



# County of Santa Cruz

## PLANNING DEPARTMENT

701 OCEAN STREET - 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123  
ALVIN D. JAMES, DIRECTOR

June 2, 1999

### BOARD OF SUPERVISORS

County of Santa Cruz  
701 Ocean Street  
Santa Cruz CA 95060

Subject: Proposal to rezone Assessor's Parcel Number 095-27 1-01 from the Special Use zone district to the Timber Production zone district. Located on the east side of Highway 17, approximately 2,000-feet north of Jarvis Road. Application No. 98-046 1; Applicants and Owners: William and Tona Moores.

### Members of the Board:

At a public hearing on May 25, 1999, your Board considered this application to rezone property to the Timber Production zone district. Your Board requested that additional analysis be provided to determine if the proposal is consistent with County General Plan policies concerning the protection of visual resources. To provide the complete analysis and attention this issue merits, this application should be referred back to the County Planning Commission for consideration.

It is therefore, **RECOMMENDED**, that your Board refer this application to the Planning Commission to determine the project's consistency with the County's visual resource protection policies.

Sincerely,

Alvin D. James  
Planning Director

R - M E N D E D :

SUSAN A. MAURIELLO  
County Administrative Officer

COUNTY OF SANTA CRUZ  
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

On the Date of May 25, 1999

REGULAR AGENDA Item No. 060

(Public hearing held to consider a proposal to rezone (APN: 095-271-01 from the Special Use (SU) zone district to the Timber Production (TP) zone district. (Requires a rezoning. The property is located on the east side of Highway 17 approximately 2,000 feet north of Jarvis Road. Application No. 98-0461; APN: 095-271-02; Applicant: William Moores; (closed public hearing; continued matter to June 8, 1999; and directed staff to return with further information regarding view shed and general plan policies...

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Closed public hearing;

Upon the motion of Supervisor Beautz, duly seconded by Supervisor Wormhoudt, the Board, by unanimous vote, continued matter to June 8, 1999; and directed staff to return with further information regarding view shed and general plan policies

cc:

CAO  
Planning Department'  
Cathleen Carr, Planner  
Martin Jacobson, Planning  
Roy Webster, of Webster and Assoc.

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State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, h-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and entered in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors.

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by Alicia Mauriello, Deputy Clerk, on May 28, 1999.

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# County of Santa Cruz ~~693~~

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

Agenda Date: May 25, 1999

April 22, 1999

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

Subject: Proposal to rezone Assessor's Parcel Number: 095-271-01 from the Special Use (SU) zone district to the Timber Production (TP) zone district. Requires a Rezoning. The property is located the east side of Highway 17 approximately 2,000 feet north of Jarvis Road.

APPLICATION NUMBER NO. 98-046 1

APN: 095-271-01

APPLICANT AND OWNER: William and Tona Moores

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 July 8, 1999, the County Planning Department accepted this application for a rezoning to Timber Production (TP). This is a proposal to rezone a 25 acre parcel from the Special Use (SU) zone district to the Timber Production (TP) designation. This project qualifies for a statutory exemption (Attachment 3) 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 6).
2. A Timber Management Plan prepared by the property owner and approved as to

content by a registered professional forester has been submitted for the property (Exhibits I and K, Attachment 6). The Timber Management Plan has been reviewed and accepted by the Planning Department as meeting minimum standards (Exhibit J, Attachment 6).

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 half 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 can be made subject to the Conditions of Approval (Attachment 2). The findings are included with this staff report as Attachment 1.

On March 24, 1999, the Planning Commission heard this application at a noticed public hearing. The Planning Commission adopted Resolution 5-99 (Attachment 4) recommending approval of the conditional rezoning of the subject parcel to your Board. Minutes of the Planning Commission meeting can be seen as Attachment 7.

## DISCUSSION

### Project Setting:

The project site is located in the Summit planning area with access off of Highway 17 just north of the intersection of Highway 17 and Jarvis Road (Exhibit A, Attachment 6). The subject parcel measures roughly 25 gross acres and is currently vacant. The topography of the property is predominantly steep with a narrow, north-south trending ridge. The nose of the ridge is located to the north. The flanks of the ridge are steeply sloped - generally 50% to greater than 75% slopes. The nose of the ridge is less steeply sloped with 15 to 45% slopes. An ephemeral drainage is located to the east of the ridge. This watercourse eventually drains into the West Branch of Soquel Creek. The property is generally heavily forested with second growth redwood and a few Douglas fir on the east and west ridge flanks, while the ridge top is predominantly oak and madrone woodland. This parcel was clear cut around the turn of the century. Some old growth trees are scattered on the property with one pocket located just northeast of the ridge saddle. These trees are mostly poor quality for lumber production due to fire damage. According to the Timber Management Plan, the site was lightly harvested a second time about 20 years ago. The property is readily capable of producing 15 cubic feet of timber per acre annually.

