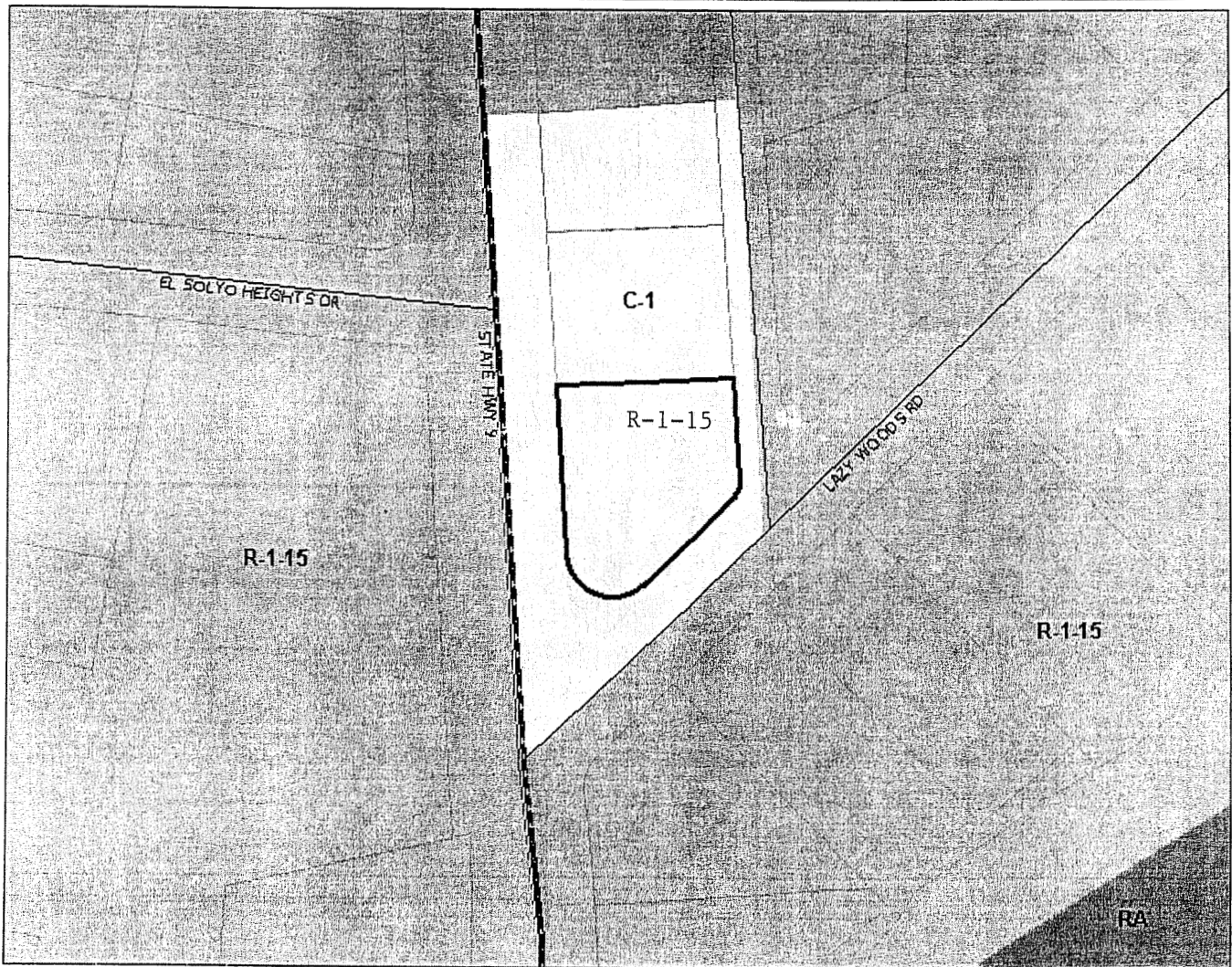
Legend

- APN 071-061-01
- Assessors Parcels
- State Highways
- Streets
- Commercial-Neighborhood (C-N)
- Residential-Suburban (R-S)
- Residential-Mountain (R-M)



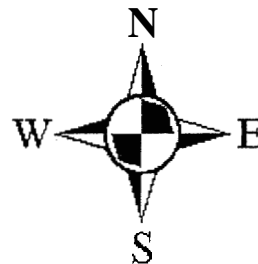
Map Created by
County of Santa Cruz
Planning Department
November 2005

Zoning Map



Legend

- APN 071-061-01
- Assessors Parcels
- Streets
- State Highways
- COMMERCIAL-NEIGHBORHOOD(C-1)
- RESIDENTIAL-SINGLE FAMILY(R-1)
- AGRICULTURE RESIDENTIAL(RA)



Map Created by
County of Santa Cruz
Planning Department
November 2005



COUNTY OF SANTACRUZ

ATTACHMENT 9

0000410

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 Fax: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

January 25, 2006

AGENDA DATE: February 8, 2006

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: Application # 06-0020 - General Plan Amendment and Rezoning for APN 071-061-01

Commissioners:

On April 19, 2005, at the request of Supervisor Stone, the Board of Supervisors directed Planning staff to process a Board-initiated General Plan amendment and rezoning for Assessor Parcel Number (APN) 071-061-01 (see Exhibit E). This 9,192 square foot parcel, located at 7354 Highway 9 in Felton (roughly across from San Lorenzo Valley High School), contains one single-family dwelling. It previously had a Suburban Residential (R-S) General Plan designation, but in 2003 it was changed to Neighborhood Commercial (C-N). The proposed action would return APN 071-061-01 to its previous residential General Plan designation and rezone the parcel from Neighborhood Commercial (C-1) to Single-Family Residential (R-1-15).

BACKGROUND

Prior to 2003, APN 071-061-01 had a Suburban Residential (R-S) General Plan designation but was zoned Neighborhood Commercial (C-1) due to a previous commercial use in a portion of the house on the property. However, the site does not have appropriate access off of Highway 9 to serve a commercial use. Moreover, the structure on the property has been used solely as a single-family dwelling since at least 1988.

In late 2003, the Board of Supervisors approved a number of rezonings and General Plan amendments for properties located along Highway 9 in San Lorenzo Valley. This action resolved a number of inconsistencies between the General Plan and County zoning maps. As part of that effort, it had been planning staffs intention that APN 071-061-01 should retain its R-S General Plan designation and be rezoned from C-1 to R-1-15 (Single-Family Residential, 15,000 sq. ft. minimum lot size). However, at the request of the then-property owner, APN 071-061-01 instead retained its C-1 zoning and was given a Neighborhood Commercial (C-N) General Plan designation. That action caused the existing house on the property to be considered a significantly non-conforming use as defined in the zoning ordinance which, in turn, has resulted in substantial problems for the current owner, as significantly non-conforming residential uses may not be repaired, remodeled, expanded or reconstructed.

Moreover, the property is inappropriate for a commercial use because it does not have direct access to Highway 9, as the driveway enters onto Lazy Woods Drive.

REQUIRED FINDINGS

As required by County Code Section 13.10.215, your Commission must make required findings to recommend approval of the proposed rezoning. Exhibit C lists these findings and provides staffs rationale for the making of each of them.

ENVIRONMENTAL REVIEW

This proposed action has undergone environmental review and has been found to not have an environmental impact. Staff has prepared a CEQA Initial Study, which has undergone its 28-day review period, and is proposing that your Commission recommend Board approval of the attached CEQA Negative Declaration.

RECOMMENDATION

Because APN 071-061-01 does not have appropriate access off of Highway 9 to serve a commercial use and has been used solely for residential purposes since at least 1988, staff believes that the General Plan designation for APN 071-061-01 was inappropriately changed in 2003 to Neighborhood Commercial (C-N). Staff believes that instead the previous Suburban Residential (R-S) General Plan designation should have been retained, and that the zoning should be changed to single-family residential (R-1-15) to reflect the current and best use for the property.

To rectify this situation, staff proposes that your Commission adopt a resolution recommending that the Board of Supervisors change the General Plan land use designation of APN 071-061-01 from Neighborhood Commercial (C-N) back to Suburban Residential (R-S), and change the zoning from Neighborhood Commercial (C-1) to Single-family Residential, 15,000 square-foot minimum lot size (R-1-15).

Your Commission must make the required findings specified in Section 13.10.215 in recommending this zoning change to the Board of Supervisors. Staff recommends that your Commission make these required rezoning findings listed above and explained in Exhibit C.

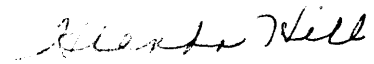
It is therefore **RECOMMENDED**, based on the attached Findings (Exhibit C), that your Commission:

1. Conduct a public hearing; and
2. Adopt the attached Resolution (Exhibit A) recommending Board of Supervisors approval of the proposed General Plan amendment and rezoning, and certification of the proposed CEQA Negative Declaration.

