



County of Santa Cruz

815

PLANNING DEPARTMENT

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

(631) 454-2580 FAX: (631) 454-2131 TDD: (631) 454-2123

ALVIN D. JAMES, DIRECTOR

September 14, 1999

Agenda: September 21, 1999

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

SUBJECT: PUBLIC HEARING TO CONSIDER EXTENDING INTERIM ORDINANCE NO.
4556 REGARDING INTERIM ZONING REGULATIONS FOR THE SEACLIFF
BEACH SPECIAL COMMUNITY AREA

Members of the Board:

On August 10, 1999 your Board adopted Interim Ordinance No. 4556 establishing interim zoning regulations for the Seacliff Beach Special Community Area. Because this ordinance is due to expire on September 25, 1999 your Board directed that a public hearing be held on this date to consider extending the interim ordinance. Your Board also directed that staff return with a time frame for preparation of the Seacliff Community Plan (see Attachment 4 — Minute Order).

Extension of Interim Ordinance No. 4556

Since the situation leading to the adoption of the interim ordinance is still present, it is appropriate that the interim zoning regulations be extended until adoption and certification of the Seacliff Community Plan. The proposed ordinance is attached for your consideration (Attachment 1). Because the proposed ordinance is also proposed to be adopted as an urgency measure, a 4/5 vote is required.

The proposed ordinance was reviewed for environmental impacts per the requirements of the California Environmental Quality Act (CEQA) and was found to be categorically exempt, and a copy of the Notice of Exemption is included as Attachment 2.

Time Frame for Seacliff Community Plan

Staff has begun the process to develop a community plan for the Seacliff area of the County. To date, staff has:

- initiated discussions with staff of County Parks regarding the development of a park needs assessment for the Seacliff area;
- initiated discussions with DPW staff regarding the plans for roadway and P.G.& E. utility line under-grounding in the Seacliff area; and
- scheduled the first community meeting to develop the goals for the community plan for the evening of September 29th at the Mar Vista School.

Staff is also reviewing the feasibility of contracting for some of the work necessary to produce the Plan. Following the September 29, 1999 community meeting, staff will be better prepared to present to your Board a work schedule and scope of work so that the conceptual Community Plan can be presented to your Board by March 7, 2000 as directed. Our Work Program, which will be brought to your Board on September 28th, will include the Seacliff Community Plan as a priority project for this fiscal year.

Conclusion and Recommendation

Extension of the interim zoning regulations is appropriate during the preparation of the Seacliff Community Plan. A more detailed work schedule for completion of the Plan will be developed after the community meeting on September 29th, and following further discussions with County Parks staff. We anticipate bringing this work schedule to your Board on October 26, 1999.

It is therefore RECOMMENDED that your Board take the following actions:

1. Adopt the attached interim ordinance (Attachment 1), as an urgency measure;
2. Certify the attached Notice of Exemption (Attachment 2); and
3. Direct the Planning Department to return on October 26, 1999 with a more detailed time frame and work schedule for completing the Seacliff Community Plan.

Sincerely,



ALVIN D. JAMES
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Attachments: 1. Proposed Interim Ordinance
 2. Notice of Exemption
 3. Interim Ordinance No. 4556
 4. Minute Order of August 10, 1999

cc: Vimal and Nitin Kumar
 Richard Beale Land Use Planning Inc.
 Housing Authority of the County of Santa Cruz
 St. John the Baptist Episcopal Church
 Seacliff Improvement Association
 Seacliff Village Plan Committee
 Rio Del Mar Improvement Association
 Sea Breeze Homeowners Association
 Katherine P. Minott
 Parks, Open Space and Cultural Services Department
 California Coastal Commission

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ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
AMENDING ORDINANCE NO. 4556 BY EXTENDING
THE INTERIM ZONING REGULATIONS FOR THE
SEACLIFF BEACH SPECIAL COMMUNITY AREA**

WHEREAS, on August 10, 1999, the Board of Supervisors adopted Ordinance No. 4556 establishing interim zoning regulations for the **Seacliff** Beach Special Community Area and, pursuant to Government Code Section 65858, said ordinance to expire on September 25, 1999, unless further extended; and

