

## PLANNING DEPARTMENT

GOVERNMENTAL CENTER



## COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060  
 FAX (408) 454-2131 TDD (406) 454.2123 PHONE (406) 454-2580

August 3, 1998

Agenda: August 25, 1998

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

**SUBJECT: PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION REGARDING A PROPOSAL TO AMEND THE 1994 GENERAL PLAN / LCP LAND USE DESIGNATION FOR APNs 025-201-42, -44, -49 AND -50 BY REMOVING THE "URBAN MEDIUM DENSITY RESIDENTIAL" (R-UM) AND ADDING THE "NEIGHBORHOOD COMMERCIAL" (C-N) DESIGNATION AND AMEND THE ZONING FOR THESE PROPERTIES FROM "MULTI-FAMILY RESIDENTIAL, 4,000 SQ.FT. PER UNIT" (RM-4) TO THE "NEIGHBORHOOD COMMERCIAL" (C-1) ZONE DISTRICT, AND ADD SITE SPECIFIC CRITERIA TO THE GENERAL PLAN / LCP TEXT**

Members of the Board:

The proposal before your Board would revise the General Plan and Zoning designations, as well as add site specific policies (Attachment 2) to four properties, in an effort to recognize existing neighborhood serving commercial uses on these properties (see Maps, Attachment 5).

## BACKGROUND

As a part of the 1994 General Plan update, APNs 025-201-42, -44, -49 and -50 were redesignated from the Community Commercial (C-C) General Plan designation with a zoning of Community Commercial (C-2) to Urban Medium Density Residential (R-UM) General Plan designation with a zoning of Multi-family Residential, 4,000 sq.ft. per unit (RM-4). This was done with the goal of establishing consistency with the surrounding neighborhoods. However, access to and from these four properties are off an existing, heavily used arterial roadway (Soquel Drive) within an existing commercial area, the properties are physically separated from adjacent residential properties and are therefore not conducive to residential development.

These neighborhood commercial uses have occurred on the four adjoining parcels for several years and as a result, act as a small, neighborhood-serving node, as opposed to a more commercial-serving node for the local community. Because of this, amending the General Plan and zoning designations to the previous designation of Community Commercial (C-C) and Community Commercial (C-2) would not be consistent with the current purpose of the

Neighborhood Commercial (N-C) land use designation in the General Plan. Therefore, the proposed amendment would revise the General Plan and Zoning designations of the subject properties from Urban Medium Density Residential (R-UM) with a zoning of Multi-family Residential, 4,000 sq.ft. per unit (RM-4) to the Neighborhood Commercial (C-N) with a zoning of Neighborhood Commercial (C- 1).

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## **DISCUSSION**

The four properties are located adjacent to one another within an area off Soquel Drive between Mattison Lane and the Villa San Carlos Apartments. The existing restaurant is a very popular establishment serving local residents, especially those residents who reside at the senior citizen complex across the street. The other commercial uses on the property include two antique shops. While it would seem appropriate to designate parcels surrounded by residential neighborhoods as residential, the redesignation of these commercially developed properties to residential has created a non-conforming use situation that the property owners do not desire. These properties gain access directly from Soquel Drive, a heavily used roadway and it appears that the best use of the parcels would be to continue the existing commercial uses.

The existing commercial uses will be consistent with the proposed Neighborhood Commercial and C-I designations. To preserve the existing neighborhood serving uses that the properties provide and to ensure consistency, Site Specific Policies have been added. The purpose is to mitigate any potential impact to the surrounding neighborhood from the addition of new uses, and to ensure full public participation for any new uses proposed.

## **ENVIRONMENTAL REVIEW AND PLANNING COMMTSSTON APPROVAL**

The proposed amendment was reviewed for environmental impacts per the requirements of the California Environmental Quality Act (CEQA) and on June 16, 1998, the project received a Negative Declaration with no mitigations (please refer to Attachment 6, Negative Declaration). On June 24, 1998, the project was considered by the Planning Commission (please refer to Attachment 7, Planning Commission Staff Report and Minutes). The Commission adopted a Resolution (Please refer to Attachment 4) and a Site Specific Policy (Attachment 2) recommending that the proposed amendment, as presented, be approved by your Board.

## **RECOMMENDATION**

The proposed amendment to the 1994 General Plan / LCP would change the General Plan designation of the four properties from the Urban Medium Density Residential (R-UM) with a zoning of Multi-family Residential, 4,000 sq.ft. per unit (RM-4) to the Neighborhood Commercial (C-N) General Plan designation with a zoning of Neighborhood Commercial (C-1), and recognize the existing neighborhood serving commercial uses.

It is therefore RECOMMENDED that your Board:

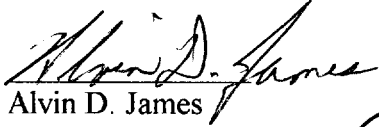
1. Adopt the attached Resolution (Attachment 1) amending the General Plan Land Use Plan designation for APNs 025-201-42, -44, -49 and -50 from the Urban Medium Density Residential (R-UM) to Neighborhood Commercial (C-N); and
2. Add a site specific policy regarding the allowed uses on these parcels (Attachment 2);

and

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3. Adopt an Ordinance amending the County Zoning Ordinance (Attachment 3) by changing the zoning of APNs 025-201-42, -44, -49 and -50 from the Multi-family Residential, 4,000 sq.ft. per unit (RM-4) to Neighborhood Commercial (C-1).

Sincerely,

  
Alvin D. James

Director

RECOMMENDED:

  
Susan A. Mauriello  
County Administrative Officer

Attachments:

1. Board of Supervisors Resolution
2. Site Specific Policy
3. Ordinance
4. Planning Commission Resolution
5. Maps: Project Location Map
  - Current General Plan and Zoning
  - Proposed General Plan and Zoning
6. Negative Declaration and Initial Study
7. Planning Commission Staff Report/Minutes

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 is adopted:

**RESOLUTION AMENDING THE 1994 GENERAL PLAN TO REDESTGNATE APNs 025-201-42, -44, -49 AND -50 FROM THE URBAN MEDIUM DENSITY RESIDENTIAL (R-UM) GENERAL PLAN DESIGNATION TO THE NEIGHBORHOOD COMMERCIAL (C-N) GENERAL PLAN DESIGNATION, ADD SITE SPECIFIC POLICY REGARDING FUTURE USES OF THE PROPERTIES AND AMEND THE ZONING FOR THESE PROPERTIES FROM MULTI-FAMILY RESIDENTIAL, 4,000 SQ.FT. PER UNIT (RM-4) TO THE NEIGHBORHOOD COMMERCIAL (C-I) ZONE DISTRICT.**

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WHEREAS, the County of Santa Cruz, Board of Supervisors directed the Planning Department to complete an analysis on the properties noted above to determine the appropriate land use of these properties; and

WHEREAS, as a part of the 1994 General Plan update the properties were rezoned from the Community Commercial (C-C) General Plan designation with a zoning of Community Commercial (C-2) to Urban Medium Density Residential (R-UM) General Plan designation with a zoning of Multi-family Residential, 4,000 sq.ft. per dwelling unit (RM-4); and

WHEREAS, based on the analysis done by Planning staff, it appears that the best use of these parcels would be to continue as commercial; and