Sincerely,



Frank Barron, AICP
Planner III
Policy Section



Glenda Hill, AICP
Principal Planner
Policy Section

Exhibits:

- A. Resolution Recommending Board of Supervisors Approval
- B. Draft Rezoning Ordinance
- C. Required Rezoning Findings
- D. CEQA Initial Study
- E. CEQA Negative Declaration
- F. Letter of April 12, 2005 from Supervisor Stone to the Board of Supervisors
- G. Location Maps

cc: Victor Quiroz

**BEFORE THE PLANNING COMMISSION OF THE
COUNTY OF SANTA CRUZ,
STATE OF CALIFORNIA**

RESOLUTION NO. _____

On the motion of Commissioner:
Duly seconded by Commissioner:
The following Resolution is adopted:

**RESOLUTION RECOMMENDING BOARD OF SUPERVISORS ADOPTION OF
A GENERAL PLAN LAND USE DESIGNATION AMENDMENT, CHANGING
ASSESSORS PARCEL NUMBER 071-061-01 FROM NEIGHBORHOOD
COMMERCIAL TO SUBURBAN RESIDENTIAL USE, AND ASSOCIATED
REZONING FROM COMMERCIAL (C-I) TO RESIDENTIAL (R-1-15)**

WHEREAS, Assessor Parcel Number (APN) 071-061-01, located on Highway 9 in San Lorenzo Valley and depicted in Attachments 1 and 2, previously had a Suburban Residential (R-S) General Plan land use designation, but in 2003, at the behest of the then-landowner, was changed to Neighborhood Commercial (C-N); and

WHEREAS, because APN 071-061-01 does not have appropriate access off of Highway 9 to serve a commercial use and has been used solely for residential purposes since at least 1988, that the General Plan land use designation change to Neighborhood Commercial (C-N) was inappropriate; and

WHEREAS, the General Plan designation of the parcel as "Neighborhood Commercial" has caused the existing house on the property to be considered a significantly non-conforming use which has restricted the ability of the property owner to repair, remodel, expand or reconstruct the house; and

WHEREAS, on April 19, 2005, at the request of Supervisor Stone, the Board of Supervisors directed Planning staff to process a Board-initiated General Plan amendment and rezoning for Assessor Parcel Number (APN) 071-061-01; and

WHEREAS, the proposed General Plan amendment and rezoning has undergone environmental review and has been found to not have an environmental impact, and a CEQA Negative Declaration has been prepared.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based upon the attached rezoning findings required by County Code Section 13.10.215, recommends that the Board of Supervisors: (1) amend the General Plan land use designation of APN 071-061-01 changing it from "Neighborhood Commercial" to "Suburban Residential"; (2) adopt the proposed Ordinance

rezoning the subject parcel from C-1 to R-1-15; and (3) certify the CEQA Negative Declaration for these actions.

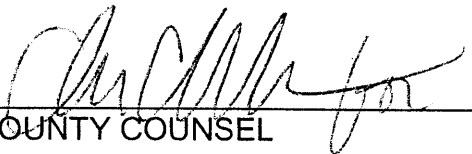
PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 2006 by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Chairperson

ATTEST: _____
Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

Attachments:

1. General Plan Map with Proposed New Land Use Designation
2. Zoning Map with Proposed New Zoning Designation

DISTRIBUTION: County Counsel
Planning Dept.

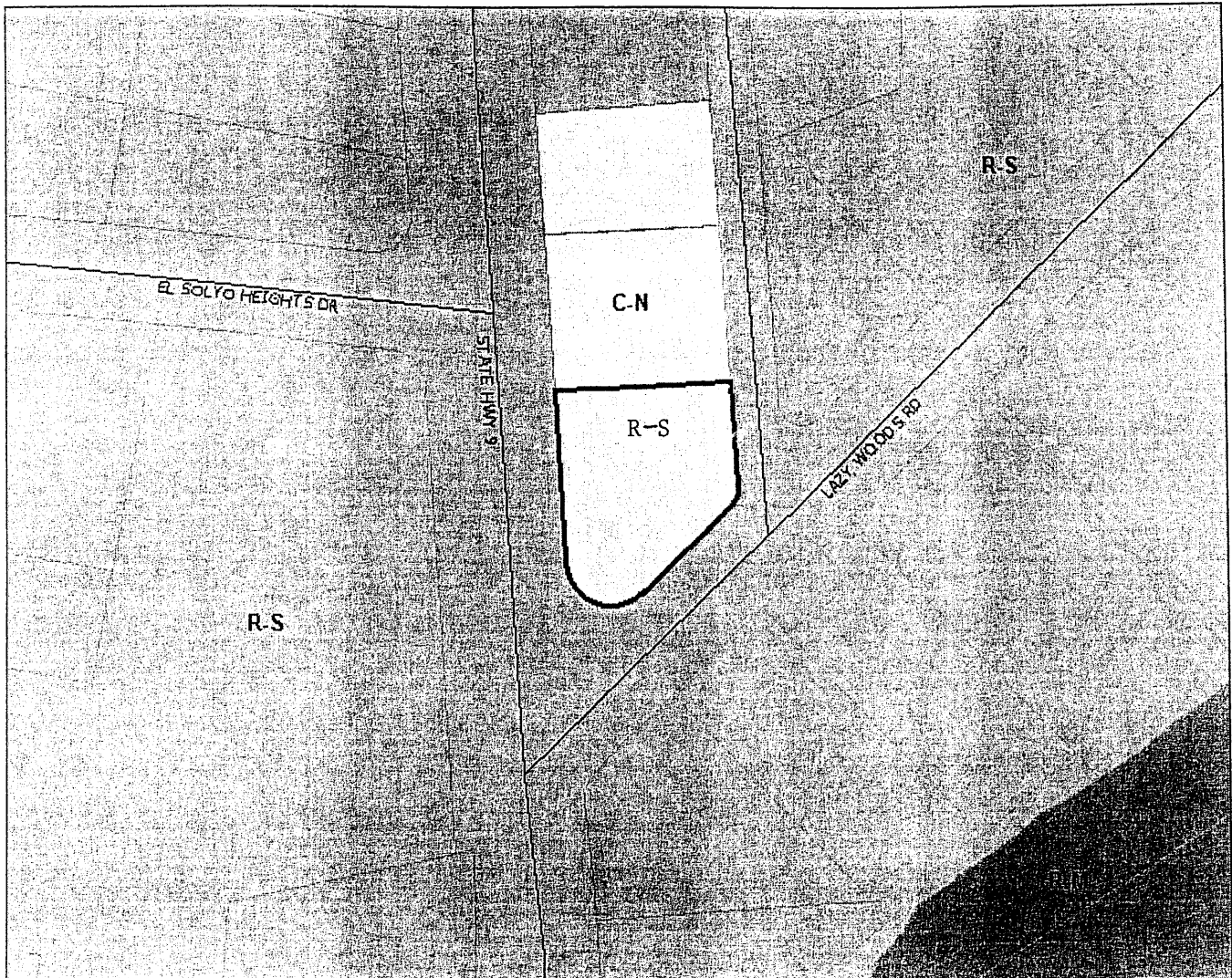
ATTACHMENT

1

0000415

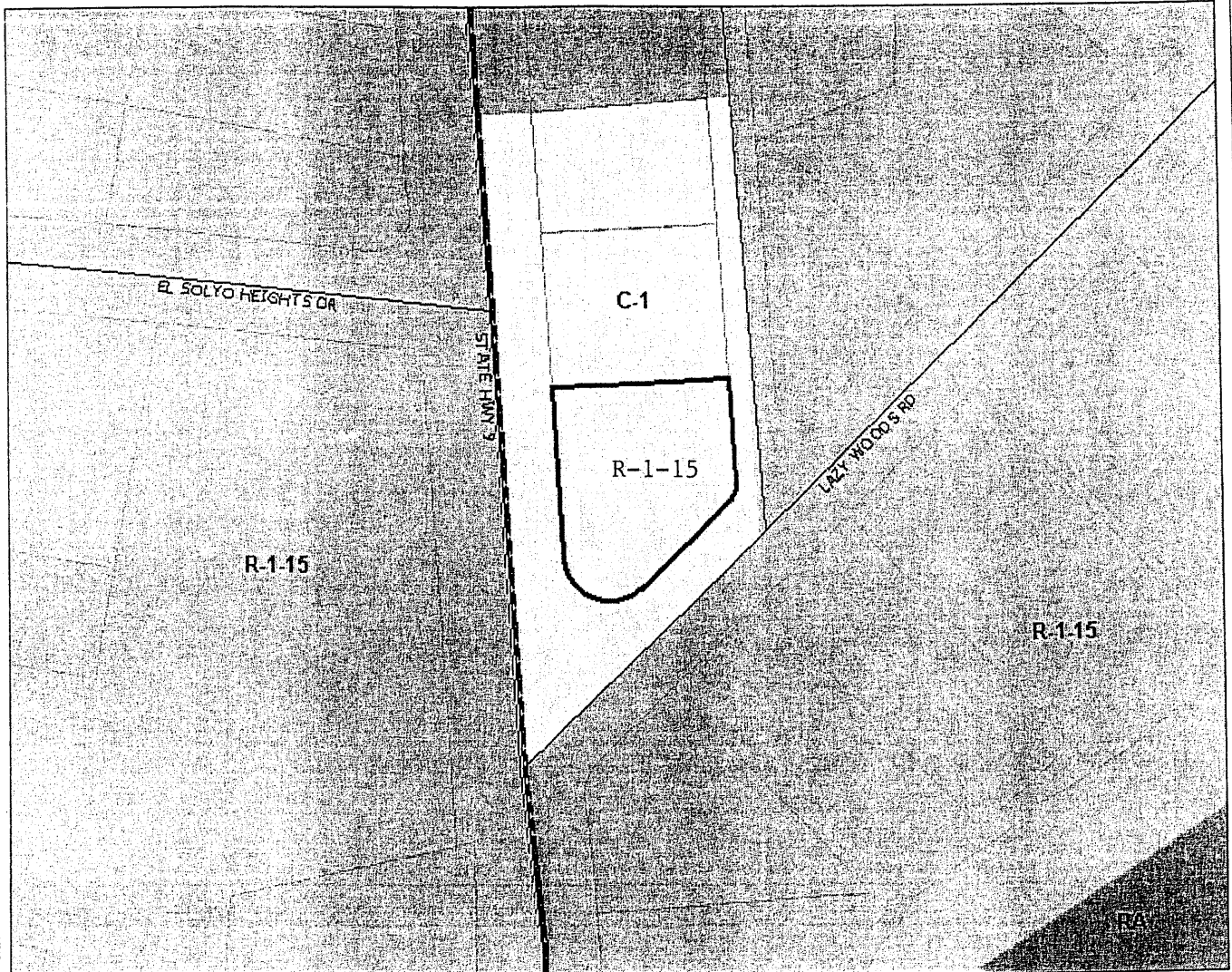


General Plan Designation Map



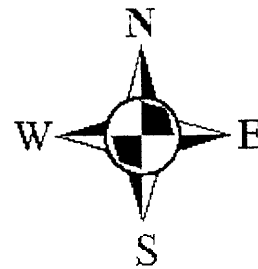


Zoning Map



Legend

-  APN 071-061-01
-  Assessors Parcels
-  Streets
-  State Highways
-  COMMERCIAL-NEIGHBORHOOD (C-1)
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  AGRICULTURE RESIDENTIAL (RA)



