

PLANNING DEPARTMENT

GOVERNMENTAL CENTER

Alvin D. James
Planning Director

COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060
FAX (408) 454-2131 TDD (408) 454-2123 PHONE (408) 454-2580

May 2, 1998

Agenda: May 27, 1998

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

SUBJECT: PROPOSED AMENDMENT TO THE SANTA CRUZ COUNTY GENERAL
PLAN/LOCAL COASTAL PROGRAM LAND USE PLAN REGARDING
EXISTING URBAN-LIKE DEVELOPMENT IN THE RURAL AREAS

Commissioners:

The General Plan/Local Coastal Program Land Use Plan (GP/LCP) amendment before the Commission today would add a policy recognizing as conforming to the General Plan/Local Coastal Program, those existing, legally-created urban-density parcels located in the rural area of the County. This policy would complement the ordinance amendments adopted by the County last year which added the various R-1 zone districts as implementing zone districts for existing sub- 1 acre parcels in the Suburban Residential, Rural Residential and Mountain Residential land use designations.

Background

As a part of the 1996-97 Advanced Planning work program, the Planning Department began the rural rezoning project, a project to rezone parcels for consistency with the 1994 General Plan/Local Coastal Program. In certain areas of the County, staff encountered a large number of parcels which were outside the Urban Services Line and which were less than 1-acre in size. In most cases, the zoning of these parcels matched the parcels sizes, but these zone districts were not consistent with the GP/LCP. Initially, staff proposed to create a new zone district (R-1) and to rezone all of the sub-1 acre parcels to that new district. However, because all of the existing sub-1 acre parcels would have been non-conforming under the new zone district and significant concern was expressed by property owners about the long term effects of this proposal, staff developed a different approach. In this approach, staff propose an amendment to the County Code that recognized the zoning of these existing legal parcels as consistent with the GP/LCP designations. This amendment was approved by the Board of Supervisors on June 3, 1997 and certified by the California Coastal Commission on August 13, 1997.

At the Board hearing on the amendment, a concern was expressed that the GP/LCP did not recognize nor even mention the existence of these smaller parcels. As a part of the Board's action to approve the ordinance amendment, the Board directed staff to include an item in the 1997-98 Advanced Planning work program to prepare a report outlining the options available to the County in addressing the existing legal sub-1 acre parcels in the rural area. Staff prepared a report and recommended that the addition of a policy to the general Plan would adequately address the issue. The Board accepted the report on December 16, 1997, and directed staff to prepare the GP/LCP policy amendment before your Commission.

GP/LCP Policy

The proposed amendment to the GP/LCP would add language to specifically recognize as consistent with the GP/LCP those parcels which are less than 1 acre in size and which were legally created. The proposed language is as follows:

2.3.7 Recognize existing legal residential parcels outside the Urban Services Line that are less than 1 acre in size as conforming with the General Plan/Local Coastal Program Land Use Plan. Maintain these parcels in the R-1-5 to R-1-40 zone district and apply the site standards of the zone district to all development.

The effect of the adoption of this policy, in conjunction with the proposed changes to the non-conforming use regulations, would complete the actions necessary to recognize the small parcels existing in the rural areas of the unincorporated area of the County. Parcels subject to this policy and the implementing ordinances which have preceded this policy will be considered as conforming properties with respect to zoning and General Plan.

CEQA Review

The proposed amendment was reviewed by the Environmental Coordinator and an unconditional Negative Declaration was issued on March 26, 1998.

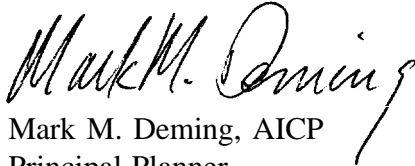
Discussion and Recommendation

During the preparation of the 1980 and 1994 General Plans, the existing legal sub-1 acre parcels were considered as a part of the "existing conditions" of the County when the land use element was formulated. There have not been any more of these parcels created since the 1980 General Plan and none could be created under the current General Plan. The 1980 and 1994 General Plan, however, do not mention these existing parcels and, given the number of parcels that fall into this category (12,000+), it is appropriate to recognize them in the General Plan as a conforming land use.

