



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

May 30, 2000

Agenda: June 13, 2000

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

PUBLIC HEARING TO CONSIDER EXTENSION OF INTERIM ZONING REGULATIONS FOR THE SEACLIFF BEACH SPECIAL COMMUNITY AREA

Members of the Board:

On April 4, 2000, your Board considered a report on the **draft Seacliff Village Plan** and referred the Plan to the Housing Advisory Commission and Parks Commission for their review and recommendation. Your Board also directed that a public hearing be scheduled for this date to consider extending the development moratorium for the area within the proposed **Seacliff Village Plan** area (see Minute Order, Attachment 3.)

BACKGROUND

In response to public concern regarding proposed development of the 2.9 acre "McGregor" parcel, in December 1998, your Board directed the Planning Commission to study the existing zoning and consider the appropriateness of rezoning the site.

In April 1999, the Planning Commission held a public hearing and, based on public testimony, recommended that your Board rezone the property, direct Planning Department staff to prepare a **Seacliff Village Plan**, and adopt an interim ordinance to prevent development that might impede the efforts or recommendations of the Plan.

Your Board considered the Planning Commission's recommendations in May 1999 and directed staff to include the preparation of the **Seacliff Village Plan** in the Planning Department's 1999/2000 Work Program for Advanced Planning. Your Board also directed staff to return with an interim ordinance to prevent development during the Plan's preparation.

On August 10, 1999, your Board adopted Urgency Ordinance No. 4556, effective for 45 days (Attachment 4.) On September 21, 1999, your Board adopted Urgency Ordinance No. 4558, extending the development moratorium until June 30, 2000 (Attachment 5.)

As mentioned above, your Board reviewed the draft **Seacliff** Village Plan on April 4, 2000. At that time, staff identified issues, including parking and affordable housing, that merited additional study and recommendation. Your Board concurred and continued consideration of the draft Plan until November **21, 2000**.

DISCUSSION

As discussed at your April 4th meeting, additional time for review and recommendation by the Housing Advisory Commission and Parks Commission is needed. The Parks Commission received an introductory presentation at their May 8th meeting and continued consideration until June 12th. The Housing Advisory Commission will hear an introductory presentation at their next meeting.

The current development moratorium expires on June 30, 2000. As the potential for imminent development is still present within the boundaries of the **Seacliff** Village Plan area, it is appropriate to continue the current development moratorium until the components of the Plan are better realized and reviewed. The proposed ordinance extending the development moratorium until June 30, 2001 or the adoption of the **Seacliff** Village Plan, whichever occurs first, is attached for your consideration (Attachment 1.) Because the ordinance extension 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.

RECOMMENDATION

Extension of the development moratorium until June 30, 2001 or the adoption of the **Seacliff** Village Plan, whichever occurs first, will allow the community and your Board time to thoughtfully consider the appropriate uses for the parcels within the **Seacliff** Village Plan area.

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

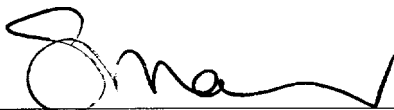
1. Adopt the attached interim ordinance (Attachment 1), as an urgency measure; and
2. Certify the attached Notice of Exemption (Attachment 2).

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
AMENDING ORDINANCE NO. 4558 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,

WHEREAS, on September 21, 1999, the Board of Supervisors adopted Ordinance No. 4558 extending interim zoning regulations for the Seacliff Beach Special Community area and, pursuant to Government Code Section 65858, said ordinance to expire on June 30, 2000, unless further extended; and

WHEREAS, preparation and review of the Seacliff Village Plan is on-going but will not be completed prior to June 30, 2000; 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 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 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 Section I of this ordinance. Pursuant to Government Code Section 65858, this ordinance shall be in full force and effect for one year from the date of its adoption by the Board of Supervisors or until the adoption and certification of the Seacliff Village Plan, whichever occurs first.