WHEREAS, the proposed General Plan amendment would redesignate APNs 025-201-42, -44, -49 and -50 from Urban Medium Density Residential (R-UM) General Plan designation with a zoning of Multi-family Residential, 4,000 sq.ft. per dwelling unit (RM-4) to the Neighborhood Commercial (C-N) with a zoning of Neighborhood Commercial (C-I); and

WHEREAS, the amendment has been reviewed for compliance with CEQA and State and County environmental guidelines, and a negative declaration with no mitigations has been issued; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and has considered the proposed amendment, the staff report, and all testimony and evidence received at the public hearing and has adopted a Resolution and a Site Specific Policy recommending that the proposed amendment be approved by your Board; and

WHEREAS, the proposed amendments are in harmony with the objectives of the County General Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors adopts General Plan amendments as proposed to redesignate APNs 025-201-42, -44, -49 and -50 from Urban Medium Density Residential (R-UM) General Plan designation with a zoning of Multi-family Residential, 4,000 sq.ft. per dwelling unit (RM-4) to the Neighborhood Commercial (C-N) with a zoning of Neighborhood Commercial (C-l); add a site specific policy regarding the allowed uses on these parcels (Attachment 2); and adopt an Ordinance amending the County Zoning Ordinance (Attachment 3) by changing the zoning of APNs 025-201-42, -44, -49 and -50 from the Multi-family Residential, 4,000 sq.ft. per unit (RM-4) to Neighborhood Commercial (C-l).

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 1998 by the following vote:

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

\_\_\_\_\_  
Janet K. Beautz, Chairperson  
Board of Supervisors

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
COUNTY COUNSEL

Distribution: County Counsel  
Planning Department

## **Neighborhood Commercial**

### **2.13.9 Live Oak: Soquel Drive Neighborhood Commercial**

Apply the following policies to APN's 025-201-42, -44, -49 and -50:

APN's 025-201-42 and -44: Any change, including but not limited to the inclusion of additional uses, to the existing restaurant use shall require a Level V (Zoning Administrator) public hearing. Any change of use shall require approval of the Board of Supervisors, based on a recommendation of the Planning Commission.

APN's 025-201-49 and -50: Maintain the existing low intensity neighborhood commercial uses on these parcels. Any change of use that results in an intensification of use, as defined in the County Code, shall be subject to a Level V (Zoning Administrator) public hearing.

ATTACHMENT

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING CHAPTER 13.10 OF THE SANTA CRUZ COUNTY CODE  
CHANGING PROPERTY FROM ONE ZONE DISTRICT TO ANOTHER

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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 and Local Coastal Program Land Use Plan regarding APN's 025-201-42, -44, -49, and -50; 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 16.01 of the County Code have been complied with by the preparation and approval of a |xxx| Negative Declaration or |\_\_\_| Environmental Impact Report 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 |\_\_\_| with |xxx| 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 of the level of utilities and community services available to the land; and
3. |\_\_\_| a) 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; or

- | -| b) The proposed rezoning is necessary to provide for a community related use which was not anticipated when the zoning plan was adopted; or
- |xxx| c) The present zoning is the result of an error; or
- | -| d) The present zoning is inconsistent with the designation shown on the General Plan.

### 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 property from the existing zone district to the new zone district as follows:

<u>Assessor's Parcel Number</u>	<u>Existing Zone District</u>	<u>New Zone District</u>
025-201-42,-44,-49 -50	RM - 4	C - 1

### SECTION IV

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1998, 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: \_\_\_\_\_  
County Counsel

DISTRIBUTION: County Counsel  
Planning



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 is adopted:

**PLANNING COMMISSION RESOLUTION RECOMMENDING ADOPTION OF AN AMENDMENT TO THE 1994 GENERAL PLAN TO REDESIGNATE APNs 025-201-42, -44, -49 AND -50 FROM THE URBAN MEDIUM DENSITY RESIDENTIAL (R-UM) GENERAL PLAN DESIGNATION TO THE NEIGHBORHOOD COMMERCIAL (C-N) GENERAL PLAN DESIGNATION, ADD SITE SPECIFIC POLICY REGARDING FUTURE USES OF THE PROPERTIES AND AMEND THE ZONING FOR THESE PROPERTIES FROM MULTI-FAMILY RESIDENTIAL, 4,000 SQ.FT. PER UNIT (RM-4) TO THE NEIGHBORHOOD COMMERCIAL (C-1) ZONE DISTRICT.**

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WHEREAS, the County of Santa Cruz, Board of Supervisors directed the Planning Department to complete an analysis on the properties noted above to determine the appropriate land use of these properties; and

WHEREAS, as a part of the 1994 General Plan update the properties were rezoned from the Community Commercial (C-C) General Plan designation with a zoning of Community Commercial (C-2) to Urban Medium Density Residential (R-UM) General Plan designation with a zoning of Multi-family Residential, 4,000 sq.ft. per dwelling unit (RM-4); and

WHEREAS, based on the analysis done by Planning staff, it appears that the best use of these parcels would be to continue as commercial; and

WHEREAS, the proposed General Plan amendment would redesignate APNs **025-201-42, -44, -49** and -50 from Urban Medium Density Residential (R-UM) General Plan designation with a zoning of Multi-family Residential, 4,000 sq.ft. per dwelling unit (RM-4) to the Neighborhood Commercial (C-N) with a zoning of Neighborhood Commercial (C-1); and

WHEREAS, the amendment has been reviewed for compliance with CEQA and State and County environmental guidelines, and has been found to be exempt from the requirements of CEQA; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and has considered the proposed amendment, the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, the proposed amendments are in harmony with the objectives of the County

General Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the proposed General Plan amendments, as set forth in Exhibits A and B, and the proposed rezoning of the properties as set forth in Exhibit C and incorporated herein by reference, be approved by the Board of Supervisors.

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

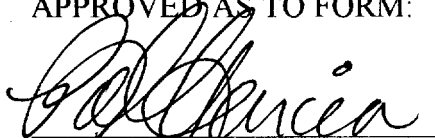
AYES: COMMISSIONERS  
NOES: COMMISSIONERS  
ABSENT: COMMISSIONERS  
ABSTAIN: COMMISSIONERS

\_\_\_\_\_  
Dale Skilhcorn, Chairperson  
Planning Commission

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
COUNTY COUNSEL

Distribution: County Counsel  
Planning Department

## **Neighborhood Commercial**

### **2.13.9 Live Oak: Soquel Drive Neighborhood Commercial**

Apply the following policies to APN's 025-201-42, -44, -49 and -50:

APN's 025-201-42 and -44: Any change, including but not limited to the inclusion of additional uses, to the existing restaurant use shall require a Level V (Zoning Administrator) public hearing. Any change of use shall require approval of the Board of Supervisors, based on a recommendation of the Planning Commission.

APN's 025-201-49 and -50: Maintain the existing low intensity neighborhood commercial uses on these parcels. Any change of use that results in an intensification of use, as defined in the County Code, shall be subject to a Level V (Zoning Administrator) public hearing.