WHEREAS, the findings in Section I are still applicable to the **Seacliff** Beach Special Community Area.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors of the County of Santa Cruz make the following findings:

1. Policy 8.8.2 of the General Plan/Local Coastal Program Land Use Plan designates the **Seacliff** Beach Area as a Special Community.
2. Policy 8.8.1 of the General Plan/Local Coastal Program Land Use Plan encourages development of special design guidelines for well-defined villages, towns and communities.
3. Commercial and residential development taking place within and around the **Seacliff** Beach area has impacted the traffic, availability of water, utility infrastructure, community services, and quality of life in the area.
4. Approximately 17.5% of the land within the **Seacliff** Beach Special Community area is vacant and available for development. There is development proposed within the **Seacliff** Beach Special Community.
5. The Board of Supervisors determined on May 25, 1999, that it is necessary that a land use and design plan be prepared for the **Seacliff** area. The Board of Supervisors has directed the County Planning Department to include preparation of a **Seacliff** Beach Community Plan as part of the 1999-2000

819

Work Program.

6. Such a plan could include determination of appropriate land uses, design requirements such as parking standards, landscaping standards, **signage** standards, and infrastructure improvements such as drainage, road and roadside improvements, and the undergrounding of utilities.
7. The current General Plan/Local Coastal Program Land Use Plan designations within the **Seacliff** Beach Community Plan area may no longer be appropriate for the level of transportation facilities, water, utility infrastructure, and community services that exist or that may become available.
8. New uses proposed for property within the **Seacliff** Beach area during the development of the **Seacliff** Beach Community Plan, may conflict with the density of development, types of land uses, and design standards that will ultimately result from the Plan, thus impeding development of the plan itself.

SECTION II

Interim Regulation ~~Non~~discretionary permit shall be approved for any property located within the **Seacliff** Beach Special Community area, as identified in Exhibit "A", until the preparation and final adoption of the **Seacliff** Beach Community Plan has been completed, except for any of the following:

1. Applications for discretionary uses that have been deemed complete on or before August 9, 1999;
2. Applications for discretionary uses made for the sole purpose of rectifying a violation, for which a property owner has been notified in writing by a government agency on or before August 9, 1999;
3. Applications for discretionary uses made for the sole purpose of addressing an imminent threat to life or property, as determined by the Planning Director, Building Official, or County Geologist.
4. This ordinance shall not affect the issuance of building permits which are determined to be consistent with the General **Plan/LCP**, zoning ordinance, and other environmental regulations of the County.

820

SECTION III

Severability. If any provision of this section or its application to any person or circumstance is declared invalid or unenforceable by a court of competent jurisdiction, this section, to the extent it can be given effect, or the application of this section to persons other than the person to whom it is held invalid, shall not be affected thereby, and to this end, the provisions of this section are severable.

SECTION IV

This ordinance shall take effect immediately based on the findings by the Board of Supervisors that this ordinance is adopted consistent with Government Code Section 65858, and is necessary for the protection of the public health, safety, and general welfare. The facts constituting the need for this ordinance are set forth in the findings contained in Section I of this ordinance. Pursuant to Government Code Section 65858, this ordinance shall be in full force and effect for 10 months and 15 days from the date of its adoption by the Board of Supervisors or until the adoption and certification of the Seacliff Community Plan, whichever occurs first, unless, following a public hearing noticed pursuant to Government Code Section 65090 and four-fifths vote of its members, the Board of Supervisors extends the interim ordinance in accordance with the provisions of Government Code Section 65858.