Map Created by
County of Santa Cruz
Planning Department
November 2005

ORDINANCE NO. _____

**ORDINANCE AMENDING CHAPTER 13.10
OF THE SANTA CRUZ COUNTY CODE
CHANGING THE ZONING DESIGNATION OF APN 071-061-01 FROM
NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT TO SINGLE-FAMILY
RESIDENTIAL (R-1-15) DISTRICT**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity and general welfare require the amendment of the County Zoning Regulations to implement the policies of the County General Plan regarding the property located on the northeast corner of the intersection of State Highway 9 and Lazy Woods Road in Felton (APN 071-061-01); finds that the zoning established herein is consistent with all elements of the Santa Cruz County General Plan; and finds and certifies that all environmental regulations specified in the California Environmental Quality Act, the State and County Environmental Guidelines, and Chapter 16 of the County Code have been complied with by the preparation and approval of a Negative Declaration for the project.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the Zoning Plan Amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below:

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land use designations of the adopted General Plan; and
2. The proposed zone district is appropriate for the level of utilities and community services available to the land; and
3. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different **zone** district.

SECTION III

Chapter 13.10, Zoning Regulations of the Santa Cruz County Code is hereby amended by amending the County Zoning Plan to change the following properties from the existing zone district to the new zone district as depicted in Attachment 1 and as follows:

| <u>Assessor's Parcel Number</u> | <u>Existing Zone District</u> | <u>New Zone District</u> |
|---------------------------------|-------------------------------|--------------------------|
| 071-061-01 | C-1 | R-1-15 |

SECTION IV

This ordinance shall take effect on the 31st day after the date of final passage.


PASSED AND ADOPTED THIS ____ day of _____ 2006, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
 NOES: SUPERVISORS
 ABSENT: SUPERVISORS
 ABSTAIN: SUPERVISORS

 Chairperson of the Board of Supervisors

ATTEST: _____
 Clerk of the Board

APPROVED AS TO FORM:

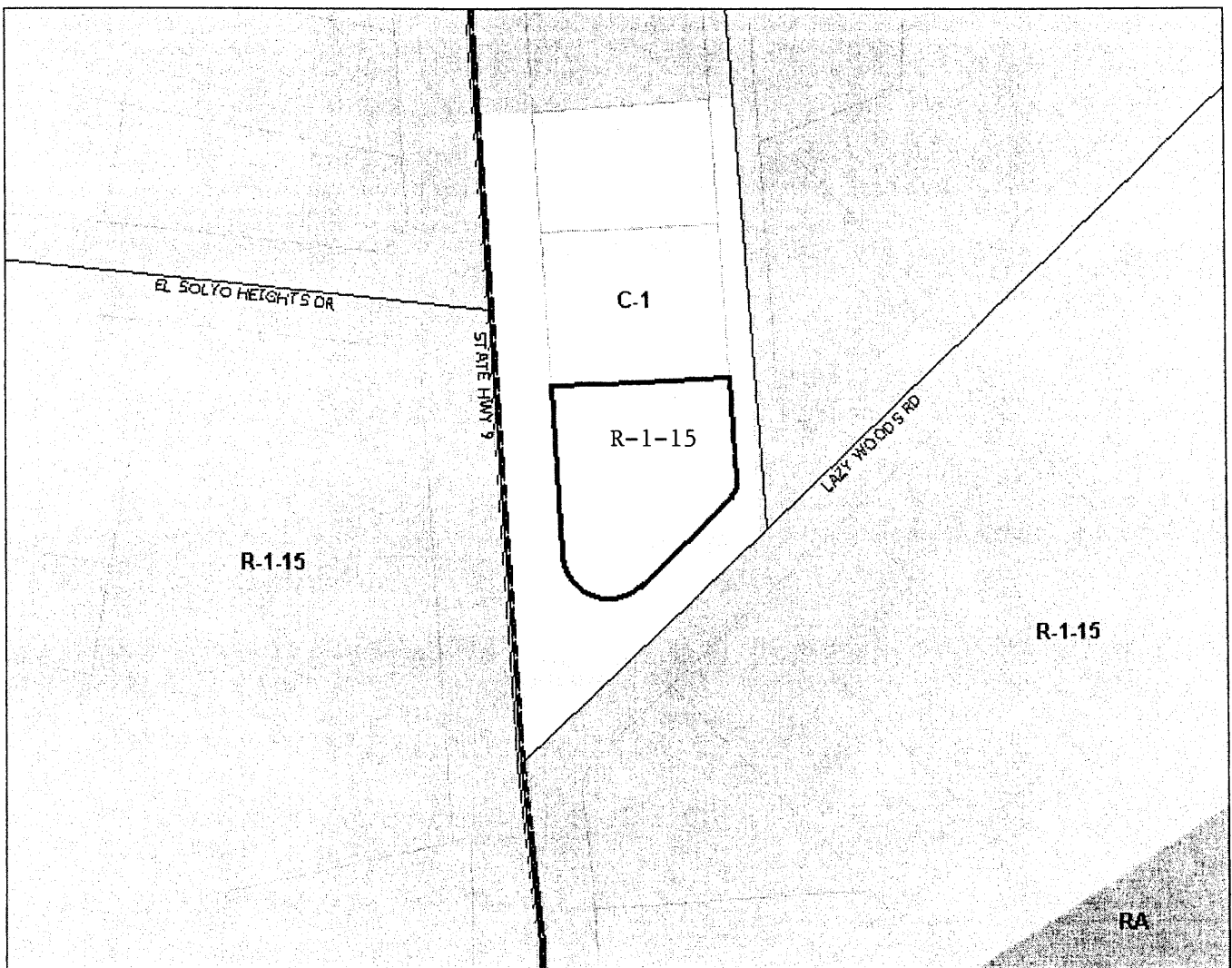


 Assistant County Counsel








Attachment 1 : Zoning Map with Proposed New Zoning Designation

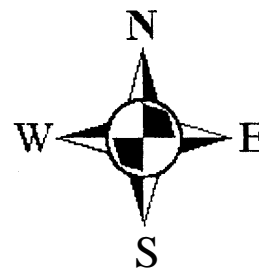
DISTRIBUTION: County Counsel
 Planning Dept.
 Assessors Office
 County GIS

Zoning Map



Legend

-  APN 071-061-01
-  Assessors Parcels
-  Streets
-  State Highways
-  COMMERCIAL-NEIGHBORHOOD (C-1)
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  AGRICULTURE RESIDENTIAL (RA)



Map Created by
County of Santa Cruz
Planning Department
November 2005

Exhibit C

Rezoning Findings
as
Required Under County Code Section 13.10.215

1. The proposed zone district will allow a density of development and types of uses which are consistent with the objectives and land-use designations of the adopted General Plan; and

This finding can be made because the General Plan land use designation of the subject parcel (APN 071-061-01) is being changed from Neighborhood Commercial (C-N) to Suburban Residential (R-S) to reflect the existing and best use of the parcel, thus the proposed rezoning from Neighborhood Commercial (C-1) to Single-family Residential (R-1-15) will be consistent with the new General Plan land use designation.

2. The proposed zone district is appropriate of the level of utilities and community service available to the land; and

This finding can be made because the level of utilities and community service available to the subject parcel is appropriate for the existing residential use, is a lower level than that required of a commercial use, and thus it is appropriate to rezone it from C-1 to R-1-15.

3. The character of development in the area where the land is located has changed or is changing to such a degree that the public interest will be better served by a different zone district.

This finding can be made because since at least 1988 the house on the subject parcel has been used solely for residential purposes. Prior to that, part of the dwelling had been used for a commercial enterprise, despite the fact that the parcel does not have adequate access from Highway 9, thus making it inappropriate for commercial use.



EXHIBIT D

0000421

COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: Victor M. Quiroz

APPLICATION NO.: NIA (Quiroz Property Rezoning)

APN: 071-061-01

The Environmental Coordinator has reviewed the Initial Study for your application and made the following preliminary determination:

XX Negative Declaration
(Your project will not have a significant impact on the environment.)

_____ Mitigations will be attached to the Negative Declaration.

XX No mitigations will be attached.

_____ Environmental Impact Report
(Your project may have a significant effect on the environment. An EIR must be prepared to address the potential impacts.)