General Plan Amendment

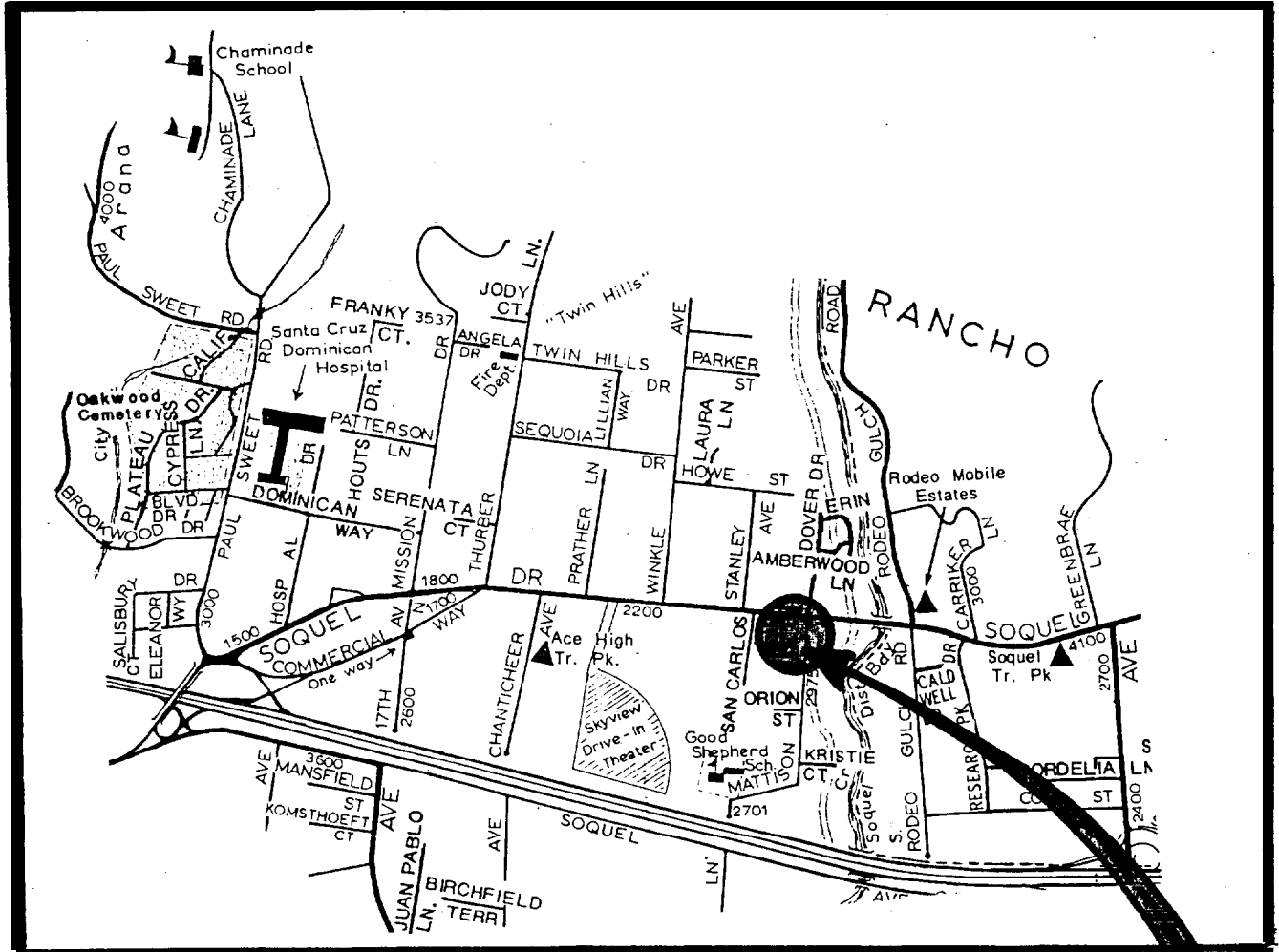
Silver Spur Restaurant: 2650 Soquel Drive, APNs 025-201-42, -44

Bei-Scott Properties: 2630 Soquel Drive, APN 025-201-490

2628 Soquel Drive, APN 025-201-50

ATTACHMENT 5

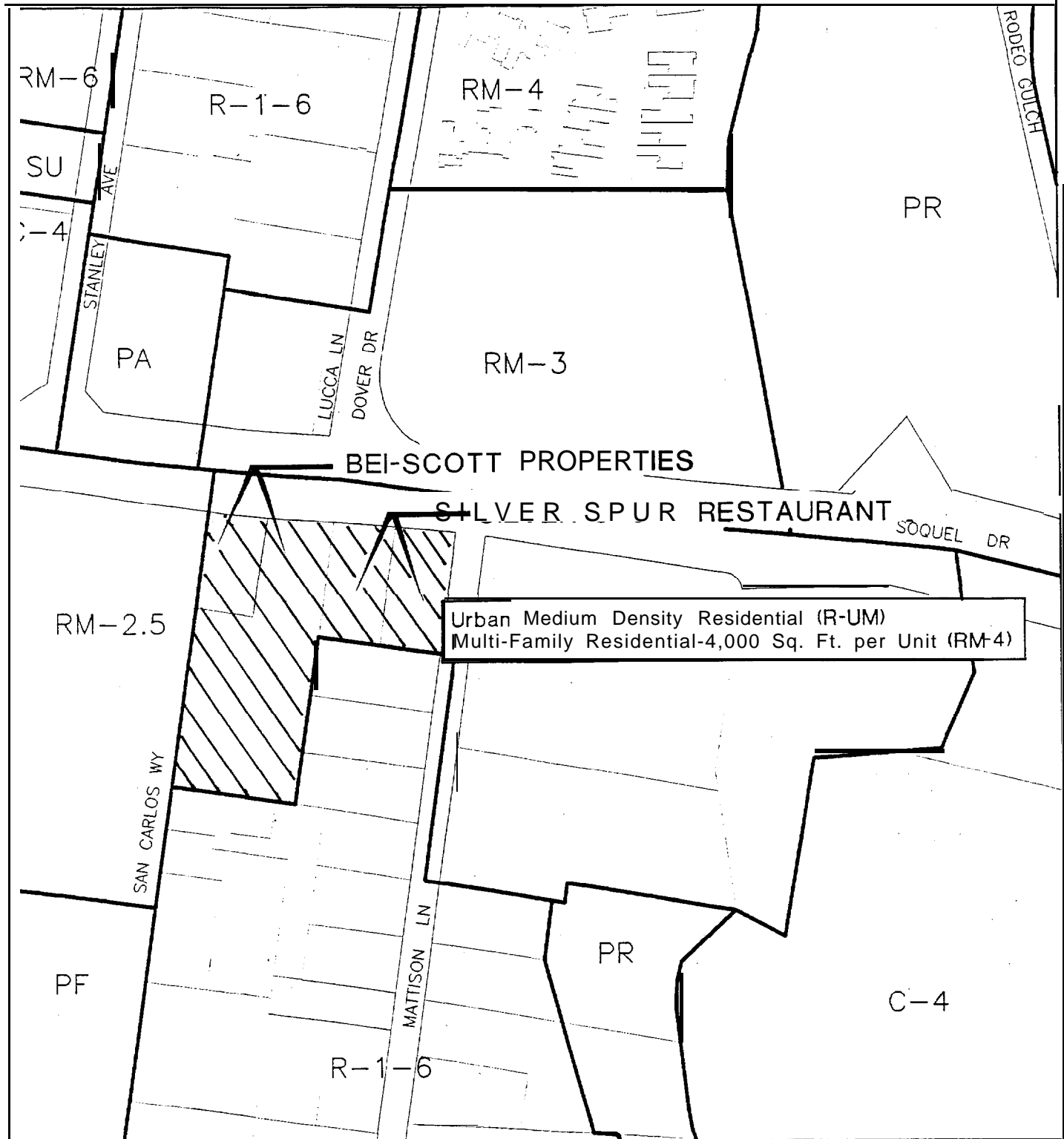
## Project Location Map



The subject properties are located on the southwest corner of Soquel Drive and Mattison Lane, in the Live Oak Planning Area

