



County of Santa Cruz ⁰²⁸⁷

PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

Agenda Date: December 5, 2000

October 16, 2000

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

Subject: Proposal to rezone Assessor's Parcel Numbers 058-021-01, 03 and 07, 058-022-1 1, 058-042-01, 058-121-01, 02, 058-122-09, 12, 059-011-03,04,05,06, 10, 11 and 13, 059-021-62, 03 and 04 to add the Agricultural Preserve ("P") combining district to the present Commercial Agriculture ("CA") zone district, and to combine Assessor's Parcel Numbers 058-05 1-05 and 07 with Assessor's Parcel Number 058-042-01 and rezone APNs 058-05 1-05 and 07 from the Residential Agriculture ("RA") zone district to the Commercial Agriculture - Agricultural Preserve ("CA-P") zone district and to rezone Assessor's Parcel Number 059- 15 1-01 from the Special Use ("SU") zone district to the Agriculture - Agricultural Preserve ("A-P") zone district. Requires a Rezoning and a Coastal Development Permit.

APPLICATION NUMBER: 98-0869

ASSESSOR'S PARCEL NUMBERS: 058-021-01, 03 and 07, 058-022-1 1, 058-042-01, 058-051-05, 07, 058-121-01, 02, 058-122-09, 12, 059-011-03, 04, 05, 06, 10, 11 and 13, 059-02 1-02, 03 and 04 and 059- 15 1-0 1

APPLICANT: Coast Dairies Land Co., attn: Edith Pepper

OWNER: Coast Dairies Land Co.

LOCATION: The properties are located adjacent to both sides of Highway 1, beginning at Laguna Creek and extending north to Molino Creek to a pumping station, excluding the RMC Cement Plant and the community of Davenport.

Members of the Board:

BACKGROUND

On December 18, 1998, the County Planning Department accepted this application for rezoning 19 parcels into the Agricultural Preserve combining district, two parcels from the Residential Agriculture (RA) zone district to the Commercial Agriculture with the Agricultural Preserve combining (CA-P) zone district and one parcel from the Special Use (SU) zone district to the Agriculture with the Agricultural Preserve combining (A-P) zone district. These rezonings are

necessary for consistency with the Williamson Act contracts which were approved by your Board on December 8, 1998 for the subject parcels (Exhibit I, Attachment 6). This project qualifies for a categorical exemption (Attachment 3) accordance with the California Environmental Quality Act and the County Environmental Review Guidelines (Article 18, Sections 1808 and 18 17).

On October 11, 2000, the Planning Commission heard this application at a noticed public hearing. The Planning Commission adopted Resolution 6-00 (Attachment 4) recommending approval of the conditional rezoning of the subject parcels 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 North Coast and Bonny Doon planning areas with primary access via Highway 1 (Exhibit E, Attachment 6). The subject parcels vary in size to 0.1 acres to 1,775 acres. The 21 parcels total nearly 5,500 acres of agricultural land. The topography of the property varies greatly due to its size from coastal bluffs and coastal marine terraces to steep mountainous slopes and canyons with grasslands and scattered timber and coastal stream channels and arroyos. The properties are owned by Coast Dairies and Land Company which in turn is owned by the Trust for Public Lands. The properties will be maintained for agricultural and open space uses with plans for eventual ownership by State Parks and/or the Bureau of Land Management.

General Plan & Zoning Consistency

The subject parcels have a 1994 General Plan land use designation of Agriculture, except for APN 059-1 5 1-02 which is designated as Mountain Residential (Exhibit H, Attachment 6). Both the CA and RA zone districts implement the Agriculture General Plan designation. Assessor's Parcel Numbers 058-051-05 and 07 are currently zoned RA and are approximately 1.1 and 0.1 acres respectively (See Zoning Maps, Exhibit G of Attachment 6). The RA zone district is not consistent with the Williamson Act or the Agricultural Preserve combining district. Furthermore, these properties are too small to qualify for rezoning to the CA zone district. APNs 058-05 1-05 and 07 are contiguous with APN 058-042-01 which is also subject to rezoning under this application and is currently zoned CA. In order to achieve consistency with the Williamson Act, the Agricultural Preserve designation and the CA zone district, parcels 058-05 1-05 and 07 have been combined with APN 058-042-01 through a recorded affidavit to retain as a single parcel. The resultant larger parcel will be rezoned to the CA-P zone district consistent with the Williamson Contract. This affidavit has been recorded and a copy received by the Planning Department (Attachment 8)

