



County of Santa Cruz

PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

Agenda Date: August 10, 1999

July 22, 1999

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

Subject: Proposal to rezone Assessor's Parcel Number 089-091-22 from the Special Use ("SU") zone district to the Timber Production ("TP") zone district. Requires a Rezoning. The property is located on the southwest side of Harmon Gulch Road (875 Harmon Gulch Road) about one mile from the intersection of Harmon Gulch and Bear Creek Roads.

APPLICATION NUMBER: 98-0804
APN: 089-09 1-22
APPLICANT: Gary Paul
OWNERS: Lloyd and June Ohelo

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 November 13, 1998, the County Planning Department accepted this application for rezoning to Timber Production (TP). This is a proposal to rezone a 11.5 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, dated November 9, 1998, 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 third 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 May 26, 1999, the Planning Commission heard this application at a noticed public hearing. The Planning Commission unanimously adopted Resolution 8-99 (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 Harmon Gulch Road, a private road, about one mile from the intersection of Harmon Gulch and Bear Creek Roads (Exhibit A, Attachment 5). The subject parcel is roughly 11.5 gross acres and is currently developed with a single family dwelling. The dwelling is located on the more gently sloping clearing on the parcel. Approximately one-half acre of the parcel is utilized for residential related uses. The property slopes up towards the south and southwest and away from Harmon Gulch Road and the Ohelo residence. The topography, except at the home site, is generally steep with slopes of 20 to 60 + % . There are two class III watercourses located on the property, running approximately south to north. These drainage channels are heavily shaded by redwoods and lack characteristic riparian vegetation. These channels all drain into Harmon Gulch Creek - an intermittent to perennial stream. Any future timber harvests on this

parcel will be subject to the County's "Locational Criteria for Timber Harvesting" Chapter 13.10.695 of the County Code, which specifies no cut zones within riparian corridors.

The property is heavily forested with second growth redwood with a few Douglas firs. About 1.5 acres on the south side of the property are predominantly hardwood forest with a few conifers. This property was clear cut at the turn of the century. Only one old growth tree remains on the property and its location is mapped in the Timber Management Plan (see Exhibit H, Attachment 5). Approximately four acres of the parcel which lies within a mapped Timber Resource area were selectively harvested under THP 1-98-165 SCR in 1998. A number of parcels surrounding the subject parcel have been logged between 1987 and 1998 (Exhibit D, Attachment 5). A high proportion of these properties are not located within a mapped Timber Resource area.

As demonstrated in the Timber Management Plan and verified in the field, the subject property is capable of producing at least 15 cubic feet of timber per acre annually, meeting the definition of timberland.

The parcel is bordered on the north, northwest and northeast by SU zoned properties, and by RA zoned parcels to the south. The Zoning Map for APN 089-091-22 and the surrounding parcels is included as Exhibit C in Attachment 5.

General Plan & Zoning Consistency

The project site has a 1994 General Plan land use designation of Mountain Residential. The northwest third 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.

All of the criteria have been met for rezoning this parcel to the Timber Production zoning designation, in accordance with County Code Section 13.10.375, Special Standards and Conditions for the Timber Production (TP) District. 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 the California Environmental Quality Act (Attachment 2); and
2. Adopt the attached Ordinance amending Chapter 13.10 of the Santa Cruz County Code that Rezones Assessor's Parcel Number 089-091-22 from the SU zone district to the TP

zone district (Attachment 4); and

- 3. Direct the Planning Department to update the General Plan Timber Resources Map to include the entire area within the boundaries of Assessor's Parcel Number 089-091-22 as Timber Resources.

Sincerely,

Alvin James Hue
 Alvin D. James
 Planning Director

RECOMMENDED:

Susan A. Mauriello

 SUSAN A. MAURIELLO
 County Administrative Officer

cc: Gary Paul, 5521 Scotts Valley Drive Suite 235, Scotts Valley, CA 95066
 Lloyd and June Ohelo P.O. Box 1361 Boulder Creek, CA 95006

- Attachments:
- 1. Findings
 - 2. CEQA Exemption
 - 3. Planning Commission Resolution No. 8-99
 - 4. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
 - 5. Planning Commission Staff Report of May 25, 1999
 - 6. Planning Commission Minutes of May 25, 1999

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