Project Location Map

General Plan Amendment

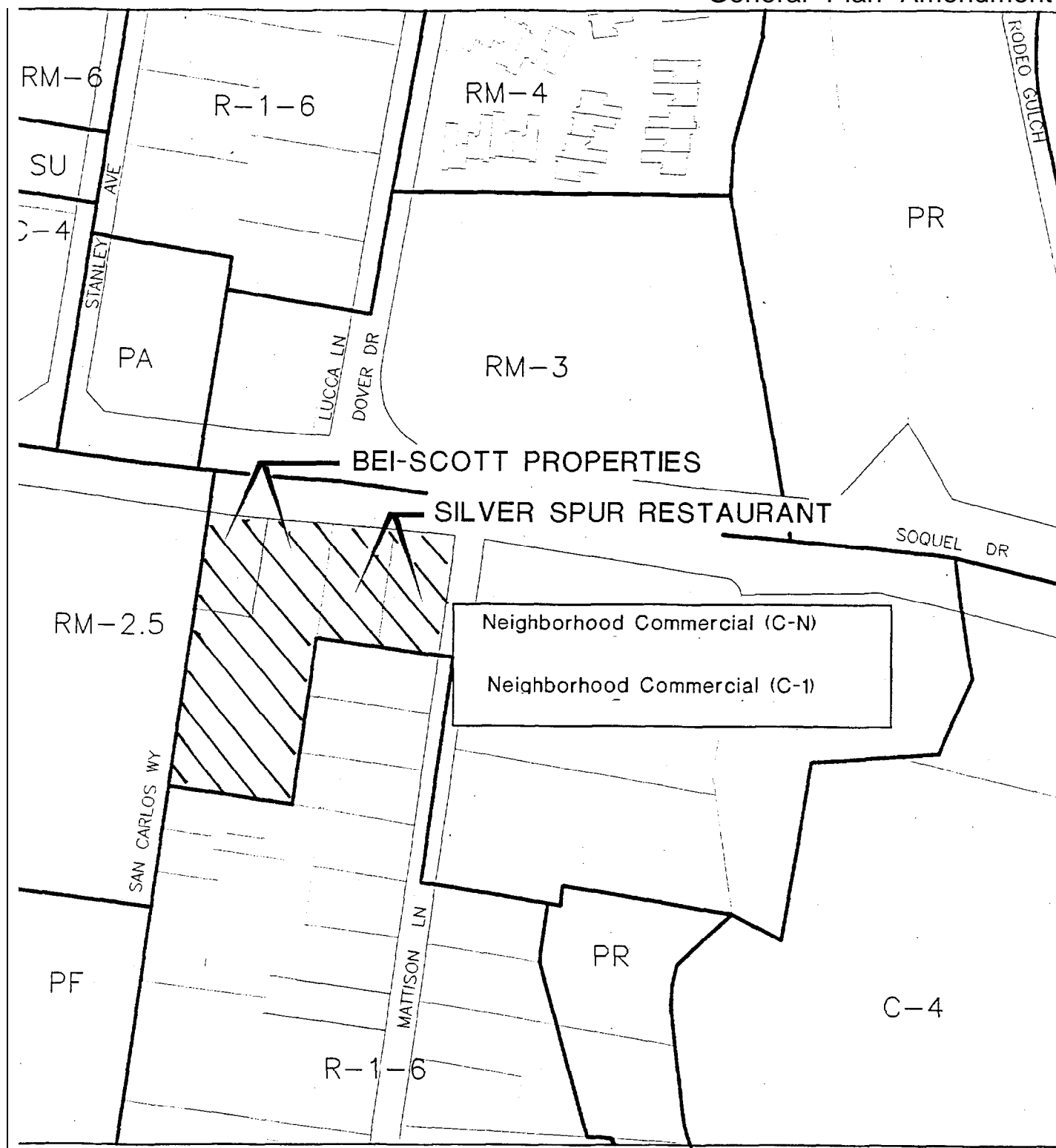


CURRENT GENERAL PLAN DESIGNATION AND ZONING

Silver Spur Restaurant, 2650 Soquel Drive, APN 025-201-42, 44  
 Bei-Scott Properties, 2630 Soquel Dr., APN 025-201-49  
 2628 Soquel Dr., APN 025-201-50

076-98A1 PREPARED BY SANTACRUZ COUNTY GIS STAFF -- MAY 1998

General Plan Amendment



PROPOSED GENERAL PLAN DESIGNATION AND ZONING

Silver Spur Restaurant, 2650 Soquel Drive, APN 025-201-42, 44  
 Bei-Scott Properties, 2630 Soquel Dr., APN 025-201-49  
 2628 Soquel Dr., APN 025-201-50

076-98A2 PREPARED BY SANTA CRUZ COUNTY GIS STAFF - MAY 1998

PLANNING DEPARTMENT

GOVERNMENTAL CENTER



COUNTY OF SANTA CRUZ

701 OCEAN STREET  
FAX (408) 454-2131

SANTA CRUZ, CALIFORNIA 95060  
(408) 454-2580

ATTACHMENT

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## NEGATIVE DECLARATION AND NOTICE OF DETERMINATION

### N/A COUNTY OF SANTA CRUZ

Proposal to amend the 1994 General Plan designations for four properties (APNs 025-201-42, -44, -49 and 50) from Urban Medium Density Residential (R-UM) to Neighborhood Commercial (C-N) or Community Commercial (C-C-) and amend the zoning for these Properties from Multi-family Residential, 4,000 sq.ft. Per dwelling unit (RM-4) to the Neighborhood Commercial (C-1) or Community Commercial (C-2) zone district. Requires a General Plan amendment and a rezoning. The Property is located on the southwest corner of Soquel Drive and Mattison Lane, Live Oak area.

**APN(s): 025-201-42, -44, -49 8 -50 John Akeman, planner Zoning District(s): RM-4**

#### 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.

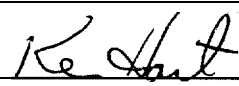
#### Required Mitigation Measures or Conditions:

X None

#### Attachments

Review Period Ends June 16, 1998

Date Approved By Environmental Coordinator June 17, 1998

  
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: \_\_\_\_\_

PLANNING DEPARTMENT

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



COUNTY OF SANTA CRUZ

OCEAN STREETSANTA CRUZ, CALIFORNIA 95060  
2560

ATTACHMENT 6714

NOTICE OF ENVIRONMENTAL REVIEW PERIOD  
SANTA CRUZ COUNTY

APPLICANT: County of Santa Cruz Planning Department

APPLICATION NO.: N/A

APN: 025-201-42, -44, -49 and -50

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: June 16, 1998

John Akeman  
Staff Planner

Phone: 454-3172

Date: May 20, 1998



## ENVIRONMENTAL REVIEW INITIAL STUDY

Applicant: County of Santa Cruz, Planning Department  
APN: 025-201-42, -44, -49 and -SO  
Owner: Arthur & Gloria Marsh (-42 & -44); Bci-Scott (-49 & -SO)  
Application No: N/A  
Supervisory District: |  
Site Address: 2650 Soquel Dr. (-42 & -44); 2630 Soquel Dr. (-49); 2628 Soquel Dr. (-50)  
Location: Southwest corner of Soquel Drive and Mattison Lane, Live Oak area.