PASSED AND ADOPTED this d a y o f _____, 1999, 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:

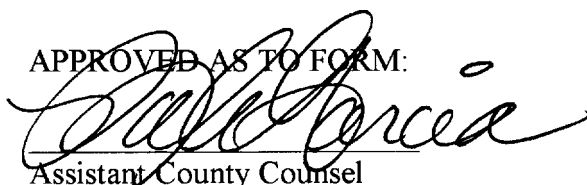

Assistant County Counsel



EXHIBIT A

PROPOSED BOUNDARY OF THE
SEACLIFF COMMUNITY PLAN AREA

NOTICE OF EXEMPTION
FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

ATTACHMENT 2

822

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No.: N/A
Assessor Parcel No.: N/A
Project Location: Seacliff Village

Project Description: Interim ordinance establishing and extending interim zoning regulations for the Seacliff Beach Special Community Area

Person or Agency Proposing Project

Glenda Hill, Santa Cruz County Planning Department

- A. ☐ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
- B. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.
- C. ☐ Statutory Exemption other than a Ministerial Project.
Specify type:

D. Categorical Exemption

- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 19. Annexation of Existing Facilities / Lots for Exempt Facilities |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitation | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| X 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 28. Small Hydro electric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Functional Equivalent to EIR | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

E. Lead Agency Other Than County: _____

Staff Planner: Glenda Hill
Glenda Hill

Date: September 7, 1999

ORDINANCE NO. 4556

823

**AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
ESTABLISHING INTERIM ZONING REGULATIONS FOR THE
SEACLIFF BEACH SPECIAL COMMUNITY AREA**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors of the County of Santa Cruz make the following findings:

1. Policy 8.8.2 of the General Plan/Local Coastal Program Land Use Plan designates the **Seacliff** Beach Area as a Special Community.
2. Policy 8.8.1 of the General Plan/Local Coastal Program Land Use Plan encourages development of special design guidelines for well-defined villages, towns and communities.
3. Commercial and residential development taking place within and around the Seaciiff Beach area has impacted the traffic, availability of water, utility infrastructure, community services, and quality of life in the area.
4. Approximately 17.5% of the land within the **Seacliff** Beach Special Community area is vacant and available for development. There is development proposed within the **Seacliff** Beach Special Community.
5. The Board of Supervisors determined on May **25, 1999**, that it is necessary that a land use and design plan be prepared for the **Seacliff** area .The Board of Supervisors has directed the County Planning Department to include preparation of a **Seacliff** Beach Community Plan as part of the 1999-2000 Work Program.
6. Such a plan could include determination of appropriate land uses, design requirements such as parking standards, landscaping standards, **signage** standards, and infrastructure improvements such as drainage, road and roadside improvements, and the undergrounding of utilities.
7. The current General Plan/Local Coastal Program Land Use Plan designations within the **Seacliff** Beach Community Plan area may no longer be appropriate for the level of transportation facilities, water, utility infrastructure, and community services that exist or that may become

824

available.

8. New uses proposed for property within the Seacliff Beach area during the development of the Seacliff Beach Community Plan, may conflict with the density of development, types of land uses, and design standards that will ultimately result from the Plan, thus impeding development of the plan itself.

SECTION II

Interim Regulations. No discretionary permit shall be approved for any property located within the Seacliff Beach Special Community area, as identified in Exhibit "A", until the preparation and final adoption of the Seacliff Beach Community Plan has been completed, except for any of the following:

1. Applications for discretionary uses that have been deemed complete on or before August 9, 1999;
2. Applications for discretionary uses made for the sole purpose of rectifying a violation, for which a property owner has been notified in writing by a government agency on or before August 9, 1999;
3. Applications for discretionary uses made for the sole purpose of addressing an imminent threat to life or property, as determined by the Planning Director, Building Official, or County Geologist.
4. This ordinance shall not affect the issuance of building permits which are determined to be consistent with the General Plan/LCP, zoning ordinance, and other environmental regulations of the County.

SECTION III

Severability. If any provision of this section or its application to any person or circumstance is declared invalid or unenforceable by a court of competent jurisdiction, this section, to the extent it can be given effect, or the application of this section to persons other than the person to whom it is held invalid, shall not be affected thereby, and to this end, the provisions of this section are severable.