Again, Assessor's Parcel Number 059-1 5 1-02 is zoned Special Use and is designated as Mountain Residential. A General Plan Amendment would be required in order to rezone this property to CA-P, as the CA zone district is not consistent with the Mountain Residential General Plan designation. The Agriculture zone district, however, is consistent with the Mountain Residential General Plan designation, as specified in Section 13.10.170 of the County Code. Although the CA-P rezoning is preferred, the Agriculture with an Agricultural Preserve designation (A-P) is consistent with the Williamson Act, County policy and past County practices. Thus, this property is proposed for rezoning from the SU zone district to the A-P zone district.

Most of subject parcels are visible from Highway 1, a 1994 General Plan designated scenic road. The proposed rezonings are consistent with the County's General Plan policies for scenic resources, since the purpose of the rezonings are for consistency with the previously approved Williamson Act contracts. The Williamson Act contracts recognize, protect and encourage the existing and future agricultural uses of these properties as well as preserving their open space value.

A tenant repaired and expanded a damaged agricultural dam on APN 059-011-13 on Yellow Bank Creek without permits. In order to address this situation, the rezoning of this parcel is subject to the condition to apply for Coastal zone and other appropriate permits within 90 days of the Rezoning Approval. The conditions further require that all work be completed and the permit(s) finalized within one year of approval.

Conclusion

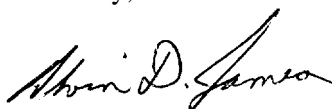
The proposed rezoning of the subject parcels to the Commercial Agriculture with Agricultural Preserve (CA-P) zoning designation, except APN 059-1 5 1-02, which will be rezoned to the Agriculture with Agricultural Preserve (A-P) zoning designation, are consistent with the Williamson Act contracts and the County's 1994 General Plan policies for the preservation of agricultural lands and open space. All required findings can be made to approve this application and these rezonings are consistent with the General Plan and Coastal Zone policies and land use designations, subject to the attached conditions of approval (Attachment 2).

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 categorically exempt from the California Environmental Quality Act (Attachment 3); and
2. Approve Coastal Development Permit 98-0869 and adopt the attached Ordinance amending Chapter 13.10 of the Santa Cruz County Code that Conditionally Rezones Assessor's Parcel Numbers 058-021-01, 03 and 07, 058-022-11, 058-042-01, 058-121-01, 02, 058-122-09, 12, 059-01 1-03, 04, 05, 06, 10, 11 and 13, 059-021-02, 03 and 04 to add the Agricultural Preserve ("-P") combining district to the present Commercial Agriculture ("CA") zone district, and to combine Assessor's Parcel Numbers 058-05 1-05 and 07 with Assessor's Parcel Number 058-042-01 and rezone APNs 058-05 1-05 and 07 from the Residential Agriculture ("RA") zone district to the Commercial Agriculture - Agricultural Preserve ("CA-P") zone district and to rezone Assessor's Parcel Number 059-151-01 from the Special Use ("SU") zone district to the Agriculture - Agricultural Preserve ("A-P") zone district (Attachment 5).

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

cc: Coast Dairies Land Co. Attn: Edith Pepper 116 New Montgomery Street, Third Floor
San Francisco, CA 94 105

- Attachments:
1. Findings
 2. Conditions of Approval
 3. CEQA Exemption
 4. Planning Commission Resolution No. 6-00
 5. Ordinance Amending Chapter 13.10 of the County Code changing properties from one zone district to another
 6. Planning Commission Staff Report of October 11, 2000
 7. Planning Commission Minutes of October 11, 2000
 8. Recorded Affidavit

SAM/ADJ/CLC 98-0869 Coast Dairies Bdreport.wpd