

County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060

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ALVIN D. JAMES, DIRECTOR

Agenda Date: April **13**, **1999**

March 15, 1999

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

SUBJECT: Proposal to rezone Assessor's Parcel Number 064-2 11-72 from the Special Use (SU) zone district to the Timber Production (TP) zone district.

APPLICATION NUMBER: 98-0665

APN: 064-2 11-72

APPLICANT: Gary Paul

OWNER: Tim Peet

LOCATION: East side of Empire Grade (4 150 Empire Grade) at approximately 300 feet north of the intersection of Empire Grade and Smith Grade Roads.

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 September 24, 1998 the County Planning Department accepted this application for rezoning to Timber Production (TP). This is a proposal to rezone a 40 acre parcel from the Special Use (SU) 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 the following six criteria for rezoning to Timber Production:

1. A map has been submitted with the legal description or assessor's parcel number of the property to be rezoned (Exhibit B, Attachment 5).
2. A Timber Management Plan prepared by a registered professional forester has been submitted for the property (Exhibit H, Attachment 5). The Timber Management Plan has been reviewed and accepted by the Planning Department as meeting minimum standards (Exhibit I, Attachment 5).
3. The parcel currently meets the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the Forest Practice Rules for the district in which the parcel is located.
4. The parcel is timberland, as the entire parcel is capable of producing a minimum of 15 cubic feet of timber per acre annually and approximately one-fourth of the parcel is located within a mapped Timber Resource area.
5. The uses on the parcel are in compliance with the Timber Production Zone uses set forth in Section 13.10.372.
6. The land area to be rezoned is in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and is comprised of at least five acres in area.

In addition, the three required findings for rezoning have been prepared and are included with this staff report as Attachment 1.

On February 10, 1999, the Planning Commission heard this application at a noticed public hearing. The Planning Commission unanimously adopted Resolution 1-99 (Attachment 3), recommending approval of the rezoning of the subject parcel to your Board. Minutes of the Planning Commission meeting can be seen as Attachment 6).

DISCUSSION

Project Setting:

The project site is located in the San Lorenzo Valley planning area with access off of Empire Grade Road just north of the intersection of Empire Grade and Smith Grade Road (Exhibit A, Attachment 5). The subject parcel is roughly 40 gross acres and is currently developed with a single family dwelling and a habitable accessory structure. The dwelling and accessory structure are located on the more gently sloping clearing on the parcel within 100 feet of Empire Grade. Approximately one acre of the parcel is utilized for residential related uses. The property slopes to the north-northeast away from Empire Grade. The topography, except at the home site is predominantly steep with slopes of 30 to 60 + % . Three intermittent to perennial drainage channels are located on the lower portions of the property. These channels are heavily shaded by redwoods and lack characteristic riparian vegetation. The two watercourses located at the southeastern portion of the property appear to be partially spring

fed. These watercourses all drain into Gold Gulch Creek.

The property is forested with second growth redwood and intermixed Douglas fir with areas predominated by tan oak and madrona woodland. This parcel was clear cut around the turn of the century. A few remnant old growth redwoods and Douglas firs are found on the north-northeast end of the property. These trees are mostly poor quality for lumber production due to defects. This site was harvested a second time in 1972 **under a Santa Cruz County timber harvest permit 72-07-T (C.F. SC-5-72)**. The parcel was logged a third time in 1991 under Timber Harvest Permit 1-91-323 SAR. All of the timber logging roads and landings shown on the Timber Management Plan are already in place from these previous harvests. In general, the roads appear to be stable and are water barred to minimize erosion. This property is a sustainable timberland property as demonstrated by its harvest history. Overall, the property is capable of producing 15 cubic feet of timber per acre annually, although in some areas the stocking is a little thin due to the prevalence of hardwoods. In an addendum to the Timber Management Plan dated January 18, 1999, the forester has proposed a plan for restocking these areas. Although the parcel has been logged several times, the harvesting has not adversely affected the visual resources along Empire Grade. The Timber Management Plan recognizes the need to protect the visual resources along Empire Grade.

The parcel is bordered on the north, northwest and northeast by TP and M-3 zoned properties which comprise the Felton Quarry. South and southeast of the subject parcel are several 3 to 15 acre SU zoned rural residential parcels. The parcel directly across Empire Grade Road from the subject property is zoned TP. The Zoning Map for APN 064-21 1-72 and the surrounding parcels is included as Exhibit C of Attachment 5.

General Plan & Zoning Consistency

The project site has a 1994 General Plan land use designation of Mountain Residential. The southern quarter of the property is located within a mapped Timber Resource designated area (Exhibit D, Attachment 5). This parcel is currently zoned Special Use. The Special Use and Timber Production 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 August 1, 1998 and addendum dated January 18, 1999 prepared by Gary Paul, Registered Professional Forester (Exhibit H, Attachment 5) has been reviewed and accepted by the County Resources Planner as meeting minimum standards (Exhibit I, Attachment). 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, and a portion of the parcel lies within a mapped Timber Resource designation.

Conclusion

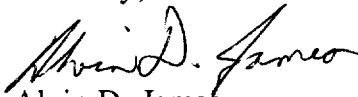
All of the criteria have been met for rezoning this parcel to the Timber Production zoning designation. All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations.

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: Gary Paul, 5521 Scotts Valley Drive Suite 235, Scotts Valley, CA 95066
Tim Peet, 4150 Empire Grade, Santa Cruz, CA 95060

- Attachments:
1. Findings
 2. CEQA Exemption
 3. Planning Commission Resolution No. 1-99
 4. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
 5. Planning Commission Staff Report of February 10, 1999
 6. Planning Commission Minutes of February 10, 1999

SAM/ADJ/CLC Peet-Bd-report-TPZ.wpd