As part of the environmental review process required by the California Environmental Quality Act (CEQA), this is your opportunity to respond to the preliminary determination before it is finalized. Please contact Paia Levine, Environmental Coordinator at (831) 454-3178, if you **wish** to comment on the preliminary determination. Written comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: **January 20, 2006**

Frank Barron
Staff Planner

Phone: 454-2530

Date: December 14, 2005

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COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT

Date: November 10, 2005
Staff Planner: Frank Barron

ENVIRONMENTAL REVIEW
INITIAL STUDY

APPLICANT: Victor M. Quiroz
SUPERVISORAL DISTRICT: 5th
OWNER: Victor M. Quiroz
APPLICATION NO: N/A
LOCATION: 7354 Highway 9

APN: 071-061-01

EXISTING SITE CONDITIONS

Parcel Size: 9,192 sq. A.
Existing Land Use: Non-conforming single family residence
Vegetation: Redwood forest
Slope: +/-5%
Nearby Watercourse: San Lorenzo River
Distance To: Approx. 300 ft.
Rock/Soil Type: Lompico-Felton Complex, 5-30% Slopes

ENVIRONMENTAL RESOURCES AND CONSTRAINTS

| | |
|---|------------------------------------|
| Groundwater Supply: None Mapped | Liquefaction: Negligible Potential |
| Water Supply Watershed: Yes (San Lorenzo) | Fault Zone: None Mapped |
| Groundwater Recharge: Yes (portion) | Scenic Corridor: None Mapped |
| Timber or Mineral: None Mapped | Historic: None Mapped |
| Agricultural Resource: None Mapped | Archaeology: None Mapped |
| Biologically Sensitive Habitat: Yes (portion) | Noise Constraint: None Mapped |
| Fire Hazard: None Mapped | Electric Power Lines: None |
| Floodplain: No (FEMA Zone C) | Solar Access: Adequate |
| Erosion: Negligible Potential | Solar Orientation: Level |
| Landslide: None Mapped | Hazardous Materials: None |

SERVICES

Fire Protection: Felton Fire Dept.
School District: SLVUSD
Sewage Disposal: On septic system

Drainage District: Zone 8
Project Access: Lazy Woods Drive
Water Supply: SLVWD

PLANNING POLICIES

Zone District: C-1
General Plan: Neighborhood Commercial
Urban Services Line: Inside
Coastal Zone: Inside

Special Designation: No

 X Outside
 X Outside

PROJECT SUMMARY DESCRIPTION:

Changing the General Plan land use designation and zoning of APN 071-061-01 from commercial to residential.

PROJECT SETTING AND BACKGROUND:

Setting: The project site is located in the northern portion of the San Lorenzo Valley town of Felton, across State Highway 9 from San Lorenzo Valley High School, at the NE intersection of Highway 9 and Lazy Woods Road, and across from the Highway 9 intersection with El Solyo Heights Drive. It is surrounded on the east by single family homes on similarly sized parcels zoned R-1-15 (Single-Family Residential, 15,000 s.f. minimum lot size) and with a R-S (Suburban Residential) General Plan land use designation. Adjacent to the north are two similarly sized parcels, also fronting on Highway 9, that are zoned C-1 (Neighborhood Commercial) and with a C-N (Neighborhood Commercial) General Plan designation.

Natural vegetation in the area is primarily redwood-dominant evergreen forest. The San Lorenzo River and its riparian corridor lie approximately 300-feet to the southeast of the site.

Background: The proposed project involves the change of the General Plan land use designation of the subject property from C-N (Neighborhood Commercial) to R-S (Suburban Residential) and a rezoning from C-1 (Neighborhood Commercial) to R-1-15 (Single-family Residential - 15,000 s.f. minimum lot size). This parcel is zoned commercial despite the fact that it has a (non-conforming) house built upon it and has been used solely as a residence continuously since at least 1988. As part of a 2003 Planning Department effort to rezone non-conforming parcels along Highway 9, this parcel was to be rezoned from C-1 to R-1-15. However, the owner at that time specifically requested that the C-1 zoning be retained, and the Planning Department honored that request.

DETAILED PROJECT DESCRIPTION:

This project consists of a General Plan Amendment for APN 071-061-01, located at 7354 Highway 9 in Felton (at the NE of intersection of Hwy. 9 and Lazy Woods Rd.), that would change the General Plan land use designation from Neighborhood Commercial (C-N) to Suburban Residential (R-S), and a rezoning of the parcel from Neighborhood Commercial (C-1) to Single Family Residential - 1,500 sq. ft. minimum lot size (R-1-15). This change is consistent with the current solely residential use of the property (i.e., a single family dwelling). The site is 9,192 s.f. in size and has no frontage access to Highway 9, making it an inappropriate site for a commercial use.

DISCUSSION:

The subject property is used as a residence despite its commercial-zoning designation. As such, the proposed rezoning and General Plan land use designation change to residential would not

result in any new environmental impacts. However, if the current commercial designation is retained, it is possible that a commercial use could occur on the site in the future. **Any** future use of the subject parcel that is consistent with the commercial designation would likely result in an intensification of the use, and perhaps of environmental impacts as well. For example, commercial uses generally generate a greater number of vehicle trips than residential uses, have higher water use rates, create more impervious surfaces that restrict groundwater recharge and increase runoff, and create greater loads on sanitary systems. Rezoning to a residential designation will, therefore, in general either be benign relative to potential environmental impacts, or create environmental benefit. Specific potential impacts are discussed in the body of the checklist.

Significant
Or
Potentially
Significant
ImpactLess than
Significant
with
Mitigation
IncorporationLess than
Significant
Impact

Not Applicable

ENVIRONMENTAL REVIEW CHECKLIST**A. Geology and Soils**

Does the project have the potential to:

1. Expose people or structures to potential adverse effects, including the risk of material loss, injury, or death involving:

- a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or as identified by other substantial evidence?

_____ _____ _____ X

All of Santa Cruz County is subject to some hazard from earthquakes. However, the proposed project would not involve in any change to the existing use of the property and would limit the future use to residential rather than commercial. This will tend to lessen the exposure of people to geologic and/or geotechnic hazards.

- b. Seismic ground shaking?

_____ _____ _____ X

See comment A-1-a.

- c. Seismic-related ground failure, including liquefaction?

_____ _____ _____ X

See comment A-1-a.

- d. Landslides?

_____ _____ _____ X

See comment A-1-a.

2. Subject people or improvements to damage from soil instability as a result of on- or off-site landslide, lateral spreading, to subsidence, liquefaction, or structural collapse?

_____ _____ _____ X

See comment A-1-a.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

3. Develop land with a slope exceeding 30%? _____ X

The proposed development will not be located in areas exceeding 30% slope.

4. Result in soil erosion or the substantial loss of topsoil? _____ X

Since the proposed project would not involve in any change to the existing use of the property or any additional ground disturbance, no additional erosion from the site shall be created.

5. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to property? _____ X

The project site's soil type (Lompico-Felton complex) is not considered an expansive soil type.

6. Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative wastewater disposal systems? _____ X

Since the proposed project would not involve in any change to the existing use of the property or the installation of any new septic systems, and residential uses create smaller septic loads than commercial uses, there will be no new septic system-related impacts created by the project.

7. Result in coastal cliff erosion? _____ X

Project site is not located adjacent to, or otherwise near, a coastal cliff.

B. Hydrology, Water Supply and Water Quality

Does the project have the potential to:

1. Place development within a 100-year flood hazard area? _____ X

Project site is not located within a floodway or the 100-year floodplain.

2. Place development within the floodway resulting in impedance or redirection of flood flows? _____ X

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

See comment B-1.

3. Be inundated by a seiche or tsunami? _____ X _____

The subject parcel is not located in a potential tsunami inundation zone.

4. Deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit, or a significant contribution to an existing net deficit in available supply, or a significant lowering of the local groundwater table? _____ X _____

The subject property is partially within a mapped ground-water recharge area. The area is served by the San Lorenzo Valley Water District (SLVWD). Since the proposed project would not involve in any change to the existing use of the property or any additional water use, and residential uses generally create less impermeable surface than commercial uses do, there should be no water supply or groundwater recharge impacts from the project.

5. Degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). _____ X _____

See comment B-4. No commercial or industrial activities are proposed that would generate a significant amount of contaminants to a public or private water supply.

6. Degrade septic system functioning? _____ X _____

See comment A-6. The proposed project will not include the installation of any additional septic systems at the proposed building site.

7. Alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which could result in flooding, erosion, or siltation on or off-site? _____ X _____

The existing drainage pattern will not be altered by the proposed project. All runoff will be collected and discharged into the same drainage area that the project site has drained to prior to the proposed project. Further, the change in zoning makes new impervious surfaces less likely.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

8. Create or contribute runoff which would exceed the capacity of existing or planned storm water drainage systems, or create additional source(s) of polluted runoff?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See comment B-7.

9. Contribute to flood levels or erosion in natural water courses by discharges of newly collected runoff?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See comment B-7.

10. Otherwise substantially degrade water supply or quality?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

C. Biological Resources

Does the project have the potential to:

1. Have an adverse effect on any species identified as a candidate, sensitive, or special status species, in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The subject property is partially in a mapped biotic resource area (for Santa Cruz manzanita). However, since the proposed project would not involve in any change to the existing use or area of disturbance of the property, no biotic resource impacts shall be created by the project.

2. Have an adverse effect on a sensitive biotic community (riparian corridor, wetland, native grassland, special forests, inter-tidal zone, etc.)?

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

See comment C-1.

3. Interfere with the movement of any native resident or migratory fish or

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites?

The project does not propose any activity that will otherwise restrict or interfere with movement of migratory fish or wildlife species.

4. Produce nighttime lighting that will illuminate animal habitats?

_____ X

Exterior lighting on the proposed project will not result in a significant impact to any animal habitat.

5. Make a significant contribution to the reduction of the number of species of plants or animals?

_____ X

See comment C-1.

6. Conflict with any local policies or ordinances protecting biological resources (such as the Significant Tree Protection Ordinance, Sensitive Habitat Ordinance, provisions of the Design Review ordinance protecting trees with trunk sizes of 6 inch diameters or greater)?

_____ X

See comment C-1. No trees are proposed to be removed as a part of this project.

7. Conflict with the provisions of an adopted Habitat Conservation Plan, Biotic Conservation Easement, or other approved local, regional, or state habitat conservation plan?

_____ X

There are no conservation plans or biotic conservation easements in effect or planned in the project vicinity.

| | | | |
|---|---|------------------------------------|----------------|
| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|

D. Energy and Natural Resources

Does the project have the potential to:

1. Affect or be affected by land designated as "Timber Resources" by the General Plan? _____ X

The project site does not contain any designated timber resources, nor is it adjacent to timber resource land.