PASSED AND ADOPTED this 0 day of _____, 2000, 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:

Dee St
 Assistant County Counsel

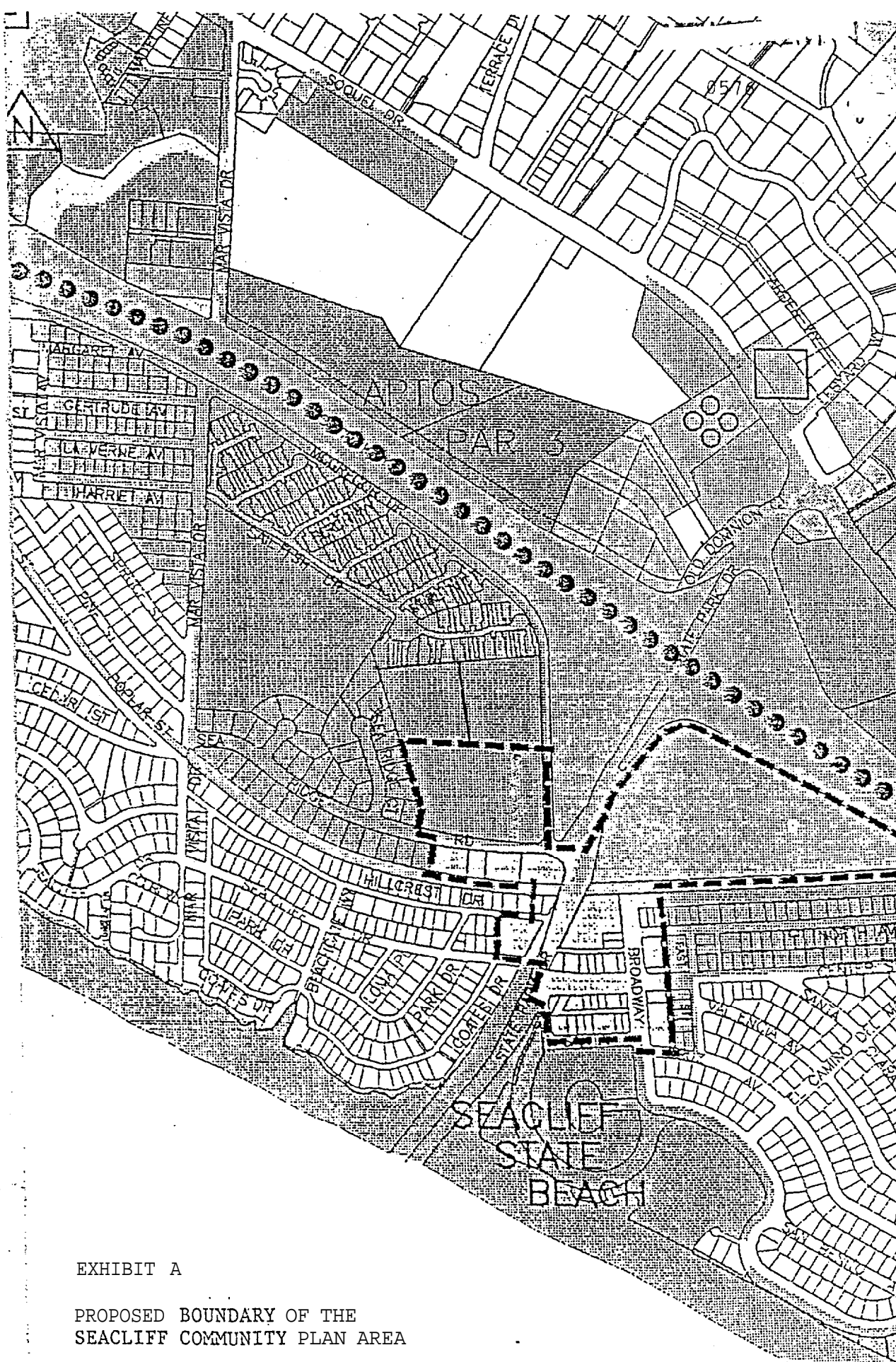


EXHIBIT A

PROPOSED BOUNDARY OF THE
SEASIDE STATE BEACH AREA

Attachments:

1. Proposed Ordinance
2. Notice of Exemption
3. Minute Order of April 4, 2000
4. Ordinance No. 4556
5. Ordinance No. 4558

cc: Seacliff Village Plan Area property owners
Housing Authority of the County of Santa Cruz
St. John the Baptist Episcopal Church
Seacliff Village Plan Committee
California Coastal Commission

**NOTICE OF EXEMPTION
FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

0578

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 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