### EXISTING SITE CONDITIONS

Parcel Size: APN (-42) 7,623 sq.ft.; (-44) 8,015 sq.ft.; (-49) 31,493 sq.ft.; (-SO) 5,924 sq.ft.  
Existing Land Use: Restaurant (-42 & -44); Commercial (-49 & -SO)  
Vegetation: N/A  
Slope: 0-15% xx, 16-30% \_\_\_, 31-50% \_\_\_, 51% \_\_\_ acres/sq.ft.  
Nearby Watercourse: Rodeo Gulch Creek  
Distance To: 500 feet  
Soil Type: (-42) 133 Elkhorn Sandy Loam; (-44) 133 Elkhorn Sandy Loam and 143 Lompico-Felton Complex; (-49) 133 Elkhorn Sandy Loam; (-50) 133 Elkhorn Sandy Loam

### 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: Good
Fire Hazard: N/A	Solar Orientation: Good
Archaeology: N/A	Scenic Corridor: N/A
Noise Constraint: YES	Electric Power Lines: YES
Erosion: N/A	Agricultural Resource: N/A
Landslide: N/A	

### SERVICES

Fire Protection: Central Fire  
Drainage District: Zone 5  
School District: Santa Cruz High School District, Soquel Elementary School District  
Project Access: Soquel Drive  
Water Supply: Soquel Water District  
Sewage Disposal: Santa Cruz County Sanitation District

### PLANNING POLICIES

Zone District: Multi-family Residential "RM-4"  
Within USL: YES  
General Plan: Urban Residential Medium Density "R-UM"  
Special Designation: N/A  
Coastal Zone: N/A

### PROJECT DESCRIPTION

Proposal to amend the 1994 General Plan designations for four properties (APNs 025-201-42, -44, -49 and -50) from Urban Medium Density Residential (R-UM) to Neighborhood Commercial (C-N) or Community Commercial (C-C) and amend the zoning for these properties from Multi-family Residential, 4,000 sq.ft. per dwelling unit (RM-4) to the Neighborhood Commercial (C-t) or Community Commercial (C-2) zone district. Requires a General Plan amendment and a rezoning.

**PROJECT SETTING**

The subject properties (025-201-42, -44, -49 and -50) are located adjacent to one another within an existing commercial area off Soquel Drive (see Attachments 1 - 3) and are very popular establishments serving local residents, especially those residents who reside at the senior citizen complex across the street. While it would seem appropriate to conform parcels in residential neighborhoods to residential zoning, such a rezoning would remove the heavily used commercial amenities in the neighborhood. In addition, these properties are located directly on an arterial roadway on Soquel Drive. Therefore, it appears that the best use of the parcels would be to continue the existing uses as a conforming use.

**A. GEOLOGIC FACTORS**

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	L e s s   T h a n Significant <u>Impact</u>	No <u>Impact</u>
Could the project, or its related activities affect, or be affected by, the following:				
1. Geologic Hazards: earth- quakes (particularly surface ground rupture, liquefaction, seismic shaking), landslides, mud slides or other slope instability, or similar hazards?			—	<u>XXX</u>
2. Soil Hazards: soil creep, shrink swell (expansiveness), high erosion potential?	—	—	—	<u>XXX</u>
3. Change in topography or ground surface relief features?		—	—	<u>XXX</u>
4. The destruction, covering or modification of any unique geologic or physical feature?			—	XXX
5. Steep slopes (over 30%)?	—	—	—	XXX
6. Coastal cliff erosion?	—			<u>XXX</u>
7. Beach sand distribution?		—	—	<u>XXX</u>
8. Any increase in wind or water erosion of soils, either on or off site?		—	—	<u>XXX</u>

**B. HYDROLOGIC FACTORS**

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

- |  |   |   |            |
|--|---|---|------------|
| 1. Water related hazards such as<br>flooding or tidal waves? | — | — | <u>XXX</u> |
|--|---|---|------------|

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
2. Private or public water supply?	—			<u>XXX</u>
3. Septic system functioning (inadequate percolation, high watertable, proximity to water courses)?		—	—	<u>XXX</u>
4. Increased siltation rates?		—	—	<u>XXX</u>
5. Surface or ground water quality (contaminants including silt-urban runoff, nutrient enrichment, pesticides, etc.)?	—	—		<u>XXX</u>
6. Quantity of ground water supply, or alteration in the direction or rate of flow of ground waters?		—		<u>XXX</u>
7. Groundwater recharge?		—	—	<u>XXX</u>
8. Watercourse configuration, capacity, or hydraulics?		—	—	<u>XXX</u>
9. Changes in drainage patterns or the rate and amount of runoff?				<u>XXX</u>
10. Cumulative saltwater intrusion?	—	—	—	<u>XXX</u>
11. Inefficient or unnecessary water consumption?	—	—	—	<u>XXX</u>
12. Change in the amount of surface water in any water body?	—		—	<u>XXX</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>XXX</u> |
|--|---|---|---|------------|

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
2. Unique or fragile biotic community (riparian corridor, wetland, coastal grasslands, special forests, intertidal zone, etc)?	—	—	—	<u>xxx</u>
3. Fire hazard from flammable brush, grass, or trees?	—	—	—	<u>xxx</u>
4. Change in the diversity of species, or number of species of plants or animals?		—	—	<u>xxx</u>

## D. NOISE

Will the project:

- |  |   |            |   |
|--|---|------------|---|
| 1. Increase the ambient noise level for adjoining areas? | — | <u>xxx</u> | — |
|--|---|------------|---|

The current uses are preexisting and there are no proposals to change or intensify these uses, therefore, this project will not exacerbate the effects of traffic noise on the project properties.

- |   |   |     |            |
|---|---|-----|------------|
| 2. Violate Title 25 noise insulation standards, or General Plan noise standards, as applicable? | — |     | <u>xxx</u> |
| 3. Be substantially affected by existing noise levels?  | — | xxx |            |

See item D - I above.

## E. A I R

Will the project:

- |  |   |   |     |
|--|---|---|-----|
| 1. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation? |   |   | sxx |
| 2. Expose sensitive receptors to substantial pollutant concentrations?   | — | — | xxx |
| 3. Release bioengineered organisms or chemicals to the air outside   |   |   |     |

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
of project buildings?	—	—	—	<u>xxx</u>
4. Create objectionable odors?				xxx
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?	—	—	—	<u>xxx</u>

**F. ENERGY AND NATURAL RESOURCES**

Will the project:

1. Affect or be affected by timber resources?		—	—	<u>xxx</u>
2. Affect or be affected by lands currently utilized for agriculture or designated for agricultural use'?			—	<u>xxx</u>
3. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use of these in a wasteful manner?	—	—	—	<u>xxx</u>
4. Have a substantial effect on the potential USC, extraction, or depletion of a natural resource (i.e., minerals or energy resources)?	—	—	—	<u>xxx</u>

**G. CULTURAL/AESTHETIC FACTORS**

Will the project result in:

1. Alteration or destruction of historical buildings or unique cultural features'?		—	—	<u>xxx</u>
2. Disturbance of archaeological or palcontological resources?		—	—	<u>xxx</u>
3. Obstruction or alteration				

	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
of views from areas having important visual/scenic values?	—	—	—	<u>XXX</u>
4. Being visible from any adopted scenic highway or scenic corridor?	—	—	—	<u>XXX</u>
5. Interference with established recreational, educational, religious or scientific uses of the area?		—	—	<u>XXX</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>XXX</u>
2. Expansion of or creation of new utility facilities (e.g., sewage plants, water storage, mutual water systems, storm drainage, etc.) including expansion of service area boundaries?		—	—	<u>XXX</u>
3. A need for expanded governmental services in any of the following areas:				
a. Fire protection?		—	—	<u>XXX</u>
b. Police protection?	—	—	—	<u>XXX</u>
c. Schools?	—	—	—	<u>XXX</u>
d. Parks or other recreational facilities?	—	—	—	<u>XXX</u>
e. Maintenance of public facilities including roads?	—			<u>XXX</u>
f. Other governmental services'?	—	—	—	<u>XXX</u>
4. Inadequate water supply for fire protection?	—	—		<u>XXX</u>
5. Inadequate access for fire				

Significant:  
No or Unknown  
MitigationPotentially  
Significant  
Unless  
MitigatedLess Than  
Significant  
ImpactNo  
Impact

protection?