2. Affect or be affected by lands currently utilized for agriculture, or designated in the General Plan for agricultural use? _____ X

The project site does not contain any designated agricultural resources, nor is it adjacent to agricultural resource land.

3. Encourage activities that result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner? _____ X

The project will not involve the use of large amounts of fuel, water, and energy, or the use of these resources in a wasteful manner.

4. Have a substantial effect on the potential use, extraction, or depletion of a natural resource (i.e., minerals or energy resources)? _____ X

The project will not include or require the substantial extraction or consumption of minerals, energy resources, or other natural resources.

E. Visual Resources and Aesthetics

Does the project have the potential to:

1. Have an adverse effect on a scenic resource, including visual obstruction of that resource? _____ X

While the parcel fronts on Highway 9, a scenic highway, the project does not propose any activity that will obstruct or otherwise degrade the scenic corridor. In general, residential uses create less visual impact than commercial uses.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

See comment E-1.

3. Degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridge line?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The proposed development will not create any change in topography or otherwise alter any significant natural features. See also E-1.

4. Create a new source of light or glare which would adversely affect day or nighttime views in the area?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The amount of light associated with the development will not be increased over existing conditions and will not degrade nighttime views. Residential development generally creates less light and glare than commercial development.

5. Destroy, cover, or modify any unique geologic or physical feature?

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

There are no unique geological features on or adjacent to the site that would be destroyed, modified or covered by the project.

F. Cultural Resources

Does the project have the potential to:

- I - Cause an adverse change in the significance of a historical resource as defined in **CEQA** Guidelines 15064.32

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

No designated historical resources are present on the project site. Five Native American tribes were contacted regarding tribal consultation opportunities, as required by state law, and no request for consultation was received.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

2. Cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 15064.5?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

No archaeological resources have been identified on the project site.

3. Disturb any human remains, including those interred outside of formal cemeteries?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The presence of human remains has not been identified on the project site.

4. Directly or indirectly destroy a unique paleontological resource or site?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

No paleontological resources have been identified on the project site.

G. Hazards and Hazardous Materials

Does the project have the potential to:

1. Create a significant hazard to the public or the environment as a result of the routine transport, storage, use, or disposal of hazardous materials, not including gasoline or other motor fuels?

| | | | |
|-------|-------|--------------|-------|
| _____ | _____ | <u> X </u> | _____ |
|-------|-------|--------------|-------|

The proposed project will not involve handling or storage of hazardous materials. It is less likely for significant quantities of hazamats to be associated with residential development than with commercial development.

2. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

| | | | |
|-------|-------|-------|--------------|
| _____ | _____ | _____ | <u> X </u> |
|-------|-------|-------|--------------|

The project site is not listed as a known hazardous materials site.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

3. Create a safety hazard for people residing or working in the project area as a result of dangers from aircraft using a public or private airport located within two miles of the project site? _____ X _____

The parcel and the project are not located within the Airport Clear Zones and safety hazards for people residing in the project area are low.

4. Expose people to electromagnetic fields associated with electrical transmission lines? _____ X _____

There are no high-voltage transmission lines on the project site.

5. Create a potential fire hazard? _____ X _____

The proposed project would not involve any change to the existing use of the property. No new potential fire hazards would be created by the project.

6. Release bio-engineered organisms or chemicals into the air outside of project buildings? _____ X _____

The project will not involve processes which could result in the release of bio-engineered organisms or chemical agents.

H. Transportation/Traffic

Does the project have the potential to:

- I - Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, no additional traffic shall be generated by the project. Further, residential use generates less traffic than commercial uses.

| | | | |
|-------------|---------------|-------------|----------------|
| Significant | Less than | | |
| Or | Significant | Less than | Not Applicable |
| Potentially | with | Significant | |
| Significant | Mitigation | Impact | |
| Impact | Incorporation | | |

2. Cause an increase in parking demand which cannot be accommodated by existing parking facilities? _____ X _____

Adequate parking exists on the project site. Because the proposed project would not involve in any change to the existing use of the property there will be no increase in parking demand. Further, commercial uses require greater amounts of parking areas than do residential uses.

3. Increase hazards to motorists, bicyclists, or pedestrians? _____ X _____

The proposed project will comply with current road design requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians.

4. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the county congestion management agency for designated intersections, roads or highways? _____ X _____

See comment H-1.

I. Noise

Does the project have the potential to:

- I. Generate a permanent increase in ambient noise levels in the project vicinity above levels existing without the project? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no increase in noise levels. Further, residential uses generate less noise, in general, than do commercial uses.

2. Expose people to noise levels in excess of standards established in the General Plan, or applicable standards of other agencies? _____ X _____

Noise levels at the project site are not anticipated to exceed established standards. See I-1.

| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|
|---|---|------------------------------------|----------------|

3. Generate a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

| | | | |
|-------|-------|---|-------|
| _____ | _____ | X | _____ |
|-------|-------|---|-------|

See Comment I-1.

J. Air Quality

Does the project have the potential to:
(Where available, the significance criteria established by the MBUAPCD may be relied upon to make the following determinations).

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

| | | | |
|-------|-------|---|-------|
| _____ | _____ | X | _____ |
|-------|-------|---|-------|

Because the proposed project would not involve any change to the existing use of the property, there will be no detrimental impact on air quality due to the project. Further, residential uses tend to generate fewer pollutants than commercial development.

2. Conflict with or obstruct implementation of an adopted air quality plan?

| | | | |
|-------|-------|---|-------|
| _____ | _____ | X | _____ |
|-------|-------|---|-------|

See Comment J-1. The proposed project does not include activities that could conflict with or obstruct any adopted air quality plan.

3. Expose sensitive receptors to substantial pollutant concentrations?

| | | | |
|-------|-------|---|-------|
| _____ | _____ | X | _____ |
|-------|-------|---|-------|

See Comment J-1. The proposed project does not include activities that could generate a substantial concentration of pollutants.

4. Create objectionable odors affecting a substantial number of people?

| | | | |
|-------|-------|---|-------|
| _____ | _____ | X | _____ |
|-------|-------|---|-------|

See Comment J-1. The proposed project does not include activities that could emit potentially objectionable odors.

K. Public Services and Utilities

Does the project have the potential to:

1. Result in the need for new or physically altered public facilities, the

| | | | |
|---|---|------------------------------------|----------------|
| Significant Or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|

construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a. Fire protection? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on fire protection services due to the project.

b. Police protection? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on police protection services due to the project.

c. Schools? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on area schools due to the project.

d. Parks or other recreational activities? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on parks or recreational services due to the project.

e. Other public facilities; including the maintenance of roads? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on other public facilities due to the project.

2. Result in the need for construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on the storm drainage system due to the project. The project will drain to existing drainage facilities, which are adequate to accommodate the volume of runoff generated. Further, residential uses tend to generate less runoff than do commercial uses.

| | | | |
|---|---|------------------------------------|----------------|
| Significant or Potentially Significant Impact | Less than Significant with Mitigation Incorporation | Less than Significant Impact | Not Applicable |
|---|---|------------------------------------|----------------|

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3. Result in the need for construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, and that existing use is served by a septic system, there will be no additional impact on wastewater treatment facilities due to the project.

4. Cause a violation of wastewater treatment standards of the Regional Water Quality Control Board?

_____ X _____

See Comment K-3.

5. Create a situation in which water supplies are inadequate to serve the project or provide fire protection?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on water supplies due to the project. Further, residential water use tends to be less than commercial water use.

6. Result in inadequate access for fire protection?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no impact on fire protection access due to the project.

7. Make a significant contribution to a cumulative reduction of landfill capacity or ability to properly dispose of refuse?

_____ X _____

Because the proposed project would not involve any change to the existing use of the property, there will be no additional impact on landfill capacity due to the project.

8. Result in a breach of federal, state, and local statutes and regulations related to solid waste management?

_____ X _____

The project will not include any activity that would result in a breach of statutes or regulations related to solid waste management.

Significant
Or
Potentially
Significant
ImpactLess than
Significant
with
Mitigation
IncorporationLess than
Significant
Impact

Not Applicable

L. Land Use, Population, and Housing

Does the project have the potential to:

1. Conflict with any policy of the County adopted for the purpose of avoiding or mitigating an environmental effect? _____ X _____

The proposed project does not conflict with any policies adopted for the purpose of avoiding or mitigating an environmental effect.

2. Conflict with any County Code regulation adopted for the purpose of avoiding or mitigating an environmental effect? _____ X _____

The proposed project does not conflict with any regulations adopted for the purpose of avoiding or mitigating an environmental effect.

3. Physically divide an established community? _____ X _____

The project will not include any element that will physically divide an established community.

4. Have a potentially significant growth inducing effect, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, and does not involve extensions of utilities, there will be no direct or indirect growth inducing effects caused by the project. Use of the property will likely be less intense with the change in zoning.

5. Displace substantial numbers of people, or amount of existing housing, necessitating the construction of replacement housing elsewhere? _____ X _____

Because the proposed project would not involve any change to the existing use of the property, and does not entail a gain in housing units nor will involve demolition of any existing housing units, there will be no population of housing displacement due to the project.

0000439

M. Non-Local Approvals

Does the project require approval of federal, state, or regional agencies?

Yes _____ No X

N. Mandatory Findings of Significance

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant, animal, or natural community, or eliminate important examples of the major periods of California history or prehistory?

Yes _____ No X

2. Does the project have the potential to achieve short term, to the disadvantage of long term environmental goals? (A short term impact on the environment is one which occurs in a relatively brief, definitive period of time while long term impacts endure well into the future)

Yes _____ No X

3. Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, and the effects of reasonably foreseeable future projects which have entered the Environmental Review stage)?