It is, therefore, RECOMMENDED that your Commission:

1. Adopt the Resolution Recommending Approval of an Amendment to the Santa Cruz County General Plan/Local Coastal Program Land Use Plan to add a policy recognizing the existing legal sub-1 acre parcels located outside the Urban Services Line as conforming to the General Plan (Exhibit A).

Sincerely,



Mark M. Deming, AICP
Principal Planner

- EXHIBITS:
- A. Resolution Recommending Approval of General Plan/Local Coastal Program Land Use Plan amendment to add a policy recognizing the existing legal sub-1 acre parcels located outside the Urban Services Line as conforming to the General Plan
 - B. Proposed Policy Language
 - C. Environmental Determination/Negative Declaration
 - D. Letter of Tom Burns, Interim Planning Director, dated December 2, 1997.

cc: Jim Samuels
San Lorenzo Valley Property Owners Association
County Counsel

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:

PLANNING COMMISSION RESOLUTION RECOMMENDING
AMENDMENT TO THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND
USE PLAN RELATING TO EXISTING PARCELS LESS THAN ONE ACRE IN THE
RURAL AREA OF THE COUNTY

WHEREAS, the Board of Supervisors, in June 1997, adopted an ordinance to include the R-1-5 to R-1-40 zone districts as implementing zone districts in the Mountain, Rural and Suburban Residential land use designations to recognize the existing rural parcels with that zoning and directed that staff prepare a report on possible General Plan/Local Coastal Program Land Use Plan amendments to recognize these existing residential uses; and

WHEREAS, the Board of Supervisors on December 16, 1997, reviewed and accepted conceptual language to add a policy to the General Plan/Local Coastal Program Land Use Plan to recognize the existing residential development on parcels less than one acre in the rural areas of the County; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 19, 1998, to consider the amendment to the General Plan and Local Coastal Program Land Use Plan (Attachment I), the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, the Planning Commission finds that the proposed General Plan and Local Coastal Program amendment will be consistent with the policies of the General Plan and Local Coastal Program, and will allow the types of uses which are consistent with the objectives and land-use designations of the adopted General Plan and Local Coastal Program; and

WHEREAS, the Environmental Coordinator issued a Negative Declaration associated with this project and the Planning Commission has reviewed the environmental document and finds that the proposed amendments have been processed consistent with applicable provisions of the California Environmental Quality Act and the County of Santa Cruz Environmental Review Guidelines; and

WHEREAS, the Planning Commission finds that the proposed amendments are consistent with the California Coastal Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendment to the General Plan and Local Coastal Program Land Use Plan as set forth in Attachment 1 and the Negative Declaration, incorporated herein by reference, be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this _____ day of _____, 1998 by the following vote:

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

Dale Skillicotn, Chairperson

ATTEST:

Martin Jacobson, Secretary

APPROVED AS TO FORM:



COUNTY COUNSEL

**AMEND THE SANTA CRUZ COUNTY GENERAL PLAN/LOCAL
COASTAL PROGRAM LAND USE PLAN BY ADDING SECTION 2.3.7 TO
READ AS FOLLOWS:**

Recognize existing legal residential parcels outside the Urban Services Line that are less than one acre in size as conforming with the General Plan/Local Coastal Program Land Use Plan. Maintain these parcels in the R-1 -5 to R-1-40 zone district and apply the site standards of the zone district to all development.

**AMEND THE SANTA CRUZ COUNTY GENERAL PLAN/LOCAL
COASTAL PROGRAM LAND USE PLAN BY ADDING SECTION 2.3.7 TO
READ AS FOLLOWS:**

Recognize existing legal residential parcels outside the Urban Services Line that are less than one acre in size as conforming with the General Plan/Local Coastal Program Land Use Plan in these parcels in the R-1-5 to R-1-40 zone district and apply the site standards of the zone district to all development.

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ 423

701 OCEAN STREET
FAX (408) 454-2131SANTA CRUZ, CALIFORNIA 95060
(408) 454-2580

NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

N/A COUNTY OF SANTA CRUZ

General Plan/Local Coastal Program Amendment to add a policy to recognize as consistent with the general plan/LCP existing legal residential parcels located outside the urban services line which are zoned R-I -5 through R-I -40.