XXX**1. 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?

XXX---

It is not anticipated that this amendment would cause any *substantial* increase to the existing traffic load and capacity of the street system, since the uses are preexisting and there are no proposals to change, alter or intensify these uses.

2. Cause substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?

---------XXX

3. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?

------XXX

4. Alterations to present patterns of circulation or movement of people and/or goods?

------XXX

5. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

---------XXX

6. Cause preemption of public mass-transportation modes?

---XXX**J. LAND USE/HOUSING**

Will the project result in:

1. Reduction of low/moderate income housing?

------XXX

2. Demand for additional housing?

---------XXX

3. A substantial alteration of the present or planned land use of an area?

XXX

4. Change in the character of the community in terms of terms of distribution

722

Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
--	--	---	---------------------

or concentration of income, income,  
ethnic, housing, or age group'?

— xxx

The current uses are existing, established uses that are located on an arterial roadway, Soquel Drive, and are popular with those who live in the area, including those who live within the seniors complex across the street. The buildings are relatively consistent in terms of design character and there are no anticipated changes in the overall community character in terms of concentration of income, income, ethnic, housing or age group.

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

— xxx

Typically it would be appropriate to conform parcels in residential neighborhoods to residential zoning. However, commercial uses have occurred on the four adjoining parcels for several years and as a result, these four parcels act as a small, neighborhood-serving commercial node for the area. To retain the existing zoning and General Plan designations would make these commercial uses non-conforming. Over the long term this could result in removing popular, heavily used commercial amenities. In addition, these properties are all located directly on Soquel Drive, which is an arterial roadway. Therefore, the best use of these parcels would be to continue their existing commercial uses as conforming uses.

## K. HAZARDS

Will the project:

1. Involve the use, 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

— — xxx

— xxx

— — xxx

— — xxx

— — xxx



	Significant: No or Unknown <u>Mitigation</u>	Potentially Significant Unless <u>Mitigated</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
substantial fire hazard'?	—	—	—	<u>XXX</u>
7. Expose people to electro-magnetic fields associated with electrical transmission lines'?		—		xxx
L. GENERAL PLANS AND PLANNING POLICY				
1. Does the project conflict with any policies in the adopted General Plan or Local Coastal Program? If so. <b>how?</b>				<u>XXX</u>
2. Does the project conflict with any local, state or federal ordinances? If so, how?				xxx
3. Does the project have potentially growth inducing effect?			<u>xxx</u>	

The purpose of these amendments are to recognize existing land uses of the parcels rather than allowing a new type of USC. The new General Plan and zoning designations would allow the least intense commercial businesses. The parcels are located on a major arterial roadway, Soquel Drive, and provide an appropriate transition between Soquel Drive traffic and developed residential properties to the south. Secondly, the parcel is located on a block of Soquel Drive consisting entirely of small scale commercial business. No new services or utilities will result from the new designations on the parcel. The existing character of the site and surrounding properties make it extremely improbable that the project will initiate any growth inducement in the area. The four parcels are bordered on the east by Mattison Lane and on the west by the Villa San Carlos Apartments. The street and developed apartment complex are both effective borders that will inhibit any pressures for future expansion of the commercial uses to the east or the west.

4. Does the project require approval of regional, state, or federal agencies? Which agencies? No

## 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>XXX</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>XXX</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>XXX</u>
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<u>      </u>	<u>XXX</u>

TECHNICAL REVIEW CHECKLIST

	<u>REQUIRED</u>	<u>COMPLETED*</u>	<u>N/A</u>
APAC REVIEW	_____	=====	_____
ARCHAEOLOGIC REVIEW	_____	=====	_____
BIOTIC ASSESSMENT	_____	=====	_____
GEOLOGIC HAZARD ASSESSMENT	_____	=====	_____
GEOLOGIC REPORT	_____	=====	_____
RIPARIAN PRE-SITE	_____	=====	_____
SEPTIC LOT CHECK	_____	=====	_____
SOILS REPORT	_____	=====	_____
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 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.

May 25, 1998  
Date

  
Signature

For: Ken Hart  
Environmental Coordinator

Attachments:

1. Project Location Map
2. Current General Plan and Zoning (Existing Designations)
3. Proposed General Plan and Zoning (Amendments)

**COUNTY OF SANTA CRUZ PLANNING COMMISSION  
MINUTES**

727

**DATE:** 6-24-98**PLACE:** Board of Supervisors Chambers, Room 525  
County Government Center, 701 Ocean Street, Santa Cruz, CA

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**COMMISSIONERS PRESENT:** ROBERT BREMNER, DENISE HOLBERT, LEO RUTH,  
RENEE SHEPHERD, DALE SKILLICORN(CHAIRPERSON).**STAFF MEMBERS PRESENT:** CATHY GRAVES, BOB STAKEM, JOAN VAN DER  
HOEVEN, JOE HANNA, MICHAEL FERRY, MARK  
DEMING.**COUNTY COUNSEL PRESENT:** RAHN GARCIA

All legal requirements for items set for public hearing on the Santa Cruz County Planning Commission agenda for this meeting have been fulfilled before the hearing including publication, mailing and posting as applicable.

**A. ROLL CALL:**

Commissioners Bremner, Holbert, Ruth, Shepherd and Skillicorn present at 9:00 a.m.

**B. PLANNING DIRECTOR'S REPORT:** Alvin James discussed the Board's action on the Planning Department's budget. Also noted the Supplemental budget was approved by the Board which included a mid-County permit center.**C. COUNTY COUNSEL'S REPORT:** None.**D. ADDITIONS AND CORRECTIONS  
TO THE AGENDA:** None.**E. ORAL COMMUNICATIONS:** None.**F. CONSENT ITEMS****NO CONSENT ITEMS SCHEDULED**

**G. CONTINUED AGENDA****ITEM G-1**

CONTINUED CONSIDERATION TO APPEAL THE ZONING ADMINISTRATORS DECISION ON A PROPOSAL TO CONSTRUCT A TWO-STORY, SINGLE-FAMILY DWELLING. REQUIRES A COASTAL ZONE PERMIT, A GRADING PERMIT, A VARIANCE TO REDUCE THE REQUIRED 40-FOOT FRONT YARD TO ABOUT 14.5 FEET, AND A RIPARIAN EXCEPTION. PROPERTY LOCATED ON THE EAST SIDE OF PASO CIELO, SOUTH OF THE INTERSECTION WITH CAMINO AL MAR.