Yes _____ No X

4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes _____ No X

TECHNICAL REVIEW CHECKLIST

| | <u>REQUIRED</u> | <u>COMPLETED*</u> | <u>N/A</u> |
|---|------------------------|--------------------------|-------------------|
| Agricultural Policy Advisory Commission (APAC) Review | _____ | _____ | <u>X</u> |
| Archaeological Review | _____ | _____ | <u>X</u> |
| Biotic Report/Assessment | _____ | _____ | <u>X</u> |
| Geologic Hazards Assessment (GHA) | _____ | _____ | <u>X</u> |
| Geologic Report | _____ | _____ | <u>X</u> |
| Geotechnical (Soils) Report | _____ | _____ | <u>X</u> |
| Riparian Pre-Site | _____ | _____ | <u>X</u> |
| Septic Lot Check | _____ | _____ | <u>X</u> |
| Other: | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |

*Attach summary and recommendation from completed **reviews**

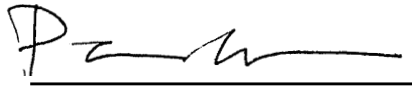
List any other technical reports or information sources used in preparation of this initial study:

ENVIRONMENTAL REVIEW ACTION

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described below have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

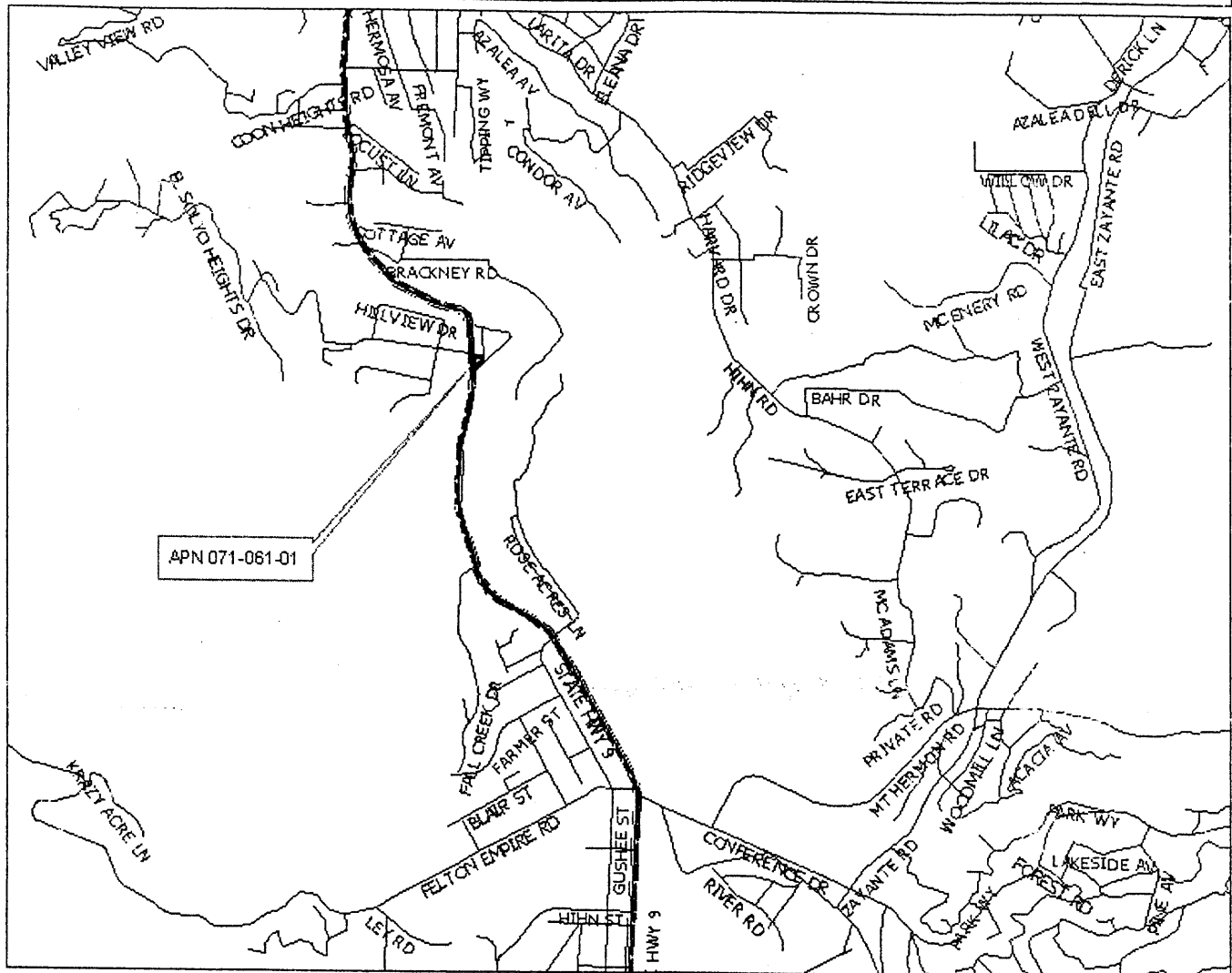
12/16/05
Date


Signature
Paula Levine
For: Ken Hart
Environmental Coordinator

Attachments:

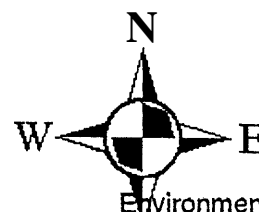
1. Vicinity Map
2. Assessor's Parcel Map
3. Map of Zoning Districts
4. Map of General Plan Designations

Location Map



Legend

- APN 071-061-01
- Streets
- State Highways



Environmental Review Initial Study
 ATTACHMENT 1
 APPLICATION MA (Quiroz)
Property Rezoning

Map Created by
 County of Santa Cruz
 Planning Department
 November 2005

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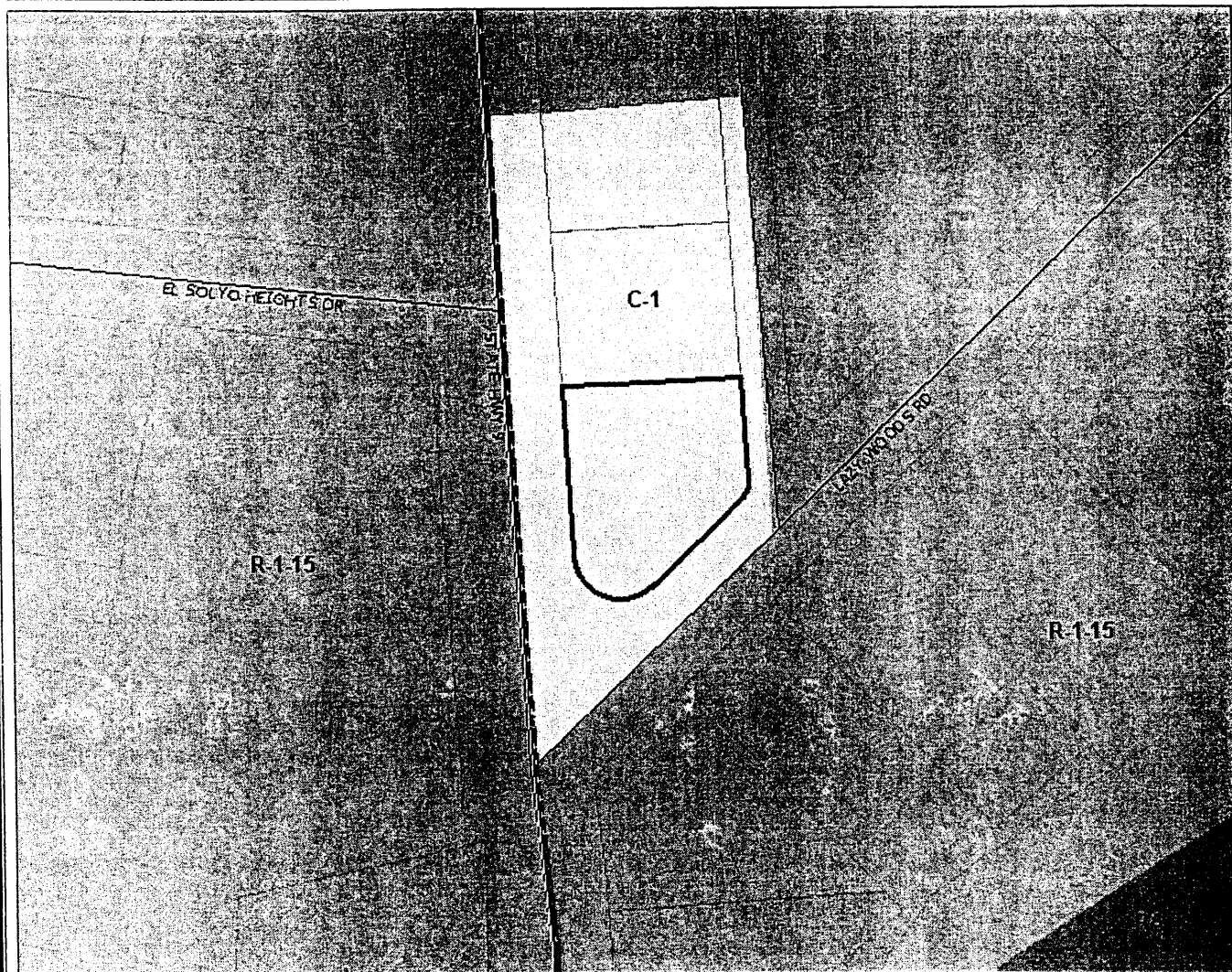


Assessor's Map No. 71-06
County of Santa Cruz, Calif.
May 2000

71-06



Zoning Map



Legend

- APN 071-061-01
- Assessors Parcels
- Streets
- State Highways
- COMMERCIAL-NEIGHBORHOOD (C-1)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- AGRICULTURE RESIDENTIAL (RA)

