

---

**PLANNING DEPARTMENT**

---

GOVERNMENTAL CENTER



---

**C O U N T Y O F S A N T A C R U Z**

---

701 OCEAN STREET ROOM 400 SANTA CRUZ, CALIFORNIA 95060  
(831) 454-2580 FAX (831) 454-2131 TDD (831) 454-2123

November 12, 1998

Agenda: December 8, 1998

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

**Subject:** Proposal to rezone Assessor's Parcel Number: 086-041-46 from the Residential Agriculture (RA) zone district to the Timber Production (TP) zone district. Requires a rezoning. The property is located on the south side of Foxglove Lane (1425 Foxglove Lane) about 1-1/4 miles west of the intersection of Foxglove Lane and China Grade Road.

**APPLICATION NUMBER: 98-0227****APN: 086-041-46****OWNER AND APPLICANT: Rochelle (Armbrust) Kelly****Dear Members of the Board:****BACKGROUND**

The County's General Plan Policy on Timber Resources is to "encourage timberland owners to apply for Timber Production Zoning where appropriate." Your Board adopted a resolution on April 14, 1998 establishing a flat fee of \$750 to process a rezoning to the Timber Production zone district, in order to facilitate appropriate rezoning of timberlands.

On April 16, 1998, the County Planning Department accepted the first application for rezoning to Timber Production under the new flat fee schedule. This is a proposal to rezone a 20 acre parcel from the Residential Agriculture ("RA") zone district to the Timber Production ("TP") designation. This project qualifies for a statutory exemption (Attachment 2) in accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 17, Section 1703). County Code Section 13.10.375(c) zoning to the "TP" district specifies the six criteria which must be met in order to rezone to "TP". The project meets all six criteria for rezoning to Timber Production. In addition, the three required findings for rezoning have been prepared and are included with this staff report as Attachment 1.

On October 14, 1998, the Planning Commission heard this application at a noticed public hearing. The Planning Commission unanimously adopted Resolution Number 15-98 (Attachment 3), recommending approval of the rezoning of the subject property to your Board. Minutes of the Planning Commission meeting can be seen as Attachment 6.

## **DISCUSSION**

### **Project Setting:**

The project site is located within the San Lorenzo Planning Area with access off of Foxglove Lane via China Grade Road. The subject parcel is 20 acres in size and is developed with a single family dwelling. The dwelling is located within a relatively level clearing adjacent to Foxglove Lane.

A large ephemeral watercourse runs through the southern portion of this parcel. This watercourse becomes an intermittent to perennial stream after it leaves the property and crosses Foxglove Lane. Several ephemeral drainages are also present on the property. All of these drainages eventually flow into Boulder Creek. The parcel is heavily forested with redwoods and tan oaks interspersed with Douglas fir. The project site was clear-cut of old growth trees around the turn of the century. Only a few, higher defective old growth trees remain on the property. The parcel was logged again in 1972. More recently, the forests of the subject parcel have been managed and harvested in conjunction with five neighboring parcels (APNs 086-041-44, 47, 51, 52 and 53) as one unit known as the HO-0-PE Association Tree Farm. The HO-0-PE Association land comprises a total of 182 acres. Parcel 086-041-46 was logged a third time between 1986-1989 as part of the 182 acre HO-0-PE Association Tree Farm in accordance with its Forest Management Plan prepared in January 1988. Some of the landings and skid trails on the subject parcel have been used to harvest timber on the adjacent parcels to the west (APN 086-041-47) and the south (APN 086-041-52).

The subject property is bounded by "TP" zoned parcels to the west, south, and east. The parcel immediately north and across Foxglove Lane from the project parcel is zoned "RA" and is also part of the HO-0-PE Tree Farm. The owners of the other "RA" zoned parcel have expressed interest in rezoning to "TP". Big Basin State Park is located north of this other "RA" parcel. The Zoning Map for APN 086-041-46 and the surrounding parcels is included as Exhibit C, Attachment 5. The project site is accessed via Foxglove Lane, a paved and well maintained private road. Foxglove Lane serves as access solely to the HO-0-PE Association Tree Farm which with the exception of the two previously mentioned "RA" zoned parcels is "TP" zoned lands.

### **General Plan and Zoning Consistency:**

Parcel 086-041-46 has a 1994 General Plan land use designation of Mountain Residential and a Timber Resource designation (Exhibit D, Attachment 5). This parcel is currently zoned "RA". The "RA" and "TP" zoning districts implement the Mountain Residential General Plan designation, as specified in Section 13.10.170 of the County Code.

In accordance with County Code Section 13.10.375, Special Standards and Conditions for the Timber Production "TP" District, the applicant has met all of the criteria to have the property rezoned. A Timber Management Plan (TMP) dated July 1998 prepared by Matt Bissell of Webster & Associates Professional Foresters (Exhibit H, Attachment 5) has been reviewed and accepted by the County Resources Planner (Exhibit I, Attachment 5). The parcel meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and Forest Practice Rules adopted by the State Board of Forestry. In addition, the parcel meets the definition of timberland (Chapter 13.10.700-T) in that the land is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. Furthermore, the entire parcel is mapped within a Timber Resource designation.

#### Conclusion


All of the criteria have been met for rezoning this parcel to the Timber Production zoning designation. All required findings can be made to approve this application and the rezoning as consistent with the General Plan Policies and land use designations.

#### RECOMMENDATION

It is, therefore, **RECOMMENDED** that your Board, based on the attached Findings (Attachment 1):


1. Approve the determination that the project is statutorily exempt from CEQA (Attachment 2); and
2. Adopt the attached Ordinance amending Chapter 13.10 of the Santa Cruz County Code changing property from one zone district to another (Attachment 4).

Sincerely,



**ALVIN D. JAMES**  
Planning Director

**RECOMMENDED:**



**SUSAN A. MAURIELLO**  
County Administrative Officer

cc: Rochelle (Armbrust) Kelly 1425 Foxglove Lane Boulder Creek, CA 95006

- Attachments:
1. Findings
  2. CEQA Exemption
  3. Planning Commission Resolution No. 15-98
  4. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
  5. Planning Commission Staff Report of October 14, 1998
  6. Planning Commission Minutes of October 14, 1998
  7. Correspondence received at Planning Commission Meeting

SAM/ADJ/CLC 98-0227b