Location of this property is non-applicable.

APN(s): VARIOUS Mark Deming, planner Zone District(s): R-I -5 to R-I -40

Findings:

This project, if conditioned to comply with required mitigation measures or conditions shown below, will not have a significant effect on the environment. The expected environmental impacts of the project are documented in the Initial Study on this project attached to the original of this notice on file with the Planning Department, County of Santa Cruz, 701 Ocean Street, Santa Cruz, California.

Required Mitigation Measures or Conditions:

X None

Are Attached

Review Period Ends March 25, 1998

Date Approved By Environmental Coordinator March 26, 1998

Ken Hart
KEN HART
Environmental Coordinator
(408) 454-3127

If this project is approved, complete and file this notice with the Clerk of the Board:

NOTICE OF DETERMINATION

The Final Approval of This Project was Granted by _____

on _____. No EIR was prepared under CEQA.

THE PROJECT WAS DETERMINED TO NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

Date completed notice filed with Clerk of the Board: _____

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EXHIBIT c

PLANNING DEPARTMENT

GOVERNMENTAL CENTER 701
FAX (408) 454-2131(408) 454-

COUNTY OF SANTA CRUZ

OCEAN STREET SANTA CRUZ, CALIFORNIA 95060
2580

NOTICE OF ENVIRONMENTAL REVIEW PERIOD

SANTA CRUZ COUNTY

APPLICANT: COUNTY OF SANTA CRUZAPPLICATION NO.: N/AAPN: VARIOUS

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

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

 Mitigations will be attached to the Negative Declaration.

X 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. You may discuss your project with the Environmental Coordinator, submit additional information, modify the project, or clarify questions.

Please contact Ken Hart, Environmental Coordinator at (408) 454-3127, if you wish to comment on the preliminary determination. Comments will be received until 5:00 p.m. on the last day of the review period.

Review Period Ends: MARCH 25, 1998

MARK DEMING
Staff Planner

Phone: 454-3183
Date: FEBRUARY 17, 1998

**ENVIRONMENTAL REVIEW
INITIAL STUDY**

ATTACHMENT

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APPLICANT: COUNTY OF SANTA CRUZ APN: various
OWNER: N/A
Application No: N/A Supervisorial District: ALL
Site Address: N/A
Location: N/A

EXISTING SITE CONDITIONS

Parcel Size: N/A
Existing Land Use: Residential
Vegetation: N/A
Slope: 0-15% __, 16-30% __, 31-50% __, 51% __ acres/sq. ft.
Nearby Watercourse: N/A
Distance To: N/A
Rock/Soil Type: N/A

ENVIRONMENTAL CONCERNS

Groundwater Supply:	N/A	Liquefaction:	N/A
Water Supply Watershed:	N/A	Fault Zone:	N/A
Groundwater Recharge:	N/A	Floodplain:	N/A
Timber and Mineral:	N/A	Riparian Corridor:	N/A
Biotic Resources:	N/A	Solar Access:	N/A
Fire Hazard:	N/A	Solar Orientation:	N/A
Archaeology:	N/A	Scenic Corridor:	N/A
Noise Constraint:	N/A	Electric Power Lines:	N/A
Erosion:	N/A	Agricultural Resource:	N/A
Landslide:	N/A		

SERVICES

Fire Protection: N/A Drainage District: N/A
School District: N/A
Project Access: N/A
Water Supply: N/A
Swage Disposal: N/A

PLANNING POLICIES

Zone District: R-1-5 TO R-1-40 Within USL: NO
General Plan: MOUNTAIN, RURAL & SUBURBAN RESIDENTIAL
Coastal Zone: YES

PROJECT DESCRIPTION:

GENERAL PLAN/LOCAL COASTAL PROGRAM AMENDMENT TO ADD A POLICY TO
RECOGNIZE AS CONSISTENT WITH THE GENERAL PLAN/LCP EXISTING LEGAL
RESIDENTIAL PARCELS LOCATED OUTSIDE THE URBAN SERVICES LINE WHICH ARE
ZONED R-1-5 THROUGH R-1-40

Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No Impact
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and General Plan Policy 8.2.2.