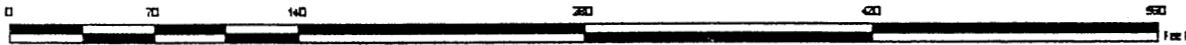
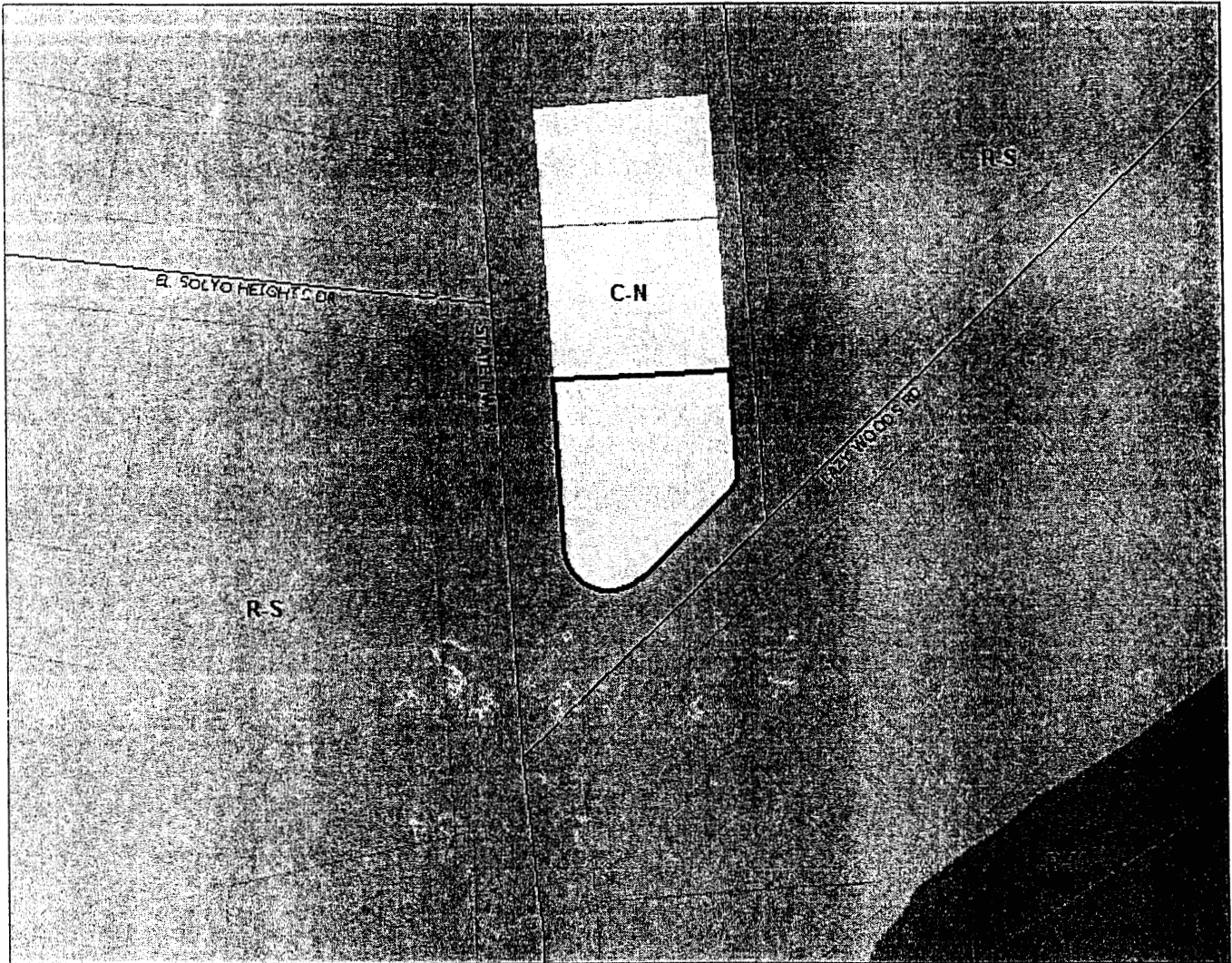


Environmental Review Initial Study
ATTACHMENT 3
APPLICATION N/A (Quiroz Property Rezoning).

Map Created by
County of Santa Cruz
Planning Department
November 2005



General Plan Designation Map



Legend

- APN 071-061-01
- Assessors Parcels
- State Highways
- Streets
- Commercial-Neighborhood (CN)
- Residential-Suburban (R-S)
- Residential-Mountain (R-M)



Environmental Review Initial Study
ATTACHMENT 4
APPLICATION N/A (Quiróz Property
Rezoning).

Map Created by
County of Santa Cruz
Planning Department
November 2005



County of Santa Cruz 0000446

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

(831) 454-2200 FAX: (831) 454-3262 TDD: (831) 454-2123

JANET K. BEAUTZ
FIRST DISTRICT

ELLEN PIRIE
SECOND DISTRICT

MARDI WORMHOUDT
THIRD DISTRICT

TONY CAMPOS
FOURTH DISTRICT

MARK W. STONE
FIFTH DISTRICT

AGENDA: 4/19/05

April 12, 2005

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Dear Members of the Board:

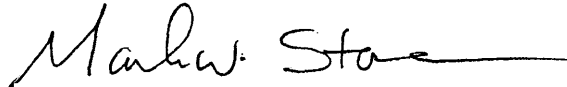
As you are aware, in late 2003, the Board completed a number of rezonings and General Plan amendments for properties along the Highway 9 corridor in the San Lorenzo Valley. That work resolved a number of long-standing problems with regard to General Plan, zoning, and land use consistencies in that area and was well received by the community. It has recently come to my attention, however, that there may be problems with regard to one of the affected properties, APN 071-061-01. As I understand it, this property had its zoning and General Plan designation changed from residential to commercial at the request of the then-property owner. That property has since been sold and it has become apparent that the land use changes are causing significant problems for the current owner as the uses on the property are solely residential in nature.

I have consulted with our Planning Director on how best to resolve this issue and he has suggested that, given the facts, it appears that this General Plan change and rezoning, in spite of it being requested by the property owner, should not have been honored given its inconsistency with the current land uses. He therefore believes that it was processed in error and should be corrected.

BOARD OF SUPERVISORS
April 12, 2005
Page 2

I am therefore requesting that the Board direct Planning staff to process a Board-initiated General Plan amendment and rezoning for this property to return it to its previous residential designation.

Sincerely,



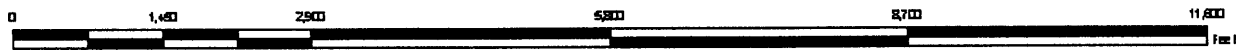
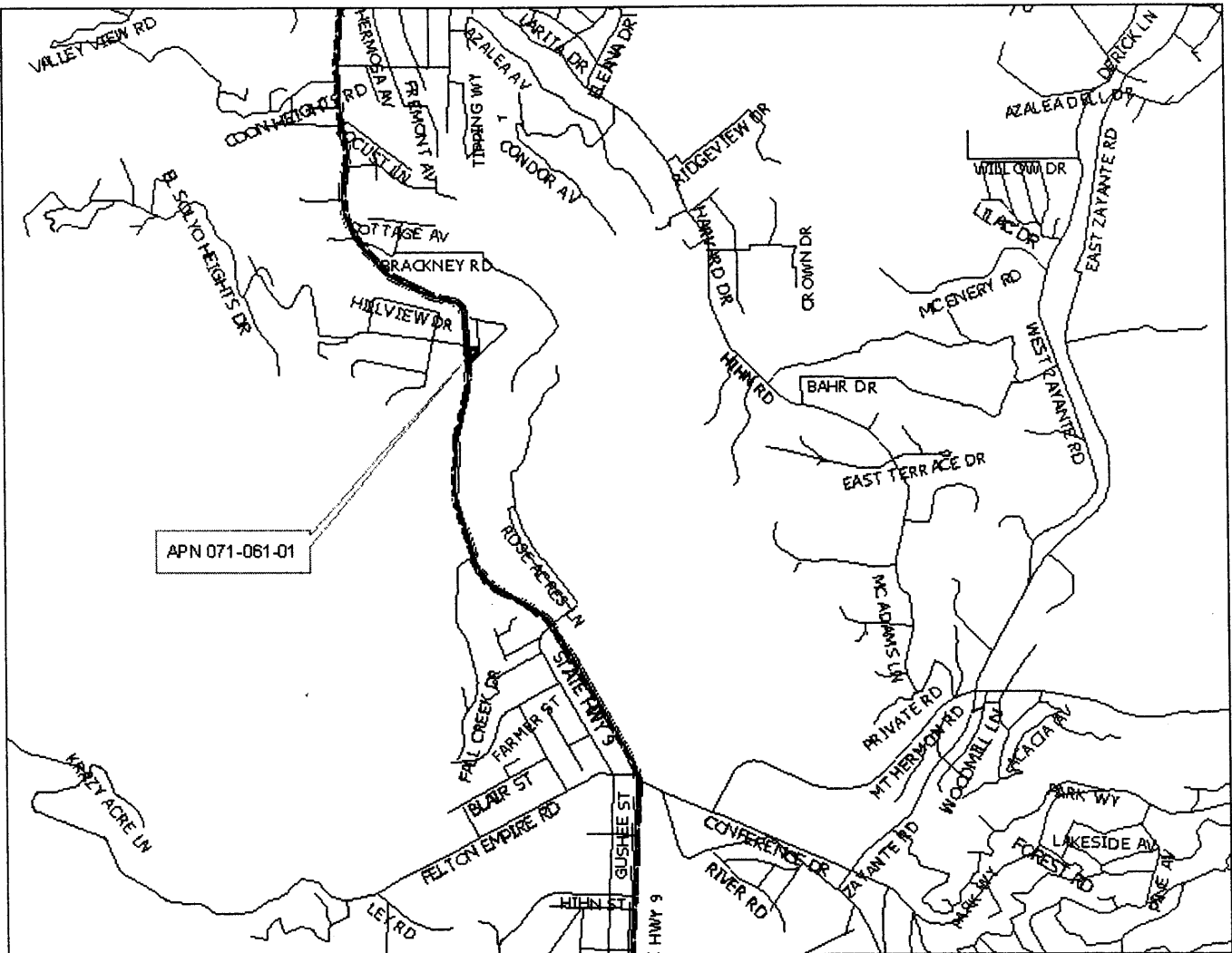
MARK W. STONE, Supervisor
Fifth District