SECTION IV

This ordinance shall take effect immediately based on the findings by the Board of Supervisors that this ordinance is adopted consistent with Government Code Section 65858, and is necessary for the protection of the public health, safety, and general welfare. The facts

constituting the need for this ordinance are set forth in the findings contained in subdivision (a) of Section 13.10.698. Pursuant to Government Code Section 65858, this ordinance shall be in full force and effect for 45 days from the date of its adoption by the Board of Supervisors, unless, following a public hearing noticed pursuant to Government Code Section 65090 and four-fifths vote of its members, the Board of Supervisors extends the interim ordinance in accordance with the provisions of Government Code Section 65858. 825

PASSED AND ADOPTED this 1999 day of August B o a r d o f Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS Beautz, Wormhoudt, Symons, Campos & Almquist

NOES: SUPERVISORS None

ABSENT: SUPERVISORS None

ABSTAIN: SUPERVISORS None

Attest:

Clerk of the Board

Chairperson of the Board of Supervisors

APPROVED AS TO FORM:

Assistant County Counsel

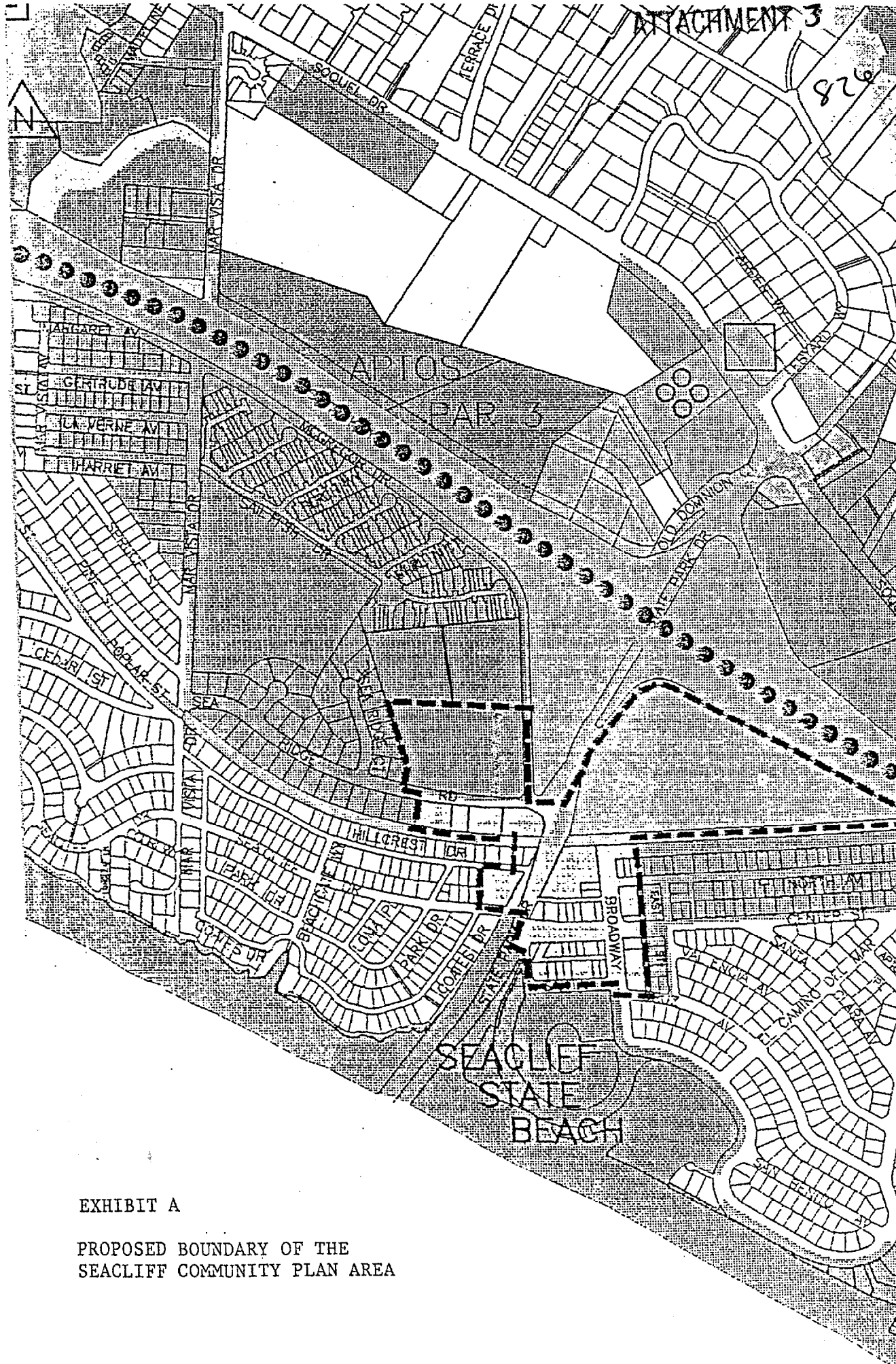
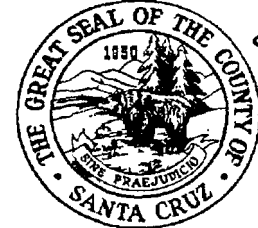