4. The destruction, covering or modification of any unique geologic or physical feature? x
5. Steep slopes (over 30%)? X

All development on existing parcels in the rural area of the County will be subject to General Plan Policy 63.9.

6. Coastal cliff erosion? X

All development on existing parcels in the rural area of the County will be subject to Chapter 16.10.

7. Beach sand distribution? X

All development on existing parcels in the rural area of the County will be subject to Chapter 16.10.

8. Any increase in wind or water erosion of soils, either on or off site? X

B. HYDROLOGIC FACTORS

Could the project affect, or be affected by, the following:

1. Water related hazards such as flooding or tidal waves? X

All development on existing parcels in the rural area of the County will be subject to Chapter 16.10.

2. Private or public water supply? X

All development on existing parcels in the rural area of the County will be subject to the requirements of the Environmental Health Department or the applicable water district.

3. Septic system functioning (inadequate percolation, high watertable, proximity to water courses)? X

All development on existing parcels in the rural area of the County will be subject to the requirements of the Environmental Health Department.

4. Increased siltation rates? X

All development on existing parcels in the rural area of the County will be subject to the

Significant:
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requirements of Chapter 16.24.

5.	Surface or ground water quality (contaminants including silt-urban runoff, nutrient enrichment, pesticides, etc.)?	—	- - -	<u>X</u>
6.	Quantity of ground water supply, or alteration in the direction or rate of flow of ground waters?		—	<u>X</u>
7.	Groundwater recharge?		—	<u>X</u>
8.	Watercourse configuration, capacity, or hydraulics?		—	<u>X</u>
9.	Changes in drainage patterns or the rate and amount of runoff?		—	<u>x</u>

All development on existing parcels in the rural area of the County will be subject to Chapter 16.22.

10.	Cumulative saltwater intrusion?			<u>X</u>
11.	Inefficient or unnecessary water consumption?			<u>X</u>
12.	Change in the amount of surface water in any water body?		—	<u>x</u>

C. BIOTIC FACTORS

Could the project affect, or be affected by, the following:

1.	Known habitat of any unique, rare or endangered plants or animals (designate species if known)?			<u>X</u>
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All development on existing parcels in the rural area of the County will be subject to Chapter 16.32.

2.	Unique or fragile biotic community (riparian corridor, wetland, coastal grasslands, special forests, intertidal zone, etc)?	—	—	<u>X</u>
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All development on existing parcels in the rural area of the County will be subject to Chapters 16.30 and 16.32.

- | | | | | |
|---|-------------------|-------------------|-------------------|------------------------------|
| 3. Fire hazard from flammable brush, grass, or trees? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
|---|-------------------|-------------------|-------------------|------------------------------|

All development on existing parcels in the rural area of the County will be subject to the Fire Agencies' requirements and the requirement to utilize a fire retardant Class C or better roof covering.

- | | | | | |
|---|-------------------|-------------------|-------------------|------------------------------|
| 4. Change in the diversity of species, or number of species of plants or animals? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
|---|-------------------|-------------------|-------------------|------------------------------|

D. NOISE

Will the project:

- | | | | | |
|---|-------------------|-------------------|-------------------|------------------------------|
| 1. Increase the ambient noise level for adjoining areas? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
| 2. Violate Title 25 noise insulation standards, or General Plan noise standards, as applicable? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
| 3. Be substantially affected by existing noise levels? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |

E. AIR

Will the project:

- | | | | | |
|--|-------------------|-------------------|-------------------|------------------------------|
| 1. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
| 2. Expose sensitive receptors to substantial pollutant concentrations? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
| 3. Release bioengineered organisms or chemicals to the air outside of project buildings? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |
| 4. Create objectionable odors? | <u> </u> | <u> </u> | <u> </u> | <u> X </u> |

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No or Unknown
Mitigation

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ATTACHMENT 4
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5. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect areas, or change the climate either in the community in the community or region?