MWS :pmp


✓ cc: Planning

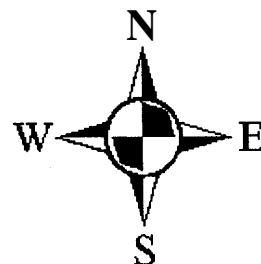
1596B5

Location Map



Legend

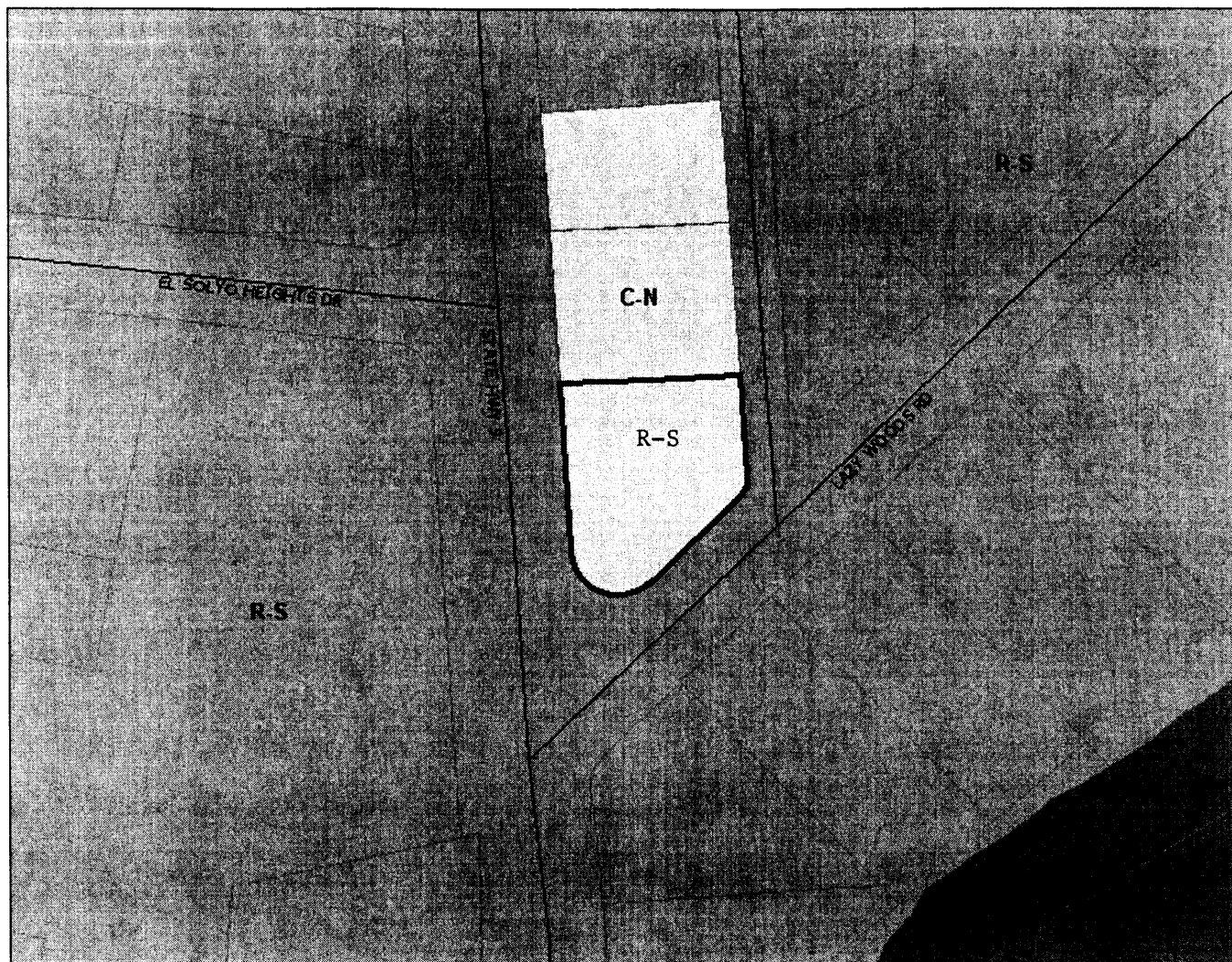
-  APN 071-061-01
-  Streets
-  State Highways








Map Created by
County of Santa Cruz
Planning Department
November 2005

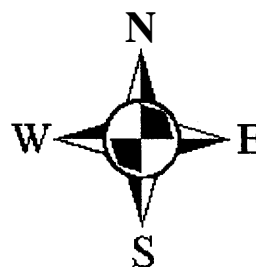


General Plan Designation Map



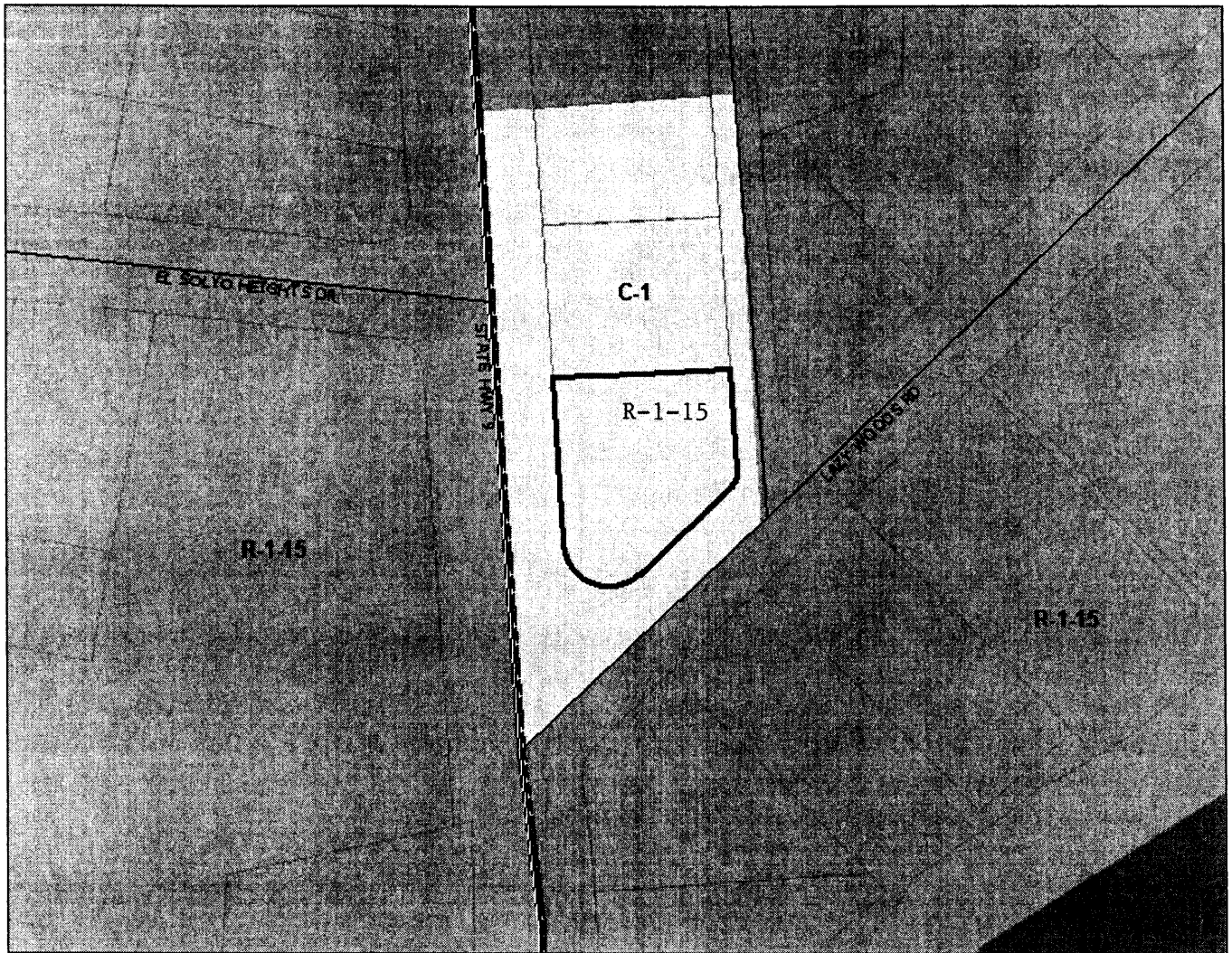
Legend

-  APN 071-061-01
-  Assessors Parcels
-  State Highways
-  Streets
-  Commercial-Neighborhood(C-N)
-  Residential-Suburban(R-S)
-  Residential-Mountain[R-M]



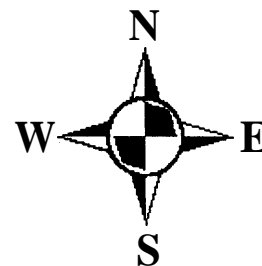
Map Created by
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Planning Department
November 2005

Zoning Map



Legend

-  APN 071-061-01
-  Assessors Parcels
-  Streets
-  State Highways
-  COMMERCIAL-NEIGHBORHOOD(C-1)
-  RESIDENTIAL-SINGLEFAMILY(R-1)
-  AGRICULTURE RESIDENTIAL (RA)



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