OWNER: GELBART DAVID R MD TRUSTEE  
APPLICANT: THOMAS RAHE  
SUPERVISORIAL DIST: 2  
PROJECT PLANNER: JOAN VAN DER HOEVEN, 454-3 140  
APN(S): 045-022-25

**MOTION**

COMMISSIONER BREMNER MOVED TO CONTINUE TO JULY 8, 1998. SECONDED BY COMMISSIONER HOLBERT.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-O.

**ITEM G-2**

PROPOSAL TO DIVIDE TWO EXISTING LOTS EACH DEVELOPED WITH A SINGLE-FAMILY DWELLING INTO 4 SINGLE-FAMILY RESIDENTIAL PARCELS AND A REMAINDER LOT. REQUIRES A MINOR LAND DIVISION. LOCATED ON THE NORTH SIDE OF BROMMER STREET (AT 1247 AND 1311 BROMMER STREET) APPROXIMATELY 400 FEET EAST OF EL DORADO AVENUE.

OWNER: FLYNN CORPORATION  
APPLICANT: RICK RINALDI  
SUPERVISORIAL DIST: 1  
PROJECT PLANNER: JOAN VAN DER HOEVEN, 454-3 140  
APN(S): 026-255-05 026-255-1 1

**MOTION**

COMMISSIONER BREMNER MOVED TO CONTINUE TO JULY 22, 1998. SECONDED BY COMMISSIONER HOLBERT.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

**ITEM G-3**

PROPOSAL TO TRANSFER APPROXIMATELY 42 ACRES FROM ASSESSOR'S PARCEL NO. 086-21 1-03 TO ASSESSOR'S PARCEL NO. 086-21 1-04 AND REZONE ASSESSORS PARCEL NO. 086-2 1 1-04 FROM THE "SU" SPECIAL USE ZONE DISTRICT TO THE "TP" TIMBER PRODUCTION ZONE DISTRICT. REQUIRES A LOT LINE ADJUSTMENT AND REZONING. PROPERTY LOCATED ON THE NORTH SIDE OF JAMISON CREEK ROAD, ABOUT 3/4 MILES WEST OF HIGHWAY 237.

OWNER: KIRCH MARY ANN S/W

APPLICANT: JOHN SWIFT

SUPERVISORIAL DIST: 5

PROJECT PLANNER: MICHAEL FERRY, 454-3226

APN(S): 086-21 1-03,04

**MOTION**

COMMISSIONER BREMNER MOVED TO ACCEPT AND FILE STAFF'S RECOMMENDATION. SECONDED BY COMMISSIONER HOLBERT.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0

**H. SCHEDULED ITEMS:****ITEM H-1**

PROPOSAL TO CREATE 3 SINGLE-FAMILY RESIDENTIAL PARCELS. REQUIRES A MINOR LAND DIVISION. PROPERTY LOCATED ON THE SOUTH SIDE OF ORCHARD VIEW DRIVE (AT 375 ORCHARD VIEW DRIVE), APPROXIMATELY 350 WEST OF AMESTI ROAD.

OWNER: MYERS ROSLYN L TRUSTEE  
APPLICANT: RICHARD BEALE, LAND USE PLANNING INC.  
SUPERVISORIAL DIST: 4  
PROJECT PLANNER: CATHY GRAVES, 454-3 141  
APN(S): 050-351-16

**CATHY GRAVES:** Gave staff presentation; discussed land use issues including APAC review; matrix; showed slides; and gave recommendation for action.

**COMMISSIONER HOLBERT:** Asked about comments from Environmental Planning and soils types.

**CATHY GRAVES:** Responded that clay soils were present.

**COMMISSIONER HOLBERT:** Asked what LAFCO approval is needed.

**CATHY GRAVES:** Project is within the water district no LAFCO action needed.

**COMMISSIONER HOLBERT:** Noted two meeting at APAC. Staffs first recommendation was that site is viable for agricultural use. APAC disagreed with staff.

**COMMISSIONER BREMNER:** Asked about APAC finding; wants APAC minutes.

**BOB STAKEM:** Discussed APAC findings -- no set findings except those in the General Plan. APAC does not have to make each finding.

#### **PUBLIC HEARING OPENED**

**BETTY COST(Representing Owner):** Residential uses will be clustered near the road. Noted soil types and high ground water. Discussed APAC'S action and agricultural buffer. Owner has tried to lease property for agricultural use but has not been successful.

**ROSLYN MEYERS(Owner):** Available to answer questions.

**JODY LOUDERBACK:** Concerned over traffic on Orchard View Road. Large trucks on road present safety problem. Speed should be regulated on the road.

**BETTY COST:** Road is private with dips in pavement. There will be more traffic if its agricultural use.

#### **PUBLIC HEARING CLOSED**

**COMMISSIONER HOLBERT:** Asked about exhibit "J."



**CATHY GRAVES:** Described the map and it's details.

**RENEE SHEPHERD:** Wants a "children-at-play" sign.

**JODY LOUDERBACK:** Asked people to slow down. Wants speed bumps in front of her house.

**CATHY GRAVES:** No road association to maintain the road.

**COMMISSIONER RUTH:** Speed dips are defective; additional signing should be added.

### **MOTION**

COMMISSIONER HOLBERT CAN'T SUPPORT MOTION; NOT ENOUGH EVIDENCE TO DECIDE THAT SITE IS NOT VIABLE

COMMISSIONER BREMNER WANTS A SPEED BUMP ADDED TO MOTION. STILL NOT GOING TO SUPPORT PROJECT. AGREES WITH COMMISSIONER HOLBERT.

COMMISSIONER RUTH MOVED TO APPROVE STAFF RECOMMENDATION WITH DIRECTION TO WORK ON SIGNAGE AND ADD A SPEED BUMP ON THE ROAD. SECONDED BY COMMISSIONER SHEPHERD.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 3-2.

### **ITEM H-2**

APPEAL OF THE ZONING ADMINISTRATOR'S DECISION ON A PROPOSAL TO DEMOLISH AN EXISTING GARAGE AND TO CONSTRUCT A TWO-STORY, SINGLE-FAMILY DWELLING WITH A GARAGE BELOW CONSTITUTING A THREE-STORY DWELLING. REQUIRES A COASTAL ZONE PERMIT AND A VARIANCE TO: REDUCE THE REQUIRED MINIMUM 20 FOOT FRONT YARD TO ABOUT 16 FEET TO THE DWELLING AND ABOUT 8 FEET TO THE EDGE OF THE CANTILEVERED DECK ABOVE THE FIRST FLOOR; TO CONSTRUCT A SECOND STORY DECK; TO INCREASE THE MAXIMUM 28 FOOT HEIGHT LIMITATION TO ABOUT 32 FEET, TO ALLOW THREE-STORIES; AND TO ALLOW THE PARKING AREA TO EXCEED A MAXIMUM OF 50% OF THE REQUIRED FRONT YARD. THIS APPLICATION INCLUDES A RESIDENTIAL DEVELOPMENT PERMIT TO INCREASE THE MAXIMUM 6 FOOT HEIGHT LIMITATION OF A RETAINING WALL WITHIN THE REQUIRED 5 FOOT SIDE YARDS TO ABOUT 12 FEET IN HEIGHT. PROPERTY LOCATED ON THE NORTH SIDE OF BEACH DRIVE (413 BEACH DRIVE), ABOUT 3/4 MILE SOUTHEAST OF THE ESPLANADE AND RIO DEL MAR BOULEVARD.