— — X

F. ENERGY AND NATURAL RESOURCES

Will the project:

1. Affect or be affected by timber resources?
2. Affect or be affected by lands currently utilized for agriculture or designated for agricultural use?

— — X

— — X

All development on existing parcels in the rural area of the County will be subject to Chapter 16.50.

3. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use of these 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

X

G. CULTURAL/AESTHETIC FACTORS

Will the project result in:

1. Alteration or destruction of historical buildings or unique cultural features?

— X

All development on existing parcels in the rural area of the County will be subject to Chapter 16.42

2. Disturbance of archaeological or paleontological resources?

X

All development on existing parcels in the rural area of the County will be subject to Chapters 16.40 and 16.44.

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- | | | | | |
|----|--|---------------|---------------|--------------|
| 3. | Obstruction or alteration of views from areas having important visual/scenic values? | | | |
| 4. | Being visible from any adopted scenic highway or scenic corridor? | <u> </u> | <u> </u> | <u> X </u> |
| 5. | Interference with established recreational, educational, religious or scientific uses of the area? | <u> </u> | | <u> X </u> |

H. SERVICES AND UTILITIES

Will the project or its related activities result in:

- | | | | | |
|----|---|---------------|---------------|--------------|
| 1. | A breach of national, state, or local standards relating to solid waste or litter management? | | | <u> X </u> |
| 2. | Expansion of or creation of new utility facilities (c.g., sewage plants, water storage, mutual water systems, storm drainage, etc.) including expansion of service area boundaries? | <u> </u> | | <u> X </u> |
| 3. | A need for expanded governmental services in any of the following areas: | | | |
| | a. Fire protection? | | | <u> X </u> |
| | b. Police protection? | | | <u> X </u> |
| | c. Schools? | | <u> </u> | <u> X </u> |
| | d. Parks or other recreational facilities? | | | <u> X </u> |
| | e. Maintenance of public facilities including roads? | | | <u> X </u> |
| | f. Other governmental services? | <u> </u> | <u> </u> | <u> X </u> |
| 4. | Inadequate water supply for | | | |

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ATTACHMENT 3 24
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fire protection? X

5. Inadequate access for fire protection? X

I. TRAFFIC AND TRANSPORTATION

Will the project result in:

1. An increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system? X
2. Cause substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity? X
3. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities? X
4. Alterations to present patterns of circulation or movement of people and/or goods? X
5. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? X
6. Cause preemption of public mass-transportation modes? X

J. LAND USE/HOUSING

Will the project result in:

- I. Reduction of low/moderate income housing? X
2. Demand for additional housing? X
3. A substantial alteration of the present or planned land use of an area? X

ATTACHMENT 4334
No
Impact

Significant:
No or Unknown
Mitigation

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4. Change in the character of the community in terms of terms of distribution or concentration of income, income, ethnic, housing. or age group?

— X

5. Land use not in conformance with the character of the surrounding neighborhood?

X

K. HAZARDS

Will the project:

1. Involve the USC. production or disposal of materials which pose hazard to people, animal or plant populations in the area affected?
2. Result in transportation of significant amounts of hazardous materials. other than motor fuel?
3. Involve release of any bioengineered organisms outside of controlled laboratories?
4. Involve the use of any pathogenic organisms on site?
5. Require major expansion or special training of police, fire, hospital and/or ambulance services to deal with possible accidents?
6. Create a potential substantial fire hazard?
7. Expose people to electro-magnetic fields associated with electrical transmission lines?

X

X

x

X

X

X

X

L. GENERAL PLANS AND PLANNING POLICY

ATTACHMENT 4 4

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	NO <u>Impact</u>
1. Does the project conflict with any policies in the adopted General Plan or Local Coastal Program? If so, how?	—	—	—	<u>X</u>
2. Does the project conflict with any local, state or federal ordinances? If so, how?	—	—	—	<u>X</u>
3. Does the project have potentially growth inducing effect?			—	<u>X</u>
4. Does the project require approval of regional, state, or federal agencies? Which agencies?				