Roughly one half of the property is located within a mapped timber resource area. Portions of

this northern end of the parcel were harvested under the timber harvest permit 1-97-32 1 SCR, which included two adjoining parcels to the north. The access road for the property located on the west side of the ridge was significantly improved (about 3,000 cubic yards of fill) under the timber harvest permit and a Caltrans Encroachment Permit. The toe of the ridge slope was excavated in order to generate the fill required to improve the access road to Highway 17. Since County grading permits were not obtained, this road is not recognized by the County for any use other than timber harvesting. The landings labeled L9 and L10 (see Exhibit I, Attachment 6) were improved and utilized during the 1998 timber harvest. Landing L12 and the proposed logging road leading to it are outside of the mapped timber resource zone and were not included in the Timber Harvest Plan. Landing L12 and its access road were included in the Geologist's evaluation in the Timber Harvest Plan and was walked by the review team during the review of THP 1-97-32 1 SCR. The proposed logging road crosses slopes of 55 to 60% and over two small landslides. At the THP review, County staff recommended utilizing a tractor road from L9 to L12 instead of the proposed road. This alternative route requires significantly less grading and is located in a less steeply sloped area. The alternative route is in greater conformance with County policies of locating roads away from unstable areas, minimizing grading, and using the least environmentally damaging alternative when roads cannot be located away from slopes steeper than 30%. The Timber Management Plan (TMP) originally submitted with this application included a building site located on the ridge landing L12. Dave Hope, Resource Planner and Registered Professional Forester, has concluded that due to the narrowness of the ridge, locating a single family dwelling on or near this landing would interfere with and likely preclude future timber harvesting of this parcel. The proposal for a dwelling at this particular site was deleted in the current TMP.

The parcel is bordered on the east by five acre SU zoned rural residential and vacant parcels. To the north of the subject parcel is a 25 acre SU zoned parcel containing a cellular equipment site and to the northeast a 45 acre TP property with a residence. Both of these properties were harvested under the 1998 timber harvest (1-97-32 1 SCR). South of the subject parcel is a 20 acre SU zoned parcel and numerous 2 to 7 acre rural residential parcels off Jarvis Road. Highway 17 is located along the western boundary of the parcel. The Zoning Map for APN 095-2 7 1-O 1 and the surrounding parcels is included as Exhibit C of Attachment 6.

#### General Plan & Zoning Consistency

The project site has a 1994 General Plan land use designation of Mountain Residential and part of the parcel has a Timber Resource designation (Exhibit D, Attachment 6). 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.

At the direction of the Planning Commission, staff has prepared conditions for the rezoning approval of the subject parcel. The conditions (Attachment 2) proposed for this approval will ensure that any future development of the subject parcel will be compatible with a long-term timber use for which this rezoning is being proposed. Moreover, the conditions specify the uses for the access road and any other logging roads, which are allowed under and consistent with the County's ordinances and General Plan policies. The applicant submitted proposed language for

the conditions of approval to the Planning Commission which is attached as Exhibit L of Attachment 6.

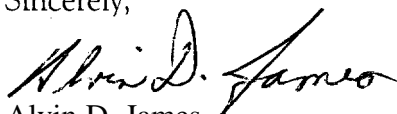
All required findings can be made to approve this application and the rezoning is consistent with the General Plan policies and land use designations, subject to the attached conditions of approval.

#### RECOMMENDATION

It is, therefore, RECOMMENDED that your Board, based on the attached Findings (Attachment 1) and Conditions (Attachment 2):

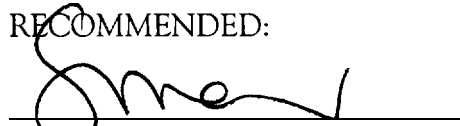
1. Approve the determination that the project is statutorily exempt from the California Environmental Quality Act (Attachment 3); and
2. Adopt the attached Ordinance amending Chapter 13.10 of the Santa Cruz County Code that Conditionally Rezones Assessor's Parcel Number 095-27 1-O 1 from the SU zone district to the TP zone district (Attachment 5).

Sincerely,



Alvin D. James  
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO  
County Administrative Officer

cc: Roy Webster, Webster and Assoc. 512 Capitola Ave. Suite 201, Capitola CA 95010

- Attachments:
1. Findings
  2. Conditions of Approval
  3. CEQA Exemption
  4. Planning Commission Resolution No. 5-99
  5. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
  6. Planning Commission Staff Report of March 24, 1999
  7. Planning Commission Minutes of March 24, 1999
  8. Correspondence received at Planning Commission hearing

SAM/ADJ/CLC Moores-Bdreport-TPZ.wpd