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

E. Lead Agency Other Than County: _____

Staff Planner: *Glenda Hill* Date: May 30, 2000
Glenda Hill

COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



AT THE BOARD OF SUPERVISORS MEETING

0579

On the Date of April 4, 2000

REGULAR AGENDA Item No. 071

(CONSIDERED the draft **Seacliff** Village Plan:
(1,) referred the Draft **Seacliff** Village Plan to the Parks Commission and the Housing Advisory Commission for their review and recommendation, and directed the Planning Department to return with the draft Plan on November 21, 2000; with an additional direction that the Planning Department work with State Parks to see if a plan is possible in terms of cooperative parking arrangements;
(2) scheduled a public hearing on June 13, 2000 to consider extension of the development moratorium until June 22, 2001 and directed the Clerk of the Board to provide the appropriate noticing...

Considered the draft **Seacliff** Village Plan;

Upon the motion of Supervisor Symons, duly seconded by Supervisor Almquist, the Board, by unanimous vote, referred the Draft **Seacliff** Village Plan to the Parks Commission and the Housing Advisory Commission for their review and recommendation, and directed the Planning Department to return with the draft Plan on November 21, 2000; with an additional direction that the Planning Department work with State Parks to see if a plan is possible in terms of cooperative parking arrangements;

Upon the motion of Supervisor Symons, duly seconded by Supervisor Almquist, the Board, with Supervisor Campos voting "no", scheduled a public hearing on June 13, 2000 to consider extension of the development moratorium until June 22, 2001 and directed the Clerk of the Board to provide the appropriate noticing

cc:

CAO
✓ Planning

State of California, County of Santa Cruz-ss.

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

Page 1 of 1

by Sharon Mitchell, Deputy Clerk, ON April 7, 2000.

5 6

**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 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 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 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

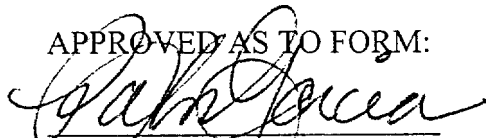
constituting the need for this ordinance are set forth in the findings contained in subdivision (a) of Section 13.10.698. Pursuant to Government Code Section 65858, this ordinance shall be in full force and effect for 45 days from the date of its adoption by the Board of Supervisors, unless, following 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.

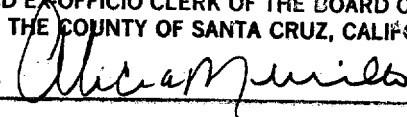
PASSED AND ADOPTED this 10th day of August the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS Beautz, Wormhoudt, Symons, Campos & Almquist
NOES: SUPERVISORS None
ABSENT,: SUPERVISORS None
ABSTAIN: SUPERVISORS None

JEFF ALMQUIST
Chairperson of the Board of Supervisors

Attest: **SUSAN M. ROZANIC**
Clerk of the Board

APPROVED AS TO FORM:

Assistant County Counsel

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 12th DAY OF August 19 79
SUSAN A MAURIELLO COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.
BY  DEPUTY

**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**

2007

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

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 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

0585

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.

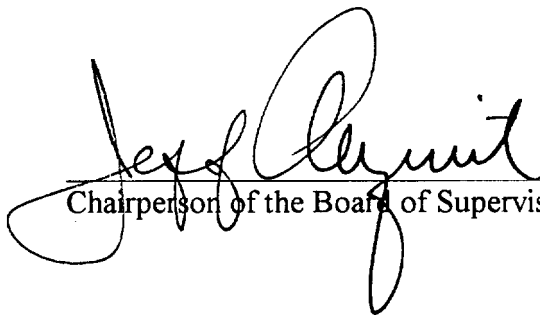
SECTION IV

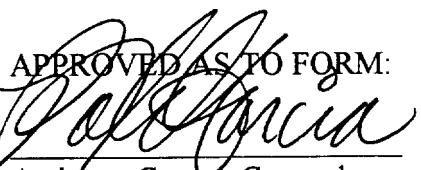
This ordinance shall take effect immediately based on the findings by the Board of Supervisors that this ordinance is adopted consistent with Government Code Section 65858, and is necessary for the protection of the public health, safety, and general welfare. The facts constituting the need for this 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 until June 30, 2000 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 21st day of September the Board of Supervisors of the County of Santa Cruz by the following vote:

- AYES: SUPERVISORS Wormhoudt , Symons, Beautz, Campos and 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

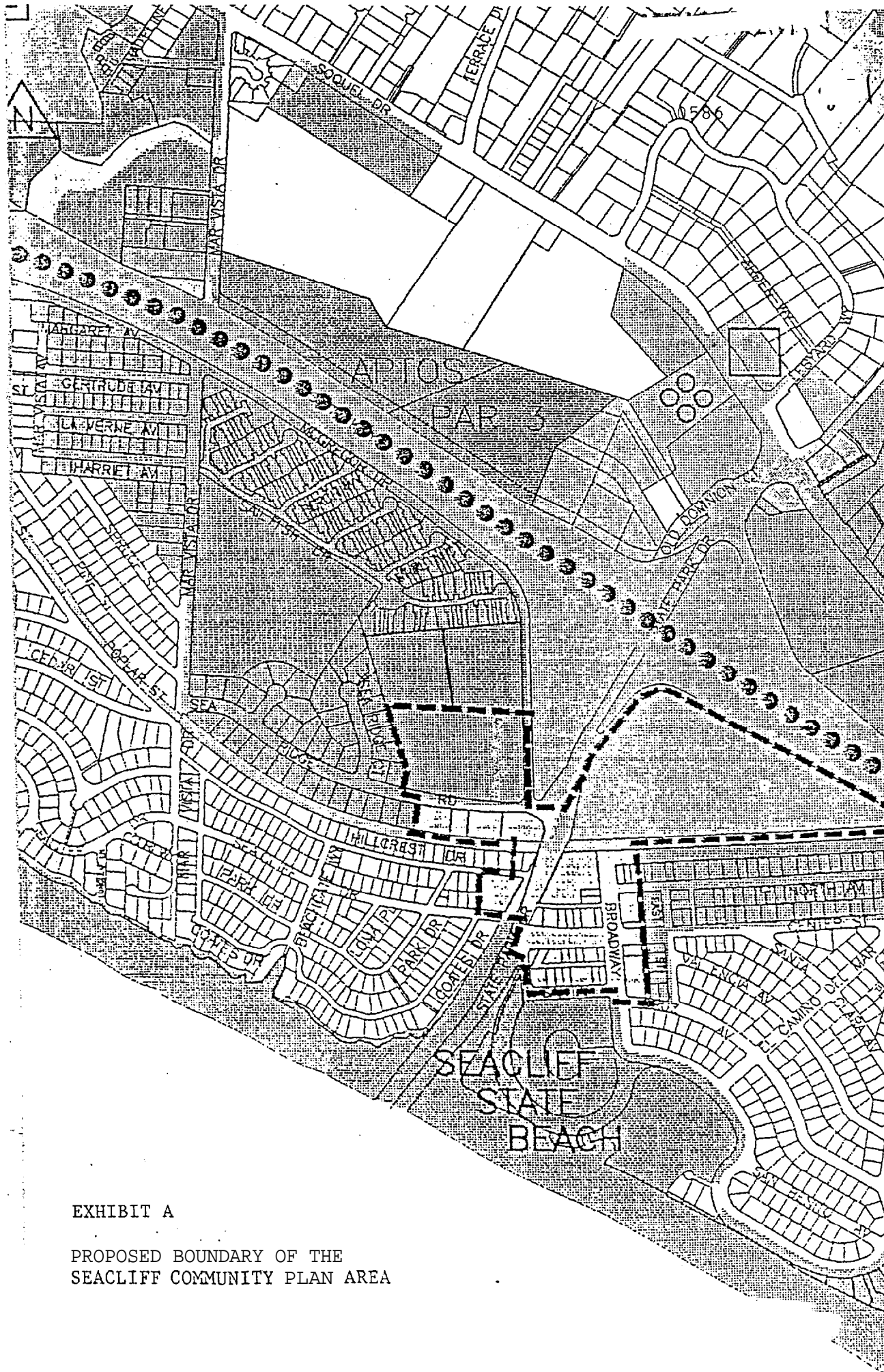


EXHIBIT A

PROPOSED BOUNDARY OF THE
SEACLIFF COMMUNITY PLAN AREA