Environmental Review Initial Study
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MANDATORY FINDINGS OF SIGNIFICANCE

	<u>YES</u>	<u>NO</u>
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 or animal, or eliminate important examples of the major periods of California history or pre-history?	<u> </u>	<u> X </u>
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 will endure well into the future.)	<u> </u>	<u> X </u>
3. Does the project have impacts which are individually limited but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant. Analyze in the light of past projects, other current projects, and probable future projects.)	<u> </u>	<u> X </u>
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<u> </u>	<u> X </u>

TECHNICAL REVIEW CHECKLIST

ATTACHMENT 4

	REQUIRED	COMPLETED*	N/A
APAC REVIEW	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ARCHAEOLOGIC REVIEW	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BIOTIC ASSESSMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GEOLOGIC HAZARD ASSESSMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GEOLOGIC REPORT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
RIPARIAN PRE-SITE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPTIC LOT CHECK	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SOILS REPORT	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OTHER:			
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

*Attach summary and recommendation from completed reviews

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

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ENVIRONMENTAL REVIEW ACTION

ATTACHMENT 4

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 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.

2- 17-98
Date

Paula Lums

Signature

For:
Environmental Coordinator

Attachments:

- 1.
- 2.
- 3.
- 4.
- 5.

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EXHIBIT C

PLANNING DEPARTMENT

GOVERNMENTAL CENTER

TOM BURNS
Interim Planning Director



ATTACHMENT 4
COUNTY OF SANTA CRUZ 438

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060
FAX (408) 454-2131 TDD (408) 454-2123 PHONE (408) 454-2580

December 2, 1997

Agenda: December 16, 1997

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

**SUBJECT: ANALYSIS OF GENERAL PLAN AND ZONING ORDINANCE TREATMENT
OF EXISTING URBAN DEVELOPMENT IN RURAL AREAS**

Members of the Board:

On November 5, 1997, your Board adopted the Planning Department's Advanced Planning Division's work program. One of the approved work program projects is assessing the need for amendments to the Zoning Ordinance and/or the General Plan/LCP to recognize legal, existing urban-density parcels located in rural areas. This report discusses several options and recommends an approach for addressing the issue.

BACKGROUND

General Plan

With the adoption of the 1980 and 1994 General Plans, the County designated all properties with a land use designation, such as Neighborhood Commercial, Urban Low, Suburban Residential, Mountain Residential and so forth. In some cases, the land use designation was adopted to define the future land use development potential of the property. In other cases, because the property was already developed to its fullest potential, it simply recognized the intensity of the existing land use.

As your Board knows, in the past (prior to 1980) a great number of small residential parcels were created in rural areas of the County. These parcels are, for the most part, developed with single-family residences and accessory structures. The General Plan recognizes the residential use of these parcels through the three rural residential land use designations: Suburban Residential, Rural

Residential and Mountain Residential. Although the future development densities of these designations range from 1 to 40-acres/dwelling unit, the primary purpose of these land use designations is for single-family residential use. Therefore, while the current General Plan designations would not allow additional future development of these properties, it does recognize the residential land use of the property.

Zoning

In 1996-97, the Planning Department, through its approved work program, attempted to bring the zoning in the rural areas of the County into conformance with the General Plans of 1980 and 1994. It was discovered at that time that approximately 12,000 rural parcels in the County had some form of R-1 zoning, including R-1-S, R-1-6, R-1-9, R-1-10, R-1-15, etc. Unfortunately, none of the R-1 zone districts were designated as a zone district which implemented the three rural residential General Plan land use designations discussed above.

As your Board may recall, the Department initially proposed to add a new zone district in the rural area to the list of implementing zone districts in Section 13.10.170(d) of the County Code and rezone all of the existing rural parcels to this zone district. However, following a community meeting and two public hearings, issues regarding parcel size, property values and zoning were raised which made it clear that this was an undesirable alternative to the community. Therefore, staff developed an alternative that did not require any rezonings of these properties.

Subsequently, in June 1997, your Board adopted an ordinance (Attachment 1) adding the "R-1 - Single-Family Residential (5,000 square feet to 1 acre)" zone district to the list of zone districts that implement the Suburban Residential, Rural Residential, and Mountain Residential land use designations of the 1994 General Plan. As a result of your Board's action, these parcels now have zoning which is consistent with the underlying General Plan land use designations.