EXHIBIT A

PROPOSED BOUNDARY OF THE
SEACLIFF COMMUNITY PLAN AREA

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA

ATTACHMENT 4



AT THE BOARD OF SUPERVISORS MEETING

On the Date of August 10, 1999

REGULAR AGENDA Item No. 052

(Continued consideration of report on the Planning Commission's review of the General Plan/Local Coastal Program Land Use Plan designation and zoning on APN: **038-081-36** (McGregor/Sea Ridge Drives); (read title and waived detailed reading of complete ordinance; adopted Interim ORDINANCE NO. 4556, as an urgency measure, as amended, to delete from the Ordinance, on Page 2, Section II, under Interim Regulations, item 5, which reads: "Applications for discretionary uses necessary to allow a reasonable economic use of the property."; including the boundaries as set forth; deferred initiation of a rezoning for the McGregor parcel until preparation of the **Seacliff** Community Plan; directed the Clerk of the Board to schedule a public hearing on September 21, 1999 to consider the extension of the interim ordinance; with an additional direction to include in the staff report for the September 21, 1999 public hearing a time frame for the **Seacliff** Community Plan preparation; and further directed Planning staff to return at the first meeting in March of 2000 with a conceptual Community Plan and with the intention of completing the rezoning process by June 2000...

Continued consideration of report on the Planning Commission's review of the General Plan/Local Coastal Program Land Use Plan designation and zoning on APN: 038-081-36 (McGregor/Sea Ridge Drives);

Upon the motion of Supervisor Beautz, duly seconded by Supervisor Wormhoudt, the Board, by unanimous vote, read title and waived detailed reading of complete ordinance; adopted Interim Ordinance No. **4556**, as an urgency measure, as amended, to delete from the Ordinance, on Page 2, Section II, under Interim Regulations, item 5, which reads: "Applications for discretionary uses necessary to allow a reasonable economic use of the property."; including the boundaries as set forth;

Upon the motion of Supervisor Symons, duly seconded by Supervi-

State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-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.

Page 1 of 2

102

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA

ATTACHMENT 4



AT THE BOARD **OF** SUPERVISORS MEETING

On the Date of August 10, 1999

REGULAR AGENDA Item No. 052

sor Wormhoudt, the Board, by unanimous vote, deferred initiation of a rezoning for the McGregor parcel until preparation of the **Seacliff** Community Plan; directed the Clerk of the Board to schedule a public hearing on September 21, 1999 to consider the extension of the interim ordinance; with an additional direction to include in the staff report for the September 21, 1999 public hearing a **time** frame for the **Seacliff** Community Plan preparation; and further directed Planning staff to return at the first meeting in March of 2000 with a conceptual Community Plan and with the intention of completing the rezoning process by June 2000

cc:

CAO

Planning

Glenda Hill, Planning

Mark Deming, Planning

Parks

California Coastal Commission

Katharine P. Minott

Sea Breeze Homeowners Assoc.

Rio Del Mar Improvement Assoc.

Seacliff Village Plan Committee

Seacliff Improvement Association

St. John the Baptist Episcopal

Housing Authority of the County of Santa Cruz

Richard **Beale** Land Use Planning Inc.

Vimal and **Nitin** Kumar

102

State of California, County of Santa Cruz-ss.

1, Susan A. Mauriello, Ex-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.

Page 2 of 2

by **ALICIA MURILLO**, Deputy Clerk, on August 13, 1999.