OWNER: ODENWELLER NORMA P U/W ETAL TC  
APPLICANT: TRACY JOHNSON  
SUPERVISORIAL DIST: 2  
PROJECT PLANNER: JOAN VAN DER HOEVEN, 454-3 140  
APN(S): 043-105-07

**JOAN VAN DER HOEVEN:** Gave staff presentation; discussed design changes, issues of appeal; showed slides of project; and gave recommendation for action.

### **PUBLIC HEARING OPEN**

**DOUGLAS MARSHALL(Appellant):** Noted the owner wanted to show slides and present a petition in opposition to project.

**JIM CRAIK:** Responded to letter from applicant. Read a letter in opposition to project. Letters in support of project are Realtors or don't live in the area. Disputed variance findings.

**COMMISSIONER RUTH:** Asked if Mr. Craik is full-time resident and how many others live full-time.

**JIM CRAIK:** Showed slides of neighborhood and gave narrative. Also disputed letters received from some neighbors and from Tracy Johnson. Found project was not consistent with General Plan.

**DOUG MARSHALL:** Rule change should accommodate redevelopment of street not bend current rules. Proposal is inconsistent with the General Plan. Needs legislative changes for development of area. Project site in the middle of two story homes.

**COMMISSIONER SKILLICORN:** This arguments does not address the issues; not a legitimate arguments.

**DOUG MARSHALL:** Project requires a variance from the General Plan policy which the law prohibits. Existing three story homes were built before the current General Plan was adopted. First floor is a story for planning purposes; this is a three story structure. Variance findings are hard to follow. County should follow rules.

**TRACY JOHNSON:** Discussed various issues of the proposed permit request including the retaining wall, parking for off-street parking, and set backs. Surrounding structures are not mitigated against constraints; they enjoy the use of a ground floor. Home has been designed to minimize impacts to surrounding residents. For planning purpose it's a 2-story structure not a 3-story building. Roof is flat; slight pitch for. drainage purposed also noted that private views are not protected.

**LUNCH BREAK 12:00PM****RETURN AT 1:35PM**

**TRACY JOHNSON:** Available for any questions. Introduces project owner.

**NORMA ODENWELLER:** Required to build at this height; this is there dream house.

**JUDIE CRAIK:** Responded to arguments made by applicants including set backs and parking.

**DOUGLAS MARSHALL:** Private views are protected. Deck is closer to street than Craiks. Variance findings do not support deck encroachment. Visual impacts due to scenic corridor and Coastal zone. Argued 3-story issue. Staff has changed their mind in claiming it's a 2-story home.

**PUBLIC HEARING CLOSED**

**COMMISSIONER RUTH:** Wants description of location of retaining wall.

**JOHN KASUMICH(Project Engineer):** Site will experience land slides. Excavation of site and project volume dictated location and height of retaining wall. Dry landslides occur thus restrict use of rear yard.

**JOAN VAN DER HOEVEN:** Confirmed Zoning Administrator will give final approval.

**COMMISSIONER BREMNER:** Site is constrained; can't support the appeal. Can support the variance. Critical of some signers of petition. Noted set back of appellant's home. No merit to appeal.

**COMMISSIONER SHEPHERD:** Can't support appeal. Intelligent design. Story and under story should be cleared-up. Not a 3-story home. Interesting neighborhood; carefully examined project.

**COMMISSIONER SKILLICORN:** Also Can't Support appeal, Nothing out of line with Variance.

**COMMISSIONER BREMNER:** Board should look at different standards for Beach Drive.

**MOTION**

COMMISSIONER RUTH MOVED TO APPROVE STAFF RECOMMENDATION TO DENY APPEAL  
SECONDED BY COMMISSIONER SHEPHERD.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 4-O.

**ITEM H-3**

PROPOSAL TO DEMOLISH TWO SINGLE-FAMILY DWELLINGS AND A BARN, AND TO  
RECOGNIZE APPROXIMATELY 76,000 CUBIC YARDS OF FILL MATERIAL FOR A  
CLOSURE PLAN. REQUIRES A GRADING PERMIT AND A COASTAL ZONE PERMIT.  
LOCATED ON THE SOUTHWEST SIDE OF AIRPORT BLVD. (852 AIRPORT BLVD.) AND  
RAMPORT ROAD.

OWNER: WATSONVILLE CITY OF  
APPLICANT: DON FRENCH  
SUPERVISORIAL DIST: 2  
COUNTY GEOLOGIST: JOSEPH HANNA, 454-3 175  
APN(S): 052-01 1-46

**JOSEPH HANNA:** Described history of property and finding; violations occurring on property;  
City of Watsonville purchased property and conducted testing and clean-up; showed slides,  
gave recommendation for action.

**COMMISSIONER BREMNER:** Any testing of soils entering site?

**JOSEPH HANNA:** City Engineer will review and inspect all soil entering site.

**COMMISSIONER RUTH:** Vast improvements for history of property.

**PUBLIC HEARING OPENED**

**PUBLIC HEARING CLOSED**

**MOTION**

COMMISSIONER RUTH MOVED TO APPROVE STAFF RECOMMENDATIONS. SECONDED BY  
COMMISSIONER SHEPHERD.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 4-O.

**ITEM H-4**

ATTACHMENT 7

735

PROPOSAL TO AMEND THE 1994 GENERAL PLAN DESIGNATIONS FOR THESE PROPERTIES (APNS 025-20 1-42,-44,-49 AND -50) FROM URBAN MEDIUM DENSITY RESIDENTIAL (R-UM) TO NEIGHBORHOOD COMMERCIAL (C-N) AND AMEND THE ZONING FOR THESE PROPERTIES FROM MULTIFAMILY RESIDENTIAL, 4,000 SQ. FT. PER DWELLING UNIT (RM-4) TO THE NEIGHBORHOOD COMMERCIAL (C-1) ZONE DISTRICT. REQUIRES A GENERAL PLAN AMENDMENT AND A REZONING. PROPERTY IS LOCATED ON THE SOUTHWEST CORNER OF SOQUEL DRIVE AND MATTISON LANE, LIVE OAK AREA.

OWNER: ARTHUR & GLORIA MARSH  
SUPERVISORIAL DIST: 1  
APPLICANT: COUNTY OF SANTA CRUZ  
PROJECT PLANNER: JOHN AKEMAN 454-3 172  
AF'N(S): 025-201-42,-44,-49, & 50

**MARK DEMING:** Read item into the record. Discussed history of General Plan and zoning changes of property. Board directed these revisions.

**JOHN AKEMAN:** Showed slides and gave details of changes in land use designations and zoning.

**MARK DEMING:** Gave recommendation for action.

**COMMISSIONER BREMNER:** Key site near many important uses.

**RAHN GARCIA:** Suggested wording change to General Plan text amendment.

**PUBLIC HEARING OPENED**

**PUBLIC HEARING CLOSED**

**MOTION**

COMMISSIONER BREMNER MOVED TO APPROVE STAFF RECOMMENDATIONS.  
SECONDED BY COMMISSIONER SHEPHERD.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 4-0.

736

PLEASE NOTE: THESE MINUTES HAVE NOT BEEN APPROVED BY THE PLANNING  
COMMISSION AS OF 7-29-98.

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ANAMADRIGAL  
PLANNING DEPARTMENT