DISCUSSION

This matter comes to your Board as a result of the June 1997 zoning ordinance amendment discussed above. At the time of the adoption, several community members felt that the approach ultimately approved by the Board adversely affected their properties. Therefore, as part of the Board's June 1997 actions, staff was directed to further evaluate this issue. Staff has since reviewed a number of alternatives to address this issue; ranging from relatively simple General Plan text additions to rezonings and land use designation amendments to all of the 12,000+ parcels. A discussion of these options is included as Attachment 2. Staff's recommended option is listed as option no. 2.

STAFF RECOMMENDED OPTION

The General Plan and the Zoning Ordinance contain many references and regulations which deal with the existing, small, rural residential parcels. The very starting point for the development of the General Plan is a tabulation of what's already here, including these existing parcels. The underlying land use designation, whether it be Suburban Residential, Rural Residential or Mountain

Residential. is a single-family residential designation. exactly the type of development found on these small parcels.

The Zoning Ordinance does not treat these parcels nor the uses on them as non-conforming. Rather. the single-family residential use of the property is considered in conformance with the purpose and intent of the "R-1 - Single-Family Residential (5,000 square feet to 1 acre)" zone district. Furthermore. the Zoning Ordinance allows the construction. reconstruction, remodeling. etc. of residences and accessory structures based on the site standards consistent with the specific zone district.

What is lacking. however. is specific policy language in the General Plan that addresses these urban-density parcels in the rural areas. Development of such language would clarify the position of the County regarding these existing parcels and address the concerns raised by members of the public. The policy would be a simple declaration of the intent of the County to recognize these existing parcels and would also specifically state that the existing zoning implements the policy. that the site standards of the specific zone district apply. and that these parcels are not considered to be non-conforming by the County. The following wording is suggested:

Recognize existing legal residential parcels outside the Urban Services Line that are less than 1 acre in size as conforming with the General Plan land use element. Zone these parcels with an R-I-5 to R-I-40 zone district, appropriate to their size, and apply the site standards of the zone district to all development.

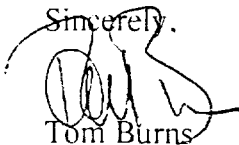
RECOMMENDATION

Although the General Plan and Zoning Ordinance do recognize the existence of the small urban-density parcels located in the rural areas of the County. there is no specific policy in the General Plan which addresses their status. Adding such a policy would make it clear what the County's position is in regard to these existing parcels.

It is. therefore. RECOMMENDED that your Board:

1. Accept and file this report, and
2. Direct the Planning Department to process an amendment to the General Plan adding specific language to the residential land uses section regarding the existing small residential parcels. as described above.

Sincerely,



Tom Burns
Interim Planning Director

RECOMMENDED: _____
SUSAN A. MAURIELLO. County Administrative Officer

Attachments: 1. Ordinance No. 4460
2. Options for Addressing the Urban-Type Residential Parcels Located in the Rural Areas of the County

cc: County Counsel
Dave Ledesma
Jim Samuels
0. Robert Welch

The "R-1 Single Family Residential" District located outside the Urban Services Line recognizes as conforming parcels those parcels which are generally less than 1 acre in size, and that, prior to the effective date of the 1994 General Plan/Local Coastal Program Land Use Plan, were legal lots of record and developed with or intended for development of a single family residence.

SECTION IV

If any section, subsection, division, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, division, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

SECTION V

This ordinance shall take effect on the 31 st day after final passage or upon certification by the California Coastal Commission, which ever occurs later.

PASSED AND ADOPTED BY the Board of Supervisors of the County of Santa Cruz this 3rd day of June, 1997, by the following vote:

AYES: Beautz, Symons, Belgard, Almquist and Wormhoudt
 NOES: None
 ABSENT: Wone
 ABSTAIN: None

Mandi Wormhoudt
 CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: Susan Rognan
 Clerk of the Board

APPROVED AS TO FORM: Dee S.
 County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 19th DAY OF June 1997
 SUSAN A MAURIZIO, COUNTY CLERK, DEPUTY CLERK AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.

BY Nancy Hansen DEPUTY

**OPTIONS FOR ADDRESSING THE URBAN-TYPE
RESIDENTIAL PARCELS LOCATED IN THE RURAL
AREAS OF THE COUNTY**

The following options address the issue of the existing urban-density parcels located within the rural areas of the County:

1. Status quo - no change to the General Plan or Zoning Ordinance

No amendments to the General Plan or Zoning Ordinance would be made. Existing Zoning Ordinance language, as adopted by the Board in June 1997, created adequate consistency between the General Plan and Zoning Ordinance through inclusion of the full range of R-1 zoning into the Zoning Ordinance as implementing zone districts in the rural residential land use designations. All existing parcels are subject to site standards consistent with the existing zone district and all structures can be rebuilt, remodelled, etc., subject to the limitations of the site standards and other technical requirements (septic, water, access, geology, etc.).

Advantages of this option:

- No change to existing zoning or General Plan designation

Disadvantages of this option:

- Does not address the lack of specific language in the General Plan regarding the existence of these small residential parcels in the rural areas of the County.

Work Program Impacts:

No effect to approved work program.

2. Add policy language to the General Plan concerning R-1 parcels outside the Urban Services Line (USL)

Policy language would be added to the General Plan stating that pre-existing parcels outside the USL with parcels sizes less than 1 acre are consistent with the General Plan. The policy would also specify that the R-1-5 through R-1-40 zone districts implement the General Plan land use element for these parcels and

that the site standards of those zone districts apply to all development

Advantages of this option:

- Relatively simple to create and adopt the policy language;
- Confers total consistency with the General Plan.

Dis-advantages of this option:

- Does not address the uninformed expectation that the square footage number appended to R-1 indicates future development potential.

Work Program Impacts:

This option would simply require the addition of text to the General Plan. No ordinance amendments or property rezonings would be required. This could be easily added to existing work program.

3. Create a new zone district outside the USL

All other residential zone districts (RR, RA, SU) outside of the Urban Services Line have no density identified as part of their zoning designation. Density is determined by the Rural Density Matrix.

The creation of a new zone district — the RS (Rural, Single-Family) — would apply only to parcels less than one acre in size outside the USL. This zone district could allow the same uses and have the same site standards as the current R-1 zone district. The current R-1 zone district would apply only to parcels less than one acre in size inside the USL. The creation of this new zone district would be consistent with the other rural zone districts in that the zoning is silent to density, deferring to the Rural Density Matrix for density determinations.

Advantages of this option:

- Elimination of the uninformed expectation that the square footage number appended to R-1 indicates future development potential;
- Elimination of the last zone district in the rural area that has misleading density numbers;
- Establishment of a single family zone district specifically for rural areas of the County.

Dis-advantages of this option:

- Would require rezonings of over 12,000 parcels in the rural area;
- Would require intense public information outreach to explain the impact of the zoning change;

Work Program impacts

This option would require significant amendment of the Zoning Ordinance to develop purposes, uses, site regulations, etc. and rezoning of 12,000+ parcels. This would be a significant work item. No General Plan text changes would be required.

4. Create a new General Plan land use category

A new land use category — R-E (Residential Existing) — would be added to the General Plan. The text for this new category would state that existing parcel sizes would be recognized as conforming; however, these properties may not be divided or their density increased unless they meet the density prescribed by the Rural Density Matrix. Only properties less than one acre in size would have this designation. Current R-1-(square footage number) zoning designations would remain which would be consistent with the new land use category.

Advantages of this option:

- Confers total Consistency with the General Plan;
- Clearly addresses existing sub-one acre development.

Dis-advantages of this option:

- Would require changing the General Plan land use designation on over 12,000 parcels in the rural areas of the County
- Does not address the uninformed expectation that the square footage number appended to R-1 indicates future development potential;
- Most complicated option to solve the problem;

Work Program Impacts

This option would require adding text to the General Plan, amending the Zoning Ordinance, and changing the General Plan designation of 12,000+ parcels. This would be a significant work item. No property rezonings would be required.